



# COMMITTEE REPORT



JOINT PLANNING AND ZONING AND SPECIAL CALLED COMMITTEE OF THE WHOLE MEETING  
Thursday, September 26, 2019  
8:30 a.m.  
5<sup>TH</sup> Floor Conference Room

## MINUTES

COUNCILOR STEVEN W. HOYT, COMMITTEE CHAIR  
COUNCILOR ABBOTT & COUNCILOR O'QUINN, COMMITTEE MEMBERS

Councilor(s) Present: Hoyt, Abbott, O'Quinn

### I. CALL TO ORDER

Councilor Hoyt called the meeting to order.

### II. APPROVAL OF MINUTES - August 29, 2019

**Action Taken:**

Councilor Abbott: Moved to Approve.

Councilor Hoyt: Seconded.

### III. DISCUSSION OF COMMITTEE APPOINTMENTS/ REAPPOINTMENTS

- Design Review
- Zoning Board of Adjustment
- Planning Commission

**Action Taken:**

The Committee will meet on October 2, 2019 to review and discuss list of candidates.

No Action - Information Only

### 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 3<sup>rd</sup> 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.

MINUTES

**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.

**Action Taken:**

**Councilor O'Quinn:** **Moved to Approve.**

**Councilor Abbott:** **Seconded.**

**Item Recommended to the City Council Agenda.**

**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 Linebarr Barron for the property located at 4241 3<sup>rd</sup> 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.

**Action Taken:**

**Councilor O'Quinn:** **Moved to Approve.**

**Councilor Abbott:** **Seconded.**

**Item Recommended to the City Council Agenda.**

**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 24<sup>th</sup>, 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**.

MINUTES

**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 32<sup>nd</sup> 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

MINUTES

- *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 17<sup>th</sup>, 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 32<sup>nd</sup> 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*

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**MINUTES**

- *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).*

**Action Taken:**

**Councilor O'Quinn: Moved to Approve.**

**Councilor Abbott: Seconded.**

**Item Recommended to the City Council Agenda.**

**V. OLD AND NEW BUSINESS**

None

**VI. ADJOURN**

Meeting Adjourned.