



SPECIAL CALLED PLANNING & ZONING MEETING

THURSDAY, SEPTEMBER 26, 2019 8:30 A.M.

5TH FLOOR CONFERENCE ROOM, CITY HALL

COUNCILOR STEVEN W. HOYT, CHAIR

AGENDA

I. CALL TO ORDER

II. APPROVAL OF MINUTES

- August 29, 2019

III. DISCUSSION OF COMMITTEE APPOINTMENTS/ REAPPOINTMENTS

- Design Review
- Zoning Board of Adjustment
- Planning Commission

IV. ZONING ITEMS

- 1. ZAC2019-00019.....Forest Park**
Application for a change in zone district boundaries from B-2, General Business District to MU-M, Mixed-Use Medium District filed by C. Randall Minor, representing the owners, ABR properties, L.L.C., Axel Rivera Barron and Susan Linebarr Barron for the property located at 4211 3rd Avenue South and situated in the SW ¼ of Section 29, Township 17-S, Range 2-West (35222, District 5).

Proposed Use: To allow the construction of a new 4 story residential apartments.

The City's Long Range Land Use Plan identifies the property as **Mixed-Use Low** a designation applied to compact, walkable, residential and

commercial areas; therefore the proposed rezoning request **is somewhat consistent with the Long Range Land Use Plan.**

The Forest Park Neighborhood Association met at its regularly scheduled meeting on **August 6, 2019** to review the proposed project and voted **“To Recommend Approval”** of the proposed rezoning request. The vote was **40 approved** and **0 denied**.

As a courtesy, the applicant presented the proposed redevelopment to the neighboring **East Avondale Neighborhood Association** at its regularly scheduled meeting on **August 12, 2019**. **The East Avondale Neighborhood Association** did support the rezoning request.

Zoning Advisory Committee Action:

The Zoning Advisory Committee met at its regularly scheduled meeting on **September 3, 2019** to review the applicant’s rezoning request and voted to **Recommend** approval.

2. **ZAC2019-00020.....Forest Park**
Application for a change in zone district boundaries from B-2, General Business District to MU-M, Mixed-Use Medium District, filed by C. Randall Minor, representing the owners, ABR properties, L.L.C., Axel Rivera Barron and Susan Lineberry Barron for the property located at 4241 3rd Avenue South and situated in the SW ¼ of Section 29, Township 17-S, Range 2-West (35222, District 5).

Proposed Use: To allow the construction of a new 4 story residential apartment units.

The City’s **Long Range Land Use Plan** identifies the property as **Mixed-Use Low** a designation applied to compact, walkable, residential and commercial areas; therefore the proposed rezoning request **is somewhat consistent with the Long Range Land Use Plan.**

The Forest Park Neighborhood Association met at its regularly scheduled meeting on **August 6, 2019** to review the proposed project and voted **“To Recommend Approval”** of the proposed rezoning request. The vote was **40 approved** and **0 denied**.

As a courtesy, the applicant presented the proposed redevelopment to the neighboring **East Avondale Neighborhood Association** at its regularly scheduled meeting on **August 12, 2019**. **The East Avondale Neighborhood Association** did support the rezoning request.

Zoning Advisory Committee Action:

The Zoning Advisory Committee met at its regularly scheduled meeting on **September 3, 2019** to review the applicant's rezoning request and voted to **Recommend** approval.

3. **ZAC2019-00021.....Norwood**
Application for a change in zone district boundaries from CB-1 (Contingency Neighborhood Business District) and CR-5 (Contingency Multiple Dwelling District) to C-2 (General Commercial District), filed by Cheryl Kent, representing the owner, SHOKIEBILT Inc., for the property located at 3200 12th Avenue North and 3220 12th Avenue North and situated in the **SE¼ of Section 24, Township 17-S, Range 3-West. (35234, District 4).**

Proposed Use: Bar and grille to include karaoke, patron dancing and live entertainment.

The City's **Long Range Land Use Plan** identifies the property as **Mixed-Use Low** a designation applied to compact, walkable, residential and commercial areas; therefore the proposed rezoning request **is somewhat consistent with the Long Range Land Use Plan.**

The City's **Long Range Land Use Plan** identifies the property as **Mixed-Use Low**; therefore the proposed rezoning request **is somewhat consistent with the Long Range Land Use Plan.**

The Norwood Neighborhood Association met at its regularly scheduled meeting on **August 24th, 2019** to review the proposed project and voted "**To Recommend Approval**" of the proposed rezoning request – Subject to the following "Q" Conditions. The vote was 22 approved and 0 denied.

