



**Vestavia Hills
City Council Agenda
October 14, 2024
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation - David Phillips, Vestavia Hills Chaplain
4. Pledge Of Allegiance
5. Approval Of The Agenda
6. Announcements, Candidates and Guest Recognition
 - Special Recognition - Members of the Vestavia Hills Fire Department
 - Announcement of an upcoming vacancy on the Vestavia Hills Parks and Recreation Board; Applications begin to be accepted on Tuesday, October 15, 2024, and the deadline for application is 5 PM, Monday, November 4, 2024. Interview dates are Wednesday, November 6, 2024, and, if needed, Wednesday, November 13, 2024 - Councilor Paul Head
 - Announcement of an upcoming vacancy on the Vestavia Hills Library Board; Applications begin to be accepted on Tuesday, October 15, 2024, and the deadline for application is 5 PM, Monday, November 4, 2024. Interview dates are Wednesday, November 6, 2024, and, if needed, Wednesday, November 13, 2024 - Mayor Ashley C. Curry
7. City Manager's Report
8. Councilors' Reports
9. Approval Of Minutes - September 23, 2024 Regular Meeting Minutes

Old Business (Public Hearing)

New Business

New Business Requesting Unanimous Consent (Public Hearing)

First Reading (No Action To Be Taken At This Meeting)

10. Public Hearing - Ordinance Number 3248 - Rezoning - 4244 White Oak Drive; Rezone from Vestavia Hills Agriculture to Vestavia Hills R-9 (Planned Residential District) for construction of three single family detached homes; Jon Hinds, Sweet Home Group, LLC, Owner
11. Citizens Comments
12. Time Of Adjournment

PUBLIC HEARING PROCEDURES

The following procedures shall be followed for every public hearing of the City Council:

- All comments shall be limited to **3 minutes**. A countdown clock will be provided on the video screens.
- Do not duplicate comments made by previous speakers. For example, if traffic is mentioned as an issue, do not readdress that issue.
- All comments shall be directed to the Mayor and/or presiding officer. Do not address the audience or the applicant.
- Each speaker shall identify himself, including full name and address.

SPECIAL NOTICE CONCERNING CITY COUNCIL MEETINGS

If you prefer not to attend a City Council meeting or work session in person, you may participate remotely:

- **Videoconference:** To participate by videoconference, you may access the meeting via Zoom at <https://us02web.zoom.us/j/5539517181>. When the Zoom.us window opens in your browser, click "Allow" to be placed in a virtual "waiting room." The host will open the meeting and allow all participants to join the meeting at that time. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, activate the "video" feature and unmute yourself by toggling the mute button. When the Mayor recognizes you and gives you the floor, state your name and address for the record and then you may address the Council. Some useful Zoom functions include: microphone Mute/Unmute; Start/Stop Video; and View Participants – opens a pop-out screen that includes the "Raise Hand" icon that you may use to raise a virtual hand.
- **Teleconference:** To participate by telephone, dial 312.626.6799 and enter the meeting ID: 5539517181. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, unmute yourself by pressing *6 on your keypad. Then state your name and wait for the Mayor to recognize you. When the Mayor recognizes you and gives you the floor, state your name and address for the record and then address the Council.

Meetings may be recorded. By participating in the meeting, you are consenting to be recorded.

"Zoom-bombing." Zoom-bombing is a cyber-crime and is punishable by law. In the event of an attendee intruding into any City of Vestavia Hills Zoom meeting, the online broadcast will be terminated immediately. Council and/or board members may be readmitted but online attendees will not. Although Zoom-bombing is not a frequent occurrence, those wishing to make public comment should attend the meeting in person.



**Vestavia Hills
City Council Minutes
September 23, 2024
6:00 PM**

1. Call to Order

The City Council of Vestavia Hills met in regular session on this date at 6:00 PM, following publication and posting pursuant to Alabama law. A number of staff and members of the general public also attended virtually, via Zoom.com, following publication pursuant to Alabama law. The Mayor called the meeting to order and the City Clerk called the roll with the following:

2. Roll Call

Roll call was as follows:

MEMBERS PRESENT: Mayor Ashley Curry, Mayor Pro-Tem Rusty Weaver, City Councilor Kimberly Cook, City Councilor Paul Head, City Councilor George Pierce

MEMBERS ABSENT: None.

OTHER OFFICIALS PRESENT: Cinnamon McCulley, Asst. City Manager; Bent Owens, Acting City Attorney; Umang Patel, Court Director (Acting City Clerk); Shane Ware, Police Chief; Melvin Turner, Finance Director; Zachary Clifton, Asst. Finance Director; Lori Beth Kearley, Public Works Director; Jamie Lee, Director of Parks and Leisure Services; Marvin Green, Fire Chief; Ryan Farrell, Deputy Fire Chief; James Randall, Human Resources Director

3. Invocation - Butch Williams, Vestavia Hills Chaplain

4. Pledge of Allegiance

5. Approval of The Agenda

Mayor Curry made a request to amend the agenda to remove Resolution Number 5529 and Ordinance Number 3246 at the applicant's request.

The Mayor opened the floor for a motion to approve the amended agenda.

MOTION: Approve the September 23, 2024 Agenda as amended to remove Resolution Number 5529 and Ordinance Number 3246 from consideration. Motion By: Rusty Weaver. Seconded By: George Pierce.

Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

6. Announcements, Candidates and Guest Recognition

- Mr. Pierce welcomed Vestavia Hills Chamber of Commerce Board member Kelly Atchison to the meeting.
- Mayor Curry welcomed Emory Carver. Mr. Carver is currently a senior at Vestavia Hills High School and a candidate for Vestavia Hills Homecoming King. Mr. Carver explained that there are five candidates, and the winner is determined by whomever is able to collect the most donations for a fall charity. This year's fall charity is Equip. Equip is dedicated to educating and empowering students and adults living with disabilities.

7. Proclamation - October 2024 as Down Syndrome Awareness Month

The Mayor presented a Proclamation designating October 2024 as "Down Syndrome Awareness Month." Mrs. McCulley read the Proclamation aloud, and the Mayor presented it to Nate Gorham, Katherine Gorham, Kelly Rainer, Vaughan Rainer, Missy Haughery, John Haughery, Tracy Thornton, Ingram Thornton, Chambers Thornton, Mary Thompson, Samuel Thompson, Lucy Thompson, and Scott Thompson.

8. Proclamation - October 2024 as Fire Prevention Month

The Mayor presented a Proclamation designating October 6-12, 2024, as "Fire Prevention Week" and October 2024 as "Fire Prevention Month." Mrs. McCulley read the Proclamation aloud, and the Mayor presented it to Ryan Farrell, Graham Brown, Jacob Maddox, and Dillon Bagby of the Vestavia Hills Fire Department.

9. City Manager's Report

Mrs. McCulley stated the Girls Scouts have installed benches at Scout Square. Mrs. McCulley showed the pictures of the benches as well.

Lori Beth Kearley, Public Services Director, presented an update regarding paving. Donelson Construction is scheduled to begin a pavement preservation project on Canton Road and Seneca Road on Tuesday, October 8, weather permitting. This will include installing the patented PressurePave system, which will extend the life of these pavements and provide a fresh, new asphalt surface upon completion. The Contractor will work with residents to ensure access and minimize inconveniences as much as possible. The work will take a few days to complete. This project was discussed at Strategic Planning and was originally scheduled for the summer; however, it was delayed due to the Contractor's scheduling.

