



RANDALL L. WOODFIN  
MAYOR

## CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

710 - 20TH STREET NORTH  
ROOM 210 CITY HALL  
BIRMINGHAM, ALABAMA 35203

EDWIN REVELL  
DIRECTOR

### ZONING ADVISORY COMMITTEE

ZAC2019-00009

Five Points South

**Description:** Application for a change in zone district boundaries from QB-3, Qualified Community Business District to QB-3, Qualified Community Business District and thereby amending the "Q" Conditions of Case ZAC2018-00001, Ordinance #1987-G to facilitate the construction of various on-premise signs.

**Applicant:** C. RANDALL MINOR

**Owner:** HIGHLAND AL PARTNERS LLC,

**Premises/Geographic:** 2173 Highland Avenue and 2150 14th Avenue South

**Parcel Information:**

- 012800062033002000; situated in the NW 1/4 of Section 06, Township 18S; Range 2-W
- 012800062033012000; situated in the NW 1/4 of Section 06, Township 18S; Range 2-W

**Property Zoned:** B-3 COMMUNITY BUSINESS

**Proposed Use:** Rezoning-Commercial / Mixed Use

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## ZONING ADVISORY COMMITTEE

BE IT RESOLVED By the Zoning Advisory Committee of the Birmingham Planning Commission that the application of C. Randall Minor, representing the owners, Highland Partners LLC, c/o CH Highland, LLC., LP, for an application for a change in zone district boundaries from QB-3, Qualified Community Business District to QB-3, Qualified Community Business District and thereby amending the "Q" conditions for Case ZAC2018-00001, Ordinance #1987-G to allow on-premise signs, a use previously restricted by said "Q" conditions, be and the same is hereby Recommended to the City Council with 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; ingress and egress; landscaping; location, size and number of all signs; storm water drainage; buffering and screening; exterior lighting; 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 4 sides with a double wooded gate at the entrance; and screening of all HVAC units and satellite dishes. All on and off site improvements shall be developed and maintained in strict conformance with the approved site development plan. All landscaping, as per the 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, alterations 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 planning staff of the PEP Department in order to ensure that the site is developed as proposed with the parking garage in the center of the building shielded from view on the north, east and south sides by the proposed residential structures.
2. Uses are limited to those allowed in B-3, Community Business District, excluding the following:
  - (3) Automotive, farm implement or trailer display or sales.
  - (4) Service station.
  - (5) Hardware or building material sales.
  - (6) Hotel or motel.
  - (7) 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.
  - (8) Laundry, dry cleaning or dyeing plant (except for a dry cleaning and laundry drop off point for the residents of the development).
  - (9) Personal service shop, such as barbershop or beauty shop, photographic studio or massage establishment.
  - (11) Business, music or dancing school.
  - (13) Repair service for such items as radios, televisions, shoes, watches or jewelry.
  - (16) Automotive, farm implement or trailer repair or servicing.
  - (17) Radio or television broadcasting station, studio or office.
  - (18) Undertaking establishment or mortuary.
  - (19) Wholesale establishment, including storage and display.
  - (20) Carpentry, painting, plumbing, tin-smithing, and electrical shops; provided, that all work on the premises is done within a building, and all materials are stored in a building.
  - (21) Testing or research laboratory.
  - (22) Millinery, dressmaking or tailoring.
  - (24) Printing or engraving.
  - (25) 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.
  - (26) 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.
  - (27) Mini-Warehouse.
  - (29) Hospitals or other institutions, but not including mental hospitals or penal institutions; provided, however, churches shall not be excluded.
  - (30) Private club or lodge.
  - (31) Public buildings.
  - (32) Parks.
  - (33) Telephone exchange or service buildings (except as related to the development).
  - (34) Utility installation or service building (except as related to the development).
  - (35) Adult Care Facility or Child Care Center.
  - (38) Farmers Market.
  - (39) Public Market.
  - (40) Apiary.
  - (41) Pay Day (Deferred Presentment) and Title Loan operations.
  - (42) Accessory structures and uses, including Accessory Use Child Care Centers and drive-through structures (except any permitted use, including, for example, a parking lot or garage, customarily associated with similar developments, as reflected on the approved site development plan).

STATE OF ALABAMA  
JEFFERSON COUNTY

I, W. Thomas Magee, Technical Advisor to the Birmingham Planning Commission, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Zoning Advisory Committee of the Birmingham Planning Commission at its meeting held May 07, 2019 and the same appears of record in the Official Minutes of said Committee.

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Birmingham Planning Commission this day, May 8, 2019.



Tim Gambrel  
Chief Planner