Norwood Neighborhood Association proposed the following "Q" Conditions:

- 1) *Hours of operation shall be limited to the following:*
 - *Sunday through Thursday closing no later than 10pm*
 - *Friday and Saturday closing no later than 12am*
- 2) *All business and entertainment is limited to inside the building*
- 3) *Manage and maintain parking to ensure that residents have adequate access to property from street and alley.*
- 4) *Additional planting to buffer property line on 32nd Street North*
- 5) *The following uses are NOT permitted:*
 - *Communal Living Facility*
 - *Dwelling, Caretaker*
 - *Dwelling, Accessory*
 - *Dwelling Unit, Other*

- *Accessory Structure*
- *Garage Sale/Yard Sale*
- *Adult Care Center*
- *Child Care Center*
- *Family Day/Night Care Home*
- *Family Group Day/Night Care Home*
- *Accessory Child Care Center*
- *Internment, Columbarium*
- *Internment, Mausoleum*
- *Private Club*
- *Rummage Sale*
- *Opioid Replacement Therapy Treatment Facility*
- *Animal Boarding Facility*
- *Animal Day Care*
- *Animal Kennel*
- *Automobile Sales*
- *Automobile Service*
- *Automobile/Light Truck Repair*
- *Off-Premise Sign*
- *Car Wash, Automated*
- *Car Wash, Manual*
- *Donation Box*
- *Donation Center*
- *Event Center*
- *Funeral Home*
- *Hotel*
- *Market, Public*
- *Mini-Storage Warehouse*
- *Payday Loan*
- *Title Loan/Pawnshop*
- *Broadcast Satellite*
- *Broadcast Tower*
- *Cellular, Microwave or Two-Way Antennas*
- *Cellular, Microwave or Two-Way Towers*
- *Apiary*
- *Chicken Coop*
- *Community Garden*
- *Urban Farm, Outdoor*
- *Bus Station*
- *Utility Substation*
- *Reservoir/Water Tank*
- *Solar Panel, Building Mounted*
- *Solar Panel, Ground Mounted*
- *Water/Sewer Pumping Station*

- *Recycling Collection Center*
- *Adult Establishment*
- *Amphitheater*
- *Arena*
- *Amusement, Indoor*
- *Amusement, Outdoor*
- *Convention Center*
- *Driving Range Free-Standing*
- *Stadium*

Zoning Advisory Committee Action:

The Zoning Advisory Committee met at its regularly scheduled meeting on **September 17th, 2019** to review the applicant's rezoning request and voted to **Recommend** approval subject to the following Q Conditions:

- 1) *Hours of operation shall be limited to the following:*
 - *Sunday through Thursday closing no later than 10pm*
 - *Friday and Saturday closing no later than 12am*
- 2) *All business and entertainment is limited to inside the building (except a public market and farmer's market)*
- 3) *Manage and maintain parking to ensure that residents have adequate access to property from street and alley.*
- 4) *Additional planting to buffer property line on 32nd Street North*
- 5) *The following uses are NOT permitted:*
 - *Communal Living Facility*
 - *Dwelling, Caretaker*
 - *Dwelling, Accessory*
 - *Dwelling Unit, Other*
 - *Accessory Structure (except an approved solid waste container)*
 - *Garage Sale/Yard Sale*
 - *Adult Care Center*
 - *Family Day/Night Care Home*
 - *Family Group Day/Night Care Home*
 - *Internment, Columbarium*
 - *Internment. Mausoleum*
 - *Private Club*
 - *Rummage Sale*
 - *Opioid Replacement Therapy Treatment Facility*
 - *Animal Boarding Facility*
 - *Animal Day Care*

- *Animal Kennel*
- *Automobile Sales*
- *Automobile Service*
- *Automobile/Light Truck Repair*
- *Off-Premise Sign*
- *Car Wash, Automated*
- *Car Wash, Manual*
- *Donation Box*
- *Donation Center*
- *Event Center*
- *Funeral Home*
- *Hotel*
- *Mini-Storage Warehouse*
- *Payday Loan*
- *Title Loan/Pawnshop*
- *Broadcast Satellite*
- *Broadcast Tower*
- *Cellular, Microwave or Two-Way Antennas*
- *Cellular, Microwave or Two-Way Towers*
- *Apiary*
- *Chicken Coop*
- *Community Garden*
- *Urban Farm, Outdoor*
- *Bus Station*
- *Utility Substation*
- *Reservoir/Water Tank*
- *Solar Panel, Building Mounted*
- *Solar Panel, Ground Mounted*
- *Water/Sewer Pumping Station*
- *Recycling Collection Center*
- *Adult Establishment*
- *Amphitheater*
- *Arena*
- *Amusement, Indoor*
- *Amusement, Outdoor*
- *Convention Center*
- *Driving Range Free-Standing*
- *Stadium*

6) *In addition to the existing landscaping, 1 new street tree and 1 new canopy tree should be planted for every 40 feet of street frontage.*

7) *In addition to the existing landscaping, 3 canopy trees should be planted in the parking area (does not include street frontage trees).*

V. OLD AND NEW BUSINESS

VI. ADJOURN

If accommodation is required for an event or meeting, please contact: Chiara Perry, Birmingham City Council Public Information Officer, with reasonable advance notice by e-mailing her at Chiara.Perry@birminghamal.gov or calling her at (205) 254-2498.