Also, in October, contractor Central Alabama plans to begin our first phase of FY25 paving projects, including Pumphouse Road from the start of our city limits to the Dolly Ridge Road intersection, in conjunction with our Cahaba Heights Gateway project, which is taking shape. Other roads in this phase include Kyle Lane, Asbury Park Place, Asbury Park Lane, Asbury Park Circle, and Elmore Drive. Definitive schedules are being nailed down this week. Public notifications will be distributed to residents.

10. Councilors' Reports

Mrs. Cook called attention to various paving projects, located in other jurisdictions, but connecting to our business districts, and how getting these problem areas addressed has positively impacted residents. For example, Blue Lake Road to Pump House Road has historically been in very poor condition, with numerous large potholes. While that area is City of Birmingham, Mrs. Cook asked City staff to reach out to the City of Birmingham and urge them to repave that area. The City of Birmingham is now repaving that area. Another area to note is Sicard Hollow Road, which is multi-jurisdictional. Mrs. Cooks commended the City staff for communicating with Jefferson County and the City of Birmingham to ensure roads stay safe for public travel.

Mr. Pierce attended the Vestavia Hills Chamber Luncheon. Mr. Pierce also stated the Vestavia Hills Chamber of Commerce is busy getting for various upcoming events such as Halloween Trunk-or-Treat and Viva Vestavia.

Mayor Curry stated the City of Vestavia Hills will host their annual Salute to Veterans event at the Vestavia Hills Civic Center on Thursday, November 2, 2024. There will be various speakers, but two key speakers who are residents of Vestavia Hills: Joe Hicks and Malcolm Miller. They are both 97 years old and World War II Veterans. More details will be forthcoming.

11. Financial Reports - Zachary Clifton, Deputy Finance Director

Zach Clifton, Assistant Finance Director, presented the financial report for August 2024. He read and explained the balances.

Mr. Pierce stated that September would be the last month of the fiscal year. Mr. Clifton confirmed this is correct, and noted the council will be provided with the primary financial reports. An annual audit will follow.

12. Approval of Minutes - September 9, 2024 Regular Meeting and September 16, 2024 Work Session

Mayor Curry announced that the minutes of the September 9, 2024, regular meeting and September 16, 2024, work session are being presented for approval. He opened the floor for a motion.

MOTION: Approve the minutes as presented. Motion By: Kimberly Cook. Seconded By: Rusty Weaver.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

Old Business (Public Hearing)

13. Public Hearing - Ordinance Number 3235 - Annexation - 90 day final - 3365 Rosemary Lane; Lot 114, Buckhead 4th Sector; Lalith and Judy Wijayasuriya, Owners

MOTION: Approve Ordinance Number 3235 as presented. Motion by: Kimberly Cook. Seconded by: George Pierce.

Mr. Pierce stated that, while it may appear as though there are twelve annexations, there are actually only six. The annexation process requires an overnight annexation of the property and a 90-day annexation period before final approval. Some of the annexations listed for this agenda are at the completion of the 90-day review period, while other annexations would begin their 90-day period if approved. The annexation process requires a meeting with the Annexation Committee, various Vestavia Hills City Staff, and the Vestavia Hills School Board staff to ensure the property meets the exceptions to all city requirements and for consideration regarding the impact on the school system.

The Mayor explained that there would be one public hearing for this item and the following item. With that, he opened the floor for a public hearing on Ordinance Number 3235 and Ordinance Number 3236. There being no one to address the Council regarding these requests, the Mayor closed the public hearing and called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

14. Public Hearing - Ordinance Number 3236 - Rezoning - 3365 Rosemary Lane; Lot 114, Buckhead, 4th Sector; Rezone from Jefferson County E-2 to Vestavia Hills R-1; Lalith and Judy Wigjayasuriay, Owners

MOTION: Approve Ordinance Number 3236 as presented. Motion by: Kimberly Cook. Seconded by: Rusty Weaver.

Mayor Curry stated that this is the Ordinance for rezoning of the same property and the public hearing has been held. Mayor Curry called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

15. Public Hearing - Ordinance Number 3237 - Annexation - 90 day final - 2768 Altadena Lake Drive; Lot 5, Block 5, Altadena Valley, 4th Sector; David and Melinda Romine, Owners

MOTION: Approve Ordinance Number 3237 as presented. Motion by: Kimberly Cook. Seconded by: Rusty Weaver.

The Mayor explained that there would be one public hearing for both ordinances. With that, he opened the floor for a public hearing on Ordinance Number 3237 and Ordinance Number 3238. There being no one to address the Council regarding these requests, the Mayor closed the public hearing and called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

16. Public Hearing - Ordinance Number 3238 - Rezoning - 2768 Altadena Lake Drive; Lot 5, Block 5, Altadena Valley; Rezone from Jefferson County R-1 to Vestavia Hills R-2; David Romine, Owner

MOTION: Approve Ordinance Number 3238 as presented. Motion by: Kimberly Cook. Seconded by: Rusty Weaver.

Mayor Curry stated that this is the Ordinance for rezoning of the same property and the public hearing has been held. Mayor Curry called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

17. Public Hearing - Ordinance Number 3239 - Annexation - 90 day final - 3509 Pineland Drive; Lot 10, Block 2, Dolly Ridge Estates, 1st Addition; Matthew and Mary Griffin, Owners

MOTION: Approve Ordinance Number 3239 as presented. Motion by: Kimberly Cook. Seconded by: Rusty Weaver.

The Mayor explained that there would be one public hearing for both ordinances. With that, he opened the floor for a public hearing on Ordinance Number 3239 and Ordinance Number 3240. There being no one to address the Council regarding these requests, the Mayor closed the public hearing and called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

18. Public Hearing - Ordinance Number 3240 - Rezoning - 3509 Pineland Drive; Lot 10, Block 2, Survey of Dolly Ridge Estates, 1st Addition; Rezone from Jefferson County E-2 to Vestavia Hills R-1; Matthew Griffin, Owners

MOTION: Approve Ordinance Number 3240 as presented. Motion by: Kimberly Cook. Seconded by: Rusty Weaver.

Mayor Curry stated that this is the Ordinance for rezoning of the same property and a public hearing has been held. Mayor Curry called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

19. Public Hearing - Ordinance Number 3243 - An Ordinance to establish the use of electronic vote counting devices for use in all municipal elections of the City of Vestavia Hills

MOTION: Approve Ordinance Number 3243 as presented. Motion by: Rusty Weaver. Seconded by: Kimberly Cook.

Mrs. McCulley explained the city historically has used Jefferson County voting equipment. Jefferson County has approved the use of the voting machines, but it was advised we, as a municipality, approve the voting machines as well. This approval covers voting machines for Jefferson and Shelby County.

The Mayor opened the floor for a public hearing. There being no one present to address the Council on this issue, the Mayor closed the public hearing and called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul

Head, George Pierce.

No: None. Abstain: None. Motion passed.

**20. Public Hearing - Resolution Number 5527 - Annexation - 90 Day - 2686
Altadena Road; Lot 4, Altadena Park; Estate of Mary N. Russell, Owner**

MOTION: Approve Resolution Number 5527 as presented. Motion by: Kimberly Cook. Seconded by: Rusty Weaver.

