

**Homewood Planning Commission
Agenda
Tuesday, September 5, 2023, 6:00 P.M.
CITY COUNCIL CHAMBERS
2850 19th Street South
Homewood, AL 35209**

**NOTE: Prior to the scheduled public hearing, a brief work session will be held for Commission members beginning at 5:30 p.m. in the City Council's Committee Workroom located on the 2nd floor behind the Council Chambers. Members of the public are welcome to attend and observe the work session; however, questions and/or comments from the public will only be considered during the scheduled public hearing.*

Persons who are unable to attend the meeting may view the Live Stream through the City of Homewood website (<https://www.cityofhomewood.com/>) or navigate directly via: <https://www.cityofhomewood.com/live-stream>.
Please note that public comments cannot be made by persons viewing the meeting through Live Stream.

Persons who wish to comment during the meeting may only do so in person. Comments in support or opposition, may be submitted via email to the Department of Engineering & Zoning by clicking the following link: www.cityofhomewood.com/engineering-zoning or to the Commission Secretary at fred.goodwin@homewoodal.org. Comments may also be hand delivered to the Department of Engineering & Zoning, located on the 4th floor of Homewood City Hall. Please include the address or case number and submit them no later than 24-hours prior to the meeting.

Commission Members

| | |
|--|-----------------------|
| Stuart Roberts, Chairman | Gusty Gulas |
| Winslow Armstead, Vice Chairman | Giani Respinto |
| Jennifer Andress | Paige Willcutt |
| Brandon Broadhead | Erik Henninger |
| Patrick Harwell | |

Order of Business

- I. Call to Order**
- II. Roll Call**
- III. Approval of Minutes - July 11, 2023 (No meeting being held in August)**
- IV. Communications / Reports from Chairman & Vice Chairman**

The Agenda of the Planning Commission is subject to change prior to the scheduled meeting. The Board Chair reserves the right to vary the order of the meeting, if warranted. Questions regarding the agenda and meeting may be directed to the EZ Department at (205) 332-6800.

V. Old Business

1) **CASE CARRIED OVER FROM JULY MEETING**

Case # FD 23-07-01: 3030 Independence Drive, 3008 Drake Street, 1909 Oxmoor Road & 1906 Courtney Drive, Parcel ID: 28-00-07-3-031-001.000, 28-00-07-3-032-025.002, 28-00-07-3-032-001.000, & 28-00-07-3-032-023.000, Applicant / Owner: McConnell White & Terry Realty and Insurance Company. Purpose: A request for approval of a Final Development Plan for the proposed redevelopment of a 3.21 – acre site centered around the planned construction of a new 27,650 sq. ft. Piggly Wiggly grocery store, a new 6,000 sq. ft. retail building, as well as associated parking, landscaping, and other site improvements.

2) **CASE CARRIED OVER FROM JULY MEETING**

Case # RZ 23-07-02: 1906 Courtney Drive, Parcel ID: 28-00-07-3-032-023.000, Applicant / Owner: McConnell White & Terry Realty and Insurance Company. Purpose: A request to rezone the subject property from C-1, Office Building District to a C-2, Neighborhood Shopping District zoning classification to facilitate the redevelopment of the Homewood Piggly Wiggly grocery store.

VI. New Business

3) Case # RZ 23-09-01: 55 & 65 Bagby Drive, Parcel ID: 29-00-14-004-004.000, 29-00-14-2-004-005.000, & 29-00-15-1-005-001.000, Applicant: John Chapman, Owner: 5565 Capital Partners, LLC.

Purpose: A request to rezone the subject properties from C-5, General Business District to a MXD, Mixed Use District zoning classification to facilitate the rehabilitation of two existing, vacant office buildings, consisting of a four-story 60,00 sq. ft. building and a three-story 55,000 sq. ft. building, for a new mixed-use development containing residential apartments for LGBTQ+ Seniors and individuals with Intellectual and Developmental Disabilities, as well as office space for various mental health and life services organizations.

4) Case # RZ 23-09-02: 85 Bagby Drive, Parcel ID 29-00-14-2-004-007.000, Applicant: John Chapman, Owner: 85 Capital Partners, LLC.

Purpose: A request to rezone the subject property from C-1, Office Building District to a MXD, Mixed Use District zoning classification to facilitate an expansion of the adjacent Magic City Acceptance Academy (75 Bagby Drive) through the adaptive reuse of an existing three-story 39,800 sq. ft. office building that would be rehabilitated to accommodate additional educational activities and teaching space, as well as the establishment of a mental health center to provide office space for a number of area health providers.

- VII. **Recommendations of the Nominating Committee for the positions of Chairman and Vice Chairman**
- VIII. **Election of Chairman and Vice-Chairman for annual term.**
- IX. **Communications from Staff**
- X. **Adjournment**

The Agenda of the Planning Commission is subject to change prior to the scheduled meeting. The Board Chair reserves the right to vary the order of the meeting, if warranted. Questions regarding the agenda and meeting may be directed to the EZ Department at (205) 332-6800.

Form I.A.
APPLICATION FOR DEVELOPMENT PLAN APPROVAL
HOMEWOOD PLANNING COMMISSION

1. Name of development: Piggly Wiggly Redevelopment
2. Date application filed: June 7, 2023 3. Requested hearing date: August 1, 2023
4. Approval requested by this application
- ____ Preliminary Development Plan
- ____ Amendment to Preliminary Development Plan
- X Final Development Plan
- ____ Amendment to Final Development Plan
5. Applicant: McConnell White & Terry Realty And Insurance Company
- Phone: (205) 870-0400
- Address: 2925 Cahaba Road, Mountain Brook, AL 35223
6. Owner: McConnell White & Terry Realty And Insurance Company
- Phone: (205) 870-0400
- Address: 2925 Cahaba Road, Mountain Brook, AL 35223
7. Attorney or authorized agent: _____
- Phone: _____
- Address: _____
8. Engineer: Schoel Engineering Company
- Phone: (205) 323-6166
- Address: 1001 22nd Street South, Birmingham, AL 35205
9. Surveyor: Schoel Engineering Company
- Phone: (205) 313-1152
- Address: 1001 22nd Street South, Birmingham, AL 35205

1906 Courtney Dr, Homewood, AL 35209
1909 Oxmoor Road, Homewood, AL 35209
3008 Drake Street, Birmingham, AL 35209
3030 Independence Dr, Homewood, AL 35209

10. Development Address(s):

11. Tax map parcel number(s): 28-00-07-3-032-023.000, 28-00-07-3-032-001.000,
28-00-07-3-032-025.002, 28-00-07-3-031-001.000

12. Acreage: 3.21 Acres 13. Zoning: C1 & C2

14. Check all submissions with this application:

☐ checklist

☐ application fee

☐ original plan in D-size

☐ two (2) copies of plan

☐ eleven by seventeen (11x17) of plan

☐ proof of ownership

REDACTED

Signature of applicant: _____

Signature of authorized agent or attorney: _____

Signature of authorization by owner: _____

For City Use Only:

\$ 100.00 application fee received on JUNE 7, 2023 by receipt # 497865

Scheduled hearing date: JULY 11, 2023

Application received by: FRED GOODWIN on JUNE 7, 2023

PROPOSED NEW PIGGLY WIGGLY STORE AND RELATED SITE
REDEVELOPMENT FOR HOMEWOOD, ALABAMA

The property owner, McConnell, White & Terry Realty in conjunction with the Piggly Wiggly store tenant, Andy Versiglio, have agreed to construct a new store facility on the 3.21 acre property bounded by Courtney Drive, Independence Drive and Oxmoor Road. The existing 15,000 sf store will be demolished following the construction of a new 26,000 sf facility. The building will consist of brick, stucco, and painted concrete masonry, in an Italian Renaissance style.

The existing Cameron's Corner retail structures will receive an exterior upgrade with metal cladding, new canopies, and signage.

The existing CVS store will remain as-is for the remainder of the existing lease period.

The site, made available with the demolition of the existing Piggly Wiggly building is scheduled for the development of an upgrade retail building of approximately 6,000 sf, with brick, stone, and glass. The majority of the site will be repaved, new contemporary site lighting added, and new irrigated landscaping provided throughout to the maximum extent possible.

Off-street parking will consist of approximately 130 spaces which is in excess of the minimum number of spaces required according to the proposed new city ordinance.

All signage will be within city ordinance guidelines.

The requested vacation of Drake Street has been made in order to better control the anticipated traffic activity and to also allow for the internal site design.

The resurvey of the various parcels into one is proposed in order to provide for the general site design, including access, utility routing, fire protection, and site drainage.

REDACTED

REDACTED

Eugene V. Fortinberry, AIA

**PIGGLY WIGGLY REDEVELOPMENT
LEGAL DESCRIPTION**

Parcel ID #28-00-07-3-032-001.000

Lot 1-A, Riddle Resurvey, as recorded in Map Book 190, Page 41 in the Probate Office of Jefferson County, Alabama.

Parcel ID #28-00-07-3-032-025.000

Lot 3 and Lot 4, Patrick Shannon's Addition to Ruthamy Place, as recorded in Map Book 14, Page 15 in the Probate Office of Jefferson County, Alabama.

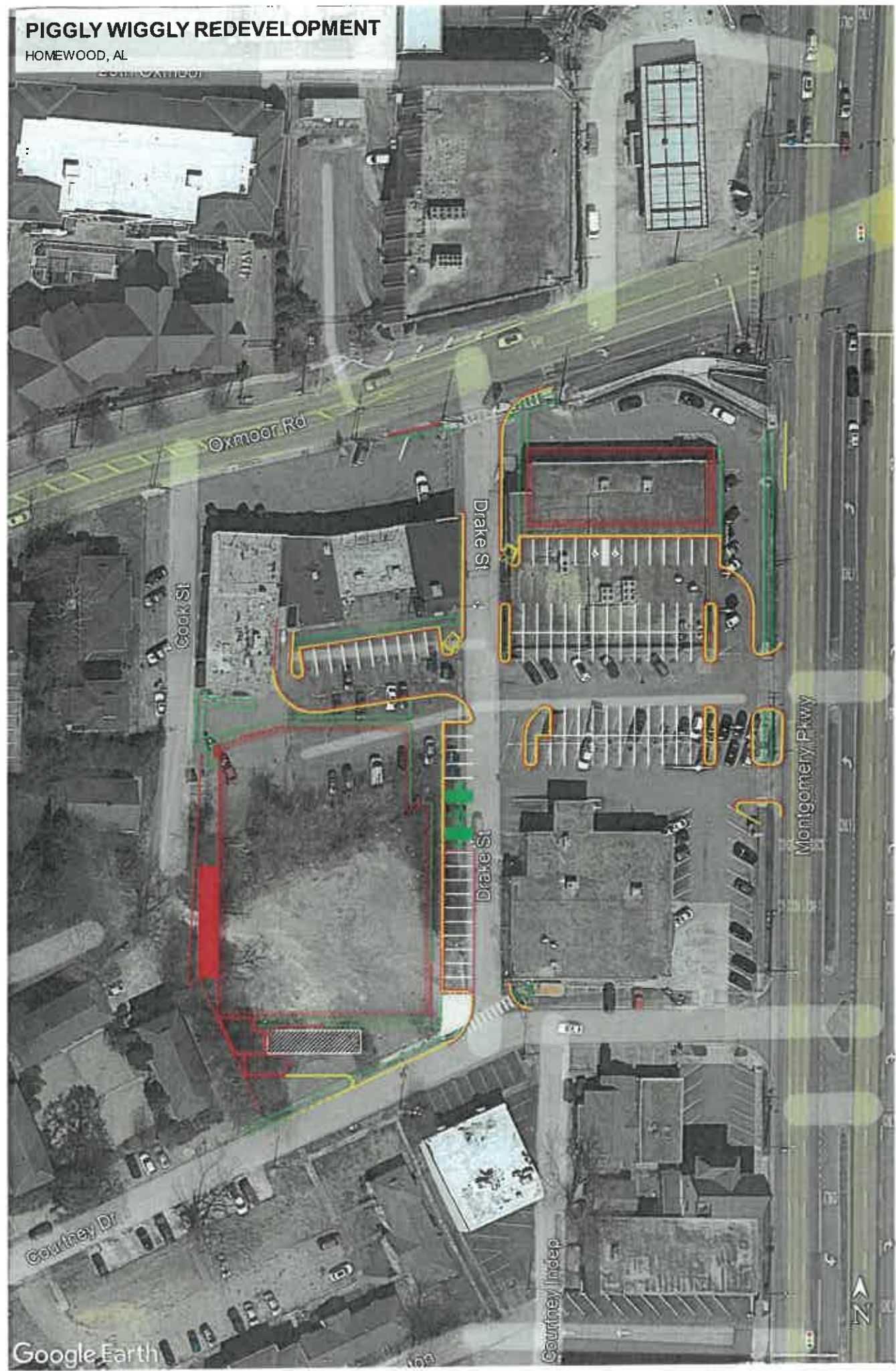
Parcel ID #28-00-07-3-031-001.000

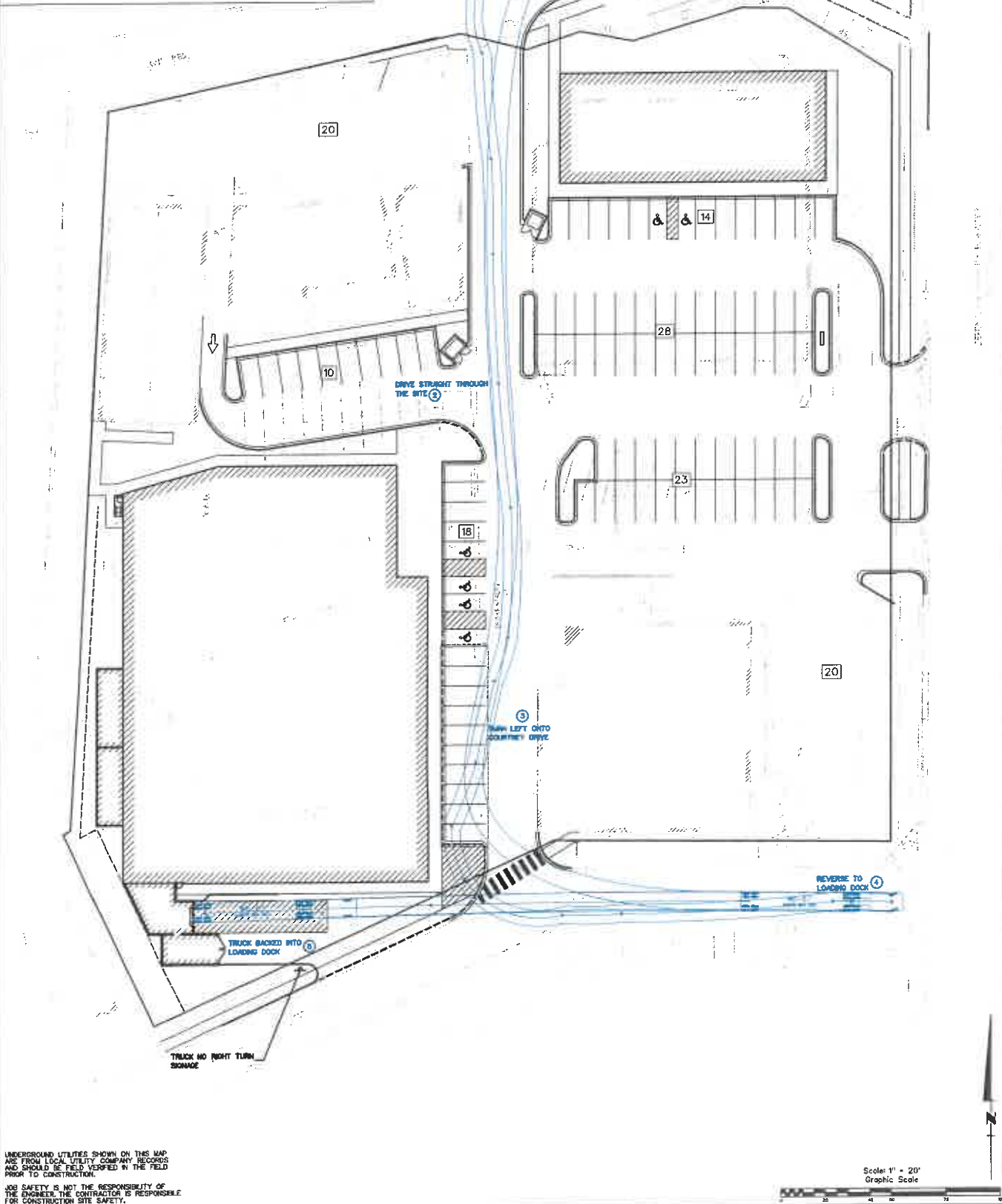
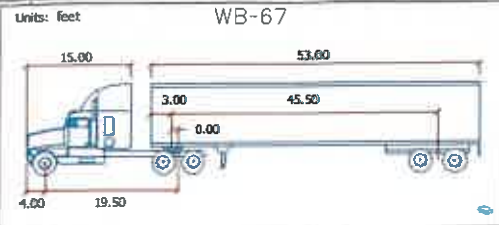
Lot A, Resurvey of Lots 1, 2 and 3, Block 3, Ruthamy Place, as recorded in Map Book 63, Page 50 in the Probate Office of Jefferson County, Alabama, along with an Acreage tract, bounded on the South by the aforementioned Lot A, on the West by Drake Street, on the North by Oxmoor Road, and on the East by Independence Drive (U.S. Highway 31).

Parcel ID #28-00-07-3-032-023.000

Lot 1-A, Resurvey of Lots 1, 2 and 3, Block 2 of Ruthamy's Place, as recorded in Map Book 214, Page 70 in the Probate Office of Jefferson County, Alabama.

PIGGLY WIGGLY REDEVELOPMENT
HOMEWOOD, AL





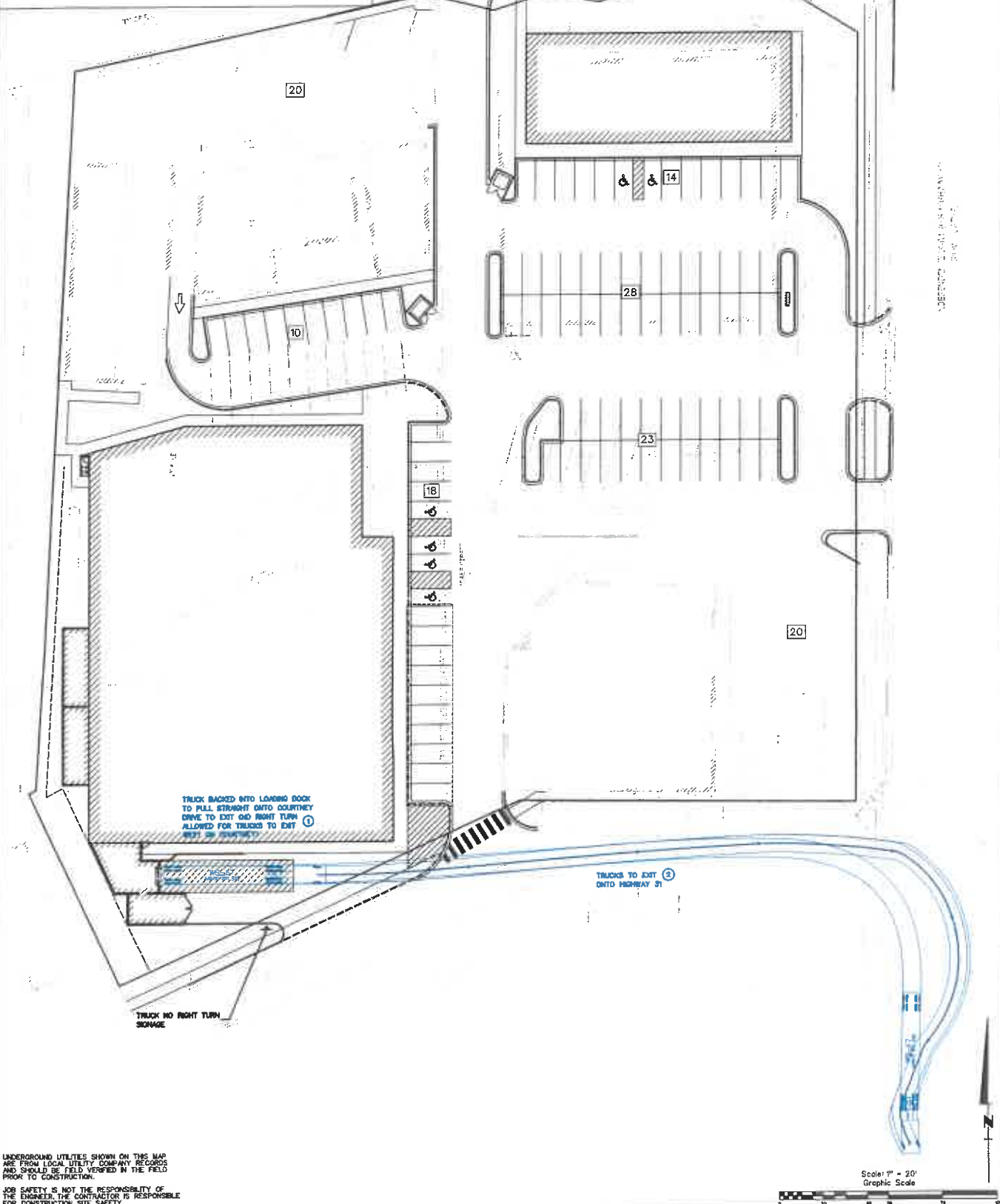
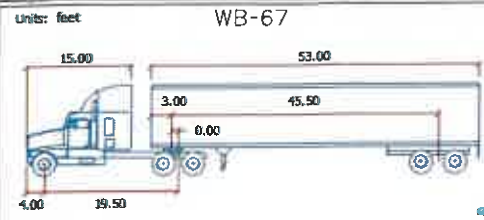
UNDERGROUND UTILITIES SHOWN ON THIS MAP ARE FROM LOCAL UTILITY COMPANY RECORDS AND SHOULD BE FIELD VERIFIED IN THE FIELD PRIOR TO CONSTRUCTION.
JOB SAFETY IS NOT THE RESPONSIBILITY OF THE ENGINEER. THE CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTION SITE SAFETY.

