



**PLANNING & ZONING MEETING
WEDNESDAY, SEPTEMBER 2, 2020
3:30 PM
CITY COUNCIL CHAMBERS, CITY HALL
COUNCIL PRESIDENT WILLIAM PARKER, CHAIR**

AGENDA

I. CALL TO ORDER

II. ZONING ITEMS

1. ZAC2020-000011..... Inglenook
Application to change zone district boundaries from QM-1(Qualified Light Manufacturing District) and M-3(Planned Industrial District) to C-2(General Business District) to allow for a new and separate facility Temple for Sunday Services & education, filed by Steven Chau, representing the owner, An Quang Buddhist Temple Inc., for the property located at 4000 East Lake Boulevard and situated in the SW1/4 of Section 17, Township 17-S, Range 2-West (District 4).

Proposed Use: Temple and associates uses (Education, garden, etc.)

The City’s **Long Range Land Use Plan** identifies the property as **Residential-Low District**. The Land Use Description describes the Residential Low Density land use category is intended for single-family homes. In addition, schools, churches, and neighborhood-serving public uses are allowed. **Transportation & Utilities.** Land Use Description the Transportation and Utility land use classification is intended for land that is used for the following purposes: airports, major train yards, highway and interstate rights -of-way, public utilities like electric utility plants, and water and sewer plants, including publicly owned plants. The applicant’s proposed use would be **somewhat consistent** with the **Long Range Land Use Plan**.

Neighborhood Recommendation:

The *Inglenook Neighborhood Association* had a neighborhood meeting on August 4, 2020, to review the proposed project and voted to **not recommend** the request. The vote was **0** approved for the following reason: “Will not allow additional encroachment into our residential area”; not for extending or rezoning.

The Eastern Area Framework plan has been completed, nor has the Eastern Area Implementation Committee been established at this time.

The City’s Stormwater Administrator Staff reviewed the applicant’s proposal and and if the request is approved, recommends the following:

- All provisions of the Stormwater Post Construction Ordinance, Engineering Design Guidelines and Soil Erosion Control Ordinance shall apply for all developments.
- A stormwater management concept meeting is required prior to beginning site design.

Zoning Advisory Committee Action:

The Zoning Advisory Committee met at its regularly scheduled meeting on **August 18th, 2020**, to review the applicant’s rezoning request and voted to **RECOMMEND** approval.

2. ZAC2020-00013 Five Points South
Application to change zone district boundaries from M-1 (Light Industrial District) to MU-D (Mixed-Use Downtown District) in order to allow for a restaurant, fitness center and retail services, filed by Phil Amthor, representing the owner, 1227 First Avenue South Holdings, LLC, for the property located at 1227 1st Avenue South and situated in the SE ¼ of Section 35, Township 17-S, Range 3-West (Council District 5).

Proposed Use: Restaurant, Fitness Center and Retail Services

The City’s **Long Range Land Use Plan** identifies the property as **Mixed-Use Downtown**. This land use category allows for the development of medium- to high-density office, residential, retail and entertainment areas that create vibrant 18-24 hours, 7-day a week live-work-play environments, typically mid-rise to high-rise; artisanal industries and small warehouses that may be characterized as light industry that do not have noise, odor, illumination, trucking, or other adverse impacts on adjacent land uses. This district is focused in the downtown area, and should be transit-accessible. Uses in this district include: high density multi-family, loft, townhouse,

retail and services, offices, hotels, large entertainment facilities, and live/work structures. The proposed rezoning request is **Consistent** with the **Long Range Land Use Plan**.

Neighborhood Recommendation:

The *Five Points South Neighborhood Association* is waiting to get more information from orchestra partners in regards to the proposed re-zoning request.

Zoning Advisory Committee Action:

The Zoning Advisory Committee met at its regularly scheduled meeting **on August 18th, 2020**, to review the applicant’s rezoning request and voted to **RECOMMEND** approval.

3. ZAC2020-00014 Southside

Application to change zone district boundaries from M-2 (Heavy Industrial District) to MU-H (Mixed-Used High District) to construct a new 5-story multi-family complex and 253 surface parking spaces, filed by Dan Fritts, representing the owner, 2500 First Ave, LLC, for the property located at 2500 First Ave South and situated in the NE ¼ of Section 36, Township 17-S, Range 3-West (Council District 5).