The Mayor explained that there would be one public hearing for both the Resolution and the Ordinance. With that, he opened the floor for a public hearing on Resolution Number 5527 and Ordinance Number 3244. There being no one to address the Council regarding these requests, the Mayor closed the public hearing and called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

**21. Public Hearing - Ordinance Number 3244 - Annexation - Overnight - 2686
Altadena Road; Lot 4, Altadena Park; Estate of Mary N. Russell, Owner**

MOTION: Approve Ordinance Number 3244 as presented. Motion by: Rusty Weaver. Seconded by: George Pierce.

Mayor Curry stated that this is the overnight annexation of the same property and a public hearing was previously held. Mayor Curry called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

**22. Public Hearing - Resolution Number 5528 - Annexation - 90 day - 2701 Alta
View Drive, Lot 5, Altadena Estates; H. Stephen and Joanne Williams,
Owners**

MOTION: Approve Resolution Number 5528. Motion by: Rusty Weaver. Seconded by: George Pierce.

The Mayor explained that there would be one public hearing for both the Resolution and the Ordinance. With that, he opened the floor for a public hearing on Resolution Number 5527 and Ordinance Number 3244.

Joanne Williamson, owner, stated the agenda had the incorrect last name. The last should be Williamson, not Williams. There being no one else to address the Council regarding these requests, the Mayor closed the public hearing and called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

**23. Public Hearing - Ordinance Number 3245 - Annexation - Overnight - 2701
Alta View Drive, Lot 5, Altadena Estates; H. Stephen and Joanne Williams,
Owners**

MOTION: Approve Ordinance Number 3245 as presented. Motion by: Kimberly Cook. Seconded by: Rusty Weaver.

Mayor Curry stated that this is the overnight annexation of the same property and a public hearing was previously held. Mayor Curry called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

24. Public Hearing - Resolution Number 5529 - Annexation - 90 Day - 3583 Valley Circle; Lot 19, Block 1, Dolly Ridge Estates, 2nd Add; Heather Page and Bobby J. Eyer, Owners

This item was removed from the agenda.

25. Public Hearing - Ordinance Number 3246 - Annexation - Overnight - 3583 Valley Circle; Lot 19, Block 1, Dolly Ridge Estates, 2nd Add; Heather Page and Bobby J. Eyer, Owners

This item was removed from the agenda.

26. Public Hearing - Resolution Number 5530 - Annexation - 90 day - 2612 Altadena Road; Lot 2, J.P. Westbrook Est.; Beth and Kreg Montgomery, owners

MOTION: Approve Resolution Number 5530 as presented. Motion by: Kimberly Cook. Seconded by: Rusty Weaver.

The Mayor explained that there would be one public hearing for both the Resolution and the Ordinance. He opened the floor for a public hearing on Resolution Number 5527 and Ordinance Number 3244. There being no one to address the Council regarding these requests, the Mayor closed the public hearing and called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

27. Public Hearing - Ordinance Number 3247 - Annexation - Overnight - 2612 Altadena Road; Lot 2, J.P. Westbrook Est.; Beth and Kreg Montgomery, owners

MOTION: Approve Ordinance Number 3247 as presented. Motion by: Rusty Weaver. Seconded by: Kimberly Cook.

Mayor Curry stated that this is the overnight annexation of the same property and the public hearing has been held. Mayor Curry called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

28. Public Hearing - Resolution Number 5531 - A Resolution authorizing an economic development agreement by the City of Vestavia Hills and Altera AIP-Vestavia, LLC

MOTION: Approve Resolution Number 5531 as presented. Motion by: Kimberly Cook. Seconded by: Rusty Weaver.

Mrs. McCulley stated that Resolution 5531 is a resolution authorizing an economic development agreement by the City of Vestavia Hills and Altera AIP-Vestavia, LLC. A 28,092 sq. ft. vacant tenant space at 1031 Montgomery Highway within Vestavia Hills. It is the site of the former Sprouts grocery store which suspended operations at this location in November 2018. The development is currently owned by GBT Realty. After six years of vacancy and unsuccessful efforts at strategic subleasing and leasing, a new-to-market concept has been presented to the City by a developer team, Altera AIP-Vestavia, LLC, whereby the entire shopping center would be purchased by Altera AIP-Vestavia, LLC. As the new shopping center owner, Altera AIP-Vestavia, LLC would retain the existing tenants who are actively occupying spaces and negotiate the termination of the remaining lease term on the 28,092 sq ft lease in place with Sprouts to allow Picklr to enter into a new long-term lease of the vacant space. Picklr operates an indoor pickleball complex that includes a pro-shop and food service operation. Due to the challenges associated with the early termination of the Sprouts lease and redevelopment costs of converting the space, a feasibility gap exists in the proposed project. Therefore, a proposal has been made to the City of Vestavia Hills to entertain an Amendment 772 Economic Development Agreement that would include a \$300,000 contribution to the project and reestablishment of the previous non-educational sales/property tax rebates that were terminated in 2018 as Sprouts ceased its operations. These rebates include a 50% share of City tax revenues produced by the shopping center development over a period of 10 years. Furthermore, any expenditure of public funds would be contingent upon the delivery of the developer obligations, would be capped as to the total obligations, both aggregate values and time frame, and be subject to termination should Picklr not operate as the shopping center anchor.

There is a significant demand for pickleball in our area – our City courts are generally at full capacity and there have been many requests to convert tennis courts to pickleball to satisfy the demand. The public/private partnership with Picklr will satisfy this demand and mitigate the costs of a purely public solution. Given the vacancy in a prominent anchor retail site along the City's largest business corridor, the new tenant will also create a significant increase in foot-traffic that will improve gross retail sales for this area of Vestavia Hills and provide tangible value for other businesses and improve the City's revenues.

There have been many positive investments in the Highway 31 corridor in Vestavia Hills. The occupancy of this new entertainment venue will continue to create more momentum and financial strength for our City's finances and offer conveniences to our residents.

Patrick Denny was present on behalf of Altera AIP-Vestavia, LLC. Mr. Denney presented and discussed the overall proposal for the new Picklr franchise. Mr. Denny stated that Picklr is the largest pickleball franchise in the world, and this location would be the first Picklr location in the State. There will be a membership model similar to Planet Fitness in which members can go to other locations throughout the country and play. There will be 10 courts, including a "championship court" in the center. The layout of the courts would allow for tournaments, leagues, camps, and other events. The tentative timeline would be to open in January 2025.

Mayor Curry asked what the reach of the participants would be. Mr. Denny stated there is a location similar to Opelika where members from the Birmingham area will drive to participate.

Mr. Pierce stated he knows of a few individuals who drive to Opelika three times a week to play. Mr. Pierce also noted the Pickler location abuts a neighborhood and encouraged Mr. Denny to be sensitive to those neighbors. Mr. Denney explained the operating hours for Pickler would be 6 A.M. to midnight, but due to the nature of the facility, the activity will occur within the building filled with various sound-damping materials.

