

**MINUTES OF THE SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK
JANUARY 30, 2023**

[As a convenience, members of the public were invited to listen, observe and participate in the public meeting by Internet video conference.]

The City Council of the City of Mountain Brook, Alabama met in person at 5:00 p.m. on the 30th day of January, 2023 (others were allowed to listen to the meeting by way of Internet video conference). The Council President Virginia Smith called the meeting to order and the roll was called with the following results:

Present: Virginia C. Smith, Council President
William S. Pritchard III Chairman, Council President Pro Tempore
Graham L. Smith
Gerald A. Garner
Lloyd C. Shelton
Stewart Welch III, Mayor

Absent: None

Also present were City Attorney Whit Colvin, City Manager Sam Gaston, and City Clerk Heather Richards.

The Council President Virginia Smith stated that a quorum was present and that the meeting was open for the transaction of business

1. CONSENT AGENDA

Council President Virginia Smith announced that the following matters will be considered at one time on the consent agenda provided no one in attendance objects:

| | | |
|-----------------|---|--------------------------|
| 2023-020 | Execute the MWCF Deductible Addendum-2023 with respect to the \$300,000 deductible workers' compensation insurance coverage and claims administration services for the policy year beginning February 1, 2023 | Exhibit 1, Appendix 1 |
| 2023-021 | Set the criteria for awarding merit pay increases to be the Jefferson County Personnel Board Manager Evaluation Calculation of 2.75 or greater (on a scale of 5) | Exhibit 2, Appendix 2 |

Thereupon, the foregoing resolutions (Nos. 2023-020 and 2023-021), were introduced by Council President Virginia Smith and a motion for their immediate adoption made by Council President Member Shelton. The resolutions were then considered by the City Council. Council Member Graham Smith seconded the motion to adopt the foregoing resolutions. Then, upon the question being put and the roll called, the vote was recorded as follows:

Ayes: Virginia C. Smith, Council President
William S. Pritchard III, Council President Pro Tempore
Graham L. Smith
Gerald A. Garner
Lloyd C. Shelton

Nays: None

Abstained: None

Council President Virginia Smith thereupon declared that said resolutions (Nos. 2023-020 and 2023-021) were adopted by a vote of 5—0 and as evidence thereof she signed the same.

2. PUBLIC HEARING - REQUEST TO REZONE PROPERTY FROM RESIDENCE B DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT-2305 MONTEVALLO ROAD, MONTEVALLO ROAD PARTNERS, LLC

Charlie Beavers-4348 Old Brook Trail

- Represents the applicant
- Sought input from neighbors
- Did not incorporate everything the neighbors requested; however, put in a development plan that addresses concerns raised

Louis Nequette-100 Bonita Drive (Principal at Nequette Architecture and Design)

- Project vision-focus on walkability, providing choice of living and architectural character
- Strive to be the Gateway into Mountain Brook with design
- Want to provide highly demanded living choices to existing Mountain Brook residents who seek to stay in city
- Discussed Development plan (Appendix 3)
- Building A has 16 units with 32 parking spaces concealed beneath
- Building B has 14 units with 28 parking spaces concealed beneath
- Building A and B are Townhouse in scale (3 ½ stories)
- Building B tapers down in scale to respect housing behind it
- The south 2/3 of site consists of village courtyard homes (13 lots proposed in Mountain Brook and 1 lot in Homewood)
- Hammerhead turnaround in middle of the courtyard is for fire and rescue services
- The main question heard is “why not just one entrance off Montevallo Road”, the answer is it goes against the intended character of the village, a steep “S” shaped road would have to be constructed which does not allow for level lots, would have oversized building that would not allow underground parking, and it does not address the fire and safety concerns from closing Chester Road
- Difference between proposal and “by right” proposal
 - “By-right” has 9 residence lots, it would add 110 car trips to Chester Road, and would require all construction and service traffic to access site through Chester Road
 - PUD Proposal has 14 residential lots, it would add 99 car trips to Chester Road, and secondary access to Montevallo Road relieves 40% of anticipated traffic on Chester Road

Lloyd Shelton-Council Member

- Inquired if it was considered putting the courtyard homes on Montevallo Road and shift the condominiums to the back

Louis Nequette

- The site drops significantly from top to bottom
- It would put the condominiums in a hole that would not allow pedestrian access to village which is against what the village overlay said is the preferred solution to Montevallo Road

Andrew Phillips-1001 22nd Street South (Schoel Engineering)

- Existing conditions: there is existing asphalt, a large parking lot for church, and sidewalks, the impervious footprint is 52% today
- Proposed conditions: more white space (on single family portion) which creates more filtration on site. The new impervious footprint would be 53%
- One main access for condominiums and the alley and Chester Road would be used for the Single Family homes
- Fire access - Developed a plan that exceeds the international fire code for hammerhead turnaround

Virginia Smith-Council President

- Inquired as to cars being parked on Chester (with respect to ambulance services)

Andrew Phillips

- If there is a life safety concern, the fire department will make every effort to get to the location
- The single family homes will be sprinkled
- A fire hydrant will be installed to service the homes
- Storm water Management: Only increasing the impervious footprint slightly (1% increase)

Colin Orcutt-1001 22nd Street South (School Engineering)

- The scale was addressed (on Montevallo Road) to make it a walkable pathway
- The buffer was addressed – plans include a double row of evergreen buffer with mixed planting for longevity (on condominiums) and the single family residence will have a 6 foot brick masonry wall. Plans are to make the wall a green wall with climbing vegetation

Virginia Smith

- Inquired if the wall would be 8 feet then step down to 6 feet at Chester Road

Colin Orcutt

- Confirmed Council President, Virginia Smith's, question regarding the height of the brick wall

Richard Caudle-3644 Vann Road (Skipper Consultants-Traffic Engineer)

- Traffic counts were performed in March of 2022
- Condominium units (30 units) only impact Montevallo Road, there is no access to Chester Road from the condominiums
- Only the single family homes (14 homes) have access Chester Road and only a portion of the single family homes access Chester Road because of the alley
- The alley captures 40% of traffic from Montevallo Road without affecting Chester Road
- The alley is a two way alley but is not a public road
- Cities that have traffic impact study guidelines typically only do a study unless there is 100 peak hour trips, this study only had 25 peak hour trips
- The developers voluntarily did a traffic impact study
- "By-Right" proposal has no alley access; therefore, all residents would have to use Chester Road

Virginia Smith

- Inquired why the "By-Right" proposal would not have alley access

Richard Caudle

- The minimum width of lots precludes having any additional right-of-ways on the side
- In order for an alley to be constructed, two lots would have to be removed

Billy Pritchard-Council President Pro Tempore

- Inquired if there was no access from Chester Road and Building A or B was removed and one access off Montevallo Road (for however many lots can be built) would there be sufficient one central ingress/egress point from safety standards

Richard Caudle

- In order to engineer a public roadway, the road would have to start at Montevallo Road and lose elevation which would provide a series of lots much larger than proposed
- The grade of that roadway would be sloped in such a way that the houses would have to be like stair steps which makes walking much more difficult
- Cannot come off of Montevallo Road with a public road in a safe manner due to the steepness of the vertical curve

Billy Pritchard

- Inquired if Building A or B was removed, could a public road be built coming from Montevallo Road into the property

Richard Caudle

- A public road could be built that would meet all applicable standards that would come through the property

Charlie Beavers

- Stated Chester Road is a dedicated public road which has provided access to property for many years
- In order for fire trucks to access Chester Road, they have to go into the church property to get out
- Without the church property, fire trucks have to back out of Chester Road
- It is a good thing to be able to get into property from Chester Road for the fire department vehicles
- This property has a legal right to utilize Chester Road

Chad Patterson-3601 Crestwood Road (Brasfield and Gorrie)

- Committed to executing job in a way that minimizes impact to community and reduces danger
- Construction would take about 15 months
- Demolition would take about 2 months
- Vertical construction (Building A and B) would take about 6 months then about 7 months to finish
- Construction traffic would access alley only

Melinda Sellers-420 North 20th Street (Burr and Foreman)

- All construction traffic will be on alley for Building A and B and then in the architecture guidelines for the single family homes, will have to utilize alley for construction as well
- This will allow traffic on Chester Road for completed homes and all construction traffic to utilize the alley

Virginia Smith

- A concern some residents have is if the single family homes are being built by different contractors, how to control the use of Chester Road by contractors

Melinda Sellers

- The developer will have control over the property until the last lot is sold (not built) but given concerns, may can maintain control until the last CO is issued to keep restrictions on contractors

Margi Ingram-513 Olde English Lane

- Intent and mission is to make Mountain Brook better
- Offering a beautiful change that meets the needs of residents of Mountain Brook

Dorothy Tayloe-543 Olde English Lane

- Real estate statistics that goes to the need for this development:
 - The average sale price in Mountain Brook is 1.1 million
 - Sold 131 homes for 1 million plus
 - Today there are 15 homes for sale (equivalent to 1 month of inventory)
 - In a normal market, you need 5 to 5 ½ months of inventory to keep up with the needs of the community
- Discussed the impact condominiums have on schools (Appendix 4)
- The impact of condominiums would be minimal on the school system

Stephanie Robinson-3000 Weatherton Drive

- As a realtor, there is a lack of inventory
- Have received multiple calls from individuals wanting to purchase lots (if this gets approved)

John Chapman-3236 Pine Ridge Road (Principal in Development Entity)

- Project is designed as Hollywood Gateway
- The plan presented was recommended by the Planning Commission and was approved by the Village Design Review and edits submitted by the Landscape Review Board have been integrated in the design
- Economic impact- Using an average assessed value for the home sites at \$2.5 million and an average assessed value for the condominiums at \$1.75 million (and assuming all units are homesteaded) the financial impact could total \$650,000 annually

Virginia Smith

- The council never asks about financial impacts to the City on projects and does not take it into consideration
- The financial impact is a non-factor to the council

Thomas Crawford-2305 Chester Road

- Lived in Mountain Brook for 44 years
- Stated he is in favor of the project

Carey Hollingsworth 2933 Virginia Road (Vice Chairman of the Planning Commission)

- The project did pass through the Planning Commission by a vote of 4 to 3 (after 3 meetings)
- Voted against the project
- Proponent of “By-Right” designs
- In this form, there has to be a better way than going through Chester Road
- Just because someone has the right to do something (use Chester Road) does not mean it is the right thing to do
- 44 units (including condominiums and homes) on 4 acres is very dense for the location
- The problem is utilizing Chester Road for the single family homes

Dan McCrary-2334 Chester Road

- He is part of 10 (out of 12) property owners on Chester Road who have banded together in opposition of the proposed development
- Chester Road has been a quiet and narrow road with 12 lots that ends with a circle for over 50 years

- Have two issues with the project 1) Opposed to using Chester Road as a means to access to a high development residential PUD 2) Concerned over size and scale of the condominium buildings
- The high density PUD increases houses accessing Chester Road by 100%
- Position is to not use Chester Road to access the PUD (and has been the position since the beginning)
- The individuals on Chester Road that are opposed to the project engaged an engineering firm to see if a Montevallo only access was feasible (Jeremy Taylor with MTTR Engineers)

Lloyd Shelton-Council Member

- Inquired if there are 13 or 14 single family lots for the project

Charlie Beavers

- There are 13 lots in Mountain Brook and one lot is in Homewood
- The plan before the Mountain Brook council is only for the 13 lots in Mountain Brook
- The hope is the Homewood applicant would build after it is zoned
- Was given an easement to develop the 10 foot alley to make improvements as needed
- The issue of the Homewood zoning lot is undetermined at this time
- Would have to go back to Homewood to determine what happens with that lot after Mountain Brook makes their determination

Jeremy Taylor-3 Riverchase Ridge (MTTR Engineers)

- Approached by Chester Road community to determine if slight changes occurred of the development, what changes would be required and what type of private road could be accessed by Montevallo Road only
- Provided council with documents for options for Montevallo Road only access (Appendix 5)
- Option 1-goal was to only modify what was needed to provide access to Montevallo Road.
- Option 1-to eliminate the steepness, a "S" curve was added to lengthen the drive, this achieves a reasonable grade
- Lengthening this road, he was able to create a similar elevation that was provided in original project plan
- Option 1 does eliminate 1 residential lot and 2 lots would have to be modified (lot 1 and 12 on page 3 of Appendix 5)
- Did another option (Option 2) that still accesses Montevallo only but keeps all residential lots
- Option 2 widens alley to 24 foot and flips the hammerhead off auto court to provide accessible way for fire department to navigate
- Option 2-the general lots and the size and shape of the lots stay the same to what is proposed
- Option 2- From Montevallo Road to the first access to the Hammerhead would be 24 foot and beyond that it would be a standard alley

Virginia Smith

- Currently fire trucks are having to utilize part of the church parking lot to get out of Chester Road, inquired how this plan address that problem if that access is blocked

Jeremy Taylor

- Chester circle would stay the same
- The Fire department may want to have an emergency access only to this property but that should be utilized for emergencies only

Gerald Garner-Council Member

- Inquired as to how it could be done logistically in regards to an emergency access onto the property from Chester Road

Chris Mullins-Fire Chief

- Would need to have an automatic gate that is accessed by horn or siren
- Having a hammerhead out of Chester Road would allow them to turn around
- For the fire department, it would be best to have an emergency access off of Chester Road

Tripp Galloway-Attorney for Chester Road property owners who are opposed of project

- Provided council with plat of Chester Road (Appendix 6) to reference homeowners he is representing that are opposed to the project
- Provided council with the April 12, 2018 Planning Commission minutes (Appendix 7)
- The 2018 minutes addressed a request for a farmers market. The request was approved with the condition of item 2 (on Appendix 7)
- In the minutes, it is stated Chester Road is a small residential road and will not be used as an entrance/exit to the farmers market
- This is important because this is not the first time the ingress/egress has been considered on Chester Road
- When it was previously considered in 2018, acknowledgement was made as to the nature of Chester Road and a desire to protect the flow of traffic that would access the church property
- There are 13 other developments within Mountain Brook that are similar clustered single family residential housing. Each one has one ingress/egress point (Lockerbie, Cross Creek, Botanical Place, Calton Hill, Mountain Brook Park, Park at Overton, the Manning, the Gate Condominiums, Club Place, Garden Place, Church Court Condominiums, Club Village Condominiums, and Pilgrim
- The request for this project is to have 3 access points: the alley, Chester Road, and off of Montevallo Road
- Want to make it clear that the Homewood property is not included in the project
- The deed lists 2 parcels: 0.4 acres and 3.5 acres, wants to know how much is Mountain Brook land