Scale: 1" = 20'
Graphic Scale

AUTOTURN EXHIBIT
TRUCK ACCESS TO
LOADING DOCK

PIGGLY WIGGLY REDEVELOPMENT
HOMWOOD, ALABAMA

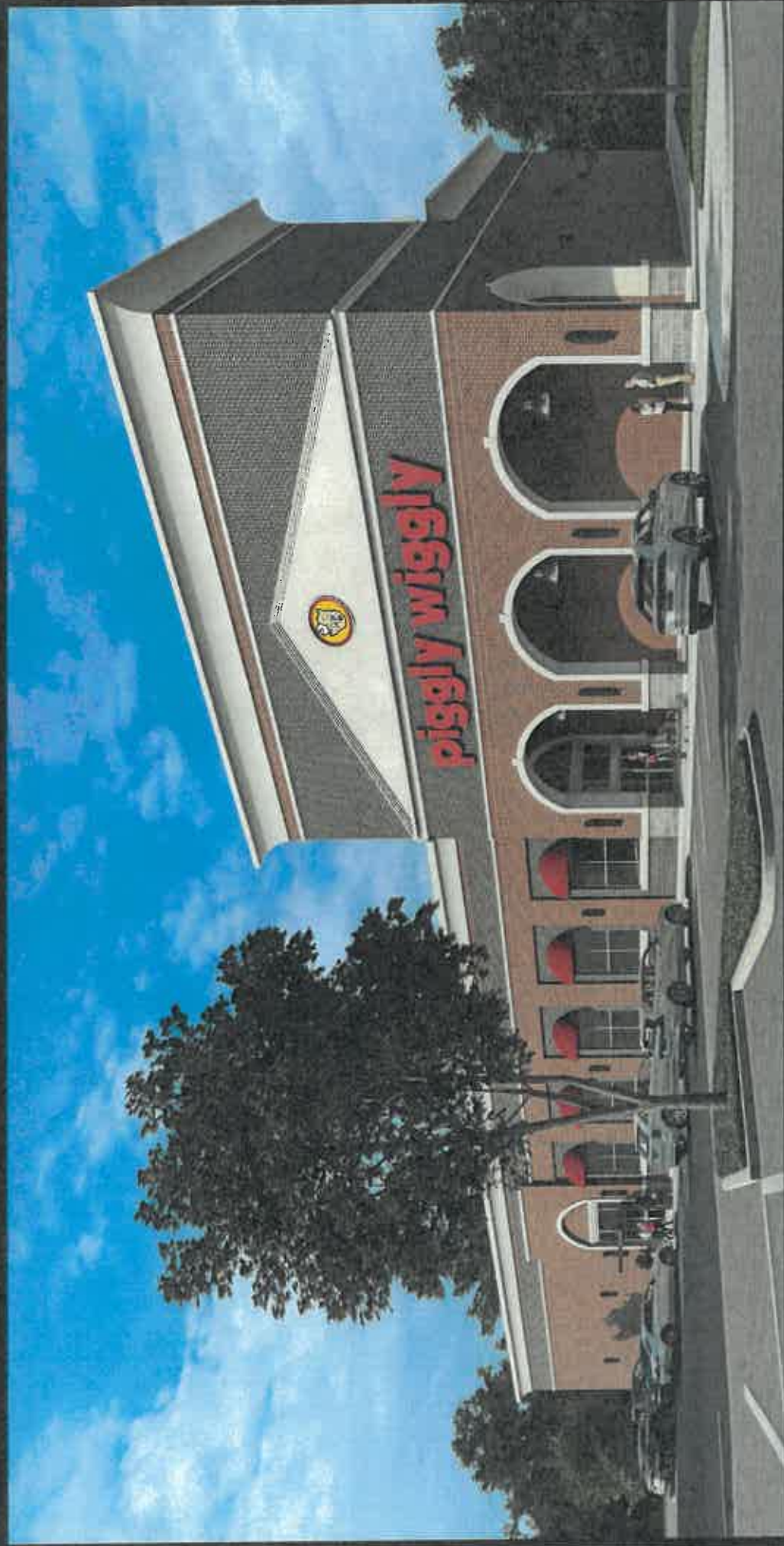
SCHÖEL
1001 28th Street South
Birmingham, Alabama 35209
205-353-6165
Civil
Surveying
Environmental
Water Resources
Laser Scanning • Modeling

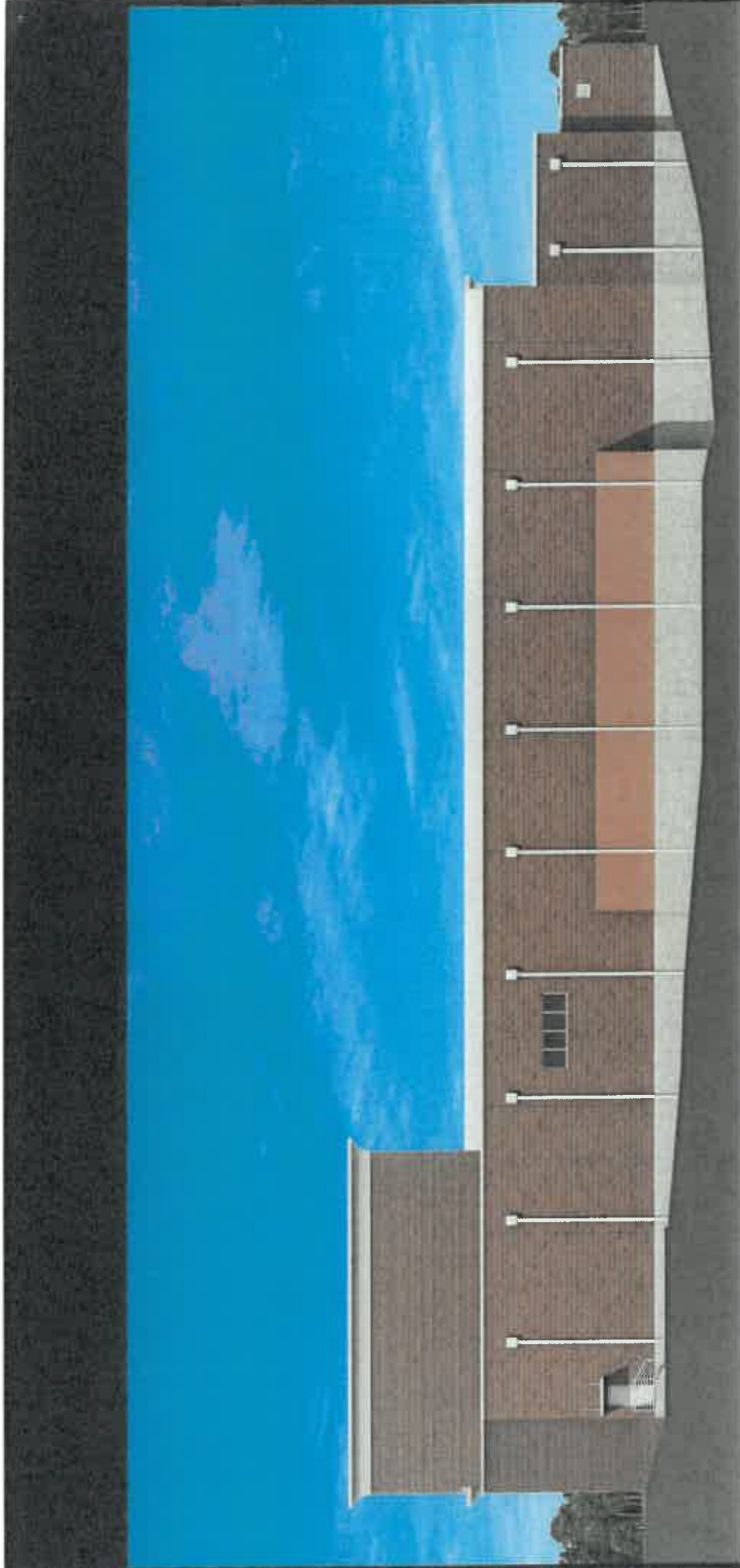


AUTOTURN EXHIBIT
TRUCK EXITING
LOADING DOCK

PIGGLY WIGGLY REDEVELOPMENT
HOMEWOOD, ALABAMA

SCHÖEL
Civil
Surveying
Environmental
Water Resources
Laser Scanning - Modeling
1001 22nd Street South
Birmingham, Alabama 35206
205 920 5166



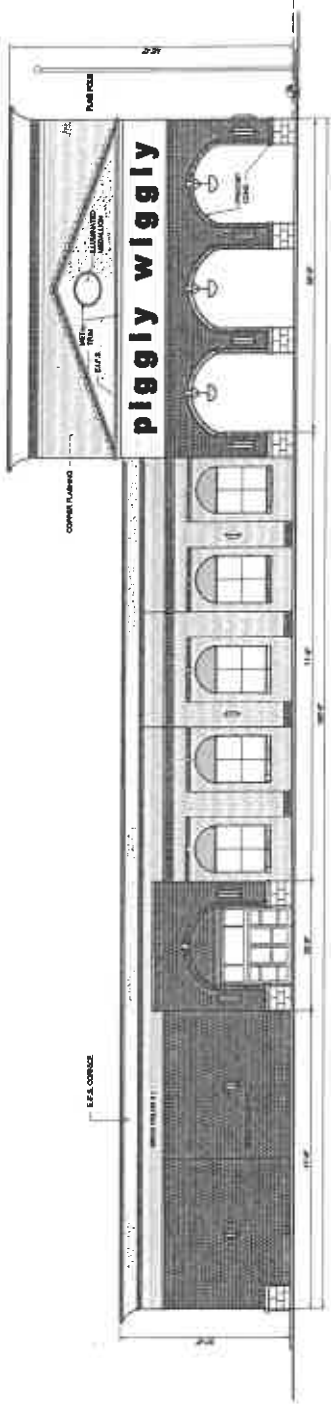


Rear View
Piggly Wiggly - Homewood, Alabama
Fortinberry Associates Architects, PC

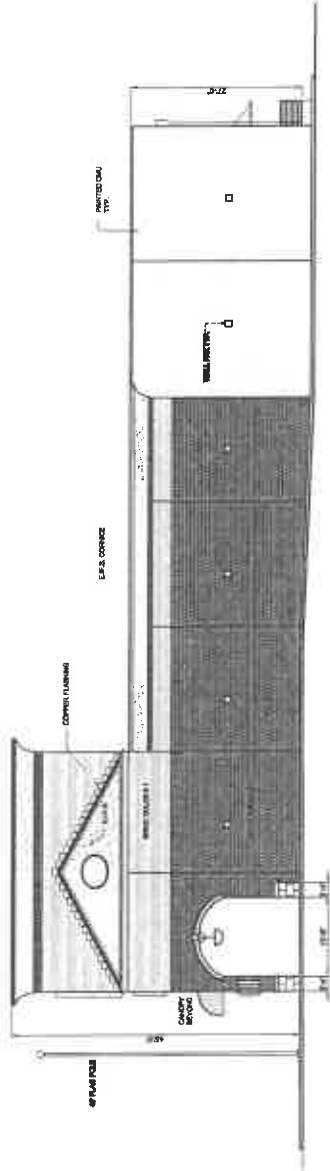


PROPOSED WALL TO SCREEN DELIVERY TRUCKS

| No. | Date | Revisions | By |
|-----|------|-----------|----|
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EAST ELEVATION
1/8" = 1'-0"



NORTH ELEVATION
1/8" = 1'-0"

F **FORTINBERRY**
ASSOCIATES ARCHITECTS, PC
300 Veterans Parkway - Ste 1400
Vestavia Hills, AL 35216
(205) 979-5500

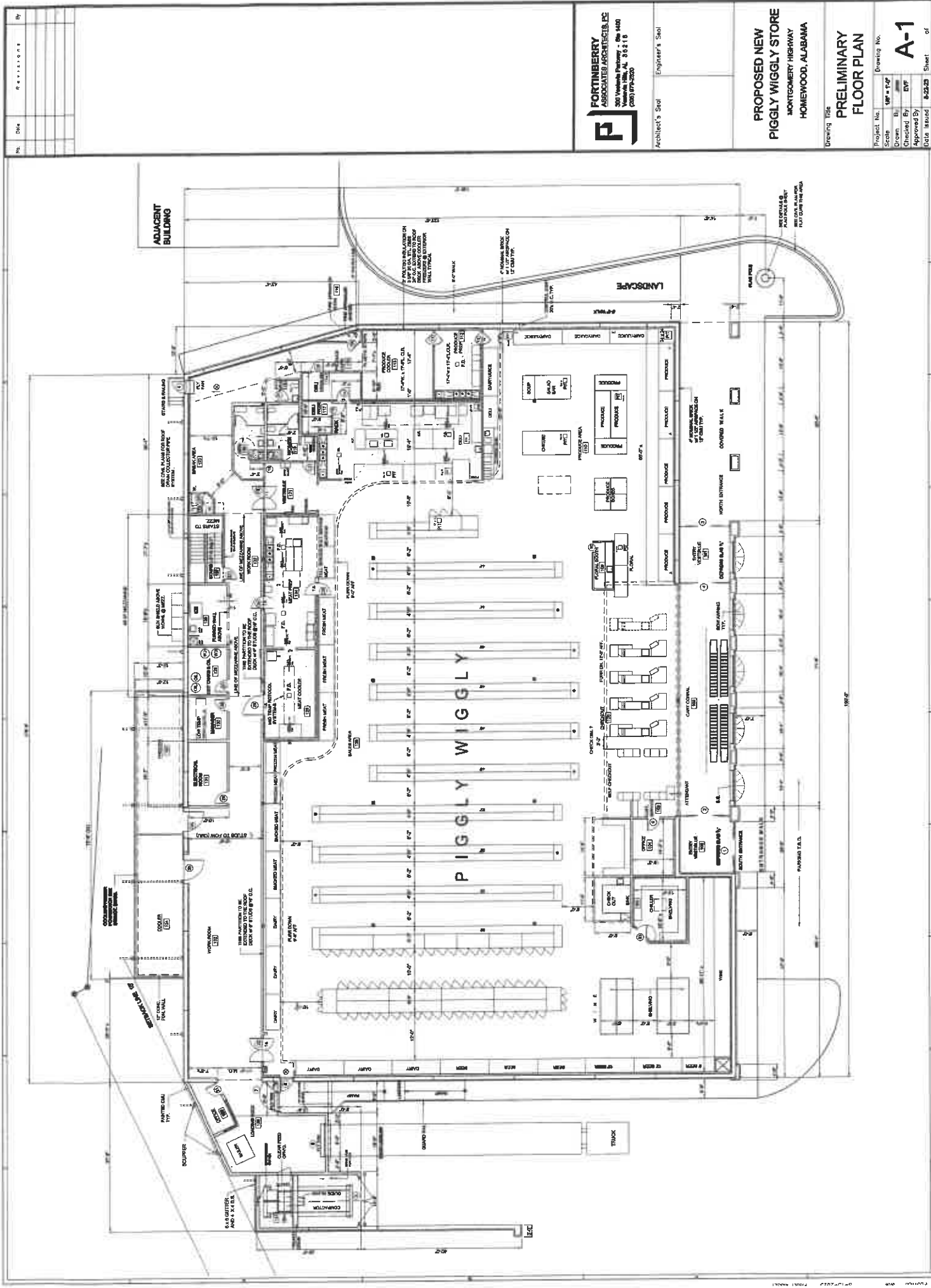
Architect's Seal

Engineer's Seal

PROPOSED NEW
PIGGLY WIGGLY STORE
HOMEWOOD, ALABAMA

Drawing Title
EAST & NORTH
ELEVATIONS

Project No. 19P-002
Scale 1/8" = 1'-0"
Drawn By EWF
Checked By EWF
Approved By EWF
Date Issued 5/2/23 Sheet 2 of 2



F **FORTINBERRY**
ASSOCIATES ARCHITECTS, PC
300 Venable Parkway - Ste. 4400
Venable, MD, AL 35318
(205) 874-2520

Architect's Seal
Engineer's Seal

PROPOSED NEW
PIGGLY WIGGLY STORE
MONTGOMERY HIGHWAY
HOMEWOOD, ALABAMA

Drawing Title
**PRELIMINARY
FLOOR PLAN**

| | | |
|-------------|--------------|---------------------------|
| Project No. | 100-100 | Drawing No. |
| Scale | 1/8" = 1'-0" | |
| Checked By | BVF | |
| Approved By | | |
| Date Issued | 8-23-20 | Sheet A-1 of |

BUILDING SIGN



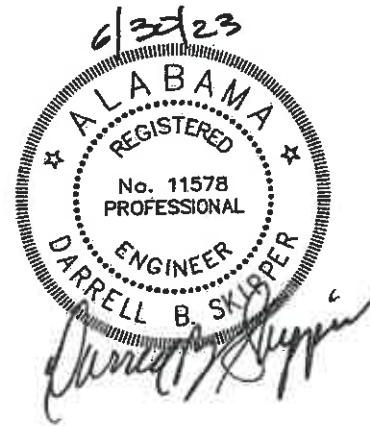


3' OVAL PIGHEAD

3644 Vann Road, Suite 100
Birmingham, Alabama 35235
Phone (205) 655-8855 Fax (205) 655-8825
Certificate of Authorization No. 26859

Memorandum

To: Jess Sirkin, Schoel Engineering Company, Inc.
From: Darrell Skipper, P.E., Skipper Consulting, Inc.
Date: June 30, 2023
Subject: Piggly-Wiggly Redevelopment Trip Generation Evaluation
Homewood, Alabama



Introduction

The purpose of this memorandum is to present the findings of a trip generation evaluation for a proposed redevelopment of an existing shopping center in Homewood, AL. The site currently exists in the southwest quadrant of the signalized intersection of U.S. Highway 31 and Hollywood Blvd/Oxmoor Road. An aerial image of the site location is provided below:



Site Description and Background Information

The existing shopping center contains a Grocery Store (15,900 ft²) and multiple commercial/retail outparcels (18,416 ft² combined). As part of the redevelopment, additional commercial/retail outparcels are planned and the grocery store is planned to be relocated within the site. Upon redevelopment, the grocery store is to be increased in size to 27,650 ft² and the commercial/retail outparcels are planned to be 24,416 ft² (combined square footage).

Access to the site is currently provided by multiple accesses on Oxmoor Road, U.S. Highway 31 and Courtney Street. As part of the redevelopment, access to/from the site is to be more defined and limited to a single full access and right-in/right-out driveway on U.S. Highway 31, two driveways on Courtney Drive, and two direct accesses on Oxmoor Road.