Mrs. Cook said she inquired about the money being invested in this shopping area. She has studied the proposal and done research into other similar concepts and appreciates the conversion of larger vacant buildings, shopping centers, and malls, into "pickle malls," rejuvenating those areas. The Sprouts building has been vacant for over six years and has not generated any sales tax revenue in that time. Mrs. Cook further discussed that the agreement is a remittance of 50% of non-educational sales tax dollars and is capped monetarily, and by time.

Mrs. McCulley reiterated that the City of Vestavia Hills recouped its previous investment from the original agreement with the current property owner.

The Mayor opened the floor for a public hearing. There being no one present to address the Council on this issue, the Mayor closed the public hearing and called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

29. Public Hearing - Resolution Number 5533 - A Resolution to Approve the Acceptance and Expenditure of Grant Funds to Support the Construction of Playground and Exercise Equipment at Altadena Valley Park

MOTION: Approve Resolution Number 5533 as presented. Motion by: Rusty Weaver. Seconded by: George Pierce.

Mrs. Cook asked about the sources of the funding.

Mayor Curry stated funding sources from three donors, Representative Mike Shaw (\$10,000), Commissioner Mike Bolin (\$20,000), and a grant from Innovate Alabama (\$15,000), for a total of \$45,000. The remaining funds of \$30,000 are allocated in the FY25 budget.

The Mayor opened the floor for a public hearing. There being no one present to address the Council on this issue, the Mayor closed the public hearing and called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

New Business

30. Public Hearing - Resolution Number 5532 - A resolution approving an alcohol license for Cala Coffee Company d/b/a as Cala Coffee for on and off premise sale of beer and table wine

MOTION: Approve Resolution Number 5532 as presented. Motion by: Rusty Weaver. Seconded by: George Pierce.

Josh Cosio, 3950 Autumn Lane, was present in regard to the petition. Mr. Cosio and his wife own Cala Coffee.

Councilor Pierce asked what training program Cala Coffee would have in place to ensure alcohol is not sold or consumed by minors. Mr. Cosio stated are certified via ServeSafe and will have all staff handling alcohol be certified via ServeSafe as well.

The Mayor opened the floor for a public hearing. There being no one present to address the Council on this issue, the Mayor closed the public hearing and called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

New Business Requesting Unanimous Consent (Public Hearing)

First Reading (No Action To Be Taken At This Meeting)

31. Citizens Comments

- None.

32. Time Of Adjournment

There being no further business, George Pierce made a motion to adjourn. The Mayor adjourned the meeting at 7:09 PM.

Ashley C. Curry, Mayor

ATTESTED BY:

Umang Patel, Acting City Clerk



**CITY OF VESTAVIA HILLS
CITY CLERK
INTER-DEPARTMENT MEMO**

October 14, 2024

To: Jeff Downes, City Manager

From: Rebecca Leavings, City Clerk

Cc:

RE: Public Hearing - Ordinance Number 3248 - Rezoning - 4244 White Oak Drive; Rezone from Vestavia Hills Agriculture to Vestavia Hills R-9 (Planned Residential District) for construction of three single family detached homes; Jon Hinds, Sweet Home Group, LLC, Owner

Background:

Property currently backs up to the Summit Shopping Center. Old home on the property was demolished. Request is to divide the property into three single-family lots for construction of three single family homes.

Recommendation:

P&Z Commission unanimously recommended with the condition that the required CC&R's be recorded and a copy submitted to the City Clerk prior to effective date of ordinance.

Fiscal Impact:

na

Attachments:

1. Ordinance 3248

ORDINANCE NUMBER 3248

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM VESTAVIA HILLS AGRICULTURAL TO VESTAVIA HILLS R-9

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Vestavia Hills Agricultural (agricultural district) to Vestavia Hills R-9 (planned residential district):

4244 White Oak Drive
Jon Hinds, Sweet Home Group LLC, Owner(s)

More particularly described as follows:

Part of the NE 1/4 of the SE 1/4 of Section 22, Township 18 South, Range 2 west, situated in Jefferson County, Alabama, more particularly described as follows:

Begin at the NE corner of said 1/4-1/4 section, run thence southwardly along the east line of said 1/4-1/4 section for a distance of 154 feet to the point of beginning of the property here described; from the point of beginning thus obtained, continue southwardly along said east line for a distance of 181.9 feet to intersection with the northerly right of way line of the Birmingham Water Works; thence turn an angle to the right of 122° 52' and run northwestwardly along the north or northeasterly right of way line for a distance of 254.65 feet; thence turn an angle to the right of 58° 07' and run northwardly for a distance of 148.6 feet; thence turn an angle to the right of 115 ° 24' and run eastwardly for a distance of 235.85 feet to the point of beginning.

BE IT FURTHER ORDAINED, that said rezoning is only effective following the recordation of the required private restrictive covenants to be filed and recorded in the Probate Office of Jefferson County and a copy to be provided to the City Clerk's office to be attached to this Ordinance Number 3248 prior to effective date of zoning.

APPROVED and ADOPTED this the 28th of October, 2024.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3248 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of October, 2024 as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, Vestavia Hills Civic Center and Vestavia Hills New Merkel House this the _____ day of _____, 2024.

Rebecca Leavings
City Clerk





City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation



Case Number: RZ-24-8

Owner Name: Jon Hinds

Owner Address: 3794 Poe Drive, Vestavia Hills, AL 35223

Representative: Griffin Walker

Rep. Address: 2469 Dolly Ridge Trail, Vestavia Hills, AL 35243

Project Address: 4244 White Oak Drive

PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 22, TOWNSHIP 18 SOUTH, RANGE 2 WEST,
SITUATED IN JEFFERSON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

Legal Description:

BEGIN AT THE NE CORNER OF SAID 1/4-1/4 SECTION, RUN THENCE SOUTHWARDLY
ALONG
THE EAST LINE OF SAID 1/4-1/4 SECTION FOR A DISTANCE OF 154 FEET TO THE
POINT OF
BEGINNING OF THE PROPERTY HERE DESCRIBED; FROM THE POINT OF BEGINNING
THUS
OBTAINED, CONTINUE SOUTHWARDLY ALONG SAID EAST LINE FOR A DISTANCE OF
181.9 FEET
TO INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF THE
BIRMINGHAM WATER
WORKS; THENCE TURN AN ANGLE TO THE RIGHT OF 122 ° 52' AND RUN
NORTHWESTWARDLY
ALONG THE NORTH OR NORTHEASTERLY RIGHT OF WAY LINE FOR A DISTANCE OF
254.65 FEET;
THENCE TURN AN ANGLE TO THE RIGHT OF 58 ° 07' AND RUN NORTHWARDLY FOR
A DISTANCE
OF 148.6 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 115 ° 24' AND RUN
EASTWARDLY
FOR A DISTANCE OF 235.85 FEET TO THE POINT OF BEGINNING.

Parcel ID Number: 28 00 22 4 001 003.000

Current Zoning: A

Requested Zoning: R9 (Planned Residential District)

Intended Purpose: 3 proposed, detached lots

P&Z

Recommendation:

MOTION Mr. Weaver made a motion to recommend Rezoning for 4244 White Oak Dr. from
Vestavia Hills A to Vestavia Hills R-9 with the following conditions:

1. Zoning approval not final until CC&R's recorded.

Second was by Mr. Sykes. Motion was carried on a roll call; vote as follows:

Mr. Farrell – yes Ms. Cochran – yes

Mr. Romeo – yes Mr. Weaver – yes

Mr. Blackenburg – yes Mr. Sykes – yes

Mr. Vercher – yes

Motion carried.