Charlie Beavers

- The 3.9 acres on application are for the two parcels. The 3.5 acres is the church property up to the 10 foot strip. The 3.9 acres was outlined because that is what was acquired in acquisition

Tripp Galloway

- The "By-Right" example appears to contemplate the alley was not a public road

Dana Hazen-Director of Planning, Building, and Sustainability

- It was established in a Planning Commission session that the alley is a public right-of-way
- Charlie Beavers submitted documentation that showed it was a public alley

Charlie Beavers

- When the "By-Right" configuration was put together, the 10 feet was not included
- Have the width necessary, would not have to vacate the 10 feet in order to get lot in

Tripp Galloway

- The current impervious footprint is 52% and post impervious footprint is 53%, want to confirm if this includes the Homewood portion

Andrew Phillips

- The 52%/53% impervious footprint is for Mountain Brook property only

Tripp Galloway

- The proposal creates an inequity relative to Chester Road residence and the proposed home owners of the project in that their property would be private, whereas the Chester Road residents is not private
- If the residents of the proposed home owners had a party, their guests could park on Chester Road because it is a public road; however the Chester Road residents could not park at the proposed home locations
- The request is to not allow access to Chester Road from this project

Virginia Smith

- Asked Ms. Sellers to address the public/private road issue with respect to the proposed home owners using Chester Road

Melinda Sellers

- Currently the roads within the project are set to be private
- The private roads within the single family homes: they have made an offer to include in the covenants that gives the Chester Road residents an opportunity to reach out to the association if they were to have a party and their guests needed to park in the motor court
- Currently there is nothing in the covenants that would deny the residents (of the single family homes) to utilize Chester Road for guest parking
- There are 16 parking spaces in the motor court which would be above and beyond necessary for guest parking so parking on Chester Road may not be necessary

Dan McCreary

- Option 1 discussed by Jeremy Taylor provides a S curve that had a gradient slope (which eliminates the roller coaster effect)
- Option 1 does eliminate lot 13 and adjustments will need to be made to lot 1 and 2; however all elevations (in the single family homes) are the same as the developers proposed plan
- Option 2 leaves all lots intact, all elevations intact, and no changes to building A and B
- Major issues: Traffic up and down Chester Road and size and scale of building A and B
- Provided council with the Village Master Plans (adopted 2007)(Appendix 8)
- Discussed highlighted pages in Appendix 8-The determination in this plan is that Chester Road neighborhood is unique and special place that merits protection and preservation from massive building presented in the proposed development

Dana Hazen

- In response to the Village Master Plan- believe Chester Road should be protected to the extent it can be
- The Village Master Plan is not regulatory, it is a set of goals and objectives that the Planning Commission uses when reviewing a rezoning case
- Chester Road was adopted in 2007
- Things change and items anticipated in the Master Plan are not always going to align with things 15 years later
- In the process of amending the Master Plan
- When consultants worked on project (for civic designation), they went with what was there: a church, and did not look to the future to see if something other than a church would be there

Council President Pro Tempore Pritchard made a motion to reconvene the public hearing to another date that will be determined. The motion was seconded by Council President Virginia Smith. Thereupon, Council President Virginia Smith called for vote with the following results:

Ayes: Virginia C. Smith
 Gerald A. Garner

William S. ("Billy") Pritchard III
 Graham L. Smith
 Lloyd C. Shelton

Nays: None

Council President Virginia Smith declared that the motion (No. 2023-023) is hereby adopted by a vote of 5—0 (Exhibit 3)

Whit Colvin-City Attorney

- A good way to stay informed of the new date of the public hearing (and other city meetings) is through the City's texting service

Sam Gaston-City Manager

- Once a date and time has been selected, the City will send out a text alert

3. ANNOUNCEMENT

Council President Virginia Smith announced the next regular meeting of the City Council is February 13, 2023, 7:00p.m.

4. ADJOURNMENT

There being no further business to come before the City Council, Council President Virginia Smith adjourned the meeting at approximately 7:42 p.m.

5. CERTIFICATION

I, Heather Richards, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct transcript of the special meeting of the City Council of the City of Mountain Brook, Alabama held at City Hall, Council Chamber (Room A-108) on January 30, 2023, and that the meeting was duly called and held in all respects in accordance with the laws of the State of Alabama and bylaws of the City and that a quorum was present.

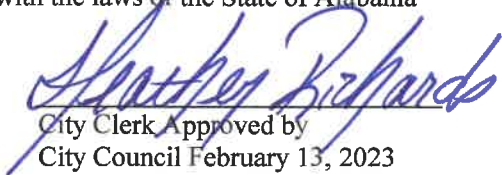

 City Clerk Approved by
 City Council February 13, 2023

EXHIBIT 1 RESOLUTION NO. 2023-020

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby authorizes the execution of the "MWCF Deductible Addendum-2023" with respect to the \$300,000 deductible workers' compensation insurance coverage and claims administration services for the policy year beginning February 1, 2023.

APPENDIX 1

EXHIBIT 2

RESOLUTION NO. 2023-021

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby sets the criteria for awarding merit pay increases to be the Jefferson County Personnel Board Manager Evaluation Calculation of 2.75 or greater (on a scale of 5).

APPENDIX 2

APPENDIX 3

APPENDIX 4

APPENDIX 5

APPENDIX 6

APPENDIX 7

APPENDIX 8

Dear City of Mountain Brook:

MINUTE BOOK 93

On behalf of The Municipal Workers Compensation Fund (MWCF), we would like to thank you for purchasing workers comp coverage through MWCF for your entity.

This addendum to the MWCF Participation Agreement confirms your deductible program and your portion of each claim that City of Mountain Brook will pay under this program. City of Mountain Brook is on a \$300,000 deductible per claim per year program. MWCF will pay all expenses on each claim that exceeds \$300,000 and City of Mountain Brook will pay all expenses on each claim up to the first \$300,000 of each claim.

You agree by signing this addendum, that in the event you do not pay the deductible reimbursement expenses on this program within 30 Days of billing receipt, MWCF may offset any balance due to them, against un-earned premiums paid in by you, against any deposit paid in by you, any dividends due to you and may accelerate any un-paid premium payments under any financing agreement. You further agree, that in the event your entity does not reimburse deductible expenses back to MWCF, you understand that MWCF may cancel your existing workers compensation insurance coverage under state law for non-payment.

You also agree that as a condition of this deductible program, you will furnish MWCF ongoing quarterly financial statements, if requested. In the event of a significant change in the finances of your entity, determined in our sole discretion, then the fund may re-underwrite the risk of your entity based on this deductible program mid-year. Re-underwriting may include termination of coverage, change in deductible amount or even elimination of deductible amount for the current coverage term.

As part of our program MWCF will provide normal administrative services to your account, including claims below your \$300,000 deductible.

In addition to the standard MWCF services, it is important to note and understand that certain fees and expenses related to the administration of claims are included within the deductible portion of your policy. These expenses are called "allocated loss adjustment expenses" and are standard in the industry. City of Mountain Brook must pay these expenses for the first \$300,000 of all claims. MWCF will only pay these expenses after the \$300,000 deductible of any claim is met. The "allocated loss adjustment expenses" are listed below.

ALLOCATED LOSS ADJUSTMENT EXPENSE

- 1. The term "Allocated Loss Adjustment Expense" shall mean such of the following items of expense incurred or authorized by Service Company as may be reasonable and necessary in connection with its provision of the Basic Services. The below items are the claims cost items that are to be considered in determining self-insured retention levels as well as deductible levels:
 - A. Medical examination of claimants, including the reasonable and necessary transportation expenses of claimants.
 - B. Reports from attending or examining physicians.
 - C. Attorneys' fees, disbursements, and expenses.
 - D. Court reporter services and transcripts.

- E. Stenographic services and transcripts.
- F. Witness attendance fees.
- G. Court costs.
- H. Appeal bonds.
- I. Printing costs related to trials and appeals.
- J. Testimony, opinions, appraisals, reports, surveys and analyses of professionals and experts.
- K. Automobile and Property appraisals.
- L. Trial and hearing attendance fees.
- M. Reports from government agencies or branches.
- N. Credit bureau reports.
- O. Private investigators.
- P. Photographers.
- Q. Medical or vocational rehabilitation.
- R. Medical costs containment services, i.e., utilization review, pre-admission authorization, hospital bill audit, provider bill audit and medical case management incurred at the request of Client.
- S. Extraordinary Claim Investigation and/or travel expense incurred at the request of Client.
- T. Any similar service related to the investigation and defense of a particular Claim, or the protection of and collection of the subrogation rights of Client.
- U. Indemnity Benefits and Medical provider payments and associated cost containment fees, such as but not limited to RX out of contract repricing costs, etc.
- V. Out of State TPA service fees.
- W. Out of contract in-state and out-of-state bill adjudication fees.
- X. Medicare Set-Aside program management fees.

APPENDIX 1

On behalf of MWCF, thank you for your support of the Municipal Workers Compensation Program.

Please execute this addendum, acknowledging that you have a \$300,000 deductible per claim. Once executed please return a copy of this document back to:

MWCF, Inc.
P O Box 1270
Montgomery, AL 36102

Addendum Authorizing Signatures for the City of Mountain Brook:

By: [Signature] Date: 1-30-2023
Authorized Municipal Official

Witness: [Signature] Date: 1-30-2023

Performance Reviews

1 message

Sam Gaston <sgastons@mtnbrook.org> Tue, Jan 24, 2023 at 4:10 PM
 To: Jaye Loggins <logginsj@mtnbrook.org>, Jason Carmack <scarmackj@mtnbrook.org>, Christopher Mullins <cmullinsc@mtnbrook.org>, Stacey Cole <coles@mtnbrook.org>, Ronnie Vaughn <vaughnr@mtnbrook.org>, James Gay <gayj@mtnbrook.org>, Dana Hazen <hazend@mtnbrook.org>, Glen Merchant <merchantg@mtnbrook.org>, Heather Richards <richardsh@mtnbrook.org>, boones@mtnbrook.org, Shanda Williams <williamssh@mtnbrook.org>, Craig Fisher <fisherc@mtnbrook.org>, myerse@mtnbrook.org
 Cc: forbesj@mtnbrook.org

As you should all be aware, the Personnel Board recently implemented a new performance evaluation program. The new procedure is initiated with the employee preparing a self-evaluation followed by the manager's evaluation. Employees are evaluated on 7 to 10 core competencies associated with their position and job duties. Like the old system, the ratings range from 1 through 5 where 3 represents meets expectation, 2-needs improvement, 1-below expectations, 4-commendable, and 5-exceeds expectations. However, unlike the former system where employees were not eligible for a merit increase if their evaluation included two or more ratings of 1-below expectations, the new system calculates a numeric score. Jurisdictions determine the minimum score eligible for an employee to receive a merit pay increase.

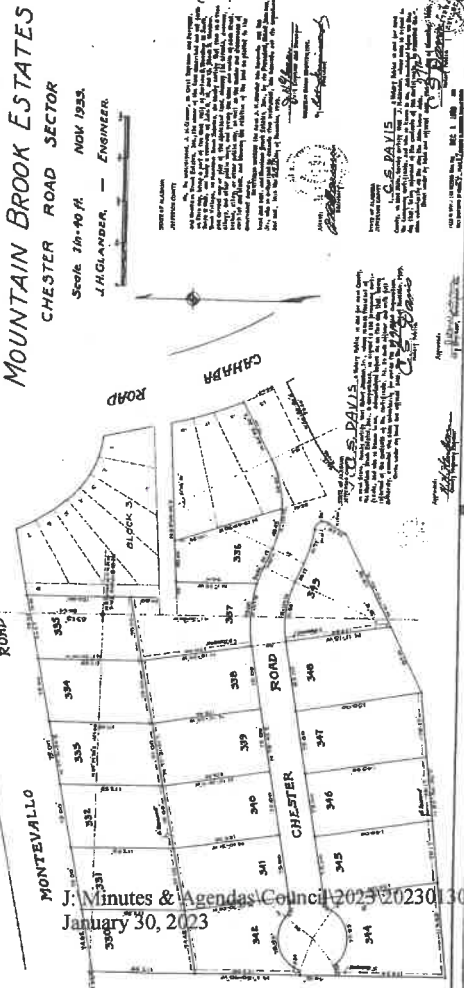
We are contemplating setting the minimum score of 2.75 in order for an employee to be eligible for a merit increase.

Following are some illustrations of the scoring system:

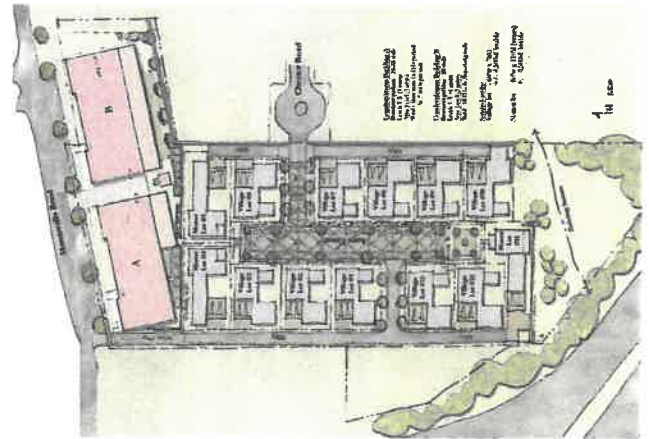
| | Example | | | | | | |
|---------|---------|----|------|------|------|------|------|
| Score | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1 | | 1 | | 2 | 2 | | 2 |
| 2 | | | 2 | | 1 | 2 | |
| 3 | 8 | 6 | 4 | 6 | 5 | 6 | 5 |
| 4 | | | 1 | | | | |
| 5 | | 1 | 1 | | | | 1 |
| Total | 24 | 24 | 25 | 20 | 19 | 18 | 22 |
| Average | 3 | 3 | 3.12 | 2.50 | 2.37 | 2.75 | 2.75 |

Example 4 illustrates a performance review that would not qualify for a merit increase under the old system due to the employee receiving 2 ratings of 1-below expectations. Example 7 also illustrates a performance review with 2 ratings of 1, however, because the employee received one rating of 5, their score is 2.75 making them eligible for a merit increase under the City's proposed scoring criteria.