Trip Generation Evaluation

As mentioned previously, the purpose of this memorandum is to present the findings of a trip generation evaluation of the proposed redevelopment. Considering the land-uses proposed within the redevelopment are consistent with the land-uses which are currently in place; the trips expected to be generated by the redevelopment were compared to the expected trips generated by the existing development. Trips expected to be generated by the existing development and the planned redevelopment were estimated based on data contained in the *Trip Generation Manual, 11th Edition*, as published by the Institute of Transportation Engineers (ITE) for Supermarket (Land Use Code 850) and Strip Retail Plaza (Land Use Code 822). The comparison of trips generated by the current development to that of the proposed redevelopment is shown below in **Table 1**.

Table 1 – Trip Generation Comparison

| Existing Development | | | | | | | | |
|---|------------------------------|---------------|-----------|-----------|------------|------------|------------|------------|
| Land Use (ITE #) | Units | Weekday Trips | AM Peak | | MID Peak | | PM Peak | |
| | | | In | Out | In | Out | In | Out |
| Supermarket (850) | 15,900 ft ² | 1,492 | 27 | 19 | 56 | 55 | 71 | 68 |
| Strip Retail Plaza (822) | 18,416 ft ² | 1,003 | 26 | 17 | 32 | 32 | 61 | 61 |
| Total | 34,316 ft² | 2,495 | 53 | 36 | 88 | 87 | 132 | 129 |
| Proposed Redevelopment | | | | | | | | |
| Land Use (ITE #) | Units | Weekday Trips | AM Peak | | MID Peak | | PM Peak | |
| | | | In | Out | In | Out | In | Out |
| Supermarket (850) | 27,650 ft ² | 2,595 | 47 | 32 | 97 | 95 | 124 | 119 |
| Strip Retail Plaza (822) | 24,416 ft ² | 1,329 | 35 | 23 | 42 | 42 | 80 | 80 |
| Total | 52,066 ft² | 3,924 | 82 | 55 | 139 | 137 | 204 | 199 |
| Proposed Redevelopment - Existing Development | | | | | | | | |
| Land Use (ITE #) | Units | Weekday Trips | AM Peak | | MID Peak | | PM Peak | |
| | | | In | Out | In | Out | In | Out |
| Supermarket (850) | 11,750 ft ² | 1,103 | 20 | 13 | 41 | 40 | 53 | 51 |
| Strip Retail Plaza (822) | 6,000 ft ² | 326 | 9 | 6 | 10 | 10 | 19 | 19 |
| Total | 17,750 ft² | 1,429 | 29 | 19 | 51 | 50 | 72 | 70 |

The results of the trip generation evaluation, as shown above in **Table 1**, the following can be determined:

- The current development is anticipated to generate 2,495 weekday trips, 89 trips (53 entering and 36 exiting) during the morning, 175 trips (88 entering and 87 exiting) during the midday, and 261 trips (132 entering and 129 exiting) during the afternoon peak period.
- The proposed redevelopment is anticipated to generate 3,924 weekday trips, 137 trips (82 entering and 55 exiting) during the morning, 276 trips (139 entering and 137 exiting) during the midday, and 403 trips (204 entering and 199 exiting) during the afternoon peak period.
- In an effort to evaluate the additional trips to be generated by the proposed redevelopment, the anticipated trips expected to be generated by the redevelopment were compared to the trips generated by the existing development. Through this comparison it was determined that the redevelopment would generate 1,429 additional weekday trips, 48 additional trips (29 entering and 19 exiting) during the morning peak period, 101 additional trips (51 entering and 50 exiting) during the midday, and 142 additional trips (72 entering and 70 exiting) during the afternoon peak period.

| Building Area Table | | |
|---------------------|-----------------|---------------|
| Building Number | Gross Area (SF) | Net Area (SF) |
| 1 | 27,650 | 21,400 |
| 2 | 8,866 | 6,915 |
| 3 | 6,000 | 4,800 |
| 4 | 9,550 | 7,392 |
| Total | 52,066 | 40,507 |

| Parking Requirement Table | | | |
|---------------------------|-----------|-----------|-----------------|
| Ordinance Requirement | Area | Area Type | Spaces Required |
| 3 Spaces / 1,000 SF | 52,066 SF | Gross | 157 |
| 1 Space / 400 SF | 40,507 SF | Net | 102 |

CITY OF HOMEWOOD
DEPARTMENT OF ENGINEERING & ZONING

2850 - 19th Street South - 4th Floor
Homewood, Alabama 35209
Phone 205-332-6800 | Fax 205-332-6955

Patrick McClusky, Mayor

Cale Smith, PE, Director

Planning Commission
PUBLIC HEARING NOTICE

Notice To: **OWNER & ADJACENT PROPERTY OWNERS**

This letter shall serve as notice of a public hearing by the Homewood Planning Commission to be held in the Homewood City Hall Council Chambers (2nd Floor), 2850 19th Street South, beginning at **6:00 P.M., on Tuesday, September 5, 2023.** As an option, the Public Hearing is also being held as an on-line meeting. **(SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS LETTER).**

The purpose of the hearing is to receive public comments on an application submitted by:

McConnell White & Terry Realty and Insurance Company

for a proposed subdivision plat of land owned by:

McConnell White & Terry Realty and Insurance Company

and located at the following street address or location (see enclosed map):

3030 Independence Drive, 3008 Drake Street, 1909 Oxmoor Road & 1906 Courtney Drive

Parcels: 28-00-07-3-031-001.000, 28-00-07-3-032-025.002, 28-00-07-3-032-001.000 , & 28-00-07-3-032-023.000

The proposal consists of a FINAL DEVELOPMENT PLAN

Purpose:

A request for approval of a Final Development Plan for the planned construction of a new 27,650 sq. ft. Piggly Wiggly grocery store, a new 6,000 sq. ft. retail building, as well as associated parking, landscaping and other site improvements.

A written protest of the proposed action may be filed with the Secretary to the Planning Commission of the City of Homewood no later than one (1) day prior to the scheduled date of the public hearing for consideration by the Planning Commission. The protest must be signed by the property owner making such protest, and only the one protest shall be allowed for each separately assessed unit of property.

This notice is sent by U.S. mail on or before August 29, 2023, which is at least seven days before the fixed hearing date, to all property owners adjoining the subject properties, as their names and addresses appear in the Jefferson County Tax Assessor's office.



Sherri Williams, Zoning Supervisor
Engineering & Zoning Department
PC CASE # FD 23-07-01

You may contact our office for further information or questions at (205) 332-6800 OR visit between 7:30 a.m. and 4:30 p.m. Mon-Fri to review any files or drawings pertaining to this application

Instructions: Although the proceedings of the meeting may be viewed on-line, please note that anyone wishing to participate in a discussion of the scheduled cases must attend the meeting in Homewood City Hall in person.

If you would like to view the live stream for this meeting, you will find the "Live Stream" link on our website (www.cityofhomewood.com) on the home page, or you can connect directly via: www.cityofhomewood.com/live-stream.

Comments, in support or opposition to cases on the agenda, may be submitted to the Secretary to the Planning Commission at fred.goodwin@homewoodal.org. Comments should be submitted no later than 24-hours prior to the meeting and will be provided to the Commission members for their consideration. Please reference the case number or address in your comments.

A copy of the meeting agenda packet, which includes the file for this case, will be available for viewing and downloading on the City of Homewood's website (cityofhomewood.com) by clicking on the "Upcoming Meetings/Planning Commission" tab approximately one week before the scheduled meeting.

The scheduled public hearing will be preceded by a brief work session for Commissioners beginning at 5:30 p.m. in the City Council's Committee Workroom located on the 2nd floor behind the Council Chambers. While members of the public may attend and observe the work session, questions and/or comments from the public will only be considered during the scheduled public hearing.

3030 Independence Dr. / 3008 Drake St.
1909 Oxmoor Rd. / 1906 Courtney Dr.
CASE NO. FD 23-07-01
Final Development Plan
Affected Parcels #
28-00-07-3-031-001.000 28-00-07-3-032-025.002
28-00-07-3-032-001.000 28-00-07-3-032-023.000



THE INFORMATION ON THIS DRAWING WAS
COMPILED FROM SEVERAL SOURCES AND
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INFORMATION AND ORIENTATION. THIS
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SPECIFICALLY AUTHORIZED BY THE CITY OF
HOMEWOOD IS PROHIBITED.



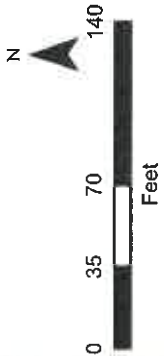
City of Homewood PC Case Map

3030 Independence Dr.
1909 Oxt Moor Rd
3008 Drake St.
1906 Courtney Dr.

FD 23-07-01
RZ 23-07-02

Aerial Photo

- Parcels
- Subject Property



THE INFORMATION ON THIS DRAWING WAS
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HOMEWOOD AND ITS USE BY ANYONE FOR
ANY PURPOSE OTHER THAN THAT
SPECIFICALLY AUTHORIZED BY THE CITY OF
HOMEWOOD IS PROHIBITED.

FD 23-07-01 & RZ 23-07-02 : Bird's Eye View looking East



FORM IX.
AMENDMENT TO THE ZONING ORDINANCE ("RE-ZONING")
HOMEWOOD PLANNING COMMISSION

1. Date application filed: June 7, 2023 Requested hearing date: August 1, 2023
2. Applicant: McConnell White & Terry Realty And Insurance Company
Phone (s): (give several Phone Numbers) (205) 870-0400
Address: 2925 Cahaba Road Mountain Brook AL 35223
City State Zip
3. Owner: McConnell White & Terry Realty And Insurance Company
Phone(s): (205) 870-0400
Address: 2925 Cahaba Road Mountain Brook AL 35223
City State Zip
4. Attach/give a complete legal description: See Supplemental Material.
5. Property location: 1906 Courtney Drive, Homewood, AL 35209
6. Tax Map Parcel I.D. Number(s): 28-00-07-3-032-023.000
7. Acreage: 0.56 Acres
8. Existing Zoning: C-1 Existing land use: N/A
9. Proposed Zoning: C-2 Proposed and use: Commercial
10. Check all required submissions with this application:
- ☐ Application fee
- ☐ Reason for the request
- ☐ Legal description of the subject property
- ☐ Availability of required utilities
- ☐ Site plan or preliminary development plan (as required)
- ☐ Proffer of rezoning conditions (if any)

REDACTED

REDACTED

Signature of Applicant: _____

Signature of authorization by Owner: _____

FOR CITY USE ONLY

\$ 250.⁰⁰ application fee received on JUNE 7, 2023 by Receipt # 497867Application received by: FRED GOODWIN on JUNE 7, 2023

June 7, 2023

Planning Commission
City of Homewood
2850 19th Street South
Homewood, Alabama 35209

Attention: Secretary to the Planning Commission

Reference: Homewood Piggly Wiggly Redevelopment – Rezoning Application

Dear Planning Commission,

I am the owner of four contiguous properties known as 1909 Oxmoor Road, 3008 Drake Street, 3030 Independence Drive, 1906 Courtney Drive, Birmingham, AL 35209. At present, three of these properties have the same zoning designations and one of these properties has a different zoning designation.

The reason for this request is to have a consistent zoning designation across all four properties and would like to request a rezone of 1906 Courtney Drive, from the C-1 Zoning District to the C-2 Zoning District.

The legal description for the property requested to be rezoned is as follows:

Lot 1-A, according to the Resurvey of Lots 1, 2, and 3, Block 2 Ruthamy's Place, as recorded in Map Book 214, page 70, in the Probate Office of Jefferson County, Alabama.

Attached are the required application and fee to this letter for your consideration.

Sincerely,

Charles Terry
Owner

APPROVED BY HOMEWOOD CITY COUNCIL

CITY COUNCIL PRESIDENT

DATE

CITY CLERK

DATE

CERTIFIED BY THE ZONING ADMINISTRATOR AS CONTAINING THE REQUIRED INFORMATION:

ZONING ADMINISTRATOR

FINAL DEVELOPMENT PLAN APPROVED BY THE HOMEWOOD PLANNING COMMISSION ON:

CHARMAN

DATE

SECRETARY

DATE

UNDERGROUND UTILITIES SHOWN ON THIS MAP ARE BASED ON RECORDS AND SHOULD BE FIELD VERIFIED IN THE FIELD PRIOR TO CONSTRUCTION.

JOB SAFETY IS NOT THE RESPONSIBILITY OF THE ENGINEER. THE CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTION SITE SAFETY.



OXMOOR ROAD
ROW VARIES

PROPERTY LINE
0' SETBACK

5' WIDE SIDEWALK
TYP.

18" CURB AND
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PROPOSED BUILDING
FFE - 745.00/-

FIRE ACCESS ROUTE

PROPOSED WATER
VAULTS

PROPOSED SITE
LIGHT POLE, TYP.

PROPOSED MONUMENT
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18" CURB AND
GUTTER, TYP.

REUSE FIRE
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C-1

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STORM INLET

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HWY 31
ROW VARIES

PROPOSED SITE
LIGHT POLE, TYP.

PROPOSED MONUMENT
SIGN

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R-7C

PROPOSED BUILDING
FFE - 741.50

TRANSITION TO 18" CURB AND GUTTER

PROPOSED STORM
MANHOLE, TYP.

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CITY OF HOMEWOOD
DEPARTMENT OF ENGINEERING & ZONING

2850 - 19th Street South - 4th Floor
Homewood, Alabama 35209
Phone 205-332-6800 | Fax 205-332-6955

Patrick McClusky, Mayor

Cale Smith, PE, Director

Planning Commission
PUBLIC HEARING NOTICE

Notice To: **OWNER & ABUTTING PROPERTY OWNERS**

You are hereby notified of a public hearing by the Homewood Planning Commission to be held in the Homewood City Hall Council Chambers (2nd Floor), 2850 19th Street South, beginning at **6:00 P.M., on Tuesday, September 5, 2023**. As an option, the Public Hearing is also being held as an on-line meeting. **(SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS LETTER).**

The purpose of the hearing is to receive public comments on an application submitted by:

McConnell White & Terry Realty and Insurance Company

for a proposed subdivision plat of land owned by:

McConnell White & Terry Realty and Insurance Company

and located at the following street address or location (see enclosed map):

1906 Courtney Drive

Parcel: 28-00-07-3-032-023.000

The proposal consists of a RE-ZONE

Purpose:

A request to rezone the subject property from C-1, Office Building District to a C-2, Neighborhood Shopping District zoning classification to facilitate the redevelopment of the Homewood Piggly Wiggly grocery store.

A written protest of the proposed action may be filed with the Secretary to the Planning Commission of the City of Homewood no later than one (1) day prior to the scheduled date of the public hearing for consideration by the Planning Commission. The protest must be signed by the property owner making such protest, and only the one protest shall be allowed for each separately assessed unit of property.

This notice is sent by U.S. mail on or before August 29, 2023, which is at least seven days before the fixed hearing date, to all property owners located within 500 feet of the subject property, as their names and addresses appear in the Jefferson County Tax Assessor's office.



Sherri Williams, Zoning Supervisor
Engineering & Zoning Department
PC CASE # RZ 23-07-02

You may contact our office for further information or questions at (205) 332-6800 OR visit between 7:30 a.m. and 4:30 p.m. Mon-Fri to review any files or drawings pertaining to this application

Instructions: Although the proceedings of the meeting may be viewed on-line, please note that anyone wishing to participate in a discussion of the scheduled cases must attend the meeting in Homewood City Hall in person.

If you would like to join the live.stream for this meeting, you will find the "Live Stream" link on our website (www.cityofhomewood.com) on the home page, or you can navigate via: <https://bit.ly/3Wxp2Hi>

Comments, in support or opposition to cases on the agenda, may be submitted to the Secretary to the Planning Commission at fred.goodwin@homewoodal.org. Comments should be submitted no later than 24-hours prior to the meeting and will be provided to the Commission members for their consideration. Please reference the case number or address in your comments.

A copy of the cases scheduled for consideration will be available for review on the City of Homewood's website (cityofhomewood.com) under "Upcoming Meetings/Planning Commission" approximately one week before the scheduled meeting.

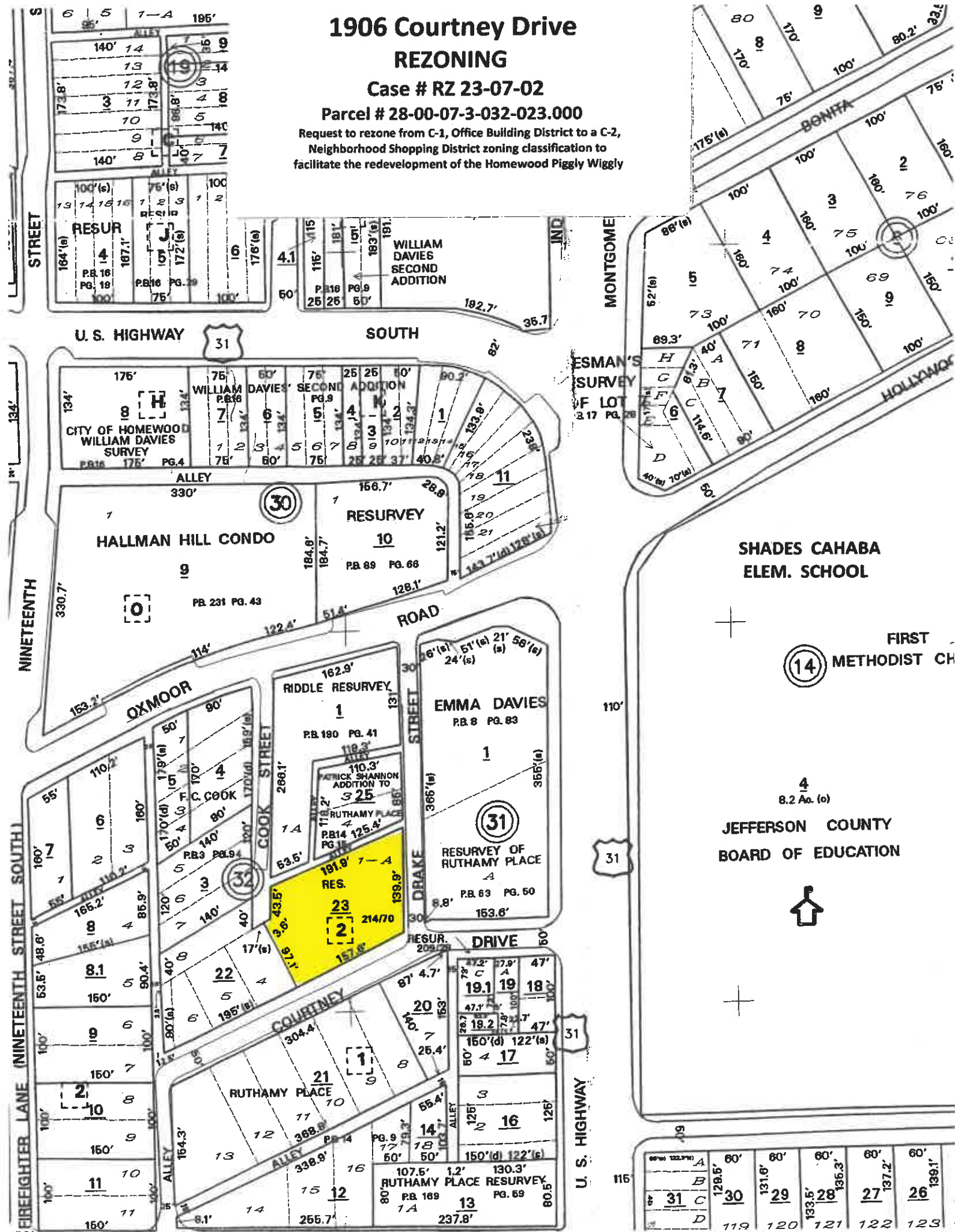
The scheduled public hearing will be preceded by a brief work session for Commissioners beginning at 5:30 p.m. in the City Council's Committee Workroom located on the 2nd floor behind the Council Chambers. While members of the public may attend and observe the work session, questions and/or comments from the public will only be considered during the scheduled public hearing.