Date of P&Z Meeting: September 12, 2024

Authorized by: Vestavia Hills Planning and Zoning Commission,
Michael Vercher, Chair
Issued by: Conrad Garrison, City Planner

Property Information

Subject Property Address	Tax Parcel ID Number
4244 White Oak Drive	28 00 22 4 001 003.000

Legal Description

PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 22, TOWNSHIP 18 SOUTH, RANGE 2 WEST, SITUATED IN JEFFERSON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NE CORNER OF SAID 1/4-1 /4 SECTION, RUN THENCE SOUTHWARDLY ALONG THE EAST LINE OF SAID 1/4-1/4 SECTION FOR A DISTANCE OF 154 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HERE DESCRIBED; FROM THE POINT OF BEGINNING THUS OBTAINED, CONTINUE SOUTHWARDLY ALONG SAID EAST LINE FOR A DISTANCE OF 181.9 FEET TO INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF THE BIRMINGHAM WATER WORKS; THENCE TURN AN ANGLE TO THE RIGHT OF 122 ° 52' AND RUN NORTHWESTWARDLY ALONG THE NORTH OR NORTHEASTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 254.65 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 58 ° 07' AND RUN NORTHWARDLY FOR A DISTANCE OF 148.6 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 115 ° 24' AND RUN EASTWARDLY FOR A DISTANCE OF 235.85 FEET TO THE POINT OF BEGINNING.

Existing Parking Spaces	Proposed Parking Spaces
--	--
Submission Date	Type of Project
08/08/2024	New Residential Subdivision

Action Requested:

From Existing Zoning Classification	To Requested Zoning Classification
A (Agriculture District)	R9 (Planned Residential District)
For the Intended Purpose of:	
3 proposed, detached lots	
Acreage of Subject Property	Acreage of Property to be Disturbed
0.81	0.81

Setbacks

Front	Back
12	20
Side	Open Space
12	0.52

Lot Coverage Percentage

35.8

Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).

true

Owner Information

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by way of a notarized letter and/or power of attorney.

Property Owner Name

Jon Hinds

Company Name

Sweet Home Group LLC

Owner Address City State Zip

3794 Poe Drive, Vestavia Hills, AL 35223

Owner's Phone Number

(205) 222-7233

Email Address of Owner

jh@al205.com

By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.

true

Owner Representative/Responsible Party

Griffin Walker

Company Name

Walker Building Company

Contact Email of Responsible Party

griffin@walkerbuildingcompany.com

Mailing Address of Responsible Party

2469 Dolly Ridge Trail, Vestavia Hills, AL 35243

Phone No. of Responsible Party

(205) 862-3123

Email Address of Responsible Party

griffin@walkerbuildingcompany.com

Project Engineer Information (if applicable)

Name

Nathan Spence

Company

Foresite Group

Mailing Address

2101 Magnolia Ave S, Suite 100

Phone Number

(205) 397-0370

Email

nspence@fg-inc.net

ENGINEER:

FORESITE

group

ForeSite Group, LLC

1205 West 20th Ave. South

Suite 100

Birmingham, AL 35203

DEVELOPER:

WALKER BUILDING COMPANY

400 15th St S

CONTACT:

GRIFFIN WALKER

PROJECT:

CAHABA HEIGHTS RESIDENTIAL

4244 WHITE OAK DRIVE

VESTAVIA HILLS, AL 35243

PARCEL #: 28 00 22 4 001 003.000

SEAL:

DATE:

REVISIONS:

PROJECT MANAGER:

DRIVING BY:

JURISDICTION:

DATE:

SCALE:

TITLE:

UTILITY AND STORM PLAN

SHEET NUMBER:

C-3

COMMENTS:

NOT RELEASED FOR CONSTRUCTION

JOB FILE NUMBER:

2242.001



LEGEND

EXISTING FENCE LINE

PROPERTY LINE

EXISTING SANITARY SEWER LINE

EXISTING WATER LINE

EXISTING GAS LINE

EXISTING OVERHEAD ELECTRIC LINE

EXISTING OVERHEAD CABLE

EXISTING OVERHEAD FIBER

EXISTING OVERHEAD TELEPHONE

EXISTING OVERHEAD POWER

EXISTING OVERHEAD CABLE

EXISTING OVERHEAD FIBER

EXISTING OVERHEAD TELEPHONE

EXISTING OVERHEAD POWER

CONTRACTOR TO CONTACT UTILITIES PRIOR TO ANY EXCAVATION

CENTER PRIOR TO ANY EXCAVATION

811

Know what's below

Call before you dig

SCALE IN FEET

0 10 20 40

1" = 20'





GENERAL NOTES:

- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING THE DEMOLITION PERMIT FROM CITY OF VESTAVIA HILLS.
- ALL EXISTING UTILITIES AND STRUCTURES SHALL BE REMOVED PRIOR TO ANY DEMOLITION WORK.
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DEMOLITION NOTES:

- ALL WORK SHOWN IN THESE SHEETS SHALL COMPLY WITH APPLICABLE STATE, FEDERAL, AND LOCAL REGULATIONS.
- ALL MATERIALS AND CONSTRUCTION METHODS SHALL BE IN ACCORDANCE WITH "CONSTRUCTION SPECIFICATIONS FOR ROADS AND STRUCTURES" PUBLISHED BY THE AMERICAN ROAD & BUILDING BUILDERS ASSOCIATION (ARBB).
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EROSION CONTROL NOTES

- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE EROSION CONTROL PERMIT FROM CITY OF VESTAVIA HILLS.
- ALL EROSION CONTROL MEASURES SHALL BE IN ACCORDANCE WITH "CONSTRUCTION SPECIFICATIONS FOR ROADS AND STRUCTURES" PUBLISHED BY THE AMERICAN ROAD & BUILDING BUILDERS ASSOCIATION (ARBB).
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LEGEND

[Symbol]	BUILDING/CONCRETE TO BE REMOVED
[Symbol]	TREES AND BRUSH TO BE REMOVED
[Symbol]	EXISTING FENCES
[Symbol]	PROPERTY LINE
[Symbol]	LIMITS OF DISTURBANCE
[Symbol]	TREES TO BE PRESERVED
[Symbol]	EXISTING TREES TO BE REMOVED

EXISTING SITE DATA

TOTAL SITE AREA =	0.00 AC
EXISTING IMPERVIOUS AREA =	0.00 AC
EXISTING NON-IMPERVIOUS AREA =	0.00 AC

ENGINEER

FORESITE
group

ForeSite Group, LLC
1000 West 10th Avenue South
Suite 100
Birmingham, AL 35203
P 205.371.0270
F 866.371.0999
W www.foresitegroup.com

DRAWN BY

WALKER BUILDING COMPANY
AND ASSOCIATES

CONTACT: GRIFF WALKER

CAHABA HEIGHTS RESIDENTIAL

4244 WHITE OAK DRIVE
VESTAVIA HILLS, AL 35243
PARCEL #: 28 00 22 4 001 003.000

PROJECT:

SEAL

DATE

REVISIONS

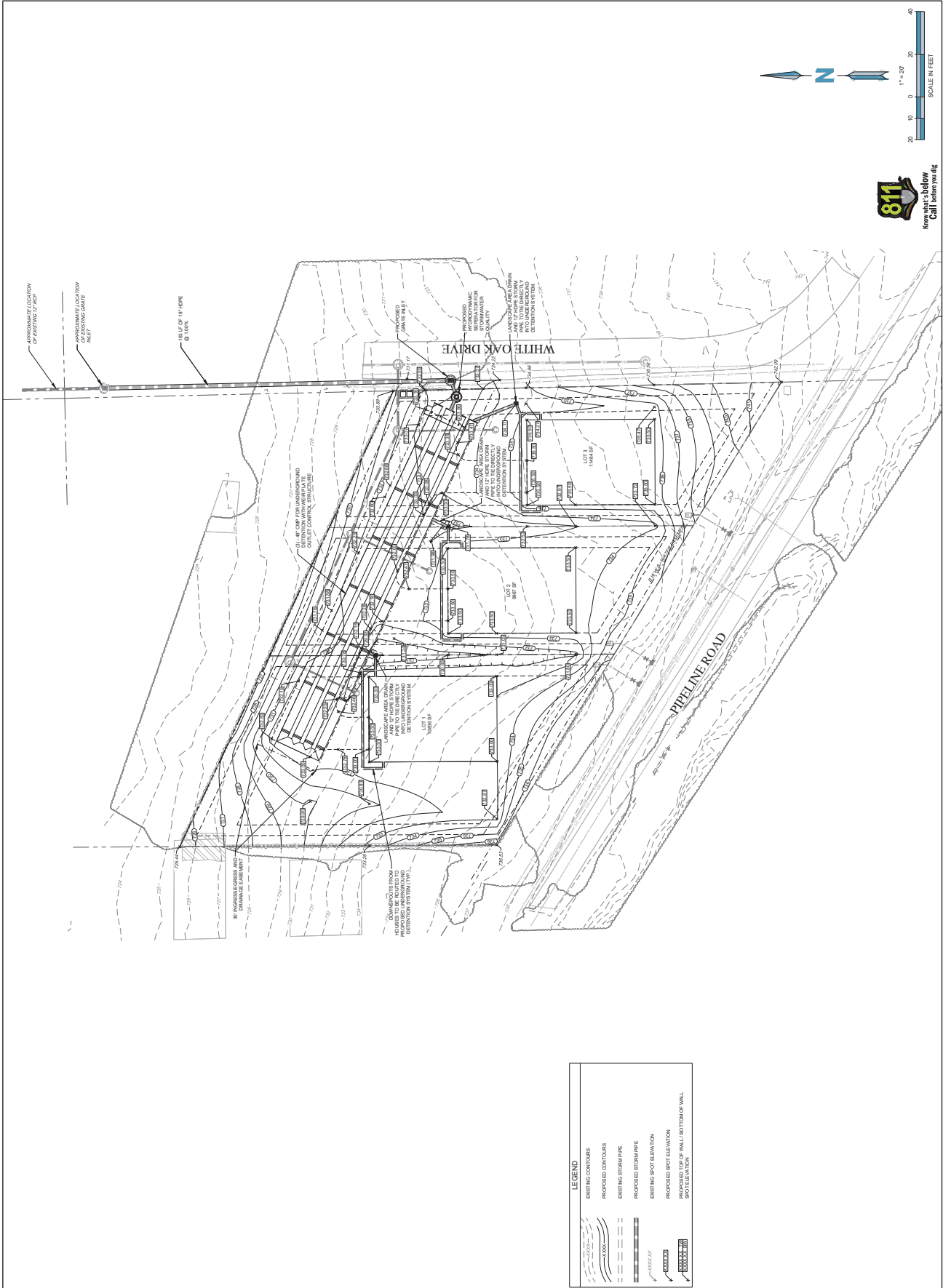
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DRAWING BY: OAH
JURISDICTION: VESTAVIA HILLS, AL
DATE: 2024-04-22
SCALE: 1" = 20'
TITLE: GRADING AND DRAINAGE PLAN