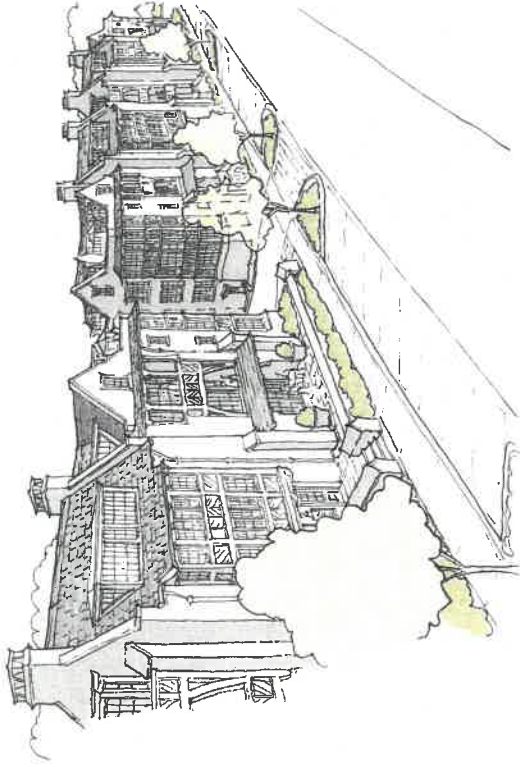
APPENDIX 2



Existing Plat



Development Plan



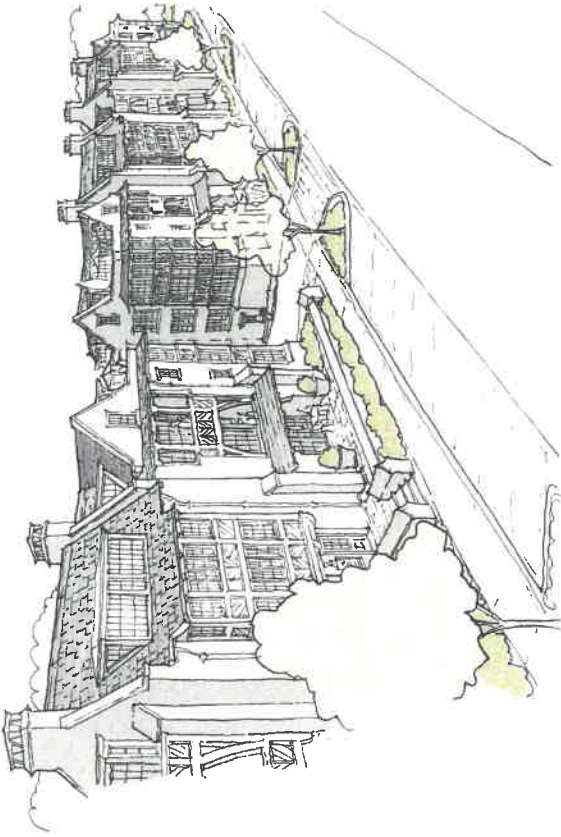
01.24.2023



Location Map

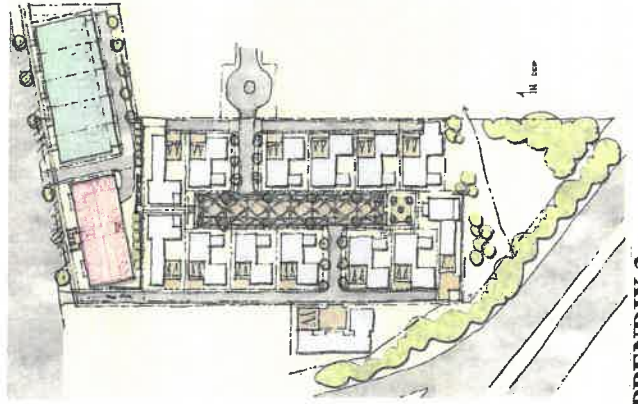
APPENDIX 3

- Project Vision**
- Create Place - walkability, choice, & character
 - Become the gateway to both Mountain Brook Village and the City of Mountain Brook
 - Provide highly demanded living choices to existing MB residents
 - Engage each frontage and connection with appropriate scale and density
 - Improve the on-site stormwater management to address flow & flooding issues on subject property and downstream.
 - Enhance connectivity to the village core
 - Enhance / complement the character specific to Mountain Brook Village
 - Be considerate of adjacent property owners' and city representatives' needs and concerns



View at Montevallo Road

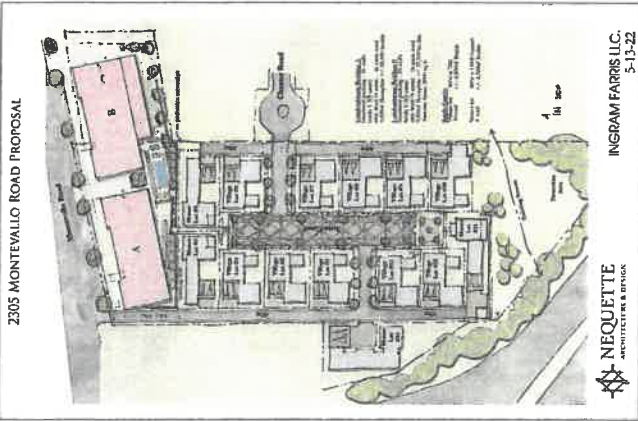
2ND REVISION TO THE CONCEPT TO RESPOND TO NEIGHBORHOOD FEEDBACK. TOWNHOMES WERE REPLACED WITH ANOTHER CONDOMINIUM ALLOWING FOR AN INCREASED BUFFER ALONG THE SOUTH PROPERTY LINE.



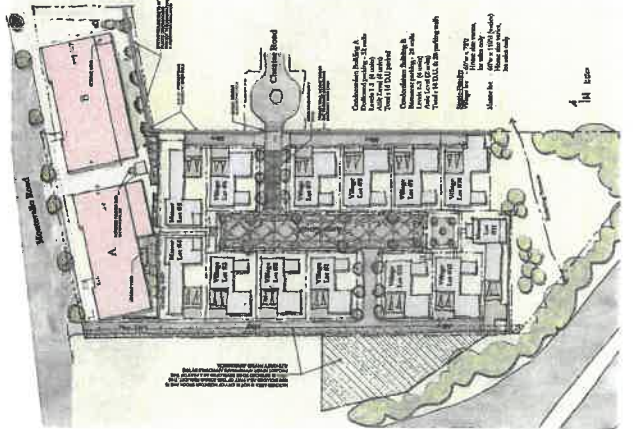
Condo / Townhome concept

APPENDIX 3

1ST REVISION TO THE CONCEPT BASED ON MARKET STUDY FINDINGS. MONTEVALLO ROAD FRONTAGE CONSISTED OF A 3-STORY, 12-UNIT CONDOMINIUM BUILDING AND A ROW OF 5 3.5-STORY TOWNHOMES. SOUTH END OF PROPERTY IS MADE UP OF 14 SINGLE-FAMILY HOME LOTS.



2305 MONTEVALLO ROAD PROPOSAL



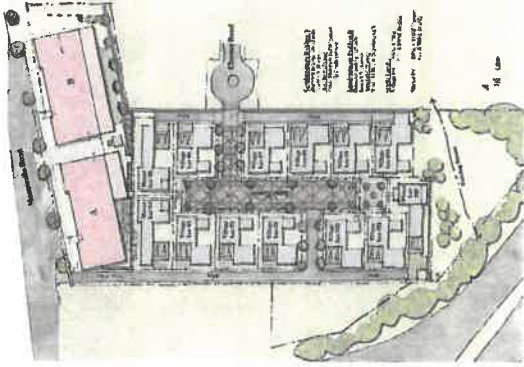
Current Proposal

3RD REVISION TO THE CONCEPT TO RESPOND TO VPC & NEIGHBORHOOD FEEDBACK.

- Increased off-street parking for the condos to 2 stalls/unit
- Reduced the unit count in Building B by 2 units and modified the massing to step down on the south side
- Removed pool amenity
- Increased privacy wall height to 8'-0" at request of neighbors
- Added cobblestones to entry drive off Chester as a traffic deterrent.
- Removed areas found to reside in Homewood municipality

Traffic Impacts to Chester Road

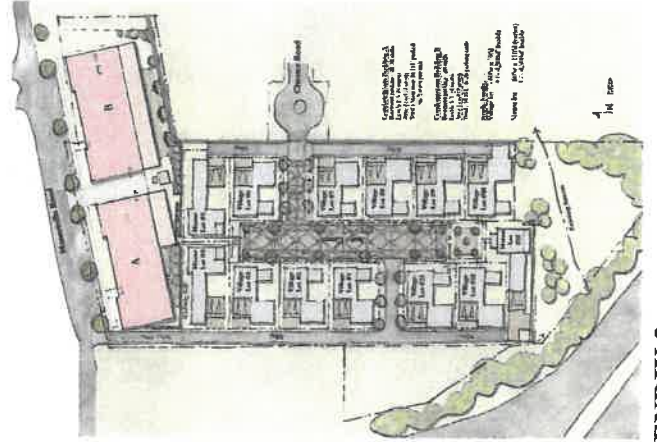
- **PUD PROPOSAL**
- 13 RESIDENTIAL LOTS + THE HOMEMOOD PARCEL FOR A TOTAL OF 14 HOMES.
- ADDS 89 CAR TRIPS TO CHESTER ROAD DAILY.
- SECONDARY ACCESS TO MONTEVALLO ROAD RELIEVES CHESTER ROAD OF 40% OF ANTICIPATED TRAFFIC.
- SECONDARY ACCESS ALSO PROVIDES SERVICE & CONSTRUCTION ACCESS, FURTHER ALLEVIATING TRAFFIC IMPACTS ON CHESTER ROAD.



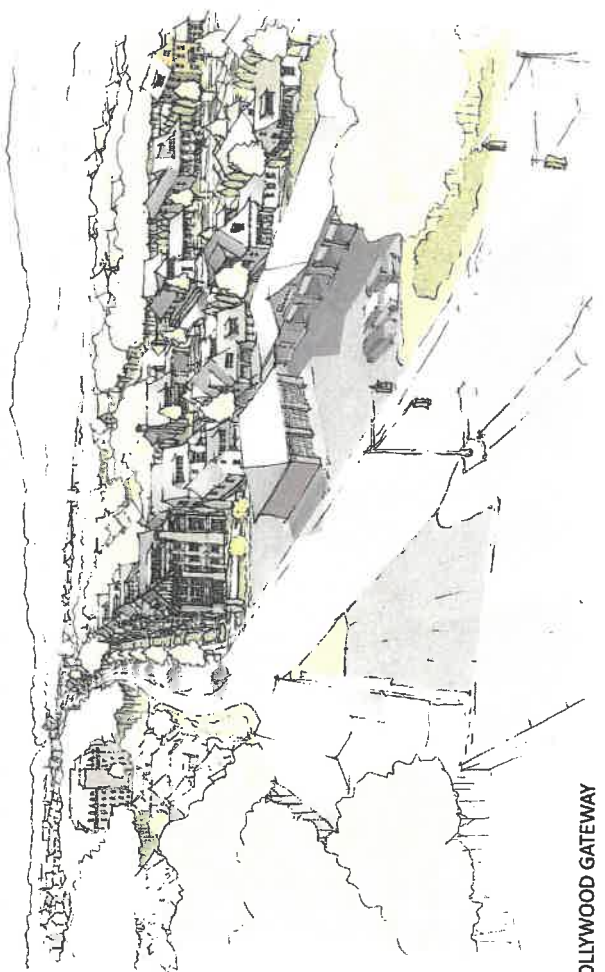
- **"BY RIGHT" PROPOSAL**
- 8 RESIDENCE B LOTS + THE HOMEMOOD PARCEL FOR A TOTAL OF 9 HOMES.
- ADDS 110 CAR TRIPS TO CHESTER ROAD DAILY.
- WOULD REQUIRE ALL CONSTRUCTION & SERVICE TRAFFIC TO ACCESS THE SITE THROUGH CHESTER ROAD.



