



**PLANNING & ZONING MEETING  
WEDNESDAY, MARCH 25<sup>th</sup>, 2020  
12:00 PM  
5<sup>TH</sup> FLOOR CONFERENCE ROOM, CITY HALL  
COUNCIL PRESIDENT WILLIAM PARKER, CHAIR**

**AGENDA**

I. CALL TO ORDER

II. APPROVAL OF MINUTES

- February 12<sup>th</sup>, 2020

III. ZONING ITEMS

**1. ZAC2019-000013..... Ensley**  
Application for a change in zone district boundaries from R-3 (Single Family Residential District) to C-2 (General Commercial District), filed by Varnie Barker, representing the owner, Birmingham City Schools, for the properties located at 1301 15<sup>th</sup> Street and 1400 Avenue M and situated in the SE¼ of Section 31, Township 17-S, Range 3-West. (35218, District 9).

**Proposed Use:** To adaptively re-use the former Council School for a Business Incubator

The City's Long Range Land Use Plan identifies the property as Residential Low; a designation applied to single-family homes, schools, churches and neighborhood-servicing public uses; therefore the proposed rezoning request **is Not Consistent** with the Long Range Land Use Plan.

***Neighborhood Recommendation:***

The Ensley Neighborhood Association met at its regularly scheduled meeting on July 18, 2019, to review the proposed project and voted to **RECOMMEND** approval of the proposed rezoning request. The vote was 12 approved and 1 denied.

The City's Watershed Staff reviewed the applicant's proposal and if the request is approved, recommends the following:

- *ADEM Construction NPDES Permit inclusion will be required prior to the issuance of City SEC permits.*
- *City of Birmingham Soil Erosion Control permit will be required.*
- *City of Birmingham Civil Construction permit will be required.*
- *Post Construction runoff shall not exceed pre-project runoff for the 1,2, 10, and 25-year storm events. The 100-year storm shall safely pass the system.*
- *LID/GI practices are required for the parking space area that is greater than the requirement for the parking space count.*
- *Compliance with the Post Construction Stormwater Ordinance is required.*
- *Portions of the site are in the FEMA Special Flood Hazard Area, and compliance with the floodplain ordinance is required.*
- *A review meeting with City Personnel is recommended prior to any construction.*

**Zoning Advisory Committee Action:**

The Zoning Advisory Committee met at its regularly scheduled meeting on February 4<sup>th</sup>, 2020, to review the applicant’s rezoning request and voted to **RECOMMEND** approval with the following “Q” Conditions:

1. Office use and accessory uses to office use and civic uses.
2. Signage limited to those sign requirements that are allowed in a B-1, Neighborhood Business District. A monument sign is allowed and not to exceed 36SF of sign area.

**2. ZAC2019-00040 ..... North Birmingham**

Application to change zone district boundaries from C-2 (General Commercial District) to I-1 (Light Manufacturing District) in order to allow a gravel parking area for storage of trailers and other equipment filed by Reliable Property Group LLC, representing the owner, Finley Blvd LLC, for the properties located at 2409 20th Street North; 2008 24th Avenue North; 2015 24th Court North; 2014 24th Avenue North; 2019 24th Court North and 2414 21st Street North and situated in the SW ¼ of Section 23, Township 17-S, Range 3-West (Council District 9).

**Proposed Use:** Gravel parking area for storage of trailers and other equipment

The City’s **Long Range Land Use Plan** identifies the properties as **Light Industrial**. This land use category is reserved for light industrial and office uses, small warehouse and distribution facilities, urban agriculture, and other supporting uses such as minor retail and services related to the industrial uses. Light industrial districts can be located in “business park” settings, and are typically located near major transportation routes such as Interstates, State Highways, railroad ROWs, and airport facilities. Residential uses are not recommended and are only permitted by the Zoning Board of Adjustments with special exception. The proposed rezoning request is **consistent** with the **Long Range Land Use Plan**.

**Implementation Committee & Neighborhood Recommendation:**

The applicant met with the North Birmingham Redevelopment Committee of the North Birmingham Implementation Committee on Tuesday, January 28<sup>th</sup>, 2020. The Committee voted unanimously to **recommend** approval of the rezoning request subject to the following “Q” Conditions:

- 1) *The applicant should install landscaping (shrubs) along the front of the fence on the Finley Avenue side of the property.*
- 2) *The curb cut/driveway on 20th Street North should include at least 20 feet of concrete or asphalt (to catch any loose gravel on vehicles exiting the site)*
- 3) *Any changes/modifications to the site plan or any future development must be reviewed by the North Birmingham Implementation Committee and the Zoning Advisory Committee.*

The applicant was scheduled to meet with the *North Birmingham Neighborhood Association* on Monday, February 10<sup>th</sup>, 2020, at its regularly scheduled meeting. Unfortunately, the meeting was cancelled due to inclement weather. The applicant will be attending the March Neighborhood Association Meeting.