1906 Courtney Drive REZONING

Case # RZ 23-07-02

Parcel # 28-00-07-3-032-023.000

Request to rezone from C-1, Office Building District to a C-2,
Neighborhood Shopping District zoning classification to
facilitate the redevelopment of the Homewood Piggly Wiggly



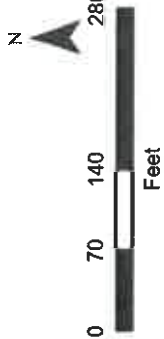
City of Homewood
PC Case Map

3030 Independence Dr.
1909 Oxmoor Rd
3008 Drake St.
1906 Courtney Dr.

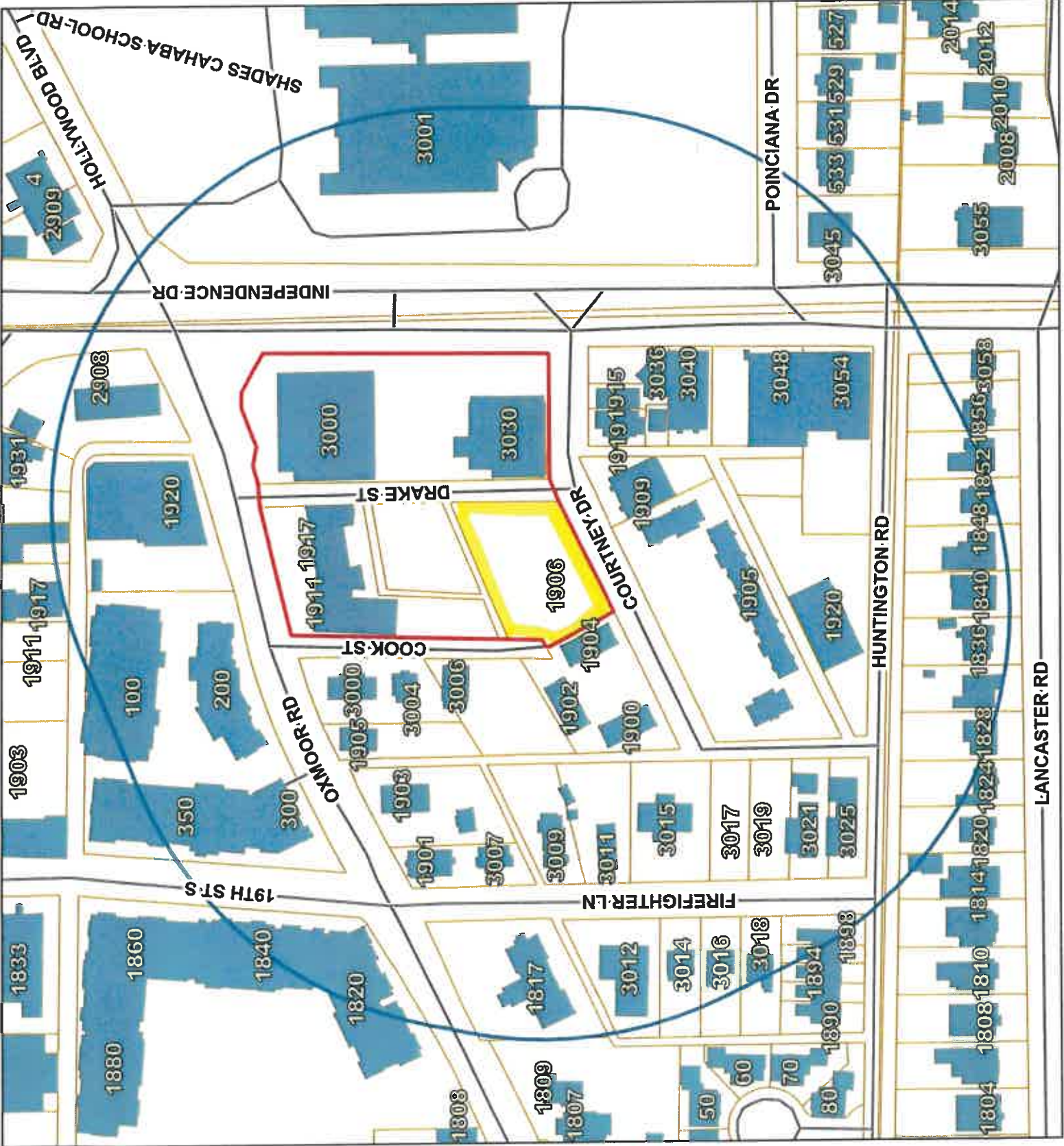
FD 23-07-01
RZ 23-07-02

Vicinity Map

- Parcels
- Subject Property
- 500 Ft Buffer
- Building Footprints



THE INFORMATION ON THIS DRAWING WAS
COMPILED FROM SEVERAL SOURCES AND
SHOULD ONLY BE USED FOR GENERAL
INFORMATION AND ORIENTATION. THIS
DRAWING IS THE PROPERTY OF THE CITY OF
HOMWOOD AND ITS USE BY ANYONE FOR
ANY PURPOSE OTHER THAN THAT
SPECIFICALLY AUTHORIZED BY THE CITY OF
HOMWOOD IS PROHIBITED.



**City of Homewood.
PC Case Map**

**3030 Independence Dr.
1909 Oxmoor Rd
3008 Drake St.
1906 Courtney Dr.**

FD 23-07-01
RZ 23-07-02

Zoning Map



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City of Homewood
PC Case Map

3030 Independence Dr.
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FD 23-07-01
RZ 23-07-02

Master Plan Land
Use Map

Parcels

Future Land Use

Commercial

Institutional

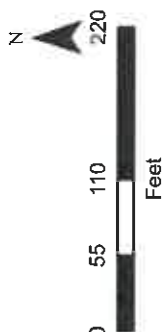
Mixed Use

Office

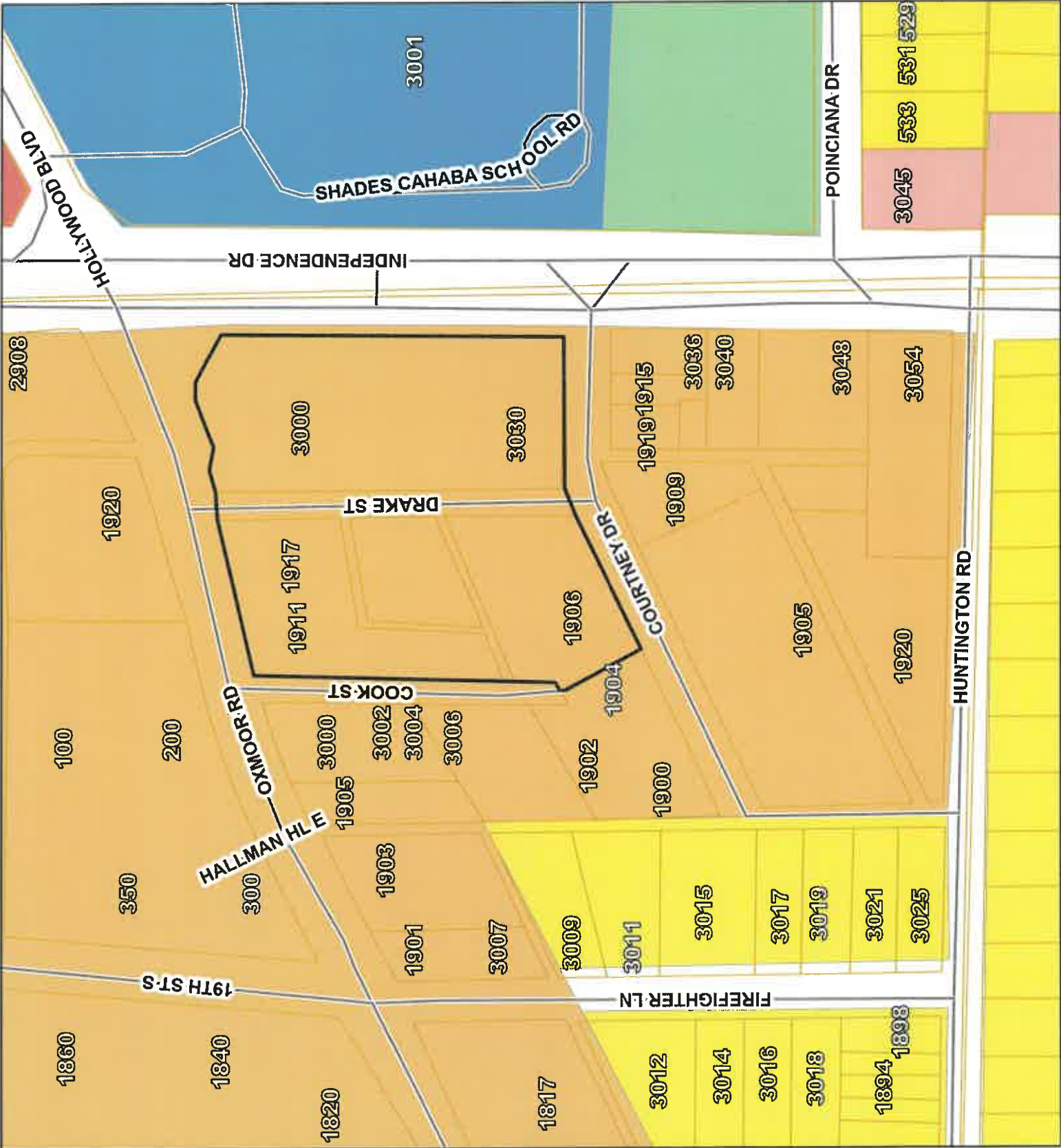
Parks and Rec

Residential

Subject Property



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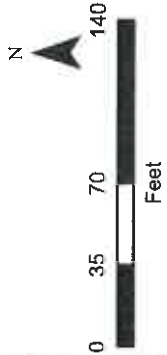
**City of Homewood,
PC Case Map**

3030 Independence Dr.
1909 Oxmoor Rd
3008 Drake St.
1906 Courtney Dr.

FD 23-07-01
RZ 23-07-02

Aerial Photo

-  Parcels
-  Subject Property



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FD 23-07-01 & RZ 23-07-02 : Bird's Eye View looking East



FORM IX.
AMENDMENT TO THE ZONING ORDINANCE ("RE-ZONING")
HOMEWOOD PLANNING COMMISSION

1. Date application filed: June 7, 2023 Requested hearing date: August 1, 2023
2. Applicant: John Chapman john@wynnecapitalpartners.com
Phone (s): (give several Phone Numbers) 205-586-5134
Address: 2400 Arlington Avenue Birmingham AL 35205
City State Zip
3. Owner: 5565 Capital Partners, LLC
Phone(s): 334-312-1607
Address: 2400 Arlington Avenue Birmingham AL 35205
City State Zip
4. Attach/give a complete legal description: Lots 3-A and 4-A according to the resurvey of Lots 3, 4 and 5 of Executive Office Park, recorded in Map Book 241, Page 34, in the Office of the Judge of Probate of Jefferson County, Alabama
5. Property location: 55 Bagby Drive, Homewood, AL 35209
6. Tax Map Parcel I.D. Number(s): 29 00 14 2 004 004.000
7. Acreage: 3.45 acres
8. Existing Zoning: C-5 Existing land use: vacant building
9. Proposed Zoning: MXD Proposed land use: Mixed Used Building
10. Check all required submissions with this application:
- ☒ Application fee
- ☒ Reason for the request
- ☒ Legal description of the subject property
- ☒ Availability of required utilities
- ☒ Site plan or preliminary development plan (as required)
- ☐ Proffer of rezoning conditions (if any)

Signature of Applicant: _____ REDACTED REDACTED

Signature of authorization by Owner: _____ REDACTED REDACTED

FOR CITY USE ONLY

\$ 250.00 application fee received on 6/8/2023 by Receipt # 497868

Application received by: FRED GOODWIN on JUNE 8, 2023

FORM IX.
AMENDMENT TO THE ZONING ORDINANCE ("RE-ZONING")
HOMEWOOD PLANNING COMMISSION

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2. Applicant: John Chapmanjohn@wynnecapitalpartners.com
Phone (s): (give several Phone Numbers) 205-586-5134
Address: 2400 Arlington AvenueBirminghamAL35205
CityStateZip
3. Owner: 5565 Capital Partners, LLC
Phone(s): 334-312-1607
Address: 2400 Arlington AvenueBirminghamAL35205
CityStateZip
4. Attach/give a complete legal description: Lots 3-A and 4-A according to the resurvey of Lots 3, 4 and 5 of Executive Office Park, recorded in Map Book 241, Page 34, in the Office of the Judge of Probate of Jefferson County, Alabama
5. Property location: 65 Bagby Drive, Homewood, AL 35209
6. Tax Map Parcel I.D. Number(s):29 00 14 2 004 005.000
7. Acreage: 2.66 acres
8. Existing Zoning: C-5Existing land use: vacant building
9. Proposed Zoning: MXDProposed land use: Mixed Used Building
10. Check all required submissions with this application:

✓Application fee

✓Reason for the request

✓Legal description of the subject property

✓Availability of required utilities

✓Site plan or preliminary development plan (as required)

Proffer of rezoning conditions (if any)

Signature of Applicant:REDACTEDREDACTED

Signature of authorization by Owner:REDACTEDREDACTED

FOR CITY USE ONLY

\$ 250.00 application fee received on JUNE 8, 2023 by Receipt # 497868

Application received by: FRED GOODWIN on JUNE 8, 2023

BAGBY DRIVE RE-ZONING REQUEST NARRATIVE

55 / 65 Bagby: The owner seeks to rezone 55 and 65 Bagby from C-5 to MXD and 85 Bagby from C-1 to MXD. If approved, the owner intends for the property to be used for a Mixed Used property containing residential and office functions. This property has been vacant and in a state of decline for 15+ years. The buildings are functionally obsolete as they currently exist. The MXD classification would allow a redevelopment of these long dormant parcels that in turn will generate activity in this area that has been vacant and dormant for many years. We believe this redevelopment would revitalize the physical and economic condition of not only 55 & 65 Bagby Drive, but all of Bagby Drive and the surrounding area as well.

85 Bagby: In 2021, the Magic City Acceptance Academy (MCAA) opened at 75 Bagby Drive. In doing so, a rezoning approval to MXD from C-1 allowed its development. 75 Bagby was developed by Farris Properties in partnership with the Birmingham Aids Outreach (BAO) who in turn operates MCAA. MCAA currently serves 400 students. MCAA has had a powerful impact on a vulnerable student population. The demand has been incredible. The building is a fantastic example of a high-quality adaptive reuse project. School operations have received high marks from the State of Alabama in its first audit by the Alabama Charter School Commission.

FARRIS, working in collaboration with MCAA, BAO, Mitchell's Place, Triumph Services, and other area non-profit organizations serving vulnerable populations discussed a vision for the surrounding properties. The vision to expand the school, provide medical services through an additional location of Magic City Wellness Center, and to provide targeted, specific use, inclusive housing comingled with mental health services for LGBT seniors and individuals with Intellectual and Developmental Disabilities (IDDs) is the plan for the subject Bagby Drive parcels.

In order to move forward the development, Farris Properties requests consideration of the following rezoning needs:

- A) 85 Bagby Drive: MXD Mixed Use (Currently C-1 Office District)
- B) 65 Bagby Drive: MXD Mixed Use (Currently C-5 General Business District)
- C) 55 Bagby Drive: MXD Mixed Use (Currently C-5 General Business District)

The Development Plan for the site includes:

85 Bagby – MCAA Expansion + Counseling and Mental Health Services Center

Existing Building: Three story 39,800 SF commercial building built in 1970. Site is approximately 1.94 acres.

Currently, the MCAA charter allows for 490 students total. This coming academic school year (2023-24) the school will have 400 students. By adding a second building (85 Bagby Drive) slated to begin construction in 2024 and open at the beginning of the 2025-2026 school year, MCAA will be able to expand enrollment to around 550. MCAA's goal is to continue to slowly expand, adding around 50 students per school year. This allows the school to not grow too fast, but rather grow with the student body and keep student to teacher ratios low.

BAGBY DRIVE RE-ZONING REQUEST NARRATIVE

Farris Properties and MCAA have worked with CCR Architecture to develop a plan for “Building 2.” This building 2 will feature a 120-seat black-box theater on the 2nd floor, as well as a 2nd floor band/music suite. This floor will be connected to MCAA’s original building via a direct bridge. The third floor will have 12 teaching spaces for approximately 200-240 students.

Farris Properties and BAO (Birmingham Aids Outreach, the affiliate of MCAA with the same CEO, Karen Musgrove) plan to include a significant portion of the first floor for a mental health center. The mental health center will provide shared office space for an estimated 16 to 22 mental health providers. Services will be offered to both MCAA students and parents / guardian, patients of MCWC (Magic City Wellness Center) and the public.

65 Bagby Drive – Housing for Seniors + Individuals with. IDD’s + Mental Health Services

Existing Building: Four story 60,000 +/- SF brick office building.

The renovation of 65 Bagby Drive will create units comprised of studio, 1 and 2 bedroom apartments for LGBTQ+ Seniors and Individuals with IDD’s. The first floor of the building will have offices for both mental health and life services organizations such as Triumph Services. The existing bridge between 65 Bagby and 55 Bagby will be demolished and a contiguous green space between the two buildings will be created. Currently the site has excessive parking for the new use, and some of that parking will be reclaimed and turned back to green space.

55 Bagby Drive – Housing for Seniors /Individuals with. IDD’s

Existing Building: Three story 55,000 +/- SF brick office building.

The renovation of 55 Bagby Drive will create units comprised of studio, 1 and 2 bedroom apartments for LGBTQ+ Seniors and Individuals with IDD’s. The existing bridge between 65 Bagby and 55 Bagby will be demolished and a contiguous green space between the two buildings will be created. Currently the site has excessive parking for the new use, and some of that parking will be reclaimed and turned back to green space.

Legal Descriptions

The legal descriptions of the properties are as follows:

85 Bagby

Legal Description: Lot 1, according to the Survey of Executive Office Park, as recorded in Map Book 88, page 52, In the Probate Office of Jefferson County, Alabama.

65 Bagby Drive and 55 Bagby Drive

Legal Description: Lots 3-A and 4-A according to the resurvey of Lots 3, 4 and 5 of Executive Office Park, recorded in Map Book 241, Page 34, in the Office of the Judge of Probate of Jefferson County, Alabama.

BAGBY DRIVE RE-ZONING REQUEST NARRATIVE

Traffic Volumes

Traffic volumes for all properties will be less than their current zoning and previous use. The developer plans to reduce parking spaces in order to add green space and stormwater retention. The tenant population for the properties has a limited driving census.