CURRENT PROPOSAL



"BY RIGHT" PROPOSAL



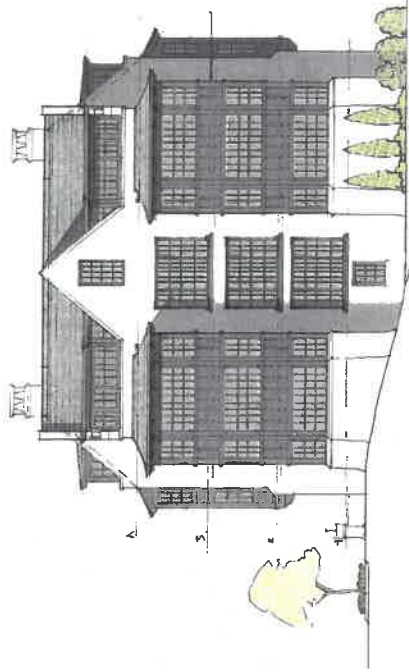
HOLLYWOOD GATEWAY

DEVELOPMENT PLAN

APPENDIX 3

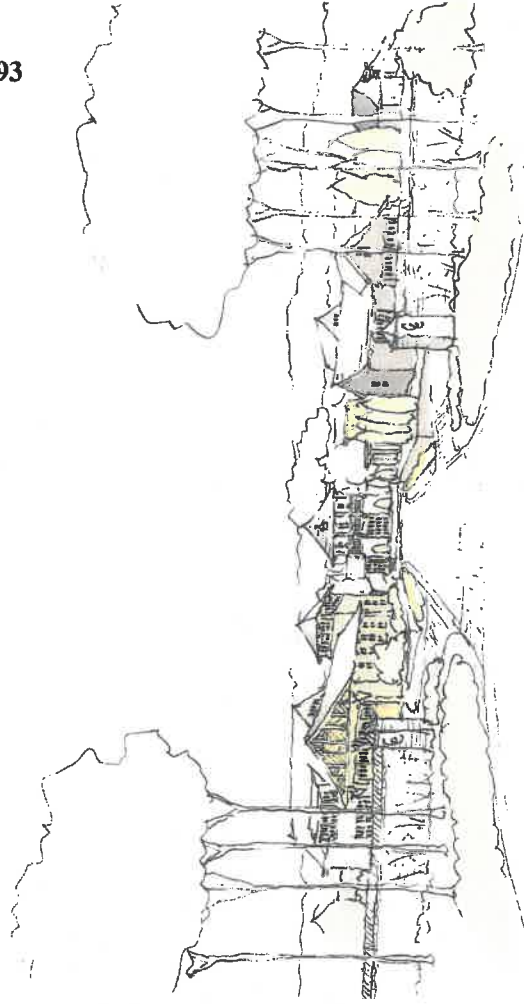


- Open parking
- Street parking

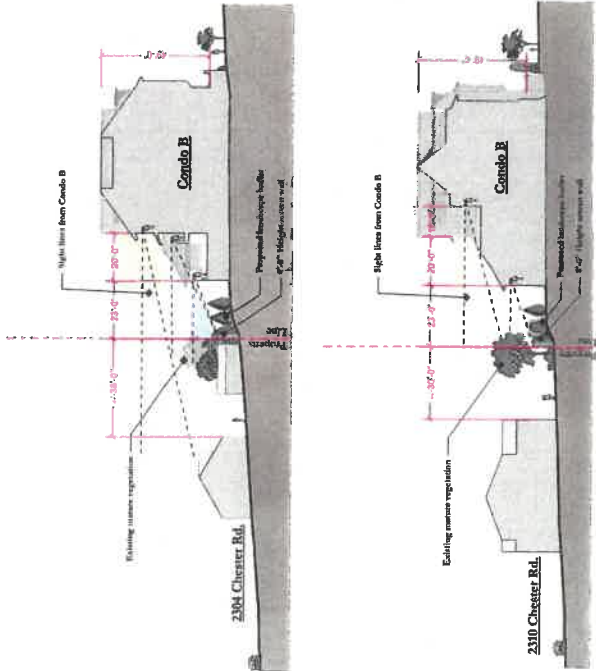


WEST ELEVATION

HOLLYWOOD GATEWAY



Chester Road Entry
 *Trees removed for graphic clarity
APPENDIX 3

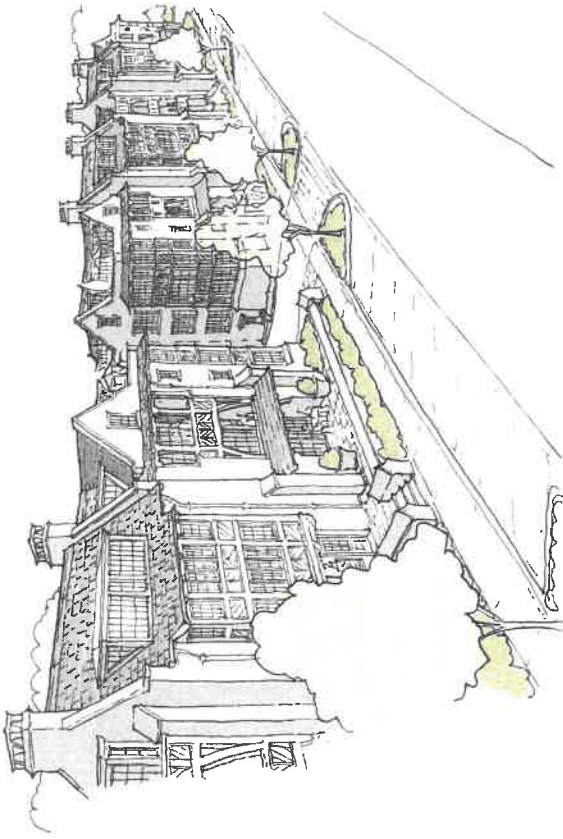


Chester Road Sections

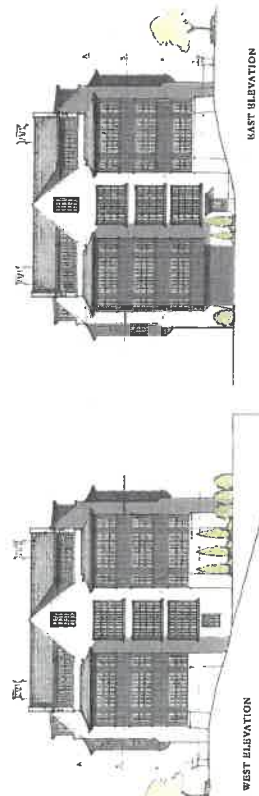


Existing conditions



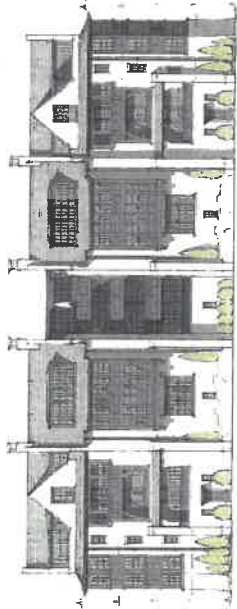


View at Montevallo Road



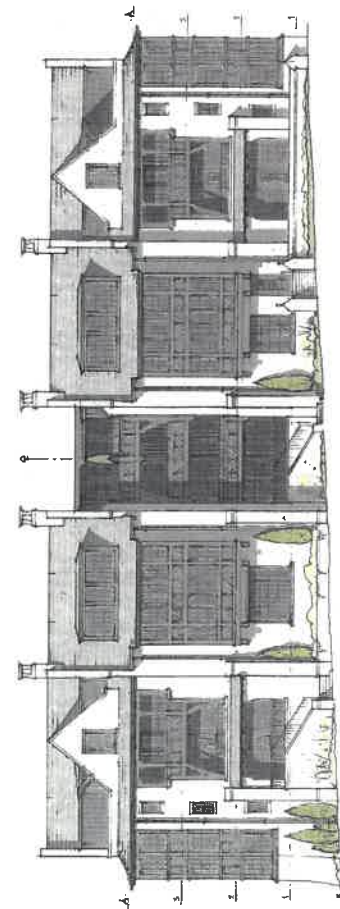
WEST ELEVATION

EAST ELEVATION



SOUTH ELEVATION

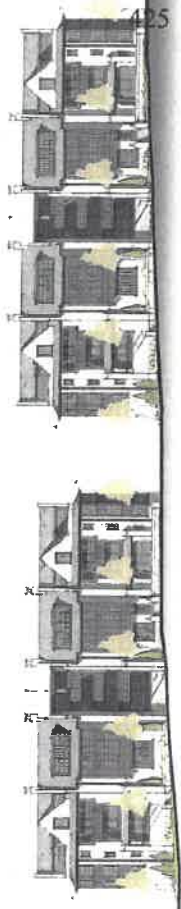
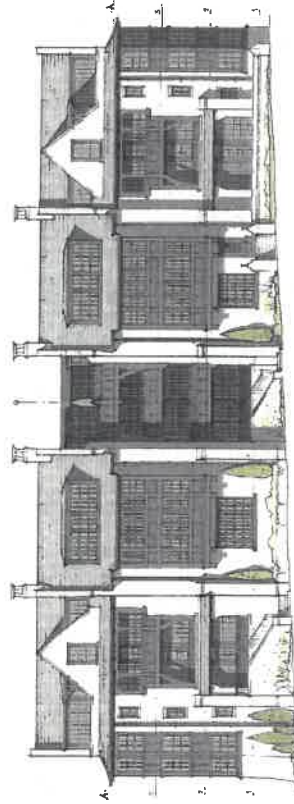
Condo Elevations



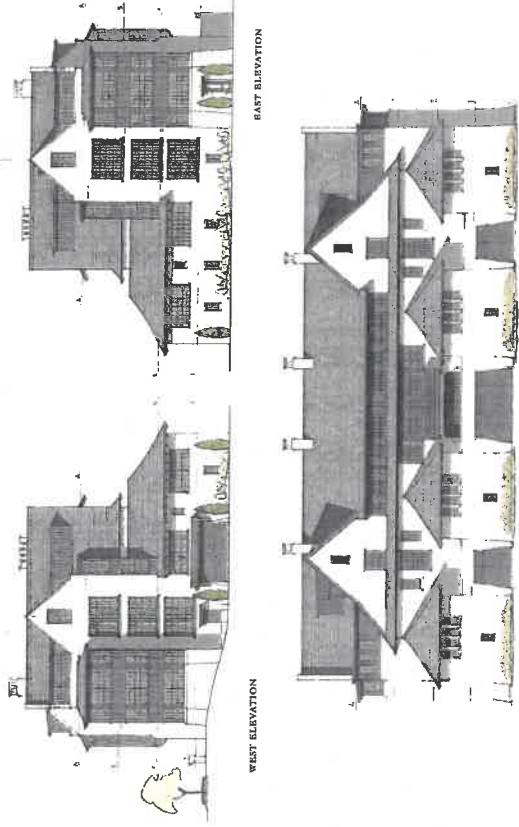
NORTH ELEVATION



Condo B Elevations



Condo A Elevations

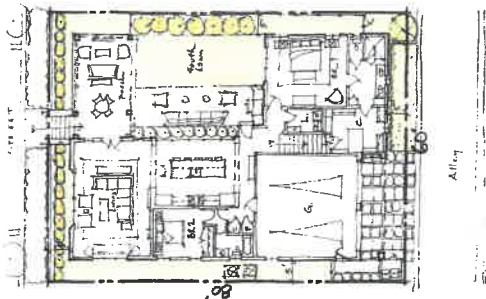


SOUTH ELEVATION

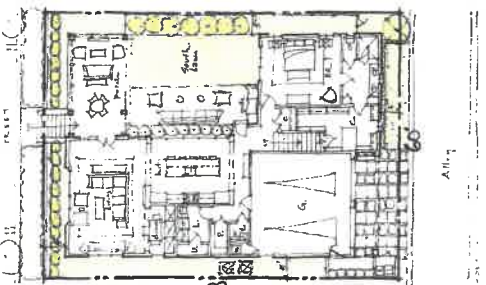
Condo B Elevations



Floor Plan 1A

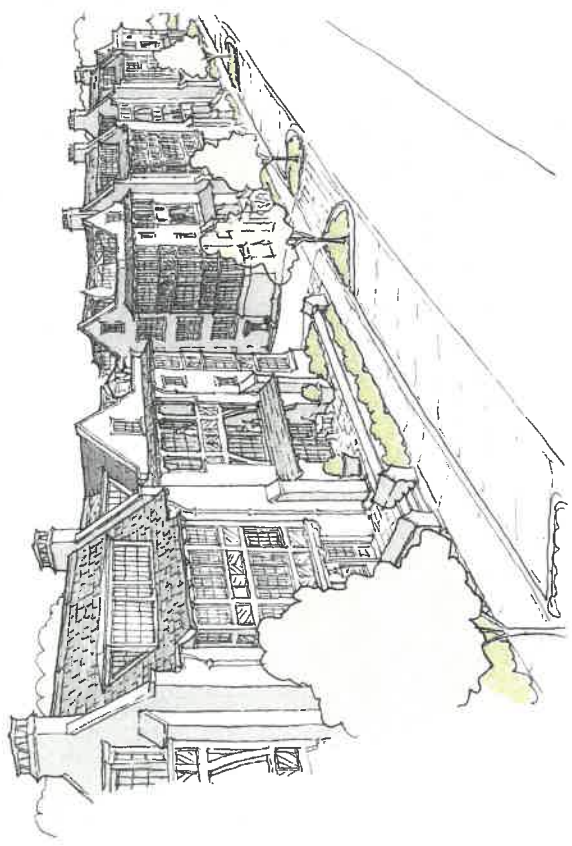


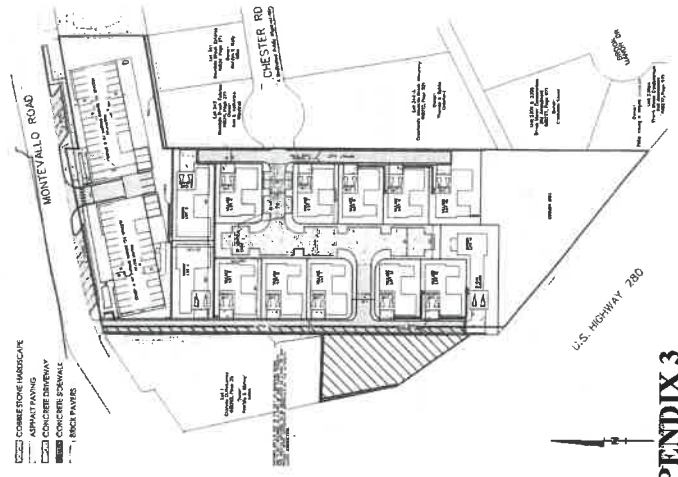
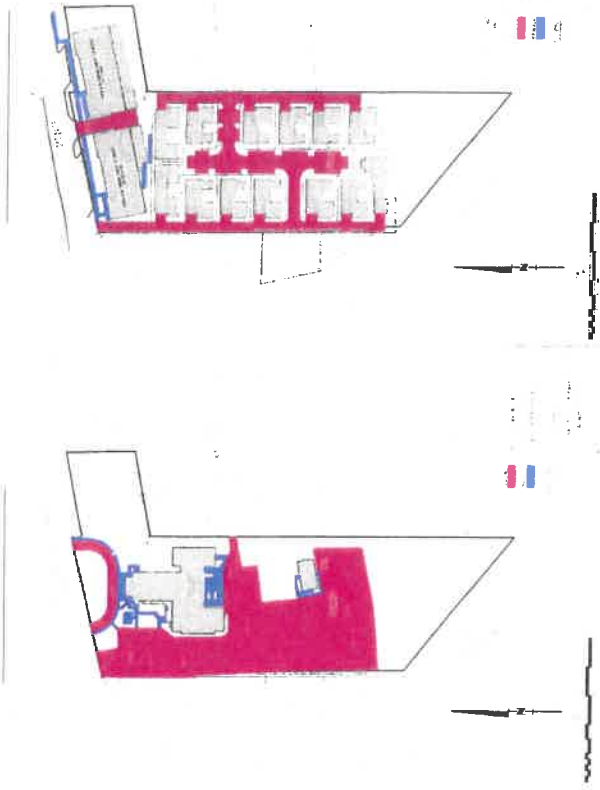
Floor Plan 1