**Zoning Advisory Committee Action:**

The Zoning Advisory Committee met at its regularly scheduled meeting on February 18<sup>th</sup>, 2020, to review the applicant’s rezoning request and voted to **RECOMMEND** approval with the following “Q” Conditions:

- 1) *The applicant should install landscaping (shrubs) along the front of the fence on the Finley Avenue side of the property.*
- 2) *The curb cut/driveway on 20th Street North should include at least 20 feet of concrete or asphalt (to catch any loose gravel on vehicles exiting the site)*
- 3) *Any changes/modifications to the site plan or any future development must be reviewed by the North Birmingham Implementation Committee and the Zoning Advisory Committee.*

**3. ZAC2020-00001 ..... Five Points South**

Application to change zone district boundaries from CR-5 (Contingency Multiple Dwelling District) to D-5 (Multiple Dwelling District) to allow construction of a new, multi-family apartment building, filed by Randall Minor, representing the owner, Trident Investment, LLC, for the property located at 1301 & 1305 17<sup>th</sup> Avenue South and situated in the NW ¼ of Section 12, Township 18-S, Range 3-West (Council District 3).

**Proposed Use:** Multi-family apartment building

The City’s **Long Range Land Use Plan** identifies the property as **Residential Medium**. This land use category allows for a mix of single- and two-family homes, townhouses and small apartment buildings (six or fewer units). In addition, schools, churches, and neighborhood serving public uses are allowed. Residential Medium Density land uses in the Northside

Southside Area are concentrated in select residential areas in Fountain Heights and Five Points South. The vast majority of these developments are duplexes, townhomes and two-story apartment communities. Larger apartment communities of four stories or higher are not recommended. This property is in the Northside/Southside Framework Plan. The Plan identifies this property as residential medium and recommends that the zoning be changed to D-5. The proposed rezoning request is ***Somewhat Consistent*** with the ***Long Range Land Use Plan***

***Neighborhood Recommendation:***

The *Five Points South Neighborhood Association* met at its regularly scheduled meeting on January 27<sup>th</sup>, 2020, to review the proposed project and voted to not recommend the request. The vote was 0 approved and 6 denied. The reasons for denial were: 1) wait until the rezoning is voted upon by the City and 2) a revised site plan is presented increasing parking. The applicant went back to the Neighborhood Association on Monday, February 24<sup>th</sup>. There was a vote of confidence for the project – it was 7 approved and 3 denied.

***Zoning Advisory Committee Action:***

The Zoning Advisory Committee met at its regularly scheduled meeting on March 3<sup>rd</sup>, 2020, to review the applicant’s rezoning request and voted to ***RECOMMEND*** approval.

**4. ZAC2020-00002 ..... Glen Iris**

Application to change zone district boundaries from B-5 (Mixed Business District) to C-2 (General Commercial District) in order for the property to be redeveloped into an automobile dealership and service center, filed by Ray Jones, representing the owner, ATLAS NC 1 SPE LLC, for the property located at 488 Palisades Boulevard and situated in the NE ¼ of Section 14, Township 18-S, Range 3-West (Council District 3).

**Proposed Use:** Automobile dealership to include a service center

The City’s ***Long Range Land Use Plan*** identifies the property as ***General Commercial***. This land use category is characterized by commercial and service uses, general and large retail uses, restaurants and food stores. Additional uses include hotels, motels, movie theatres, offices, schools and multi-family residential. This property is in the Northside/Southside Framework Plan. The Plan identifies this property as General Commercial and recommends that the zoning be changed to C-2 (B-5 does not exist in the new zoning classifications). The proposed rezoning request is ***Consistent*** with the ***Long Range Land Use Plan***.

***Neighborhood Recommendation:***

The *Glen Iris Neighborhood Association* met at its regularly scheduled meeting on February 3<sup>rd</sup>, 2020, to review the proposed project and did not take a vote on the rezoning request. The *Glen Iris Neighborhood Association* met at its regularly scheduled meeting on March 2<sup>nd</sup>, 2020, and voted to ***RECOMMEND*** approval subject to the following “Q” Condition:

1) Submission to and approval by the local Neighborhood Association and the Zoning Advisory Committee (ZAC) of a site development plan to include but not be limited to, the location and heights of all structures; parking; ingress and egress (including a traffic circulation plan); landscaping; location, size and number of all signs; storm water drainage; buffering and screening; exterior lighting plan; 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 4 sides with a double wooded gate at the entrance; and screening of all HVAC units and satellite dishes. In addition, the site development plan should include details regarding the proposed hours of operation, delivery schedule (if applicable), noise mitigation plan and any other information required by the PEP Staff. All on and off site improvements shall be developed and maintained in strict conformance with the approved site development plan. All landscaping as per approved landscaping plan, shall be installed prior to the occupancy of the development and shall be maintained in a living condition no less than as installed. Any amendments, additions, deletions, alteration or changes to any of the above listed standards of the approved site development plan, shall require approval of an amendment to the approved site development plan by the local Neighborhood Association and the Zoning Advisory Committee (ZAC).

***Zoning Advisory Committee Action:***

The Zoning Advisory Committee met at its regularly scheduled meeting on February 4<sup>th</sup>, 2020, to review the applicant's rezoning request and voted to ***RECOMMEND*** approval.

IV. MINI-STORAGE WAREHOUSE UPDATE

V. ZBA AND PLANNING COMMISSION APPLICATION UPDATE

VI. OLD AND NEW BUSINESS

VII. 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](mailto:Chiara.Perry@birminghamal.gov) or calling her at (205) 254-2498.*