Availability of Required Utilities

All utilities have been confirmed as currently available at the site:

- Water – Birmingham Water Works Board
- Sewer – Jefferson County Health Department
- Gas – Spire
- Electricity – Alabama Power

Development Schedule

| | |
|--------------------------|--------------------|
| Site Control | 2021-2022 |
| Entitlements Achieved | August 31, 2023 |
| Plan Submission/Review | January 1-30, 2024 |
| Construction Start | March 2024 |
| Certificate of Occupancy | June 2025 |



Final Development Plan: 55 - 65 Bagby Drive
PC Case No. RZ 23 - 09 - 01
August 29, 2023
55-65 Bagby Drive, Homewood, AL 35209

REVISIONS:
DATE: August 29, 2023
SCALE: As Indicated
PROJECT MANAGER: DKE
DRAWN: HWM
REVIEWED: DKE
PROJECT NO: Project ID
SHEET TITLE: Final Site Development Plan
SHEET NUMBER:
SEQUENCE: 1 of 1

SITE DEVELOPMENT DATA MATRIX

| CONDITIONS DEPICTED ON PLAN | CONSTRAINTS & REQUIREMENTS STIPULATED BY THE HOMEWOOD ZONING ORDINANCE |
|--|--|
| TOTAL LOT AREA: 6.48 ACRES | NO SITE AREA REQUIREMENT |
| LOT COVERAGE: 4.03 ACRES (63.5%) | MINIMUM: N/A MAXIMUM: 90% |
| LOT USAGE: RESIDENTIAL (BUILDING SF + REQ'D PARKING) 240013 SF TENANT (BUILDING SF + REQ'D PARKING) 24910 SF | NO LOT USAGE REQUIREMENT |
| THE TWO LOTS COMPRISING THE SUBJECT PROPERTY SHALL BE RESURVEYED AND COMBINED INTO A SINGLE LOT | |

BAGBY DRIVE PROGRAM

| LEVELS | 65 NORTH WING RESIDENTIAL | TENANT | CONNECTOR CIRCULATION/COMMON | 65 SOUTH WING BAGBY RESIDENTIAL | TOTALS |
|----------|---------------------------|------------|------------------------------|---------------------------------|--------------|
| BASEMENT | 0 S.F. | | | | |
| LEVEL 1 | 17,240 S.F. | 2,000 S.F. | 2,900 S.F. | 20,470 S.F. | 10,235 S.F. |
| LEVEL 2 | 17,240 S.F. | | | 20,470 S.F. | 42,610 S.F. |
| LEVEL 3 | 17,240 S.F. | | | 20,470 S.F. | 37,710 S.F. |
| LEVEL 4 | 17,240 S.F. | | | | 37,710 S.F. |
| TOTALS | 68,960 S.F. | 2,000 S.F. | 2,900 S.F. | 61,410 S.F. | 145,506 S.F. |

PARKING CALCULATIONS

| RESIDENTIAL - 1 BEDROOM | S.F. OR UNIT | REQUIRED | RATION PROVIDED |
|-------------------------|--------------|------------|------------------|
| RESIDENTIAL - 2 BEDROOM | 148 UNITS | 148 SPACES | 1 PER BEDROOM |
| TENANT TOTAL | 21 UNITS | 42 SPACES | 2 PER BEDROOM |
| | 12,735 S.F. | 38 SPACES | 3 PER 1,000 S.F. |
| | | 229 SPACES | |

CONSTRUCTION SCHEDULE

| | |
|------------|----------------|
| START DATE | April 1, 2024 |
| END DATE | March 31, 2026 |

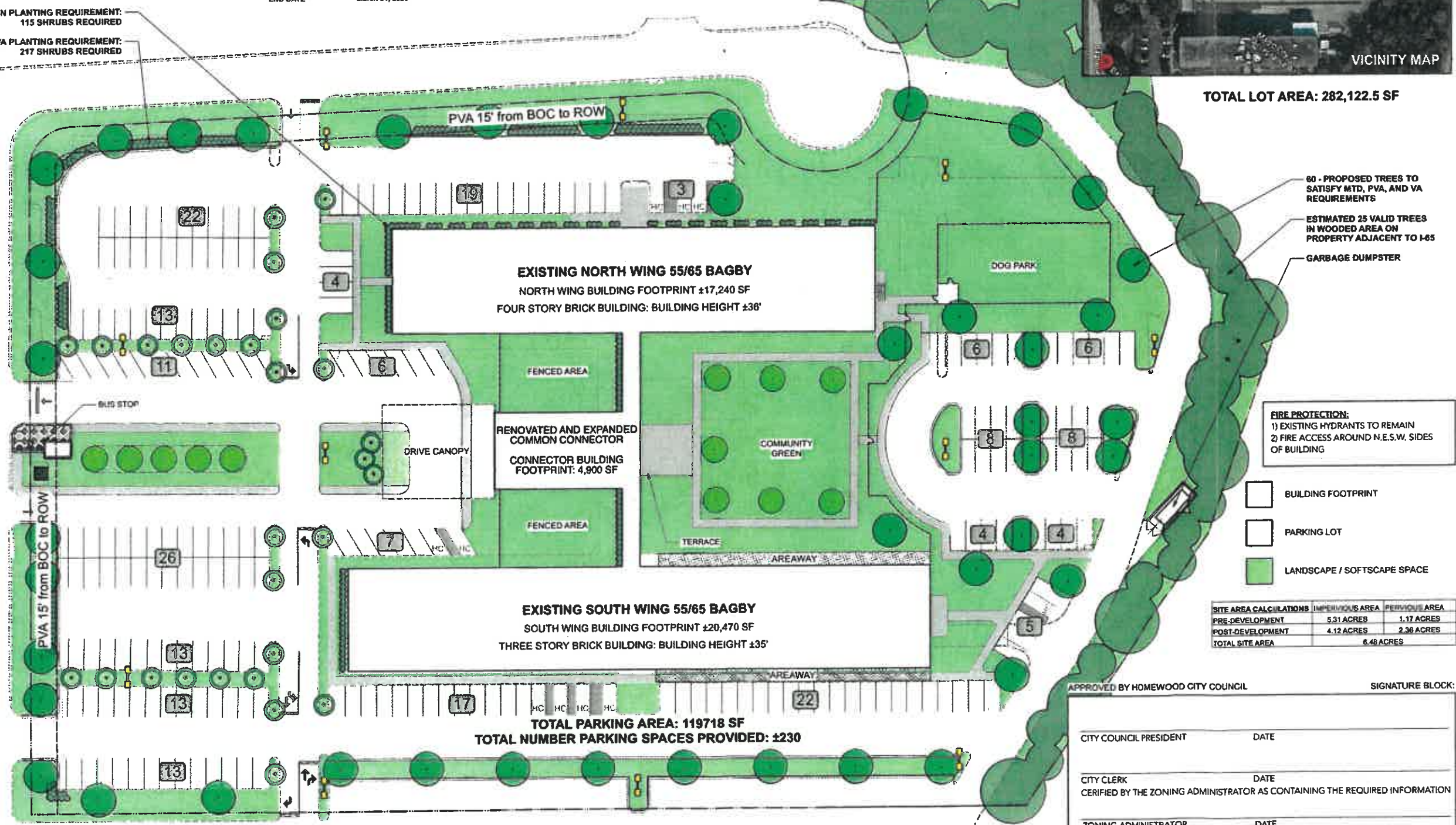
MINIMUM TREE DENSITY REQUIREMENTS

| | | |
|---|-------------------|---------|
| TOTAL LOT AREA (TLA) | 282,122.50 SF | 6.48 AC |
| BUILDING FOOTPRINT (BF) | 42,500 | 0.97 AC |
| AREA OF REQUIRED PARKING (ARP) | 119,818 SF | 2.75 AC |
| MTD AREA = TLA - BF - ARP | 114,089.7 | 2.76 AC |
| MTD = 2.76 AC X 24 TREES / ACRE | 66 TREES REQUIRED | |
| NUMBER OF PROPOSED UNDERSTORY TREES* | 17 TREES | |
| NUMBER OF PROPOSED CANOPY TREES | 43 TREES | |
| NUMBER OF EXISTING TREES | ±25 TREES | |
| SUM OF MTD + EXISTING TREES | 85 TREES | |
| *PROPOSED UNDERSTORY TREES CALCULATED AT RATIO OF 2 UNDERSTORY TREES TO 1 CANOPY TREE | | |



VICINITY MAP

TOTAL LOT AREA: 282,122.5 SF



- 60 - PROPOSED TREES TO SATISFY MTD, PVA, AND VA REQUIREMENTS
- ESTIMATED 25 VALID TREES IN WOODED AREA ON PROPERTY ADJACENT TO I-65
- GARBAGE DUMPSTER

FIRE PROTECTION:
1) EXISTING HYDRANTS TO REMAIN
2) FIRE ACCESS AROUND N.E.S.W. SIDES OF BUILDING

- BUILDING FOOTPRINT
- PARKING LOT
- LANDSCAPE / SOFTSCAPE SPACE

| SITE AREA CALCULATIONS | IMPERVIOUS AREA | PERVIOUS AREA |
|------------------------|-----------------|---------------|
| PRE-DEVELOPMENT | 5.31 ACRES | 1.17 ACRES |
| POST-DEVELOPMENT | 4.12 ACRES | 2.36 ACRES |
| TOTAL SITE AREA | 6.48 ACRES | |

EXISTING NORTH WING 55/65 BAGBY
NORTH WING BUILDING FOOTPRINT ±17,240 SF
FOUR STORY BRICK BUILDING: BUILDING HEIGHT ±38'

RENOVATED AND EXPANDED COMMON CONNECTOR
CONNECTOR BUILDING FOOTPRINT: 4,900 SF

EXISTING SOUTH WING 55/65 BAGBY
SOUTH WING BUILDING FOOTPRINT ±20,470 SF
THREE STORY BRICK BUILDING: BUILDING HEIGHT ±35'

TOTAL PARKING AREA: 119,718 SF
TOTAL NUMBER PARKING SPACES PROVIDED: ±230

APPROVED BY HOMEWOOD CITY COUNCIL

SIGNATURE BLOCK:

| | |
|--|------|
| CITY COUNCIL PRESIDENT | DATE |
| CITY CLERK | DATE |
| CERTIFIED BY THE ZONING ADMINISTRATOR AS CONTAINING THE REQUIRED INFORMATION | |
| ZONING ADMINISTRATOR | DATE |
| FINAL DEVELOPMENT PLAN APPROVED BY THE HOMEWOOD PLANNING COMMISSION ON: | |
| CHAIRMAN | DATE |
| SECRETARY | DATE |

LEGEND

- L.P.F. IRON PIN FOUND
- L.P.S. IRON PIN SET (5/8" REBAR w/CAP)

MORTGAGEE:

Trident Financial Corporation, B.V.

By: [Signature]

Designated Officer

Dated: 6-2-15

I, [Signature], a Notary Public in and for said county in said state, hereby certify that [Signature] as designated officer of Trident Financial Corporation, B.V., whose name is signed to the foregoing document and who is known to me, acknowledged before me on this date that, after having been duly informed of the contents of said certificate, he executed the same voluntarily as such individual with full authority therefor.

Given under my hand and seal this 2nd day of June, 2015.

Notary Public

My Commission Expires: March 11, 2017

MORTGAGEE:

Atlantic Equities, LLC

By: [Signature]

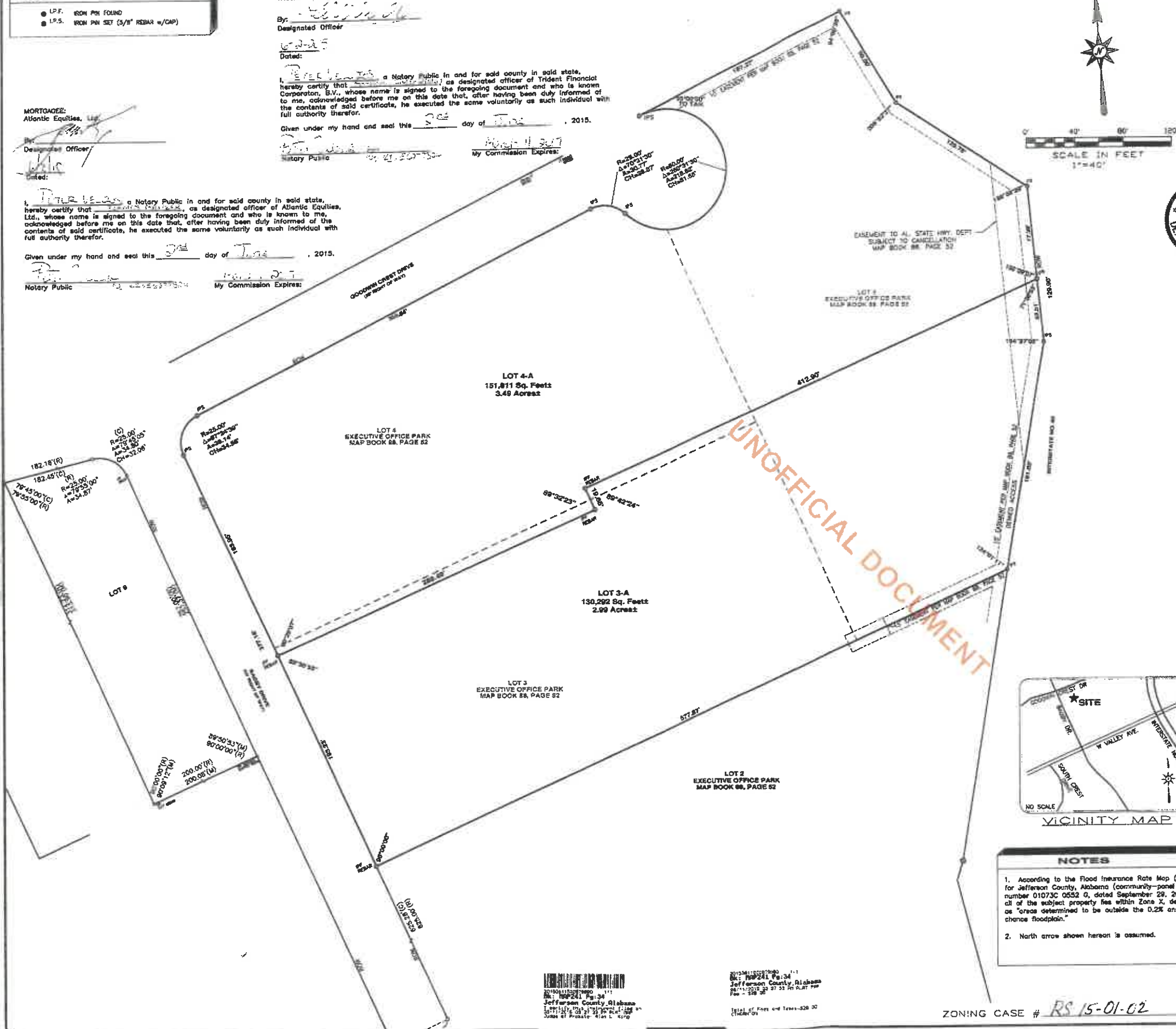
Designated Officer

Dated: 6-2-15

I, [Signature], a Notary Public in and for said county in said state, hereby certify that [Signature] as designated officer of Atlantic Equities, LLC, whose name is signed to the foregoing document and who is known to me, acknowledged before me on this date that, after having been duly informed of the contents of said certificate, he executed the same voluntarily as such individual with full authority therefor.

Given under my hand and seal this 2nd day of June, 2015.

Notary Public

My Commission Expires: March 11, 2017STATE OF ALABAMA
JEFFERSON COUNTY

The undersigned, Derek S. Meadows, a registered Professional Land Surveyor of the State of Alabama, and the undersigned, as Owners, hereby certify that this plat or map was made pursuant to a survey made by said Surveyor and that said survey and this plat or map were made of the instance of said Owners; that this plat or map is a true and correct plat or map of lands shown hereon and known as RESURVEY OF LOTS 1, 2, 3, 4, EXECUTIVE OFFICE PARK, showing the streets, alleys, and public grounds, giving the length, width, and name of each street as well as the number of each lot and block, and showing the riparian rights of the lands to the government survey; and that iron pins have been installed at all lot corners and curve points as shown and designated by small, solid circles on said plat or map. Said Owners also certify that it is the owner of said lands and that the same is not subject to any mortgage. Said Owners agree that the City of Homewood may at any time change the natural or existing grade to the permanent grade without the payment of compensation or damages to the abutting owners, and the agreement shall be a covenant running with the lands.

The undersigned appoint the City of Homewood as agent for the purpose of filing said plat or map, together with the instrument, for record, and certify that we have full authority to execute this instrument and map.

The undersigned Owner certifies that he is the owner of the property described hereon, which property is located within the subdivision jurisdiction of the City of Homewood, Alabama, that he truly offers the plat and dedicates to public use of such areas shown on this plat, and that he will maintain such areas until the dedication is accepted by the City Council.

The undersigned Surveyor certifies that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Land Surveying in the State of Alabama.



SURVEYOR:
GONZALEZ - STRENGTH & ASSOC., INC.
2178 Parkway Lake Drive
Hoover, AL 35244

[Signature]
Derek S. Meadows, PLS
Ala. Reg. No. 29999

Dated: 2-6-15
STATE OF ALABAMA
JEFFERSON COUNTY

I, MICHAEL W. KEELER, a Notary Public in and for said county in said state, hereby certify that Derek S. Meadows, whose name is signed to the foregoing certificate as Surveyor and who is known to me, acknowledged before me on this date that, after having been duly informed of the contents of said certificate, he executed the same voluntarily as such individual with full authority therefor.

Given under my hand and seal this 6TH day of FEBRUARY, 2015.

[Signature]
Notary Public

6-2-2015
My Commission Expires:

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that [Signature], whose name as Designated Officer of Begay Associates, LLC is signed to the foregoing document, and who is known to me, acknowledged before me on this date that, after having been duly informed of the contents of said certificate, he executed the same voluntarily as such officer with full authority therefor.

Given under my hand and seal this 4th day of February, 2015.

[Signature]
Notary Public NO. 006231324

3/1/2017
My Commission Expires:

Final plat approved by resolution of the Homewood Planning Commission on

this 6 day of January, 2015.

[Signature]
Chairman

January 6, 2015
Date:

[Signature]
Secretary

January 6, 2015
Date:

[Signature]
City Zoning Administrator

January 6, 2015
Date:

[Signature]
Aging Director Jefferson County Environmental Services

Environmental Services Department Approved indicates that easements have been dedicated for future Jefferson County sanitary sewers however this does not mean sanitary sewers have been built or will be built in the future. Any change in the Right-of-Way or any change in any right of way or easement boundaries after this dated may void this approval.

RESURVEY OF LOTS 3, 4, & 5 EXECUTIVE OFFICE PARK

BEING A RESURVEY OF LOTS 3, 4, AND 5 ACCORDING TO THE EXECUTIVE OFFICE PARK AS RECORDED IN MAP BOOK 88, PAGE 52 IN THE OFFICE OF THE JUDGE OF PROBATE, JEFFERSON COUNTY, ALABAMA, BEING SITUATED IN THE NORTHWEST ONE-QUARTER OF SECTION 14 AND THE NORTHEAST ONE-QUARTER OF SECTION 15, TOWNSHIP 18 SOUTH, RANGE 3 WEST JEFFERSON COUNTY, ALABAMA.

Prepared by:

GAA
GONZALEZ - STRENGTH & ASSOCIATES, INC.
ENGINEERING, LAND PLANNING, SURVEYING, TRAFFIC/TRANSPORTATION
2178 PARKWAY LAKE DRIVE
HOOVER, ALABAMA 35244
PHONE: (205) 842-2111
FAX: (205) 842-8053
www.Gonzalez-Strength.com

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JANUARY, 2015

JOB #27579

CITY OF HOMEWOOD
DEPARTMENT OF ENGINEERING & ZONING

2850 - 19th Street South - 4th Floor
Homewood, Alabama 35209
Phone 205-332-6800 | Fax 205-332-6955

Patrick McClusky, Mayor

Cale Smith, PE, Director

Planning Commission
PUBLIC HEARING NOTICE

Notice To: **OWNER & ABUTTING PROPERTY OWNERS**

You are hereby notified of a public hearing by the Homewood Planning Commission to be held in the Homewood City Hall Council Chambers (2nd Floor), 2850 19th Street South, beginning at **6:00 P.M., on Tuesday, September 5, 2023**. As an option, the Public Hearing is also being held as an on-line meeting. **(SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS LETTER).**

The purpose of the hearing is to receive public comments on an application submitted by:

John Chapman

for a proposed subdivision plat of land owned by:

5565 Capital Partners, LLC

and located at the following street address or location (see enclosed map):

55 & 65 Bagby Drive

Parcels: 29-00-14-2-004-004.000, 29-00-14-2-004-005.000, & 29-00-15-1-005-001.000

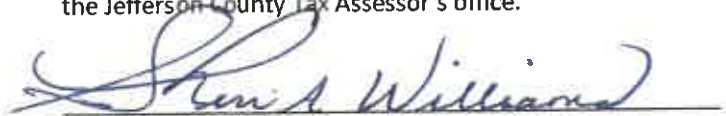
The proposal consists of a RE-ZONE

Purpose:

A request to rezone the subject properties from C-5, General Business District to an MXD, Mixed Use District zoning classification to facilitate the rehabilitation of two existing, vacant office buildings for a new mixed-use development containing residential apartments for LGBTQ+ Seniors and individuals with Intellectual and Developmental Disabilities, as well as office space for various mental health and life services organizations.

A written protest of the proposed action may be filed with the Secretary to the Planning Commission of the City of Homewood no later than one (1) day prior to the scheduled date of the public hearing for consideration by the Planning Commission. The protest must be signed by the property owner making such protest, and only the one protest shall be allowed for each separately assessed unit of property.

This notice is sent by U.S. mail on or before August 29, 2023, which is at least seven days before the fixed hearing date, to all property owners located with 500 feet of the subject property, as their names and addresses appear in the Jefferson County Tax Assessor's office.



Sherri Williams, Zoning Supervisor
Engineering & Zoning Department
PC CASE # RZ 23-09-01

You may contact our office for further information or questions at (205) 332-6800 OR visit between 7:30 a.m. and 4:30 p.m. Mon-Fri to review any files or drawings pertaining to this application.