Design Guidelines

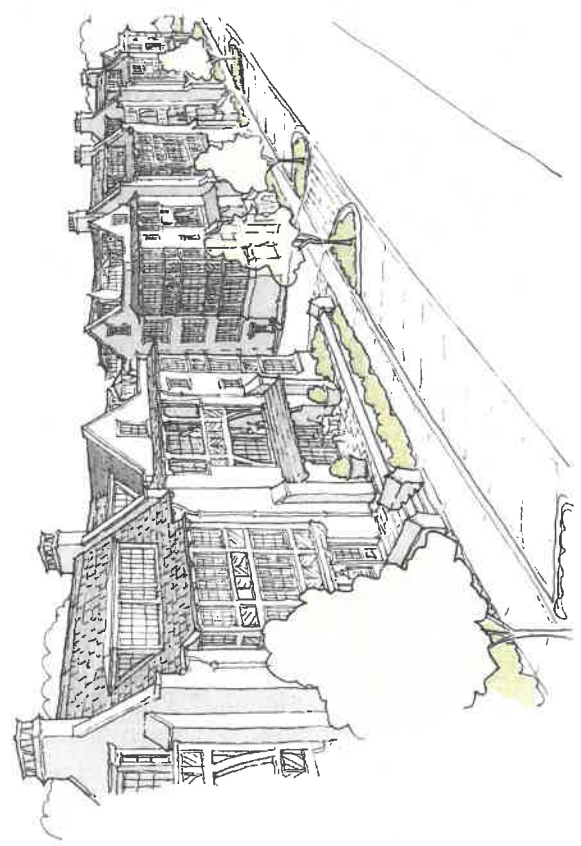
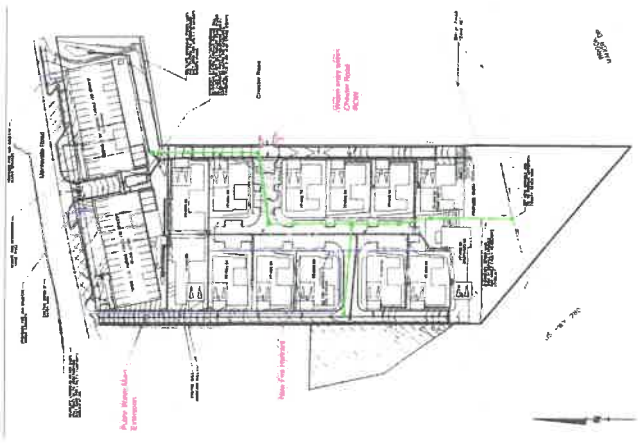
APPENDIX 3



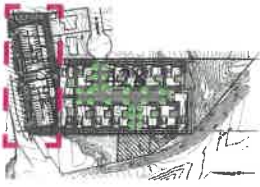
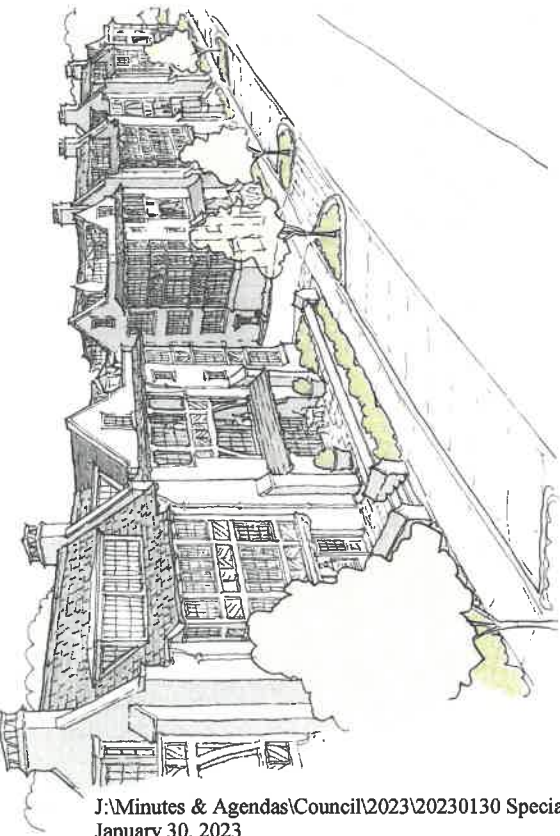


APPENDIX 3

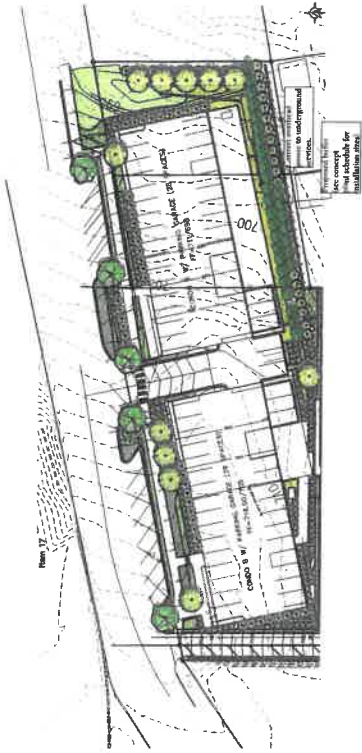
Layout Plan



Landscape Architecture



MINUTE BOOK



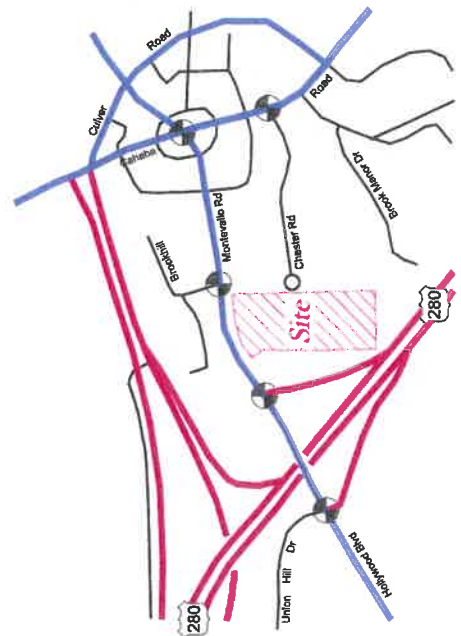
Multi-Family Plan



Single-Family Plan

APPENDIX 3

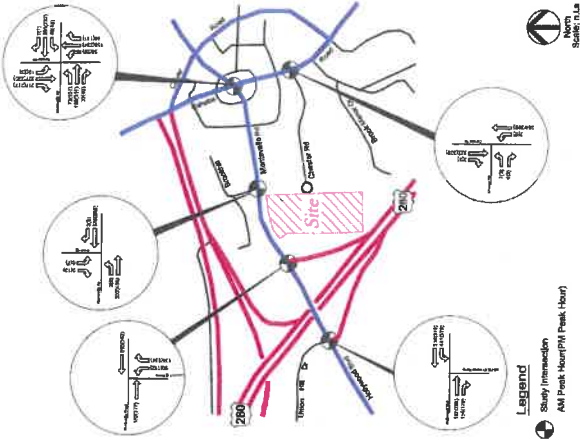
Study Intersections



Existing Traffic Counts

| Land Use | Size | ITE Code | Daily | | AM Peak Hour | | PM Peak Hour | | | |
|---------------|-----------|----------|------------|------------|--------------|-----------|--------------|-----------|-----------|-----------|
| | | | In | Out | In | Out | In | Out | Total | |
| Condominium | 32 d.u.'s | 220 | 108 | 108 | 3 | 10 | 13 | 10 | 6 | 16 |
| Single Family | 14 d.u.'s | 210 | 83 | 83 | 3 | 9 | 12 | 10 | 6 | 16 |
| Total | | | 191 | 191 | 6 | 19 | 25 | 20 | 12 | 32 |

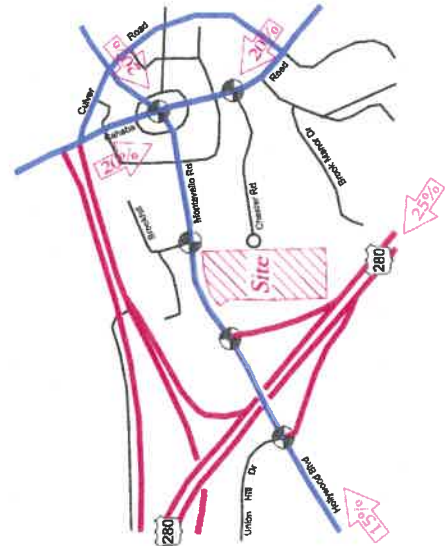
Trip Generation



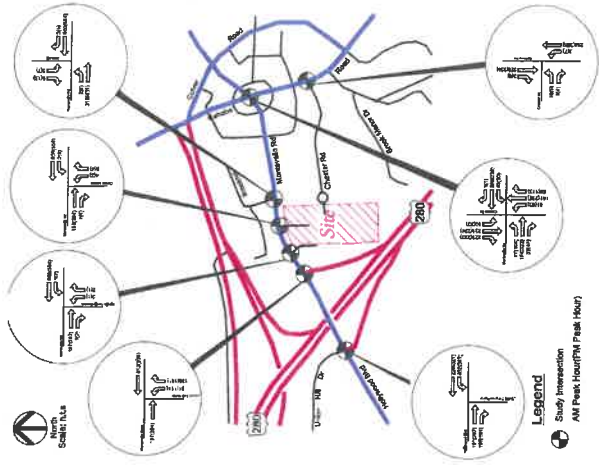
Historical Traffic Growth

| Year | Montevallo Road | | Hollywood Boulevard | | Cahaba Road | |
|----------------|-----------------|-------------|---------------------|--------------|-------------|--------------|
| | Count | Growth | Count | Growth | Count | Growth |
| 2014 | 11050 | | 9040 | | 8370 | |
| 2015 | 12040 | 9.0% | 8160 | -9.7% | 8120 | -3.0% |
| 2016 | 12330 | 2.4% | 8360 | 2.5% | 8320 | 2.5% |
| 2017 | 12390 | 0.5% | 8420 | 0.7% | 8270 | -0.6% |
| 2018 | 12855 | 3.8% | 8736 | 3.8% | 7897 | -4.5% |
| 2019 | 12840 | -0.1% | 8726 | -0.1% | 7888 | -0.1% |
| average | | 3.1% | | -0.6% | | -1.1% |
| overall | | 3.2% | | -0.7% | | -1.2% |

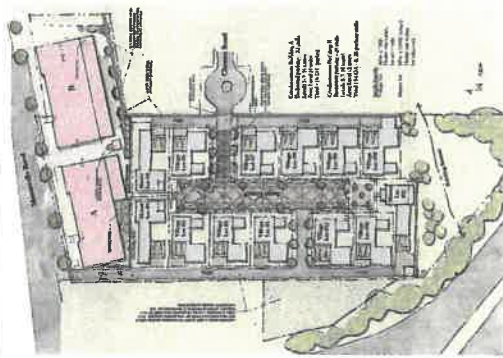
Directional Distribution



Future Traffic Volumes



- **PUD PROPOSAL**
- 13 RESIDENTIAL LOTS + THE HOMEWOOD PARCEL FOR A TOTAL OF 14 HOMES.
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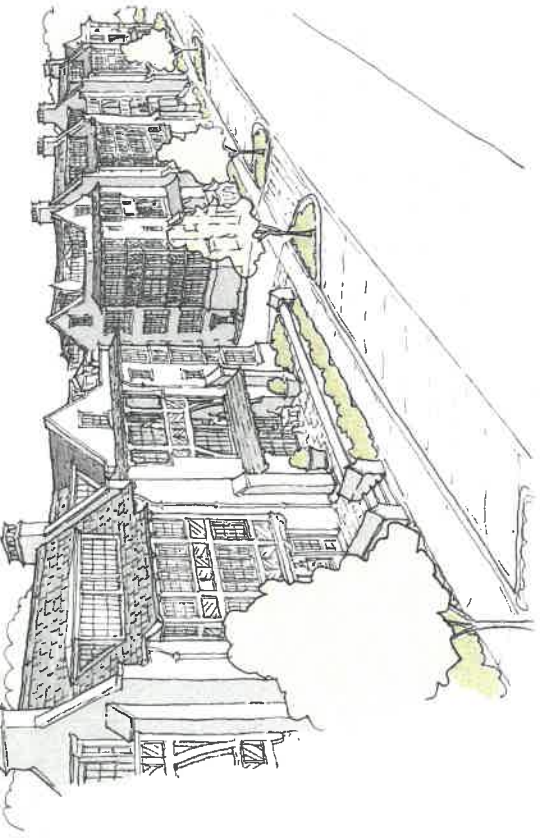
CURRENT PROPOSAL

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- ADDS 110 CAR TRIPS TO CHESTER ROAD DAILY.
- WOULD REQUIRE ALL CONSTRUCTION & SERVICE TRAFFIC TO ACCESS THE SITE THROUGH CHESTER ROAD.



"BY RIGHT" PROPOSAL

Future Capacity Analysis



Construction management

| Intersection | Approach | Movement | Level of Service |
|---|-----------------------------|---------------|------------------|
| Monteville Road at US-280 Entrance Ramp | Monteville Road Westbound | Left | A |
| | Monteville Road Eastbound | Through | A |
| Monteville Road at US-280 Exit Ramp | Monteville Road Westbound | Through | A |
| | US-280 Exit Ramp Northbound | Left | B |
| | US-280 Exit Ramp Northbound | Right | B |
| | Overall Intersection | | B |
| Monteville Road at Krockwell Circle | Monteville Road Eastbound | Left | A |
| | Monteville Road Southbound | Left-Right | C |
| | Monteville Road Eastbound | Through | B |
| | Overall Intersection | | B |
| Monteville Road at Cahaba Road | Monteville Road Westbound | Left | A |
| | Monteville Road Westbound | Through-Right | B |
| | Cahaba Road Northbound | Left | A |
| | Overall Intersection | | A |
| Cahaba Road at Chester Road | Cahaba Road Northbound | Left | A |
| | Chester Road Westbound | Left-Right | B |
| | Chester Road Westbound | Left-Through | A |
| | Overall Intersection | | B |
| Monteville Road at Condo Access | Monteville Road Westbound | Left-Right | B |
| | Monteville Road Westbound | Left-Through | A |
| | Condo Access | Left-Through | A |
| | Overall Intersection | | B |

Re: 2305 Montevallo Road, LLC

To: Dana Hazen and Virginia Carruthers Smith

Please find enclosed some of the letters we have received from interested buyers for the proposed lots and condominiums at 2305 Montevallo Road.