GRADING AND DRAINAGE
PLAN

SHEET NUMBER

C-2

COMMENTS: NOT RELEASED FOR CONSTRUCTION
JOB# LE NUMBER: 2242.001



ENGINEER

FORESITE

group

ForeSite Group, LLC

1000 Montgomery Ave. South

Suite 100

Birmingham, AL 35205

205.371.0270

205.371.0999

www.foresitegroup.com

DEVELOPER

WALKER BUILDING COMPANY

200 FIRST ST

CONTACT

GRIFF WALKER

PROJECT

CAHABA HEIGHTS RESIDENTIAL

4244 WHITE OAK DRIVE

VESTAVIA HILLS, AL 35243

PARCEL # 28 00 22 4 001 003.000

SEAL

DATE

REVISIONS

PROJECT MANAGER	WBS
DRAWING BY	CAH
JURISDICTION	VESTAVIA HILLS, AL
DATE	2024-04-22
SCALE	1" = 20'
TITLE	

UTILITY PLAN

SHEET NUMBER

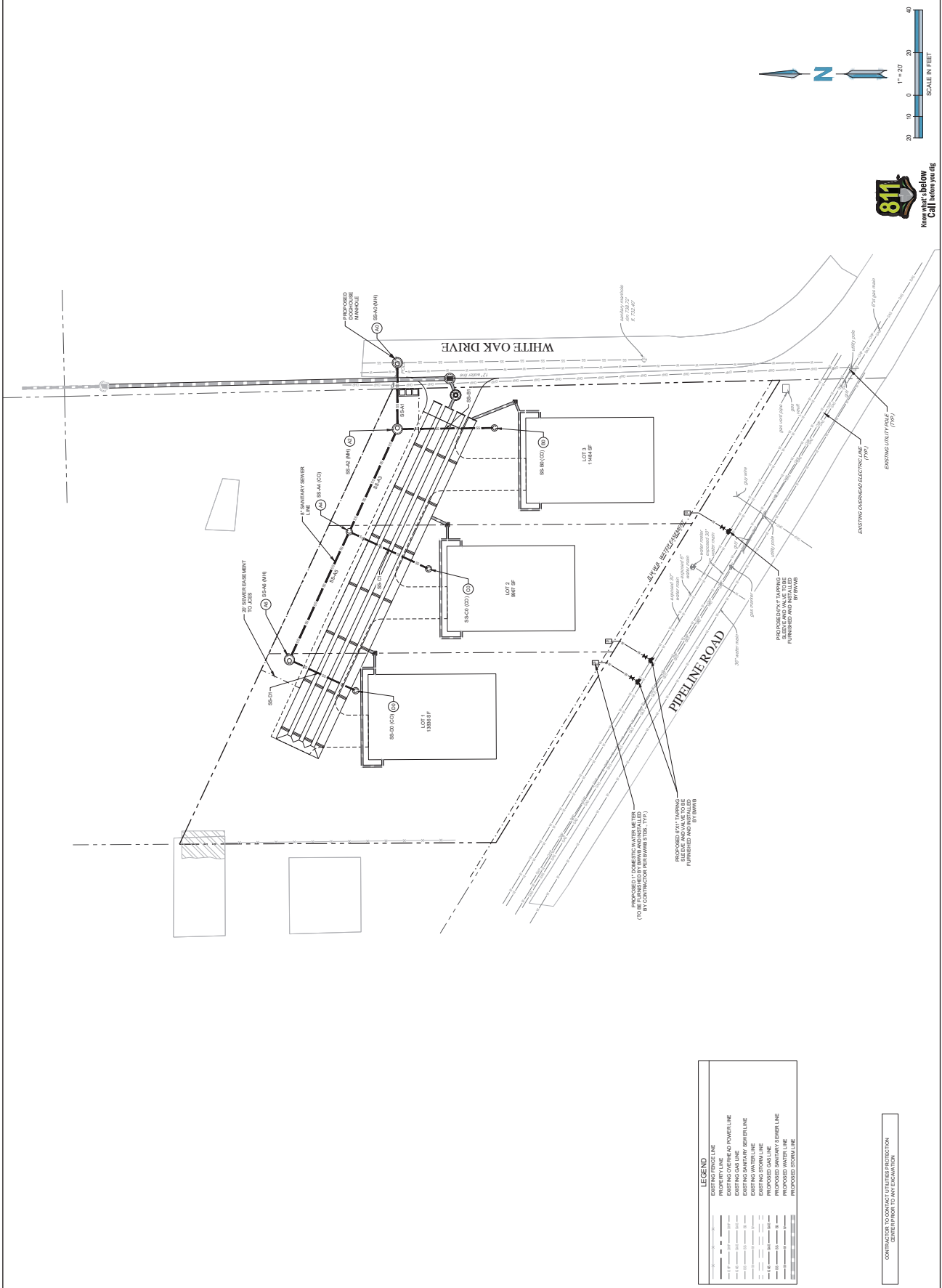
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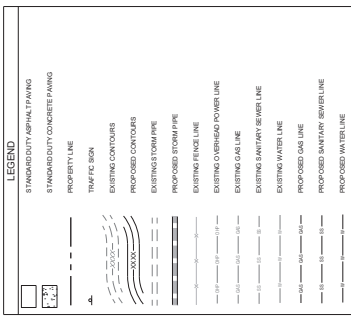
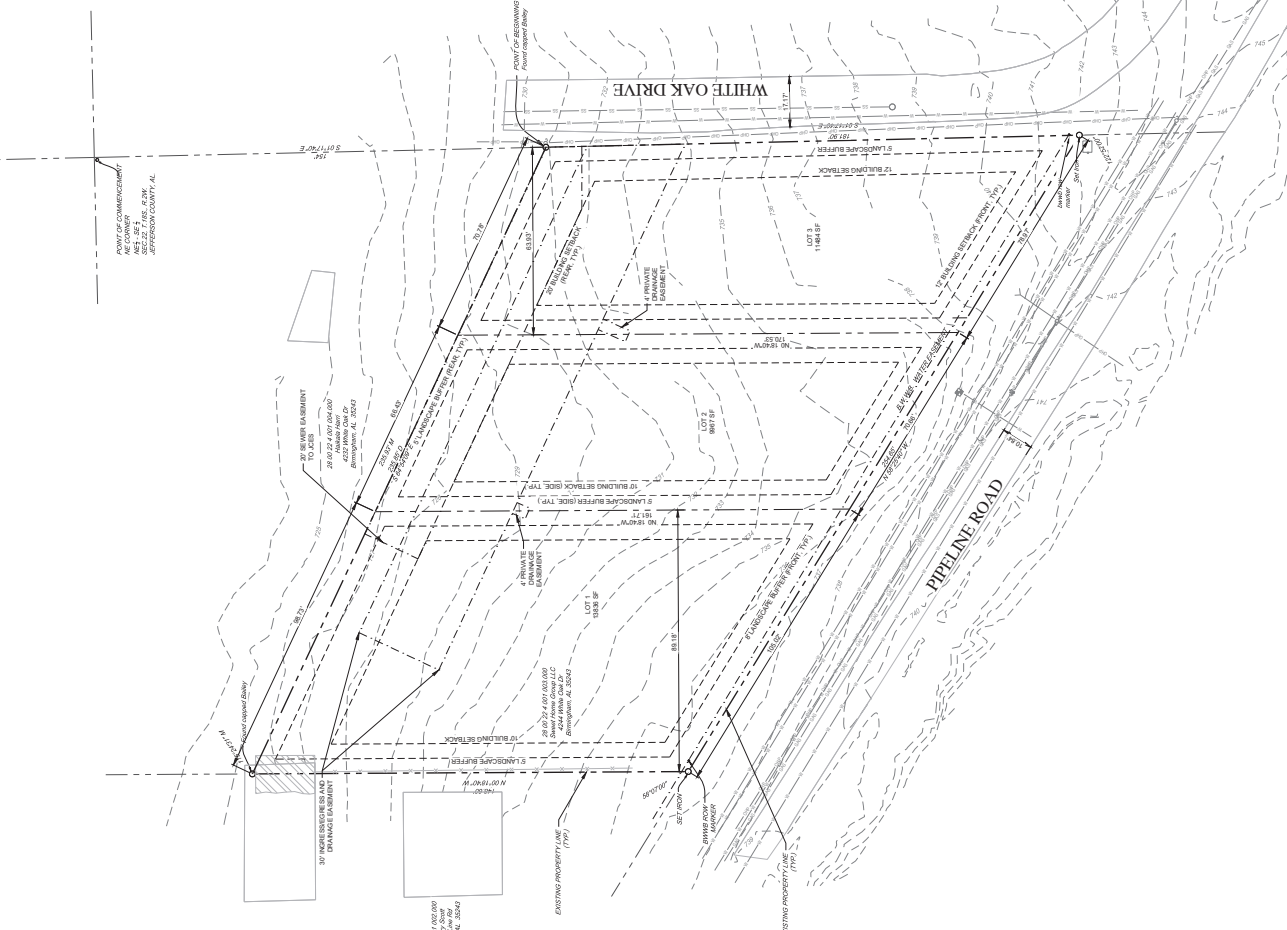
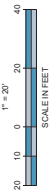
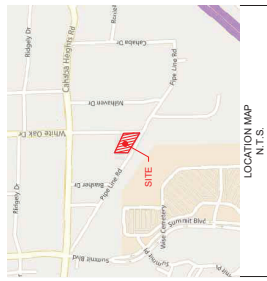
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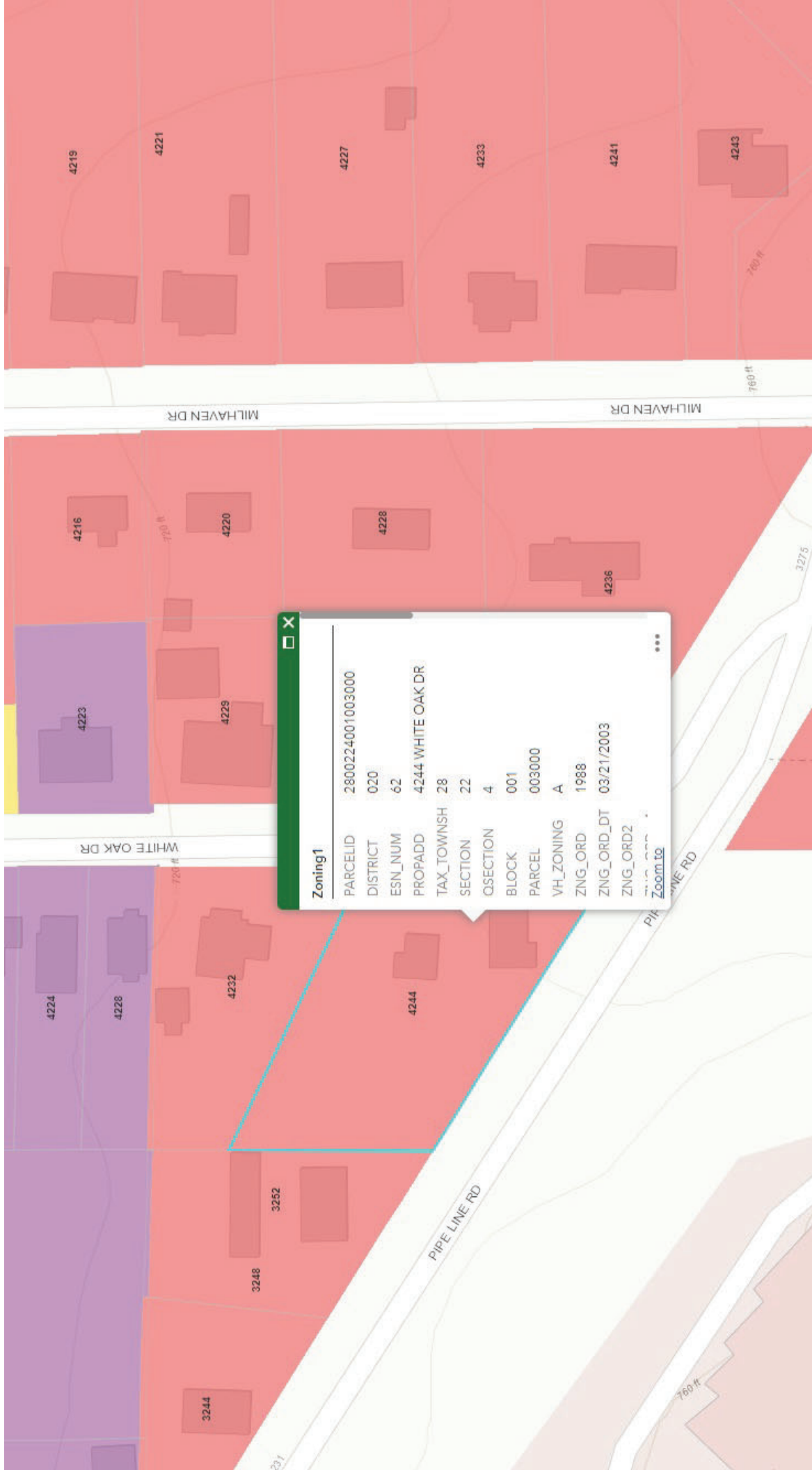
NOT RELEASED FOR CONSTRUCTION