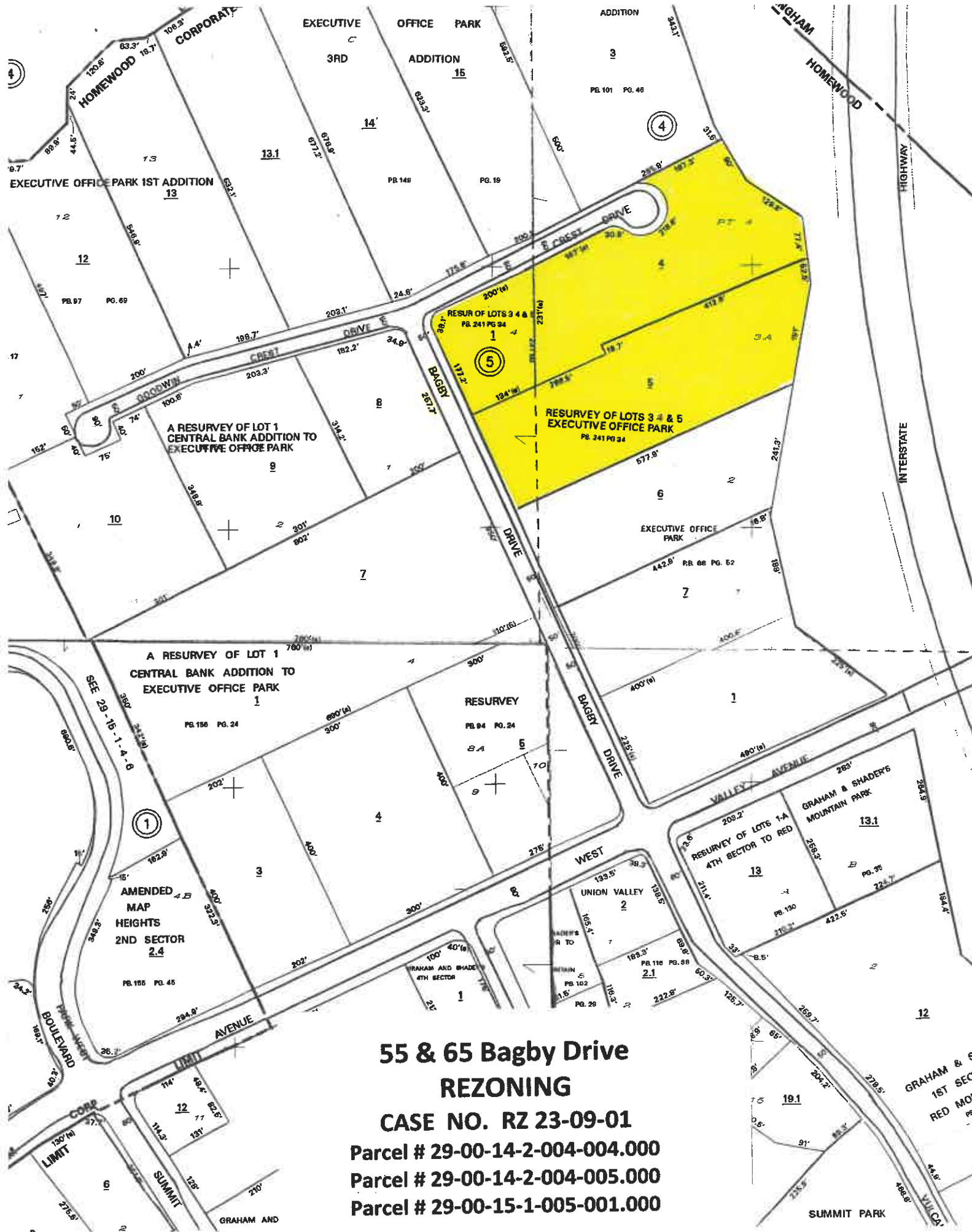
Instructions: Although the proceedings of the meeting may be viewed on-line, please note that anyone wishing to participate in a discussion of the scheduled cases must attend the meeting in Homewood City Hall in person.

If you would like to join the live stream for this meeting, you will find the "Live Stream" link on our website (www.cityofhomewood.com) on the home page, or you can navigate via: <https://bit.ly/3Wxp2Hi>

Comments, in support or opposition to cases on the agenda, may be submitted to the Secretary to the Planning Commission at fred.goodwin@homewoodal.org. Comments should be submitted no later than 24-hours prior to the meeting and will be provided to the Commission members for their consideration. Please reference the case number or address in your comments.

A copy of the cases scheduled for consideration will be available for review on the City of Homewood's website (cityofhomewood.com) under "Upcoming Meetings/Planning Commission" approximately one week before the scheduled meeting.

The scheduled public hearing will be preceded by a brief work session for Commissioners beginning at 5:30 p.m. in the City Council's Committee Workroom located on the 2nd floor behind the Council Chambers. While members of the public may attend and observe the work session, questions and/or comments from the public will only be considered during the scheduled public hearing.



**55 & 65 Bagby Drive
REZONING**

CASE NO. RZ 23-09-01

**Parcel # 29-00-14-2-004-004.000
Parcel # 29-00-14-2-004-005.000
Parcel # 29-00-15-1-005-001.000**

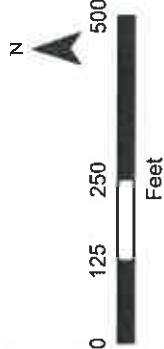
City of Homewood
PC Case Map

55 & 65 Bagby Dr.

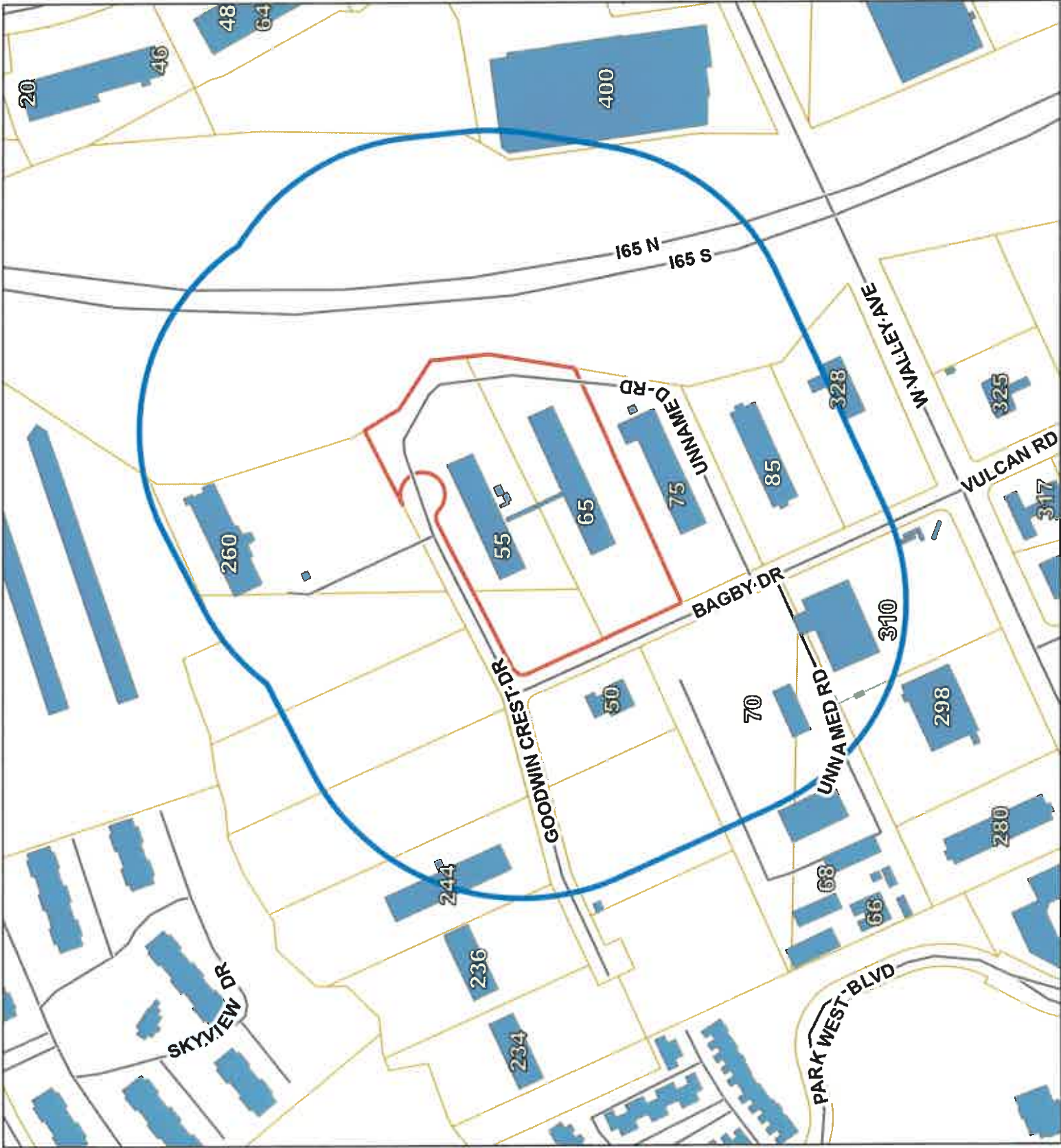
RZ 23-09-01

Vicinity Map

- Parcels
- Subject Property
- Building Footprints
- 500 Ft Buffer



THE INFORMATION ON THIS DRAWING WAS
COMPILED FROM SEVERAL SOURCES AND
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INFORMATION AND ORIENTATION. THIS
DRAWING IS THE PROPERTY OF THE CITY OF
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ANY PURPOSE OTHER THAN THAT
SPECIFICALLY AUTHORIZED BY THE CITY OF
HOMEWOOD IS PROHIBITED.



City of Homewood
PC Case Map

55 & 65 Bagby Dr.

RZ 23-09-01

Current Zoning

Parcels

Zoning

C-1

C-3

C-5

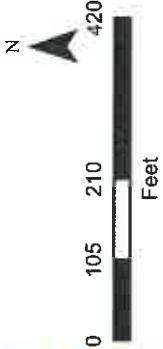
I-2

MXD

GURD

Subject Property

Building Footprints



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City of Homewood
PC Case Map
55 & 65 Bagby Dr.
RZ 23-09-01
Master Plan
Land Use

Parcels

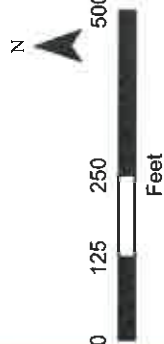
Future Land Use

Commercial

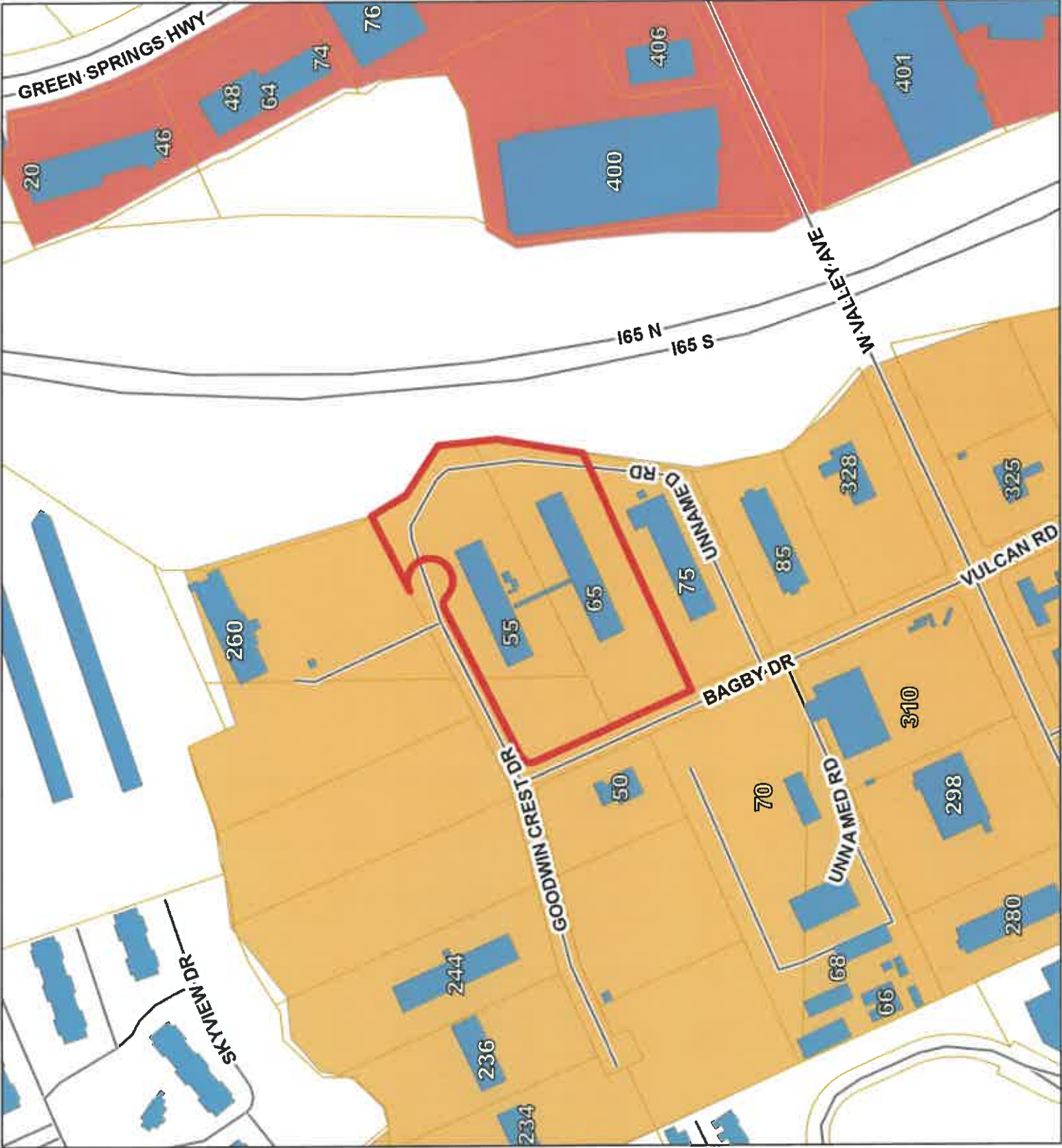
Mixed Use

Subject Property

Building Footprints



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City of Homewood
PC Case Map

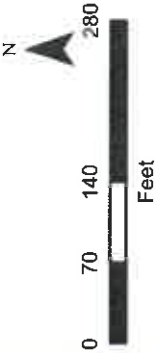
55 & 65 Bagby Dr.

RZ 23-09-01

Aerial Photo

Parcels

Subject Property



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Bird's Eye View of 55 & 65 Bagby Dr.



FORM IX.
AMENDMENT TO THE ZONING ORDINANCE ("RE-ZONING")
HOMEWOOD PLANNING COMMISSION

1. Date application filed: June 7, 2023 Requested hearing date: August 1, 2023
2. Applicant: John Chapman john@wynnecapitalpartners.com
Phone (s): (give several Phone Numbers) 205-586-5134
Address: 2400 Arlington Avenue Birmingham AL 35205
City State Zip
3. Owner: 85 Capital Partners, LLC
Phone(s): 334-312-1607
Address: PO BOX 131346 Birmingham AL 35213
City State Zip
4. Attach/give a complete legal description: Lot 1, according to the Survey of Executive Office Park, as recorded in Map Book 88, page 52, in the Probate Office of Jefferson County, Alabama.
5. Property location: 85 Bagby Drive, Homewood, AL 35209
6. Tax Map Parcel I.D. Number(s): 29 00 14 2 004 007.000
7. Acreage: 1.94 acres
8. Existing Zoning: C-1 Existing land use: vacant building
9. Proposed Zoning: MXD Proposed land use: Extension of Magic City Acceptance Academy
10. Check all required submissions with this application:
- ☒ Application fee
- ☒ Reason for the request
- ☒ Legal description of the subject property
- ☒ Availability of required utilities
- ☒ Site plan or preliminary development plan (as required)
- ☐ Proffer of rezoning conditions (if any)

REDACTED

REDACTED

Signature of Applicant: _____

Signature of authorization by Owner: _____ REDACTED _____

FOR CITY USE ONLY

\$ 250.00 application fee received on 6/8/2023 by Receipt # 497869Application received by: FRED GOODWIN on JUNE 8, 2023

BAGBY DRIVE RE-ZONING REQUEST NARRATIVE

55 / 65 Bagby: The owner seeks to rezone 55 and 65 Bagby from C-5 to MXD and 85 Bagby from C-1 to MXD. If approved, the owner intends for the property to be used for a Mixed Used property containing residential and office functions. This property has been vacant and in a state of decline for 15+ years. The buildings are functionally obsolete as they currently exist. The MXD classification would allow a redevelopment of these long dormant parcels that in turn will generate activity in this area that has been vacant and dormant for many years. We believe this redevelopment would revitalize the physical and economic condition of not only 55 & 65 Bagby Drive, but all of Bagby Drive and the surrounding area as well.

85 Bagby: In 2021, the Magic City Acceptance Academy (MCAA) opened at 75 Bagby Drive. In doing so, a rezoning approval to MXD from C-1 allowed its development. 75 Bagby was developed by Farris Properties in partnership with the Birmingham Aids Outreach (BAO) who in turn operates MCAA. MCAA currently serves 400 students. MCAA has had a powerful impact on a vulnerable student population. The demand has been incredible. The building is a fantastic example of a high-quality adaptive reuse project. School operations have received high marks from the State of Alabama in its first audit by the Alabama Charter School Commission.

FARRIS, working in collaboration with MCAA, BAO, Mitchell's Place, Triumph Services, and other area non-profit organizations serving vulnerable populations discussed a vision for the surrounding properties. The vision to expand the school, provide medical services through an additional location of Magic City Wellness Center, and to provide targeted, specific use, inclusive housing comingled with mental health services for LGBT seniors and individuals with Intellectual and Developmental Disabilities (IDDs) is the plan for the subject Bagby Drive parcels.

In order to move forward the development, Farris Properties requests consideration of the following rezoning needs:

- A) 85 Bagby Drive: MXD Mixed Use (Currently C-1 Office District)
- B) 65 Bagby Drive: MXD Mixed Use (Currently C-5 General Business District)
- C) 55 Bagby Drive: MXD Mixed Use (Currently C-5 General Business District)

The Development Plan for the site includes:

85 Bagby – MCAA Expansion + Counseling and Mental Health Services Center

Existing Building: Three story 39,800 SF commercial building built in 1970. Site is approximately 1.94 acres.

Currently, the MCAA charter allows for 490 students total. This coming academic school year (2023-24) the school will have 400 students. By adding a second building (85 Bagby Drive) slated to begin construction in 2024 and open at the beginning of the 2025-2026 school year, MCAA will be able to expand enrollment to around 550. MCAA's goal is to continue to slowly expand, adding around 50 students per school year. This allows the school to not grow too fast, but rather grow with the student body and keep student to teacher ratios low.

BAGBY DRIVE RE-ZONING REQUEST NARRATIVE

Farris Properties and MCAA have worked with CCR Architecture to develop a plan for "Building 2." This building 2 will feature a 120-seat black-box theater on the 2nd floor, as well as a 2nd floor band/music suite. This floor will be connected to MCAA's original building via a direct bridge. The third floor will have 12 teaching spaces for approximately 200-240 students.

Farris Properties and BAO (Birmingham Aids Outreach, the affiliate of MCAA with the same CEO, Karen Musgrove) plan to include a significant portion of the first floor for a mental health center. The mental health center will provide shared office space for an estimated 16 to 22 mental health providers. Services will be offered to both MCAA students and parents / guardian, patients of MCWC (Magic City Wellness Center) and the public.

65 Bagby Drive – Housing for Seniors + Individuals with. IDD's + Mental Health Services

Existing Building: Four story 60,000 +/- SF brick office building.

The renovation of 65 Bagby Drive will create units comprised of studio, 1 and 2 bedroom apartments for LGBTQ+ Seniors and Individuals with IDD's. The first floor of the building will have offices for both mental health and life services organizations such as Triumph Services. The existing bridge between 65 Bagby and 55 Bagby will be demolished and a contiguous green space between the two buildings will be created. Currently the site has excessive parking for the new use, and some of that parking will be reclaimed and turned back to green space.

55 Bagby Drive – Housing for Seniors /Individuals with. IDD's

Existing Building: Three story 55,000 +/- SF brick office building.

The renovation of 55 Bagby Drive will create units comprised of studio, 1 and 2 bedroom apartments for LGBTQ+ Seniors and Individuals with IDD's. The existing bridge between 65 Bagby and 55 Bagby will be demolished and a contiguous green space between the two buildings will be created. Currently the site has excessive parking for the new use, and some of that parking will be reclaimed and turned back to green space.

Legal Descriptions

The legal descriptions of the properties are as follows:

85 Bagby

Legal Description: Lot 1, according to the Survey of Executive Office Park, as recorded in Map Book 88, page 52, In the Probate Office of Jefferson County, Alabama.