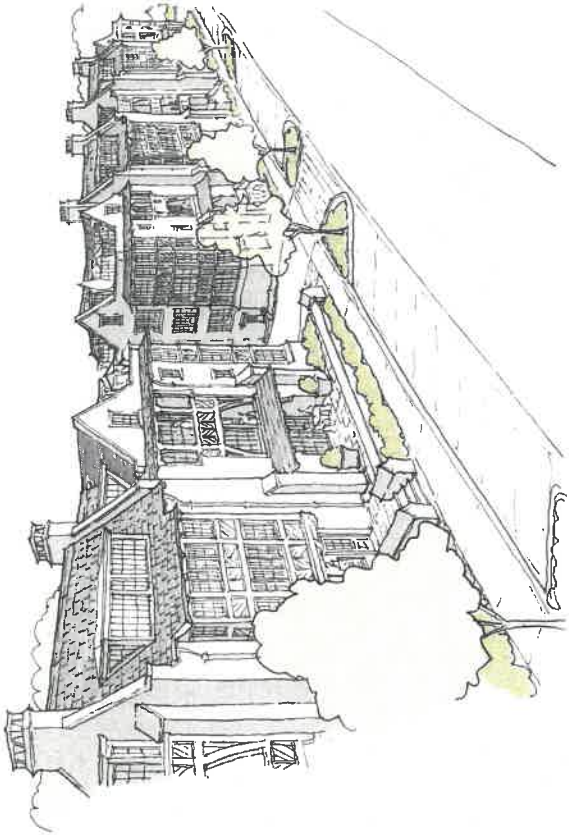
We recently did a survey on which housing types were likely to attract school aged children in Mountain Brook. Attached is the result for your review. The survey included the following: apartments - estimate 100, Garden Style and Townhome Condominiums - 30, Low-Rise, Mid-Rise and High-Rise Condominiums - 0. I think you will agree that "fee simple" condominium ownership does not affect the school system. Hope this answers the concern which housing projects school children are currently occupying other than Single-Family Homes.

Please email the letters and survey to all city council members prior to the meeting today.

Margi John
Sincerely,

John Chapman and Margi Ingram
Members 2305 Montevallo Road, LLC

Attachments



Market study & closing

APPENDIX 3

| Type | Name | # of Units | # of Students | Notes |
|--------------------|-----------------------|------------|---------------|------------------------------|
| Condo Attached | Brookshire Place | 36 | 1 | |
| Condo Attached | Carriage Place | 22 | 3 | |
| Condo Attached | Church Court | 7 | 0 | |
| Condo attached | Cloister | 49 | 2 | |
| Condo Attached | Club Village | 10 | 0 | |
| Condo Attached | Foxhall + Sims Ave | 83 | 7 | |
| Condo Attached | Manor Place | 4 | 0 | |
| Condo Attached | Memory Court | 24 | 1 | |
| Condo Attached | Mountain Brook Court | 21 | 4 | |
| Condo Attached 1/2 | Mountain Brook Park | 44 | 8 | 1/2 single family, 1/2 condo |
| Condo Attached | Cahaba Village Condos | 22 | 4 | |
| TOTALS | | 322 | 30 | |

| Type | Name | # of Units | # of Students |
|---------------|-------------------------------|------------|---------------|
| High-rise | 2600 (Birmingham) | 44 | 0 |
| Highrise | Brookhill Condos (Birmingham) | 64 | 0 |
| Low rise | The Manning | 14 | 0 |
| Midrise | Morningside | 20 | 0 |
| Midrise | The Townes | 29 | 0 |
| High-rise | Capri (Birmingham) | 44 | 0 |
| TOTALS | | 215 | 0 |

MINUTE BOOK 93

| Type | Name | Net Units | # of Students |
|---------------|---|------------|---------------|
| Apartment | 1000 Lark Park Apartment | 276 | 20 |
| Apartment | 3610 Montclair Town Home | 6 | 0 |
| Apartment | 3700 Montclair Duplex | 2 | 0 |
| Apartment | 3804 Montclair Duplex | 2 | 0 |
| Apartment | Beverly Drive | 92 | 7 |
| Apartment | Canterbury Gardens | 182 | 2 |
| Apartment | Country Club Apartments | 25 | 5 |
| Apartment | English Village (2112 Cahaba Rd) | 5 | 1 |
| Apartment | English Village (2124 Cahaba Rd) | 4 | 1 |
| Apartment | Gerald Place | 24 | 1 |
| Apartment | Heathermoor Duplex | 12 | 0 |
| Apartment | Montclair Duplex | 31 | 10 |
| Apartment | Patio Apartment | 8 | 0 |
| Apartment | South Lane | 34 | 0 |
| Apartment | Wilderness Court, Road, & Little River Road | 57 | 43 |
| Apartment | Redmont Gardens | 200 | 11 |
| Totals | | 960 | 101 |

*This may not be all of the apartments

APPENDIX 3

Billy Hart's field

Billy Hart's field

Mountain Brook City Council
56 Church Street
Mountain Brook, AL, 35213

Dear Council Members,

My wife and I live in Mountain Brook and wish to stay in Mountain Brook. We want to move to a smaller residence with the ability to walk to the Village. The rezoning proposal before you on the Shades Valley Presbyterian Church offers us this option.

We encourage you to vote for this opportunity for us and other Mountain Brook residents.

Sincerely,

Richard Plaza
Richard Plaza
3423 Oak Canyon Drive
Mountain Brook, AL, 35243

Mountain Brook City Council
56 Church Street
Mountain Brook, AL, 35213

Re: Shades Valley Presbyterian Church Rezoning

Greetings,

I am writing to support the rezoning of the Shades Valley Presbyterian Church property. My interest is in the single family home sites.

My residence is currently located in Mountain Brook and my motivation to move would be in a community such as the proposed development before you on Montevallo and Chester Road.

Sincerely,

Dr. Rainey Kent

Dr. Rainey Kent
2837 Southwood Road
Mountain Brook, AL, 35223

Mountain Brook City Council
President, Virginia Smith

Thank you for serving the City. I would like to endorse the proposal for rezoning the Shades Valley Presbyterian Church.

I think we need more variety of housing and believe this is the highest and best use for this property.

I have an interest in purchasing a single-family lot in this development.

Sincerely,
Stacey Berthon

Stacey Berthon
12.13.2022

To: The Mountain Brook City Council
From: Ree Sherer
Re: Rezoning of Shades Valley Presbyterian Church, January 9, 2023

City Council Members,

As a resident of Mountain Brook, I want to let you know that I am in favor of the PUD zoning of the Shades Valley Presbyterian Church and that I have a high interest in living in this location. I appreciate your consideration in voting for the rezoning.

Best
Ree Sherer
Ree Sherer
3611 Mountain Park Drive
Mountain Brook, AL, 35213

APPENDIX 3

January 5, 2023

Dear Mountain Brook City Council,

I recently saw a snippet in the newspaper about the Shades Valley Presbyterian Church property being rezoned for condos! I find this to certainly be a positive step towards this property being developed instead of left abandoned as it currently is. After learning of this news, I contacted Ingram and Associates to remind them that I have been looking for something like this and to put me on the list of prospective buyers. I am 70 years old and therefore looking to live in a simpler, smaller residence, but I want to stay in the Mountain Brook community. I prefer to purchase a home of new construction. The convenience this proposed project provides is another appeal. Both in driving access to downtown, Homewood, the Summit, and the walkability to Mountain Brook Village. I am a frequent customer of the Village for groceries, pharmacy, etc.

I thank you for your support of developing Mountain Brook to fit the changing needs of its residents and I look forward to hearing that this project will progress.

Sincerely,
Elizabeth Bashinsky
Elizabeth Bashinsky
74 Vine Street
Mountain Brook, AL, 35213

December 10, 2022

Ingram and Associates, LLC

I have heard that Louis Noquette is designing a new community in Mountain Brook where the Shades Valley Presbyterian Church is located. I know it will be beautiful if he is designing it. I recently lost my husband and I am wanting to sell our existing home to have something that meets my current needs. A condominium would be a perfect fit for me.

PLEASE consider me a candidate for this community!

Sincerely,
Sherry Parker
Sherry Parker
205-988-5865

To: City Council Members – Mountain Brook, AL
From: Tom Crawford
2305 Chester Road
Mountain Brook, AL, 35223

Concerning the rezoning of Shades Valley Presbyterian Church
January 9, 2023 at 7:00pm

Please consider a positive vote for the rezoning of the Shades Valley Presbyterian Church. I am a 40-plus years resident on Chester Road and am in favor of the proposal to rezone. Having lived on Chester Road for many years, the proposal before you is the best and highest use of the property. My home will be adjacent to the new development, and I feel it is a compliment to Chester Road.

Thank you for your consideration.


Tom Crawford

January 3, 2023

Dear Virginia, President, Mountain Brook City Council

My name is Jane Huston Crommelin and I have been in real estate for 22 years. Based on my years of experience, I feel that we should support the proposed development on the former Shades Valley Church property. From a real estate standpoint, the market is at an all time low of inventory, especially high end, and new construction inventory for Mountain Brook Residents.

I have lived in Mountain Brook a number of years and have always appreciated the Council's due diligence in growing the City smartly and for the good of the entire community. I feel that this development would accomplish that.

I encourage you to support the development and thank you for your service.

Sincerely,



Jane Huston Crommelin
Realtor, Ray & Poyner
1/3/2023


APPENDIX 3

January 4, 2023

Dear City Council Members,

I am a Realtor with Realty South, Mountain Brook. The biggest concern in Real Estate today, as you know, is inventory. The lack of homes on the market has created a situation that we haven't seen in our careers. Empty nesters can't move because they have no place to move to and younger families can't move up in Mountain Brook because the Empty Nesters can't move. This zoning would release some pressure on the housing shortage in Mountain Brook.

Your consideration to vote in favor of this proposal is appreciated.

Yours truly,

Susie Denson
Realty South Realtor
Mountain Brook, AL, 35223

August 11, 2022

Dear City Council Members,

I am a Mountain Brook Realtor and wish to let you know that Mountain Brook has very few homes offered today on the Market. There are practically no new homes for our buyers who want to downsize and remain in Mountain Brook. These lots and condominiums are very much what the market is desiring. I have worked as a realtor for over 30 years and am also a Mountain Brook resident.

I hope you will vote for the proposed development on Montevallo and the extension of Chester Road.

Thanks,



Stephanie Robinson,
Realty South

Billy Pritchard
c/o City of Mountain Brook,
City Council, President Pro Temp
56 Church Street
Mountain Brook, Alabama 35213

Dear Billy,

I'm writing in regards to the proposed rezoning of the Shades Valley Presbyterian Church. As both a long time realtor and resident of Mountain Brook, I support the proposed development plans. This will not only solve housing needs for Mountain Brook residents, but also serve as an aesthetically pleasing entrance into Mountain Brook Village.

Thank you for your consideration and your service to the City.

Sincerely,



Shelley Clark
Realtor, Ray & Poynor
August 15, 2022

January 30, 2023

Re: 2305 Montevallo Road, LLC

To: Dana Hazen and Virginia Carruthers Smith

Please find enclosed some of the letters we have received from interested buyers for the proposed lots and condominiums at 2305 Montevallo Road.

We recently did a survey on which housing types were likely to attract school aged children in Mountain Brook. Attached is the result for your review. The survey included the following: apartments - estimate 100, Garden Style and Townhome Condominiums - 30, Low-Rise, Mid-Rise and High-Rise Condominiums - 0. I think you will agree that "fee simple" condominium ownership does not affect the school system. Hope this answers the concern which housing projects school children are currently occupying other than Single-Family Homes.

Please email the letters and survey to all city council members prior to the meeting today.

Margi Ingram
Sincerely,

John Chapman and Margi Ingram
Members 2305 Montevallo Road, LLC

Attachments

| | Name | # of Units | # of Bedrooms | Notes |
|--------------------|-----------------------|------------|---------------------------------|-------|
| Condo Attached | Brookshire Place | 36 | 1 | |
| Condo Attached | Carriage Place | 22 | 3 | |
| Condo Attached | Church Court | 7 | 0 | |
| Condo attached | Cloister | 49 | 2 | |
| Condo Attached | Club Village | 10 | 0 | |
| Condo Attached | Foxhall + Sims Ave | 83 | 7 | |
| Condo Attached | Menor Place | 4 | 0 | |
| Condo Attached | Memory Court | 24 | 1 | |
| Condo Attached | Mountain Brook Court | 21 | 4 | |
| Condo Attached 1/2 | Mountain Brook Park | 44 | 8: 1/2 single family, 1/2 condo | |
| Condo Attached | Cahaba Village Condos | 22 | 4 | |
| TOTALS | | 322 | 90 | |

APPENDIX 4

| Type | Name | # of Units | # of Bedrooms |
|---------------|-------------------------------|------------|---------------|
| High-rise | 2600 (Birmingham) | 44 | 0 |
| Highrise | Brookhill Condos (Birmingham) | 64 | 0 |
| Low rise | The Manning | 14 | 0 |
| Midrise | Morningside | 20 | 0 |
| Midrise | The Townes | 29 | 0 |
| High-rise | Capri (Birmingham) | 44 | 0 |
| TOTALS | | 215 | 0 |

| Type | Name | # of Units | # of Bedrooms |
|---------------|---|------------|---------------|
| Apartment | 1000 Lane Park Apartment | 276 | 20 |
| Apartment | 3610 Montclair Town Home | 6 | 0 |
| Apartment | 3700 Montclair Duplex | 2 | 0 |
| Apartment | 3804 Montclair Duplex | 2 | 0 |
| Apartment | Beverly Drive | 92 | 7 |
| Apartment | Canterbury Gardens | 182 | 2 |
| Apartment | Country Club Apartments | 25 | 5 |
| Apartment | English Village (2112 Cahaba Rd) | 5 | 1 |
| Apartment | English Village (2124 Cahaba Rd) | 4 | 1 |
| Apartment | Gerald Place | 24 | 1 |
| Apartment | Heathermoor Duplex | 12 | 0 |
| Apartment | Montclair Duplex | 31 | 10 |
| Apartment | Patio Apartment | 8 | 0 |
| Apartment | South Lane | 34 | 0 |
| Apartment | Wilderness Court, Road, & Little River Road | 57 | 43 |
| Apartment | Redmont Gardens | 200 | 11 |
| Totals | | 960 | 101 |

*This may not be all of the apartments

Mountain Brook City Council
56 Church Street
Mountain Brook, AL, 35213

Dear Council Members,

My wife and I live in Mountain Brook and wish to stay in Mountain Brook. We want to move to a smaller residence with the ability to walk to the Village. The rezoning proposal before you on the Shades Valley Presbyterian Church offers us this option.