JOB # / NUMBER

2242.001



[illegible]



Future Land Use

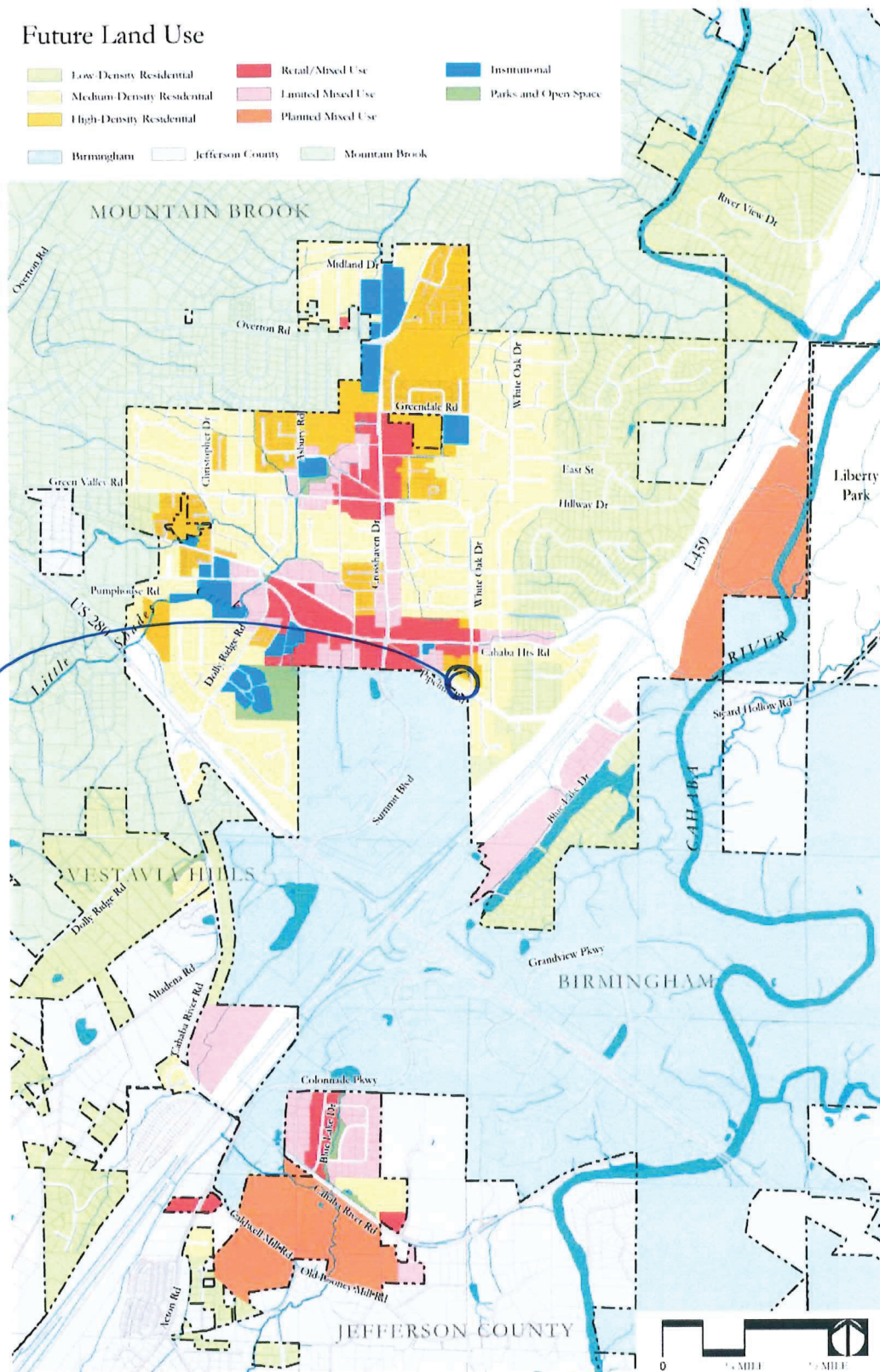


Figure 4: Future Land Use Map



CITY OF VESTAVIA HILLS

INTER-DEPARTMENT MEMO

October 14, 2024

To: Jeff Downes, City Manager

From:

Cc:

RE: Citizens Comments

Background:

Recommendation:

Fiscal Impact:

Attachments:

None