

SPECIAL CALLED JOINT PLANNING AND ZONING AND COMMITTEE OF THE WHOLE MEETING

Wednesday October 9, 2019

8:30 a.m.

5TH 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 - September 26, 2019

Action Taken:

Councilor O'Quinn: Moved to Approve.

Councilor Abbott: Seconded.

III. DISCUSSION OF COMMITTEE APPOINTMENTS/ REAPPOINTMENTS

- Design Review
- Zoning Board of Adjustment
- Planning Commission

Action Taken:

This item was delayed for a special called committee meeting scheduled for Wednesday, October 16, 2019.

IV. ZONING ITEMS

1. ZAC2019-00022, Redmont Park

Application for a change in zone district boundaries from R-6 (Multiple Dwelling District) to B-3 (Community Business District) filed by C. Randall Minor, Esq., representing the owners, Southside Investors II LLC. for the property located at 1248 22 Street South and situated in the NW ¼ of Section 06, Township 18- S, Range 2-West (District3).

Proposed Use: Mixed use development to include hotel, residential condominiums and associated accessory uses

*The City's Long Range Land Use Plan identifies the property as **Mixed-Use Medium** 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 **Redmont Park Neighborhood Association met** at its regularly scheduled meeting on **August 27, 2019** to review the proposed project and voted to continue the request. They met again on **September 17, 2019** and voted to **"Not Recommend"** approval of the proposed rezoning request. The vote was **43 approved** and **82 denied**.

As a courtesy, the applicant presented the proposed redevelopment to the neighboring **Highland Park Neighborhood Association** at its regularly scheduled meeting on **September 10, 2019** and the Neighborhood voted to continue the request. They met again on **September 24, 2019** and voted to **"Not Recommend"** approval of the proposed rezoning request. The vote was **27 approved** and **41 denied**. The Neighborhood did unanimously vote that, "In the event of a recommended approval by the ZAC, it should include the Q conditions (that were submitted by the developer). Moreover, it is the sense of the Neighborhood that this rejection is primarily based on what the neighborhood perceives to be the excessive height of these proposed structures."

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Zoning Advisory Committee Action:

The Zoning Advisory Committee met at its regularly scheduled meeting on **October 1, 2019** to review the applicant's rezoning request and voted to **Not Recommend** approval.

2. **ZAC2019-00023, Redmont Park**

Application for a change in zone district boundaries from R-6 (Multiple Dwelling District) and O&I (Office and Institutional District) to B-3 (Community Business District), filed by C. Randall Minor, Esq., representing the owner, 2222 Arlington Company LLC, for the properties located at 2222 Arlington Avenue, 2228 Arlington Avenue, 1232 22 Street South, 1236 22 Street South, and 1240 22nd Street South and situated in the NW¼ of Section 06, Township 18-S, Range 2- West (District 3).

Proposed Use: Mixed use development to include hotel, residential condominiums and associated accessory uses

The City's **Long Range Land Use Plan** identifies the property as **Mixed-Use Medium 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 **Redmont Park Neighborhood Association** met at its regularly scheduled meeting on **August 27, 2019** to review the proposed project and voted to October 9, 2019 continue the request. They met again on **September 17, 2019** and voted to **"Not Recommend"** approval of the proposed rezoning request. The vote was **47 approved** and **79 denied.**

As a courtesy, the applicant presented the proposed redevelopment to the neighboring **Highland Park Neighborhood Association** at its regularly scheduled meeting on **September 10, 2019** and the Neighborhood voted to continue the request. They met again on **September 24, 2019** and voted to **"Not Recommend"** approval of the proposed rezoning request. The vote was **27 approved** and **41 denied.** The Neighborhood did unanimously vote that, "In the event of a recommended approval by the ZAG, it should include the Q conditions (that were submitted by the developer). Moreover, it is the sense of the Neighborhood that this rejection is primarily based on what the neighborhood perceives to be the excessive height of these proposed structures."

Zoning Advisory Committee Action:

The Zoning Advisory Committee met at its regularly scheduled meeting on **October 1, 2019** to review the applicant's rezoning request and voted to **Recommend** approval subject to the following "Q" Conditions:

1. Submission to and approval by the planning staff of the PEP Department of a site development plan to include, but not be limited to, the location and height of all structures; parking, including architectural screening along Arlington Avenue; ingress and egress; and the location and screening of solid waste disposal container by a fence constructed of wood, masonry brick, or concrete which is architecturally compatible with the primary building sufficient in height on all four (4) sides.
2. No structure shall be erected to a height in excess of 80 feet.
3. Uses are limited to those allowed in B-3, Community Business District, excluding the following:
 - (a) Drive-in Restaurant
 - (b) Automotive, farm implement or trailer display or sales.
 - (c) Service station.
 - (d) Hardware or building material sales.
 - (e) Motel.

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- (f) Amusement (indoor and outdoor except when the property abuts residential zoned property located within the City of Birmingham); amusement (outdoor) is only allowed by special exception granted by the Zoning Board of Adjustment.
- (g) Laundry, dry cleaning or dyeing plant (except for a dry cleaning and laundry drop off point for the residents and guests of the development).
- (h) Business service shop, such as blueprinting, accounting, duplicating or employment agency.
- (i) Business, music or dancing school.
- (j) Repair service for such items as radios, televisions, shoes, watches or jewelry.
- (k) Automotive, farm implement or trailer repair or servicing.
- (l) Undertaking establishment or mortuary.
- (m) Wholesale establishment, including storage and display.
- (n) Carpentry, painting, plumbing, tinsmithing, and electrical shops; provided, that all work on the premises is done within a building, and all materials are stored in a building.
- (o) Testing or research laboratory.
- (p) Millinery, dressmaking or tailoring.
- (q) Printing or engraving.
- (r) Light manufacturing limited to the following:
 - a. Furniture.
 - b. Jewelry.
 - c. Cosmetics.
 - d. Candy.
 - e. Fur goods, except tanning or dyeing.
 - f. Medical, dental, or drafting instruments.
 - g. Optical equipment, clocks, watches and similar precision instruments.
- (s) Other manufacturing, processing, fabricating or assembling operations which do not create any objectionable noise, vibrations, smoke, dust, odor, heat or glare, but only when the manufacturing, processing, fabricating, or assembling is incidental to a retail business conducted on the premises.
- (t) Mini-Warehouse.
- (u) Hospitals or other institutions, but not including mental hospitals or penal institutions; provided, however, churches shall not be excluded.
- (v) Public buildings.
- (w) Telephone exchange or service buildings (except as related to the development).
- (x) Utility Installation or service building (except as related to the development).
- (y) Adult Care Facility or Child Care Center (except as an accessory use).
- (z) Wireless communications facility, in accordance with Article VI, Section 18.
 - (aa) Apiary.
 - (bb) Pay Day (Deferred Presentment) and Title Loan operations.

Action Taken:

Councilor O' Quinn: Moved to Delay.

Councilor Abbott: Seconded.

Item Delayed for One (1) month.

V. MINI-STORAGE WAREHOUSE ZONING CHANGES

Action Taken:

Councilor O'Quinn: Moved to Delay.

Councilor Abbott: Seconded.

Item Delayed for One (1) month.

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VI. OLD AND NEW BUSINESS
None

VII. ADJOURN
Councilor O'Quinn: _____ Moved to Adjourn.
Councilor Hoyt: _____ Seconded.
Meeting Adjourned.