We encourage you to vote for this opportunity for us and other Mountain Brook residents.

Sincerely,

Richard Plutz
3423 Oak Canyon Drive
Mountain Brook, AL, 35245

Billy Harts field

APPENDIX 4

Mountain Brook City Council
56 Church Street
Mountain Brook, AL 35213

Re Shades Valley Presbyterian Church Rezoning

Greetings,

I am writing to support the rezoning of the Shades Valley Presbyterian Church property. My interest is in the single family home sites.

My residence is currently located in Mountain Brook and my motivation to move would be in a community such as the proposed development before you on Montevallo and Chester Road.

Sincerely,



Dr. Raleigh Kent
2837 Southwood Road
Mountain Brook, AL, 35223

Mountain Brook City Council
President, Virginia Smith

Thank you for serving the City. I would like to endorse the proposal for rezoning the Shades Valley Presbyterian Church.

I think we need more variety of housing and believe this is the highest and best use for this property.

I have an interest in purchasing a single-family lot in this development.

Sincerely,


Stacey Berthon
12.13.2022

January 5, 2023

Dear Mountain Brook City Council,

I recently saw a snippet in the newspaper about the Shades Valley Presbyterian Church property being rezoned for condos I find this to certainly be a positive step towards this property being developed instead of left abandoned as it currently is. After learning of this news, I contacted Ingram and Associates to remind them that I have been looking for something like this and to put me on the list of prospective buyers. I am 70 years old and therefore looking to live in a simpler, smaller residence, but I want to stay in the Mountain Brook community. I prefer to purchase a home of new construction. The convenience this proposed project provides is another appeal. Both in driving access to downtown, Homewood, the Summit, and the walkability to Mountain Brook Village. I am a frequent customer of the Village for groceries, pharmacy, etc.

I thank you for your support of developing Mountain Brook to fit the changing needs of its residents and I look forward to hearing that this project will progress.

Sincerely,

Elisabeth Beshinsky
Elisabeth Beshinsky
74 Vine Street
Mountain Brook, AL, 38218

APPENDIX 4

To: The Mountain Brook City Council
From: Ree Sherer
Re: Rezoning of Shades Valley Presbyterian Church, January 9, 2023

City Council Members,

As a resident of Mountain Brook, I want to let you know that I am in favor of the PUD zoning of the Shades Valley Presbyterian Church and that I have a high interest in living in this location. I appreciate your consideration in voting for the rezoning.

Best
Ree Sherer
Ree Sherer
3611 Mountain Park Drive
Mountain Brook, AL, 35213

December 10, 2022

Ingram and Associates, LLC

I have heard that Louis Nequette is designing a new community in Mountain Brook where the Shades Valley Presbyterian Church is located. I know it will be beautiful if he is designing it. I recently lost my husband and I am wanting to sell our existing home to have something that meets my current needs. A condominium would be a perfect fit for me.

PLEASE consider me a candidate for this community!

Sincerely,
Sherry Parker
Sherry Parker
205-988-5865

To: City Council Members - Mountain Brook, AL
From: Tom Crawford
2305 Chester Road
Mountain Brook, AL, 35223

Concerning the rezoning of Shades Valley Presbyterian Church
January 9, 2023 at 7:00pm

Please consider a positive vote for the rezoning of the Shades Valley Presbyterian Church. I am a 40-plus years resident on Chester Road and am in favor of the proposal to rezone. Having lived on Chester Road for many years, the proposal before you is the best and highest use of the property. My home will be adjacent to the new development, and I feel it is a compliment to Chester Road.

Thank you for your consideration.

Tom Crawford
Tom Crawford
January 3, 2023

January 4, 2023

Dear Virginia, President, Mountain Brook City Council

My name is Jane Huston Crommelin and I have been in real estate for 22 years. Based on my years of experience, I feel that we should support the proposed development on the former Shades Valley Church property. From a real estate standpoint, the market is at an all time low of inventory, especially high end, and new construction inventory for Mountain Brook Residents.

I have lived in Mountain Brook a number of years and have always appreciated the Council's due diligence in growing the City smartly and for the good of the entire community. I feel that this development would accomplish that.

I encourage you to support the development and thank you for your service.

Sincerely,



Jane Huston Crommelin
Realtor, Ray & Poyner
1/3/2023

August 11, 2022

Dear City Council Members,

I am a Mountain Brook Realtor and wish to let you know that Mountain Brook has very few homes offered today on the Market. There are practically no new homes for our buyers who want to downsize and remain in Mountain Brook. These lots and condominiums are very much what the market is desiring. I have worked as a realtor for over 30 years and am also a Mountain Brook resident.

I hope you will vote for the proposed development on Montevallo and the extension of Chester Road.

Thanks,




Stephanie Robinson,
Realty South

Dear City Council Members,

I am a Realtor with Realty South, Mountain Brook. The biggest concern in Real Estate today, as you know, is Inventory. The lack of homes on the market has created a situation that we haven't seen in our careers. Empty nesters can't move because they have no place to move to and younger families can't move up in Mountain Brook because the Empty Nesters can't move. This zoning would release some pressure on the housing shortage in Mountain Brook.

Your consideration to vote in favor of this proposal is appreciated.

Yours truly,


Susie Denson
Realty South Realtor
Mountain Brook, AL, 35223

Billy Pritchard
c/o City of Mountain Brook,
City Council, President Pro Temp
56 Church Street
Mountain Brook, Alabama 35213

Dear Billy,

I'm writing in regards to the proposed rezoning of the Shades Valley Presbyterian Church. As both a long time realtor and resident of Mountain Brook, I support the proposed development plans. This will not only solve housing needs for Mountain Brook residents, but also serve as an aesthetically pleasing entrance into Mountain Brook Village.

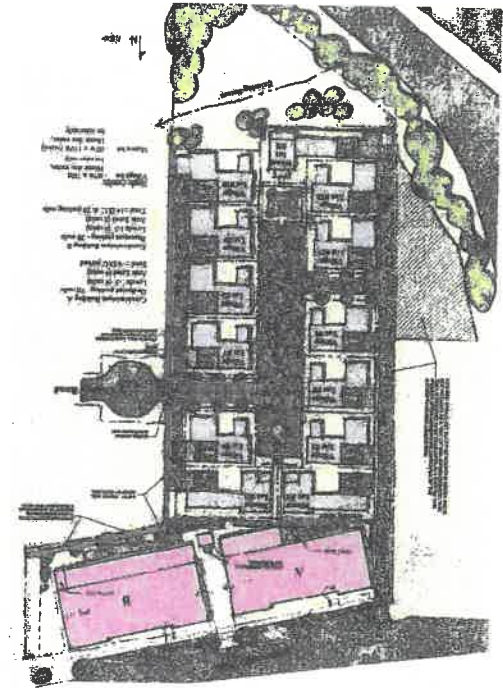
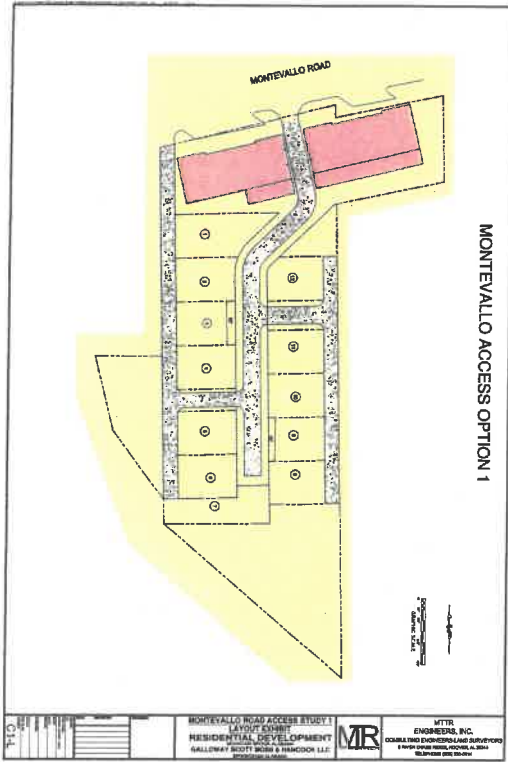
Thank you for your consideration and your service to the City.

Sincerely,

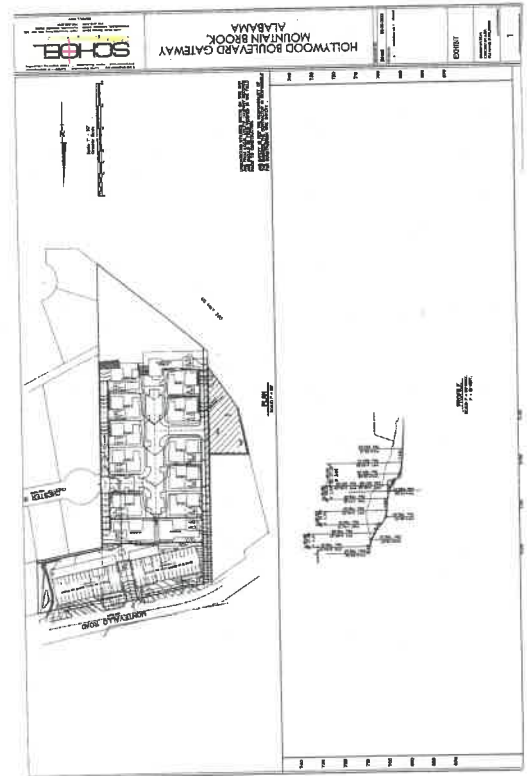
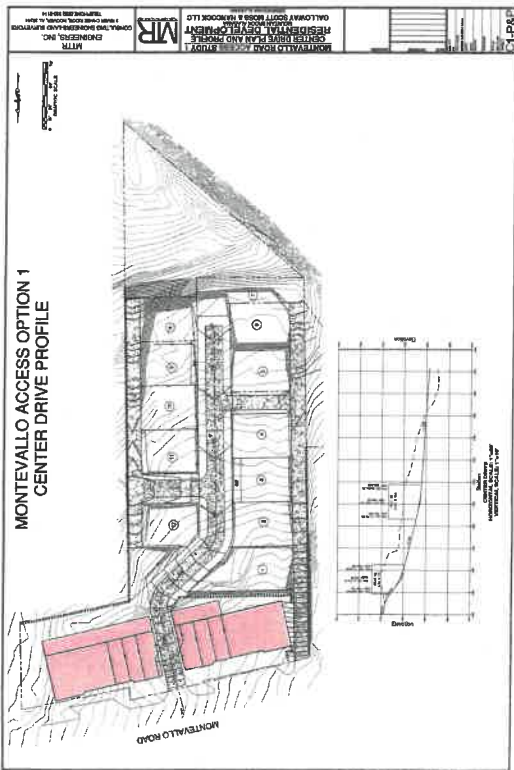


Shelley Clark
Realtor, Ray & Poyner
August 15, 2022

APPENDIX 4



APPENDIX 5





P-18-08

Department of Planning, Building & Sustainability
56 Church Street
Mountain Brook, Alabama 35213
Telephone: 205.802.3810
www.mtnbrook.org

MINUTES
CITY OF MOUNTAIN BROOK
PLANNING COMMISSION
APRIL 2, 2018
CITY HALL, 56 CHURCH STREET, MOUNTAIN BROOK, AL 35213

**PLANNING COMMISSION
MEETING SUMMARY**

Meeting Date: April 2, 2018
Case Number: P-18-08 – 2305 Montevallo Road
Applicant: Shades Valley Presbyterian Church
Representative: Rev. Leanne Pearce Reed
leanne@svpcusa.org
Type Request: Request to allow an annual (summer season) farmer's market at Shades Valley Presbyterian Church – 2305 Montevallo Road.
Action Taken: The Planning Commission approves the request for an annual seasonal farmer's market, to be held on Wednesday afternoons from 3pm to 6pm, from the first week of June to the second week of August. Conditions of approval:
1. Subject to a Special Events permit from the City Manager's Office.
2. In addition to the chain at the egress to Chester Road, place cones at egress to Chester Road during the events, to further discourage any use of Chester Road during this event.
3. This farmer's market is approved annually, until such time the Commission may elect to revoke approval.

Dana O. Hazen

Dana O. Hazen, MPA, AICP
Director of Planning, Building and Sustainability

The meeting of the Planning Commission of the City of Mountain Brook, Alabama, was held in the City Hall Council Chamber on Monday, April 2, 2018, at 5:30 p.m. The roll was marked as follows:

Members Present: Susan Swagler, Chairman
Jamie Gregory, Secretary
Philip Black
Michael Mouron
Rob Walker
Carey Hollingsworth
Absent: Alice Williams

Also present: Dana Hazen: Director of Planning, Building and Sustainability
Glen Merchant: Building Official
Whit Colvin: City Attorney
Tammy Reid: Administrative Assistant

- 1. **Call to Order:** Chairman Swagler called the meeting to order at 5:30 p.m., there being a quorum present.
- 2. **Approval of Agenda:** Chairman Swagler called for a motion regarding the agenda.

Motion: Mr. Black, motion to approve the presented agenda.
Second: Mr. Gregory
Ayes: Susan Swagler
Jamie Gregory
Philip Black
Michael Mouron
Rob Walker
Carey Hollingsworth
Nays: None

Motion carries.

- 3. **Approval of Minutes:** March 5, 2018

Chairman Swagler called for a motion regarding the March 5, 2018 minutes.

Motion: Mr. Mouron, motion to approve the minutes as printed.
Second: Mr. Walker
Ayes: Susan Swagler
Jamie Gregory
Philip Black
Michael Mouron

APPENDIX 7

Rob Walker
Carey Hollingsworth
Nays: None

Motion carries.