65 Bagby Drive and 55 Bagby Drive

Legal Description: Lots 3-A and 4-A according to the resurvey of Lots 3, 4 and 5 of Executive Office Park, recorded in Map Book 241, Page 34, in the Office of the Judge of Probate of Jefferson County, Alabama.

BAGBY DRIVE RE-ZONING REQUEST NARRATIVE

Traffic Volumes

Traffic volumes for all properties will be less than their current zoning and previous use. The developer plans to reduce parking spaces in order to add green space and stormwater retention. The tenant population for the properties has a limited driving census.

Availability of Required Utilities

All utilities have been confirmed as currently available at the site:

- Water – Birmingham Water Works Board
- Sewer – Jefferson County Health Department
- Gas – Spire
- Electricity – Alabama Power

Development Schedule

| | |
|--------------------------|--------------------|
| Site Control | 2021-2022 |
| Entitlements Achieved | August 31, 2023 |
| Plan Submission/Review | January 1-30, 2024 |
| Construction Start | March 2024 |
| Certificate of Occupancy | June 2025 |



FINAL DEVELOPMENT PLAN - 85 BAGBY DRIVE
PC CASE NO. RZ 23-09-02 - MCAA EXPANSION
AUGUST 29, 2023

JOB NUMBER:
19114-A

DATE:
08/29/2023

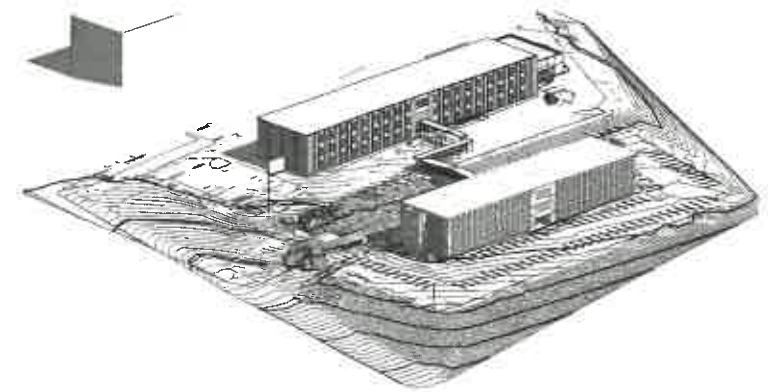
PRINTED / REVISIONS
DESCRIPTION DATE

SHEET TITLE:
SITE AND ZONING PLAN

SHEET NUMBER:
A000



4 VICINITY
1" = 300'-0"



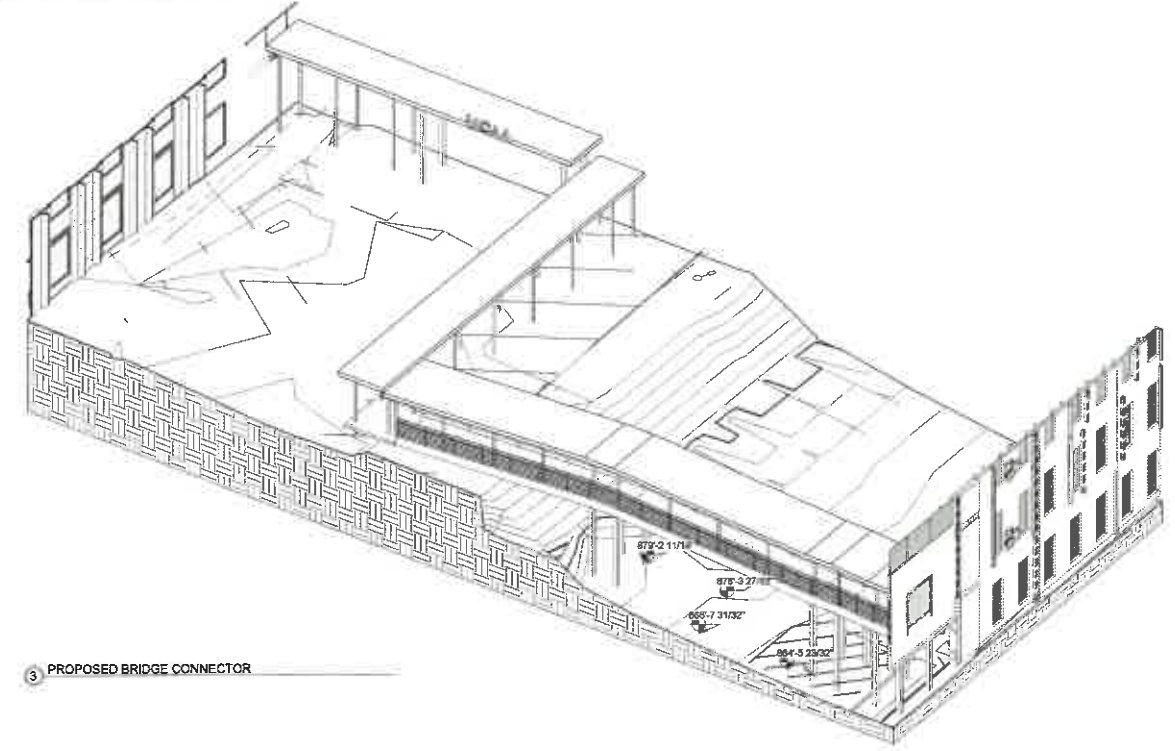
2 EXPANSION - AERIAL VIEW

- GENERAL NOTES:**
- SCOPE OF WORK: ADAPTIVE REUSE AND EXTERIOR UPGRADES OF EXISTING BUILDING AND THE ADDITION OF A NEW BRIDGE CONNECTION BETWEEN BUILDINGS. THE SECOND FLOOR WILL HAVE ITS OCCUPANCY CHANGED FROM BUSINESS TO EDUCATIONAL.
 - ANY FUTURE PUBLIC IMPROVEMENTS MADE IN CONNECTION WITH THE DEVELOPMENT OF THIS SITE SHALL CONFORM TO THE HOMEWOOD SUBDIVISION REGULATIONS, AND THE TWO LOTS DEPICTED HERE SHALL BE RESURVEYED AND RECORDED AS A SINGLE PROPERTY.
 - ANY FUTURE LIGHT POLES WILL NOT EXCEED THE HEIGHT ALLOWED BY THE HOMEWOOD ORDINANCES.
 - ANY FUTURE LANDSCAPING SHALL COMPLY WITH HOMEWOOD CITY ORDINANCES.
 - ANY FUTURE SIGNAGE SHALL COMPLY WITH THE HOMEWOOD SIGN ORDINANCE.
 - ALL CONSTRUCTION SHALL CONFORM TO THE HOMEWOOD BUILDING CODES AND PERTINENT ORDINANCES OF THE CITY OF HOMEWOOD.

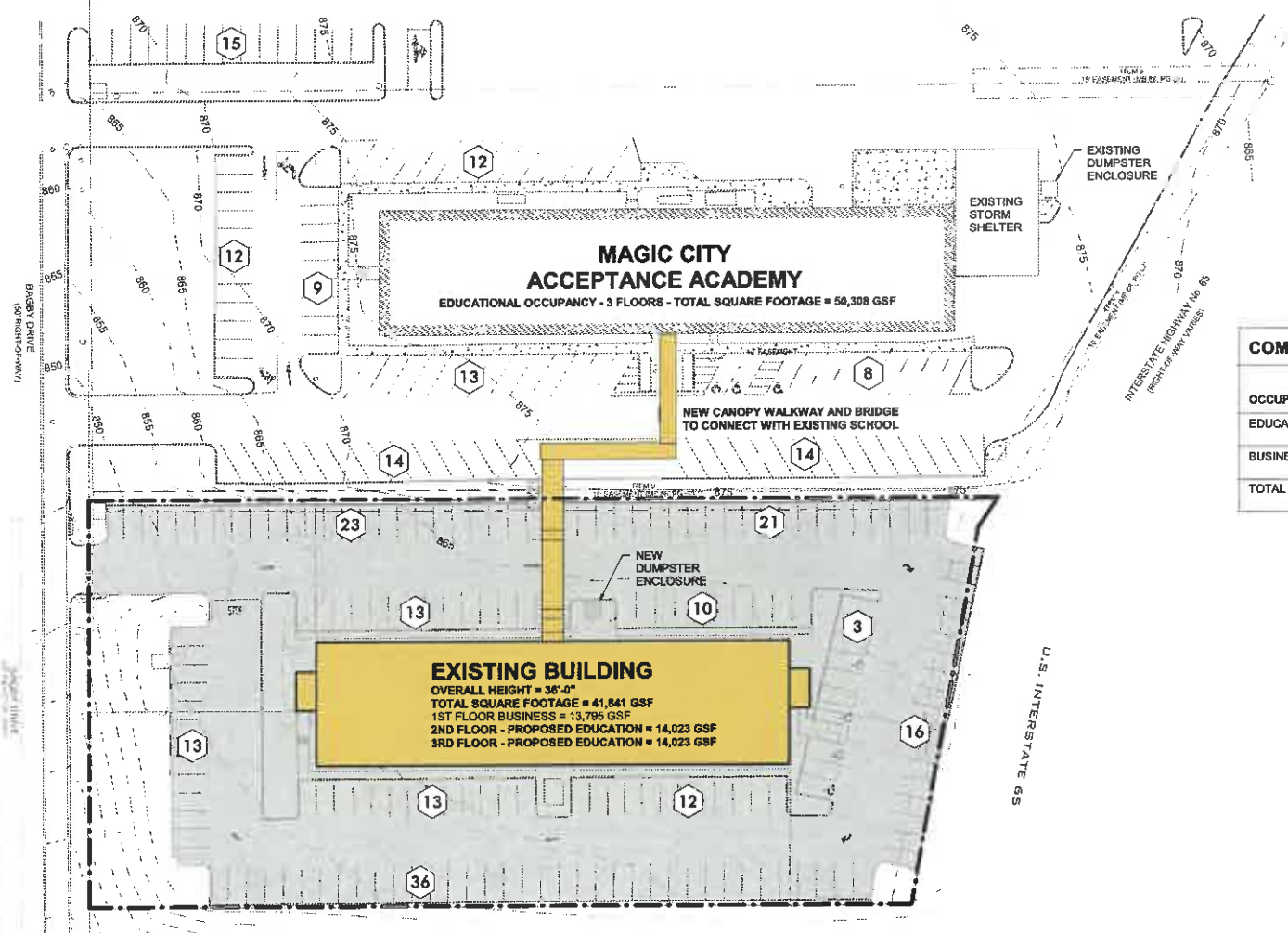
- FIRE PROTECTION PLAN**
- HYDRANT LOCATIONS
a. EXISTING: NONE ON SITE (FDC EXISTING)
b. PROPOSED: NO CHANGE
 - FIRE ACCESS LANES: ACCESS AROUND ENTIRE BUILDING
 - FIRE PROTECTION SYSTEMS TO BE APPROVED BY HOMEWOOD FIRE DEPARTMENT IN ACCORDANCE WITH THE FIRE PROTECTION CODE AS CURRENTLY ADOPTED BY THE CITY OF HOMEWOOD.

CONSTRUCTION SCHEDULE

| | |
|------------|------------|
| START DATE | MARCH 2024 |
| END DATE | JUNE 2025 |



3 PROPOSED BRIDGE CONNECTOR



1 COMBINED SITE PLAN - ZONING
1/32" = 1'-0"

COMBINED PARKING CALCULATIONS (75 & 85 BAGBY)

| OCCUPANCY | AREA (GSF) | REQUIREMENT | CALCULATION |
|-------------------|------------|---|-------------|
| EDUCATIONAL | 78,354 | 1 PER 6 SEATS (735) 1 PER 2 EMPLOYEES (48) | 123 24 |
| BUSINESS (OFFICE) | 13,795 | 4 PER 1,000 SF | 56 |
| TOTAL | | | 203 |

SITE DEVELOPMENT MATRIX - MXD ZONING

| CONDITIONS DEPICTED ON PLAN | CONSTRAINTS AND REQUIREMENTS STIPULATED BY THE HOMEWOOD ZONING ORDINANCE |
|---|--|
| TOTAL LOT AREA: 1.96 acres | NO SITE AREA REQUIREMENT |
| LOT COVERAGE: EXISTING | COVERAGE PERCENTAGE = 36.69 |
| PARKING SHOWN = 257 ADA=7 | REQUIRED PARKING = 203 |
| BUILD-TO LINE DISTANCE FROM ROW: EXISTING | DISTANCE = 100.6' |

APPROVED BY HOMEWOOD CITY COUNCIL

| | |
|---|------|
| CITY COUNCIL PRESIDENT | DATE |
| CITY CLERK | DATE |
| CERTIFIED BY THE ZONING ADMINISTRATOR AS CONTAINING THE REQUIRED INFORMATION: | |
| ZONING ADMINISTRATOR | DATE |
| FINAL DEVELOPMENT PLAN APPROVED BY THE HOMEWOOD PLANNING COMMISSION ON: | |
| CHAIRMAN | DATE |
| SECRETARY | DATE |

APPROVED BY OWNER

| | |
|-----------------|------|
| OWNER SIGNATURE | DATE |
|-----------------|------|

THIS PLAN IS THE PROPERTY OF THE ARCHITECT. IT IS NOT TO BE REPRODUCED, COPIED, OR IN ANY MANNER USED FOR ANY PURPOSE WITHOUT THE APPROVAL OF THE ARCHITECT. THE ARCHITECT'S OFFICE IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN. THE ARCHITECT'S OFFICE IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN.



MCAA EXPANSION BRIDGE PRICING

BAGBY DR.

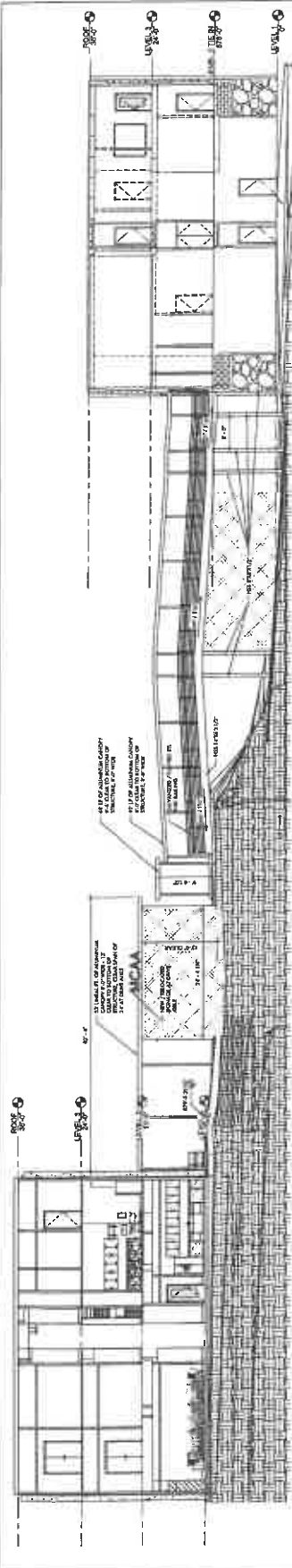
FOR NUMBER:
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DATE:
01/17/2023

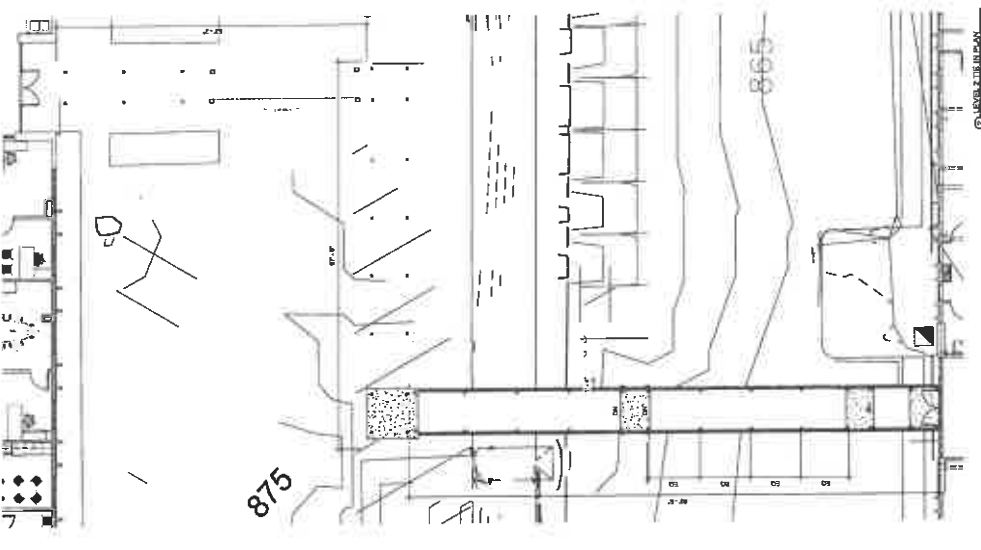
PROJECT NAME:
MCAA EXPANSION BRIDGE

SHEET TITLE:
SCHEMATIC DESIGN

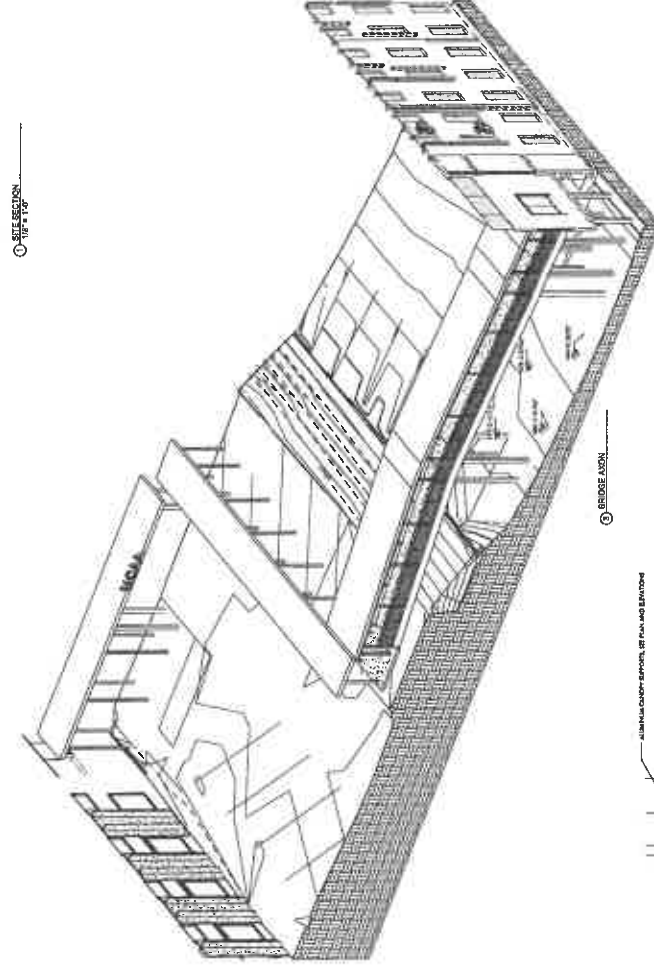
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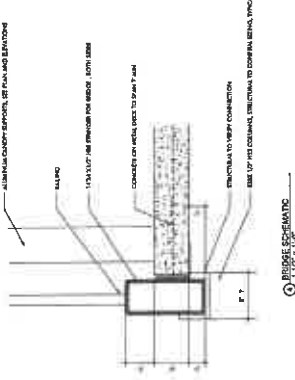
SECTION 1-1



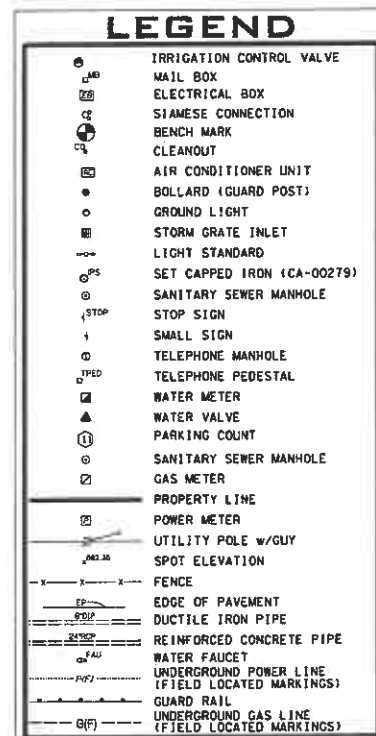
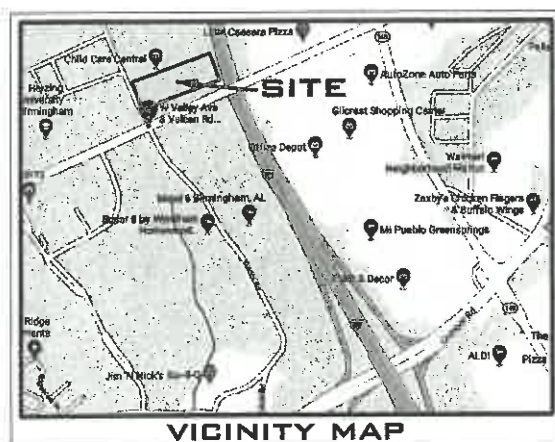
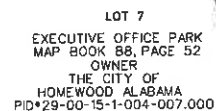
SECTION 2-2



SECTION 3-3



SECTION 4-4



1. Subject property identified as Jefferson County Alabama Tax Parcel ID * 29-00-14-2-004-007.000
2. Property Address: 85 Bagby Dr. Birmingham, AL 35209
3. Field work for this survey was completed on 11/29/2022.
4. Easements and rights of way of which the surveyor had knowledge at the time of the survey have been shown.
5. No underground utilities were shown as part of this survey.
6. The bearing base for this survey is based on Alabama State Plane Coordinate System (West Zone) as determined by RTK GPS observations with correction provided by the ALDOT VRS CORS Network.
7. The contours and spot elevations shown hereon is based on NAVD88 as determined by RTK GPS observations with correction provided by the ALDOT VRS CORS Network.
6. No wetland delineation was observed while completing the field work.
9. The premises shown and described hereon are subject to any easements rights of ways, resections, and setback lines whether recorded or not in public records.
10. No independent investigation was conducted on the subject property for circumstances that could affect subject property, such as, but not limited to Cemeteries, Wetlands, adverse possession, or prescriptive easements that would not be discovered by a casual observation of the subject property.
11. ALTA/NSPS, Table A items not addressed by this survey includes items 5(a)&b, 7(b)&(2), 7(c), 11(a)&b, 12, 14, 15, 16, 17, 18, 19 & 20
12. This survey and drawing is not valid without the signature and seal of an Alabama Professional Land Surveyor employed by Sain Associates, Inc. at the time of survey.