Proposed Use: New 5-Story Multi-Family Complex & 253 Surface Parking Spaces

The City’s **Long Range Land Use Plan** identifies the property as **Light Industrial**. The planned development category allows for Light industrial and office uses, potentially in “business park” settings, and typically near major transportation routes including Interstates, State Highways, railroad spurs and airport facilities. Warehouse and distribution uses. Urban agriculture. Supporting uses, such as minor retail and services to support the major uses. Residential uses by ZBA special exception. The proposed rezoning request is **Not Consistent** with the **Long Range Land Use Plan**.

Neighborhood Recommendation:

The *Southside Neighborhood Association* president *Ms. Irene Johnson* said due to COVID-19 **NO MEETINGS**; however, “I’m sure the city will make a fair decision. Approve votes, **YES**.”

Zoning Advisory Committee Action:

The Zoning Advisory Committee met at its regularly scheduled meeting **on August 18, 2020**, to review the applicant’s rezoning request and voted to **RECOMMEND** approval.

The ZAC (Zoning Advisory Committee) recommended that cases ZAC2020-00015 through ZAC2020-00018 be combined together, since they are for the same re-zoning request and same proposed use will occur.

4. ZAC2020-00015 Five Points South

Application to change zone district boundaries from M-1 (Light Industrial District) to MU-D (Mixed-Use Downtown District) in order to allow for restaurant, fitness center and retail services, filed by Phil Amthor, representing the owner, 1209 First Avenue South Holdings, LLC, for the property located at 1209 1st Avenue South and situated in the SE ¼ of Section 35, Township 17-S, Range 3-West (Council District 5).

Proposed Use: Restaurant, Fitness Center & Retail Services

5. ZAC2020-00016 Five Points South

Application to change zone district boundaries from M-1 (Light Industrial District) to MU-D (Mixed-Use Downtown District) in order to allow for a restaurant, fitness center and retail services, filed by Phil Amthor, representing the owner, 1200 Second Avenue South Holdings, LLC, for the property located at 1200 2nd Avenue South and situated in the SE ¼ of Section 35, Township 17-S, Range 3-West (Council District 5).

Proposed Use: Restaurant, Fitness Center & Retail Services

6. ZAC2020-00017 Five Points South

Application to change zone district boundaries from M-1 (Light Industrial District) to MU-D (Mixed-Use Downtown District) in order to allow for restaurant, fitness center and retail services, filed by Phil Amthor, representing the owner, 230 Second Avenue South Holdings, LLC, for the property located at 230 2nd Avenue South and situated in the SE ¼ of Section 35, Township 17-S, Range 3-West (Council District 5).

Proposed Use: Restaurant, Fitness Center and Retail Services

8. ZAC2020-00018 Five Points South

Application to change zone district boundaries from M-1 (Light Industrial District) to MU-D (Mixed-Use Downtown District) in order to allow for a restaurant, fitness center and retail services, filed by Phil Amthor, representing the owner, 113 Thirteenth Street South Holdings, LLC, for the property located at 113 13th Street South and situated in the SW ¼ of Section 36, Township 17-S, Range 3-West (Council District 5).

Proposed Use: Restaurant, Fitness Center and Retail Services

The City's ***Long Range Land Use Plan*** identifies the property as ***Mixed-Use Downtown***. This land use category allows for the development of medium- to high-density office, residential, retail and entertainment areas that create vibrant 18-24 hours, 7-day a week live-work-play environments, typically mid-rise to high-rise; artisanal industries and small warehouses that may be characterized as light industry that do not have noise, odor, illumination, trucking, or other adverse impacts on adjacent land uses. This district is focused in the downtown area, and should be transit-accessible. Uses in this district include: high density multi-family, loft, townhouse, retail and services, offices, hotels, large entertainment facilities, and live/work structures. The proposed rezoning request is ***Consistent*** with the ***Long Range Land Use Plan***.

Neighborhood Recommendation:

The Five Points South Neighborhood Association is waiting to get more information from orchestra partners in regards to the proposed re-zoning request.

Zoning Advisory Committee Action:

The Zoning Advisory Committee met at its regularly scheduled meeting on ***August 18th 2020***, to review the applicant's rezoning request and voted to **RECOMMEND** approval.

III. MINI-STORAGE WAREHOUSE UPDATE

IV. ZBA AND PLANNING COMMISSION APPLICATION UPDATE

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.