4. Case P-18-07: 3040 Overton Road EXHIBIT 1

Request for approval of a master development plan to allow the installation of additional recreational amenities, as well as alterations to the landscape and hardscape of the property. Chabad of Alabama - 3040 Overton Road. (Carried over from March 5, 2018.)

Mr. Black recommended that this case carry over to the May 7, 2018 meeting based on the following: At the March 5, 2018 meeting, storm water drainage information was requested. This information was submitted less than an hour prior to the meeting this date, thereby not allowing sufficient time for review. It is requested that the city engineer review this new data.

Chairman Swagler noted that all of the documentation requested at the March meeting has been received, with the last component being the storm water drainage study that was submitted just prior to this meeting (approximately 45 minutes prior).

Chairman Swagler called for discussion. There being no discussion, she called for a motion.

Motion: Mr. Black, motion to carry over this case to the May 7, 2018 meeting to allow time for review of supplemental information submitted the same afternoon as the hearing.
Second: Mr. Mouron

The vote was recorded as follows:

Ayes: Susan Swagler
Jamie Gregory
Philip Black
Michael Mouron
Rob Walker
Carey Hollingsworth
Nays: None

Motion carries.

5. Case P-18-08: 2305 Montevallo Road EXHIBIT 2

The request is to allow an annual (summer season) farmers market at Shades Valley Presbyterian Church.

Leanne Reed, church pastor, addressed the Commission. The proposed market is intended as a service to the community to provide access to fresh, local produce; to

support Alabama farmers, and to provide neighbors with the opportunity to connect with farmers and with one another. Currently, Mountain Brook does not have a seasonal farmers market.

The applicant spoke with the Chamber of Commerce about involving local businesses and restaurants with the market as an avenue to connect with the community. The Chamber is supportive.

Rev. Reed stated that the rear parking lot is large enough to accommodate the expected crowd; parking on Montevallo Road should not be required.

Overview of the proposal:

Schedule: The market will be held on Wednesday afternoons from 3:00 p.m. to 6:00 p.m. from the first week of June to the second week of August. The market will not be held on July 4.

Vendors: This will be a grower-only market, meaning that the vendors will be farmers selling produce and food items they grow and produce themselves. Six to ten vendors are expected.

Booths: Each vendor will have a booth consisting of a 10' x 10' white tent and table. Booths will be set up on the grass around the circular drive in front of the church building.

Parking: The church's large parking lot will provide more than enough parking spaces for market customers. Drivers will be directed to use the primary entrance/exit on Montevallo Road. An off-duty police officer will be hired to assist in directing traffic in and out of the parking lot and to assist pedestrians in crossing Montevallo Road.

Children's area: A tent for children will be located on the east lawn; there will be games and arts and crafts.

Music: Live, amplified music may be provided during market hours.

Mr. Mouron asked about sales tax collection by the market. Rev. Reed stated that these type markets are not subject to sales tax collection as provided by State law. She has worked with the State of Alabama Farmers Market Authority (FMA) with the setup; the FMA offered ideas on how to partner with local businesses, so as not to be in completion with them, but to work along with them.

Mr. Gregory asked about the use of Chester Road as an entrance to the market. Rev. Reed replied that because Chester Road is a small, residential road, it will not be used as an entrance/exit to the market. Traffic will be directed to/from Montevallo Road.

Chairman Swagler asked if the farmers will sell from their trucks or from tents. Rev. Reed stated that the vendors may park in the spaces at the front of the church to unload, but they will sell from tents.

Mr. Mouron asked if the spaces in front of the church will be blocked so that customers do not park there. Rev. Reed said they would like to block them if it is allowable. Mr. Black suggested checking with the police department.

Chairman Swagler asked for further explanation regarding the music to be provided. Rev. Reed stated that she envisions one or two performers, maybe a vocalist and a guitarist. The idea is to provide background music that is soft enough for conversation to happen within the market and not to impose on neighbors.

Mr. Mouron asked for confirmation that an off-duty officer will aid with traffic flow. Rev. Reed stated that is their plan.

Chairman Swagler called for public comments.

Bill Patterson, 2300 Montevello Road - #10, Birmingham, Alabama. He is representing the Brookhill Manor Homeowners' Association. The association supports the proposal. He said that the church communicated to the association that they will work with those affected should there be any issues regarding the market.

Jane Grant, 2317 Chester Road, Mountain Brook, Alabama, is concerned about the parking area in back of the church. There is a small chain that blocks Chester Road from this parking area. On Sundays, the chain is removed to allow traffic to flow onto Chester Road. This has been a known and accepted practice. She is concerned that this route will also be allowed during the market hours. It is a safety issue because of the additional traffic and there are children that live on Chester Road. She requests that cones or something substantial be used to block Chester Road access.

Rev. Reed stated that the church will be glad to block flow to/from Chester Road with cones or another type barrier.

Mr. Mouron suggested that the Police Department evaluate the parking situation in front of the church (in the right-of-way).

Sam Gaston, City Manager, stated that parking issues will be addressed through the Special Events permit that is required and obtained through the City Manager's Office.

The Commission discussed whether approval would be on-going or annually reviewed/renewed.

Mr. Colvin presented the idea that an annual informal review could be scheduled to insure that the market is working as anticipated.

Chairman Swagler called for a motion.

Motion: Mr. Gregory, motion to approve the request for an annual seasonal farmers market, to be held on Wednesday afternoons from 3:00 p.m. to 6:00 p.m., from the first week of June to the second week of August. Conditions of approval:

1. Subject to obtaining a Special Events permit from the City Manager's Office.
2. In addition to the chain at the egress to Chester Road, place cones at egress to Chester Road during the events to further discourage any use of Chester Road during this event.
3. This farmers market is approved annually, until such time the Commission may elect to revoke approval.

Second: Mr. Black

The vote was recorded as follows:

Ayes: Susan Swagler
 Jamie Gregory
 Phillip Black
 Michael Mouron
 Rob Walker
 Carey Hollingsworth

Nays: None

Motion carries.

6. Case P-18-09: 3239 and 3339 Country Club Road

EXHIBIT 3

Request for approval of rezoning of The Country Club of Birmingham from Residence-A District to Recreational-2 District.

Mr. Hollingsworth recused himself from the case.

Taylor Schoel, Schoel Engineering, 1001 22nd Street S., Birmingham, Alabama, recognized President Harlan Prster, The Country Club of Birmingham and Vice President Mike Brown, The Country Club of Birmingham.

Mr. Schoel presented the request for a favorable recommendation to the City Council for the rezoning of the subject property from Residence-A District to Recreational-2 District. No new improvements or changes in operational characteristics are proposed in conjunction with this rezoning request.

Chairman Swagler stated Residence-A serves as a default zoning district for institutional uses.













Mr. Mouron said that Mountain Brook Club has rezoned to Recreational-2 District.

There were no public comments. Chairman Swagler called for a motion.

Motion: Mr. Mouron, motion to recommend to the City Council approval of the rezoning request as submitted.

Second: Mr. Gregory



-  **Key Commercial** - These are only a few occurrences of these kinds of uses in Mountain Brook. This category includes the more intense commercial uses, such as hotels, large restaurants, and shopping centers. These uses are high amount of traffic and rely on a predominantly automobile oriented site design and infrastructure. The appropriate implementation of this category is through the Community Shopping District.
-  **Multi-Use** - Land uses in this category utilize buildings designed for a variety of uses, such as retail, office or residential use on the upper levels. This category is generally only appropriate at defined locations where the intensity of use is higher than residential uses will not disrupt the primary retail function of the area, and can provide a broader public benefit to the Village as a whole. Multi-story buildings are appropriate in this category. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category.
-  **Local Business District** - Land uses in this category are primarily intended to be average-scale residential and/or office developments. These uses range from single-family residential to multi-family residential. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category.
-  **Low Density Residential** - Land uses in this category are primarily intended to be average-scale residential and/or office developments. These uses range from single-family residential to multi-family residential. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category.
-  **General Commercial** - The majority of the city's commercial building type is in the Zoning Residences. An expensive list of uses in the Zoning Residences. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category.
-  **General Commercial - Retail District** - Land uses in this category are primarily intended to be average-scale residential and/or office developments. These uses range from single-family residential to multi-family residential. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category.
-  **Office** - Land uses in this category include any professional or business office use, regardless of if it is a single or multi-story building. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category.
-  **Medium Density Residential** - Land uses in this category are primarily intended to be average-scale residential and/or office developments. These uses range from single-family residential to multi-family residential. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category.
-  **Residence A, Residence B, and Cluster Residential** - Land uses in this category are primarily intended to be average-scale residential and/or office developments. These uses range from single-family residential to multi-family residential. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category.
-  **High Density Residential** - Land uses in this category are primarily intended to be average-scale residential and/or office developments. These uses range from single-family residential to multi-family residential. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category.
-  **Village Residential** - Land uses in this category are primarily intended to be average-scale residential and/or office developments. These uses range from single-family residential to multi-family residential. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category.
-  **Cultural/Recreation** - Land uses in this category are primarily intended to be average-scale residential and/or office developments. These uses range from single-family residential to multi-family residential. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category. The appropriate implementation of this category is the appropriate building type for this category.

3

Villages By Design

Mountain Brook Village - Adopted June 2007

10/11/13

3.0 MOUNTAIN BROOK VILLAGE MASTER PLAN

The Mountain Brook Village Master Plan is based primarily on the Vision, Value and Goals established through the public participation process. To achieve this Vision, all future development should be arranged and organized based upon three key plan components: (1) Land Use; (2) Building and Design; and (3) Transportation and Circulation.

3.1 VISION

3.2 LAND USE POLICY MAP

The Land Use Policy Map is a plan that recommends future uses of land and buildings. It guides future development and provides a framework for future physical and policy recommendations of the Master Plan.

The map reflects some of the following general categories of land use that are currently used in the Village. Not all categories are currently represented or recommended in the Village planning area. Where these categories and descriptions differ

3.1 VISION

3.2 LAND USE POLICY MAP

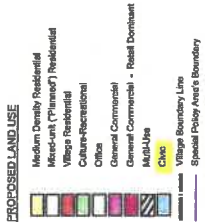
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The map reflects some of the following general categories of land use that are currently used in the Village. Not all categories are currently represented or recommended in the Village planning area. Where these categories and descriptions differ

City of MOUNTAIN BROOK

MOUNTAIN BROOK VILLAGE

LAND USE POLICY MAP



This area should be incorporated into the current density, however, up to a 15% increase in density is permitted provided there is a mix of dwelling types and a substantial mix of dwelling units, including at least 3 of the following different dwelling types:

- o Apartments (stacked flat building types on corner lots)
- o Townhouses (1800 to 2400 s.f. individually owned lots/detached structures)
- o Cottage homes (2400 - 4800 s.f. individually owned lots/detached structures)
- o Single-family homes (4800 s.f. + individually owned lots/detached structures)
- o Condominiums (stacked flat building type, but individually owned units)

A mix of building types that preserves the potential for retaining rental housing opportunities near the Village is encouraged.

Enhance streetscape and primary building frontages (should be associated with commercial and residential uses) and maintain Park Road strengthening connections into the Village.

[2] Special Policy Area 2 represents the Office Park currently zoned "Office Park District." Any future development for the Office Park area should occur through rezoning to an employment-based PUD. The development plan that supports this future flexible zoning should require the following planning principles:

- o The development plan should provide a more exciting and compelling environment presenting existing and new buildings, trees, landscaping, vegetation and open spaces wherever possible (similar to the office developments further south on Cahaba.)

[3] Special Policy Area 3 represents residential lots fronting on Brook Manor. Any future development in this area should occur through rezoning to a residential PUD. The development plan that supports this future flexible zoning should require the following planning principles:

- o Higher scale buildings may be more appropriate subject to the following:
 - o No buildings above 2 stories shall be located on the north side of Brook Manor.
 - o Any new buildings on the north side of Brook Manor shall maintain setback and side setbacks consistent with the existing single family homes on Chester, so as to not have an adverse impact on these homes.
 - o Buildings up to 3 stories may be permitted on the south side of Brook Manor, provided the scale of this area when the building scale can be minimized by the relationships to the existing grades to the south.
 - o Buildings up to 4 stories may be permitted on the north side of Brook Manor, provided the scale of this area when the building scale can be minimized by the relationships to the existing grades to the south and to the west.

The plan should create significant green space serving a dual purpose as storm water mitigation and a significant focal point for the neighborhood, as well retain a significant

Building scale should transition with topography with up to 6-story buildings near the lower southern portions and 3-story buildings in the higher northern portions.

Building footprints and parking areas should be concentrated to maximize the impact of natural open areas. Buildings clustered around central focal point open spaces and structured parking are preferred.

The circulation network shall maintain one primary route through the area, which shall be the Cahaba Road, and shall be maintained with a more natural streetscape with native and heavy vegetation. At least one secondary connection shall be included with the Community Shopping district to the north. A traffic impact study shall be conducted to determine if the proposed development can support the planned level of development. Mountain Brook Village is anticipated.

At least one Pedestrian Passage shall be maintained from the center of the development to the north and into the core of Mountain Brook Village. Pedestrian connections to the north and south shall be provided as prominent framework elements of the plan for the PUD.

A greenway or trail for bicycles and pedestrian use shall be provided along the property on the west side of Cahaba Road.

Gateway features coordinated with the Pedestrian Passage, the greenway or trail, and the through connection at Cahaba Road should be provided with signage and landscaping consistent with the Mountain Brook Village (i.e. English Tudor style with stone and slate materials).

An Open Space plan for the PUD should be developed incorporating small pocket parks and overlooks with a pedestrian circulation system for the area.

The predominant land use of the site should be office or employment that can support Mountain Brook Village with a large daytime population, on Highway 280. Retail and service uses included in the plan should be accessory and supportive of office and employment uses, and should not undermine the core of the Village as the retail and service destination for surrounding areas.

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The plan should create significant green space serving a dual purpose as storm water mitigation and a significant focal point for the neighborhood, as well retain a significant



The plan should create significant green space serving a dual purpose as storm water mitigation and a significant focal point for the neighborhood. All green spaces and public spaces should be designed at highly visible locations as focal points for the site. Pedestrian connections to the north and south shall be provided as prominent framework elements of the plan for the PUD.

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Gateway features coordinated with the Pedestrian Passage, the greenway or trail, and the through connection at Cahaba Road should be provided with signage and landscaping consistent with the Mountain Brook Village (i.e. English Tudor style with stone and slate materials).

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