According to the Flood Insurance Rate Map published by the Federal Emergency Management Agency for the City of Homewood, Jefferson County Alabama (community panel 015006), map number 01073C0552G, effective date 09/29/2006, this site lies within Zone X defined as "Areas determined to be outside the 0.2% chance floodplain."


15. UCC Financing Statement recorded in instrument 2021099913, showing 85 Capital Partners, LLC as Debtor and Oakworth Capital Bank as Secured Party, filed for record on 08/30/21 in the Probate Office of Jefferson County, Alabama. AFFECTS THE SUBJECT PROPERTY IN ITS ENTIRETY.

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 7(a), 7(b)(1), 8, 9, 10, & 13 of Table A thereof. The field work was completed on 11/29/2022; additionally, per State of Alabama requirements, I hereby state that all parts of this survey and drawing have been made in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

information, and belief.

Michael Lee Thomas

Michael Lee Thomas, PLS
Alabama Reg. No. 33673
Dated: 1/4/2023



The seal is circular with 'ALABAMA' at the top and 'LICENSED' at the bottom. Inside the circle, it says 'No. 33673', 'PROFESSIONAL ENGINEER', and 'LAND SURVEYOR'. Around the bottom edge of the seal, it reads 'MICHAEL LEE THOMAS'.

[illegible]

Two Perimeter Park South
Suite 500 East
Birmingham, Alabama 35243
Phone: (205) 940-6420
Website: www.sahj.com

SAIN
ASSOCIATES



ALTA/NPS LAND TITLE SURVEY

85 BAGBY DRIVE
BIRMINGHAM, ALABAMA

FARRIS PROPERTIES
BIRMINGHAM, ALABAMA

| | |
|--------------------|--------------------|
| DRN. BY D.R. | JOB NO. 22-0338 |
| CKD. BY M.T. | SCALE 1" = 30' |
| PROJ. MGR. M.T. | DATE 1-4-23 |

SHEET NO.

S1-R0

CITY OF HOMEWOOD
DEPARTMENT OF ENGINEERING & ZONING

2850 - 19th Street South - 4th Floor

Homewood, Alabama 35209

Phone 205-332-6800 | Fax 205-332-6955

Patrick McClusky, Mayor

Cale Smith, PE, Director

Planning Commission
PUBLIC HEARING NOTICE

Notice To: **OWNER & ABUTTING PROPERTY OWNERS**

You are hereby notified of a public hearing by the Homewood Planning Commission to be held in the Homewood City Hall Council Chambers (2nd Floor), 2850 19th Street South, beginning at **6:00 P.M., on Tuesday, September 5, 2023**. As an option, the Public Hearing is also being held as an on-line meeting. **(SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS LETTER).**

The purpose of the hearing is to receive public comments on an application submitted by:

John Chapman

for a proposed subdivision plat of land owned by:

85 Capital Partners, LLC

and located at the following street address or location (see enclosed map):

85 Bagby Drive

Parcel: 29-00-14-2-004-007.000

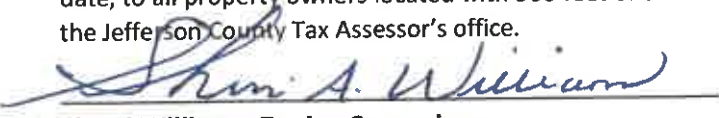
The proposal consists of a RE-ZONE

Purpose:

A request to rezone the subject property from C-1, Office Building District to an MXD, Mixed Use District zoning classification to facilitate an expansion of the adjacent Magic City Acceptance Academy (75 Bagby Drive) centered around the rehabilitation of an existing office building designed to accommodate additional educational activities and teaching space, as well as the establishment of a mental health center to provide office space for a number of area health providers.

A written protest of the proposed action may be filed with the Secretary to the Planning Commission of the City of Homewood no later than one (1) day prior to the scheduled date of the public hearing for consideration by the Planning Commission. The protest must be signed by the property owner making such protest, and only one protest shall be allowed for each separately assessed unit of property.

This notice is sent by U.S. mail on or before August 29, 2023, which is at least seven days before the fixed hearing date, to all property owners located within 500 feet of the subject property, as their names and addresses appear in the Jefferson County Tax Assessor's office.


Sherri Williams, Zoning Supervisor

Engineering & Zoning Department

PC CASE # RZ 23-09-02

You may contact our office for further information or questions at (205) 332-6800 OR visit between 7:30 a.m. and 4:30 p.m. Mon-Fri to review any files or drawings pertaining to this application.

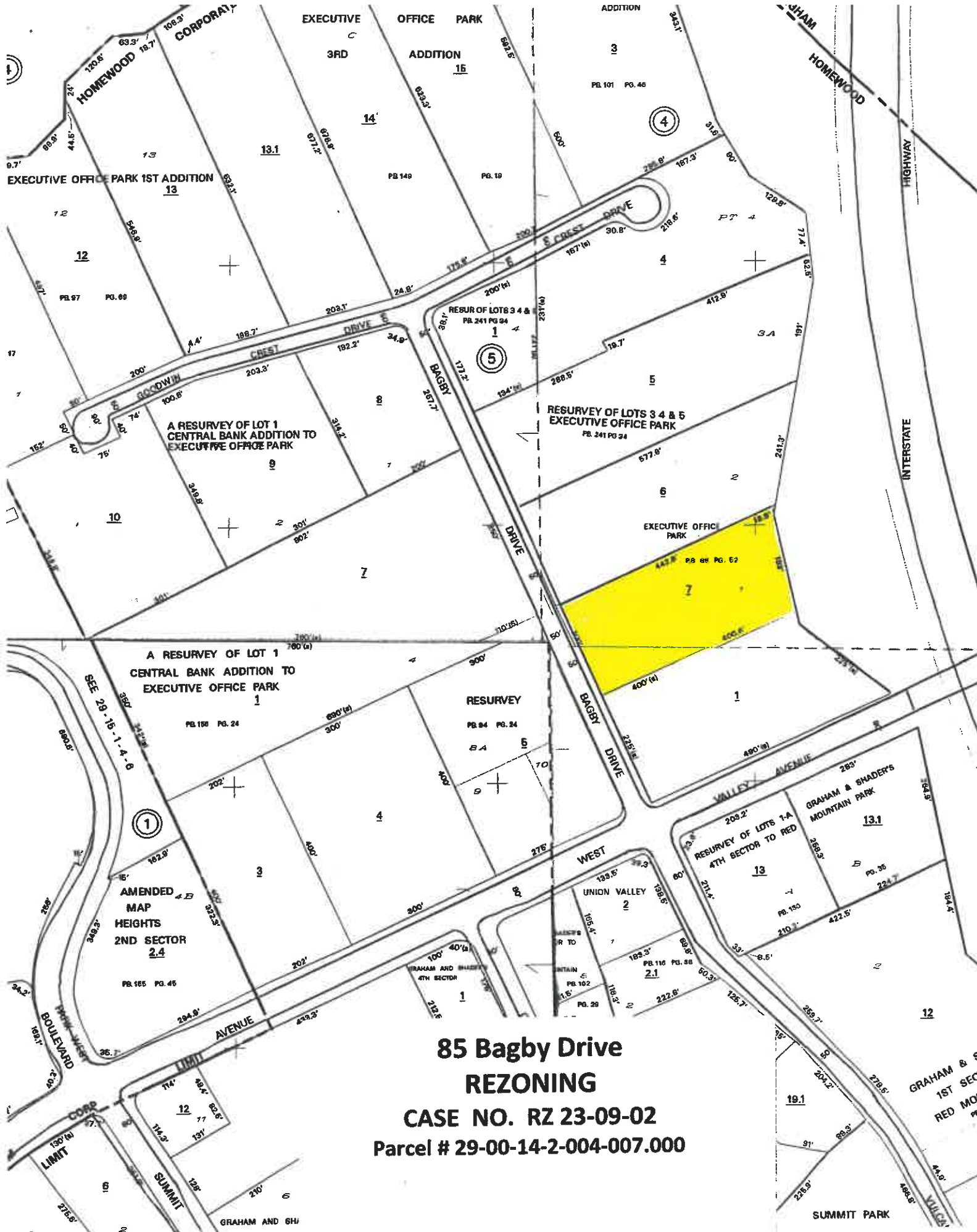
Instructions: Although the proceedings of the meeting may be viewed on-line, please note that anyone wishing to participate in a discussion of the scheduled cases must attend the meeting in Homewood City Hall in person.

If you would like to join the live stream for this meeting, you will find the “Live Stream” link on our website (www.cityofhomewood.com) on the home page, or you can navigate via: <https://bit.ly/3Wxp2Hi>

Comments, in support or opposition to cases on the agenda, may be submitted to the Secretary to the Planning Commission at fred.goodwin@homewoodal.org. Comments should be submitted no later than 24-hours prior to the meeting and will be provided to the Commission members for their consideration. Please reference the case number or address in your comments.

A copy of the cases scheduled for consideration will be available for review on the City of Homewood’s website (cityofhomewood.com) under “Upcoming Meetings/Planning Commission” approximately one week before the scheduled meeting.

The scheduled public hearing will be preceded by a brief work session for Commissioners beginning at 5:30 p.m. in the City Council’s Committee Workroom located on the 2nd floor behind the Council Chambers. While members of the public may attend and observe the work session, questions and/or comments from the public will only be considered during the scheduled public hearing.



85 Bagby Drive
REZONING
CASE NO. RZ 23-09-02
Parcel # 29-00-14-2-004-007.000

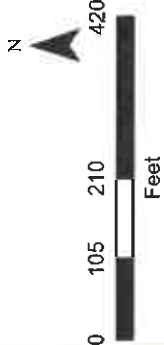
City of Homewood
PC Case Map

85 Bagby Dr.

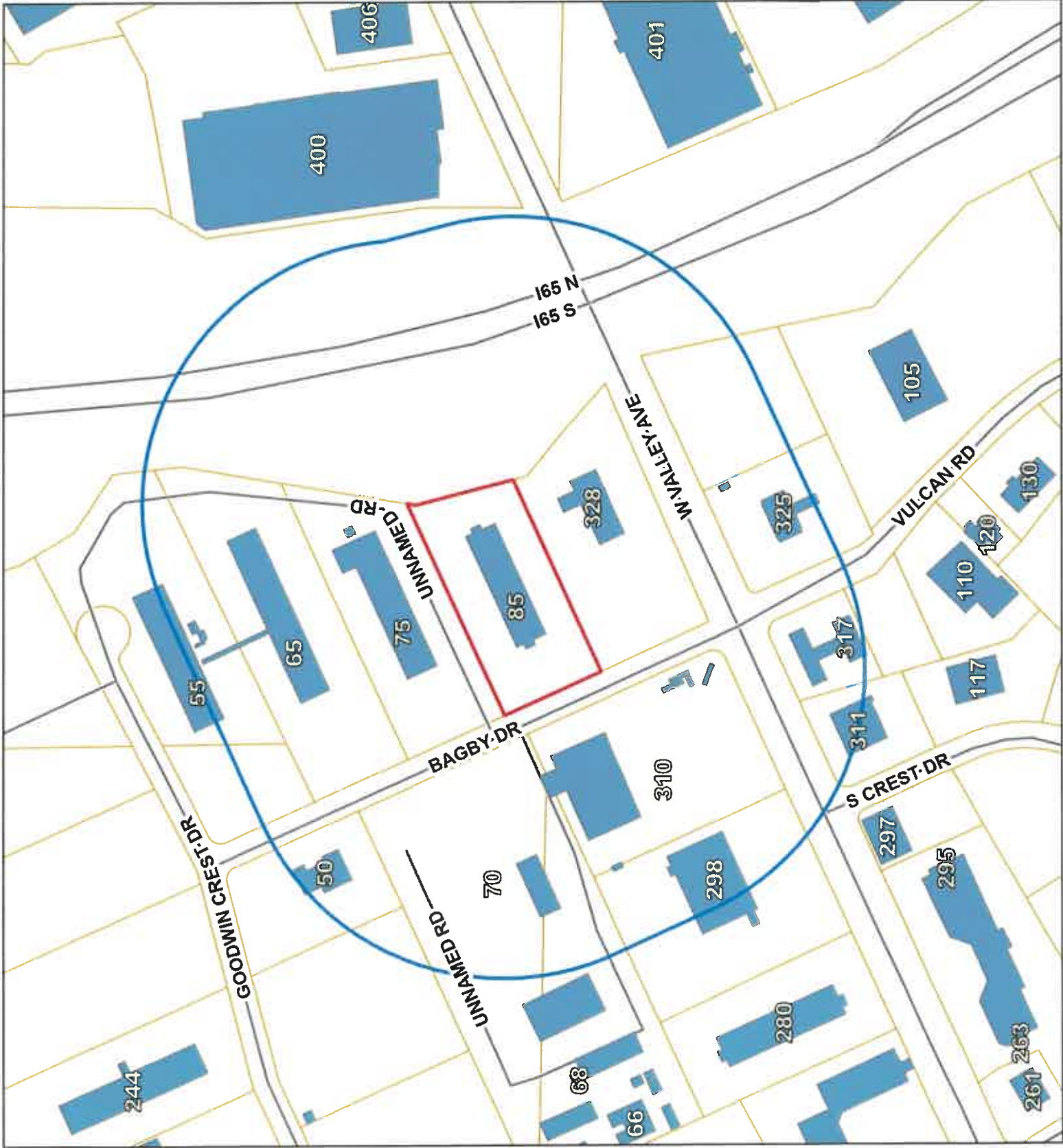
RZ 23-09-02

Vicinity Map

- Parcels
- Subject Property
- Building Footprints
- 500 Ft Buffer



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SPECIFICALLY AUTHORIZED BY THE CITY OF
HOMEWOOD IS PROHIBITED.



City of Homewood
PC Case Map

85 Bagby Dr.

RZ 23-09-02

Current Zoning

Parcels

Zoning

C-1

C-3

C-5

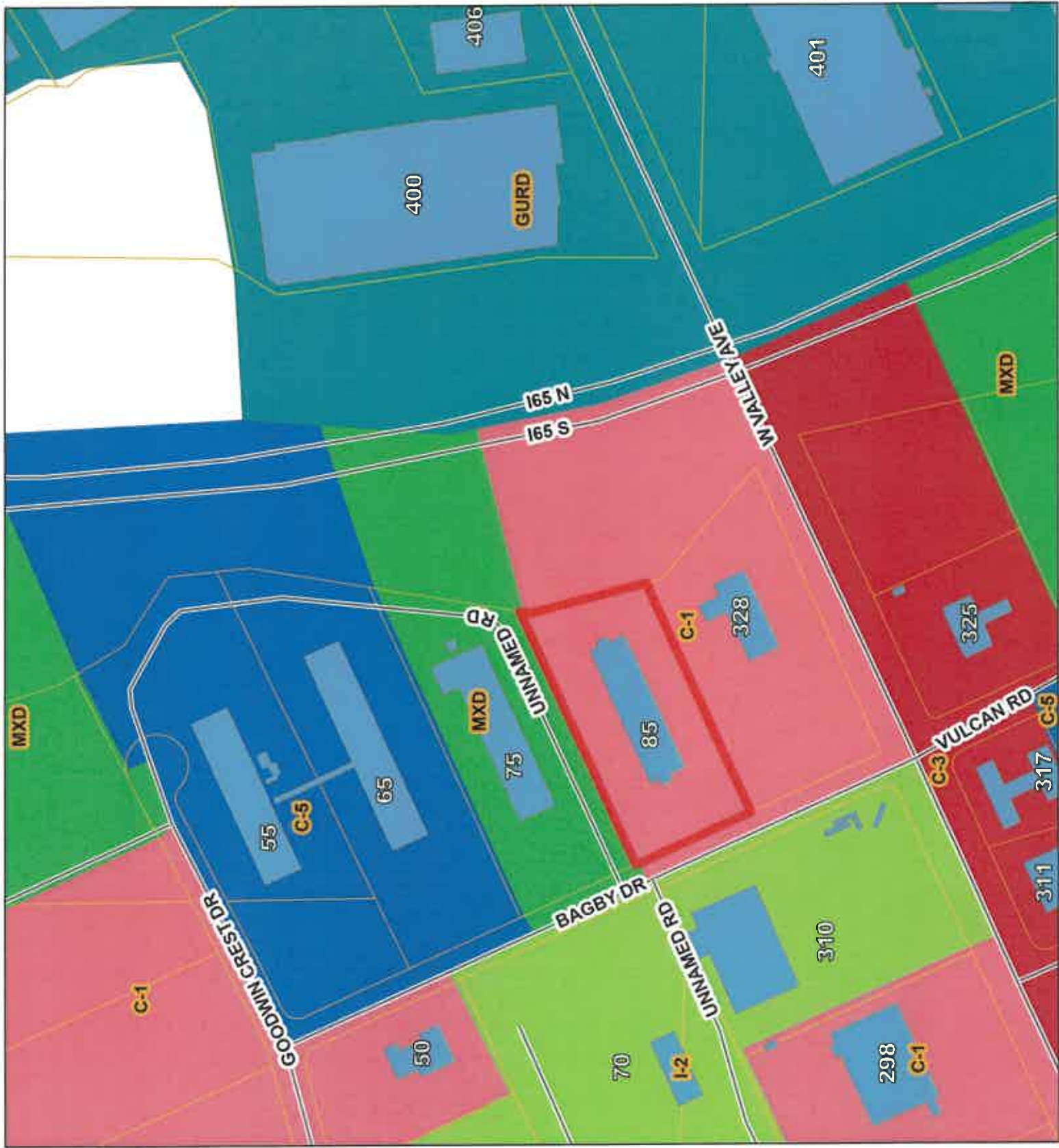
I-2

MXD

GURD

Subject Property

Building Footprints



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City of Homewood
PC Case Map

85 Bagby Dr.

RZ 23-09-02

Master Plan
Land Use

Parcels

Future Land Use

Commercial

Mixed Use

Subject Property

Building Footprints

N

0

115

230

460

Feet

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City of Homewood
PC Case Map

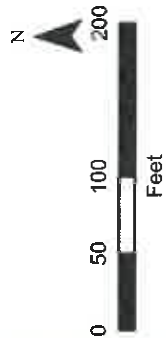
85 Bagby Dr.

RZ 23-09-02

Aerial Photo

Parcels

Subject Property



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85 Bagby Drive – Bird’s Eye View looking East

