



RANDALL L. WOODFIN  
MAYOR

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

EDWIN REVELL  
DIRECTOR

### ZONING ADVISORY COMMITTEE

**ZAC2019-00028**

**Echo Highlands**

**Description:** Application to change zone district boundaries from MU-M (Mixed-Use Medium) to C-2 (General Commercial District), in order to allow Cornerstone Funeral Services and Cremation

**Applicant:** BERNARD BUGGS, JR

**Owner:** FARGHAL HESHAM

**Premises/Geographic:** 2416 Carson Road

**Parcel Information:** 1. 011300141000010000; situated in the NE 1/4 of Section 14, Township 16S; Range 2-W

**Property Zoned:** MUM - MIXED USE MEDIUM DENSITY

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

BE IT RESOLVED By the Zoning Advisory Committee of the Birmingham Planning Commission that the application of Bernard C. Buggs, Jr., owner, for a change in the zone district boundaries from MU-M (Mixed-Use Medium) to C-2 (General Commercial District) in order to allow a funeral home and associated uses, be and the same is hereby Not Recommended to the City Council for Approval.

STATE OF ALABAMA  
JEFFERSON COUNTY

I, Tim Gambrel, 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 October 15, 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, October 16, 2019.

Tim Gambrel  
Chief Planner



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### ZONING ADVISORY COMMITTEE

**ZAC2019-00029**

**Hooper City**

**Description:** Application for a change in zone district boundaries from C-2 (General Commercial District) to I-1 (Light Manufacturing District) in order to construct a new office/warehouse/distribution facility

**Applicant:** C RANDALL MINOR ESQ

**Owner:** DANIEL PAYNE LLC

**Premises/Geographic:** Daniel Payne Drive

**Parcel Information:** 1. 012200151001001000; situated in the NE 1/4 of Section 15, Township 17S; Range 3-W

**Property Zoned:** C2 - GENERAL BUSINESS DISTRICT

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

BE IT RESOLVED By the Zoning Advisory Committee of the Birmingham Planning Commission that the application filed by C. Randall Minor, representing the owner, Daniel Payne LLC, for a change in the zone district boundaries from C-2 (General Commercial District) to I-1 (Light Manufacturing District), in order to allow the construction of a new office/warehouse/delivery center building, be and the same is hereby Recommended to the City Council.

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**ZONING ADVISORY COMMITTEE**

**ZAC2019-00030**

**Druid Hills**

**Description:** Application to change zone district boundaries from R-3, Single Family District to MU-D, Mixed-Use Downtown.

**Applicant:** BIRMINGHAM CITY COUNCIL

**Owner:** EPHRIAM EDWARDS

**Premises/Geographic:** 2214 15th Avenue North

**Parcel Information:** 1. 012200252014007000; situated in the NW 1/4 of Section 25, Township 17S; Range 3-W

**Property Zoned:** R-3 SINGLE FAMILY DISTRICT

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

BE IT RESOLVED By the Zoning Advisory Committee of the Birmingham Planning Commission that the application filed by the Birmingham City Council, for a change in the zone district boundaries from R-3 (Single Family District) to MU-D (Mixed-Use Downtown District), in order to allow a mixed-use development, 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
2. The conceptual plan (Exhibit E), as described in the Urban Renewal Plan, shall act as the site plan.
3. If development in Block D is not consistent with the conceptual plan, then the new development must be reviewed and approved by the Zoning Advisory Committee.
4. Properties described as Block D in the conceptual plan shall be limited in height to 70 feet.
5. If the property described as Block D in the conceptual plan is developed as an outdoor performance venue, then it shall be set back from 15th Avenue North between 22nd and 23rd Streets North and from 22nd Street North between 15th and 17th Avenues North by no less than 200 feet, and a vegetative buffer and berm shall be placed in the setback as approved by Planning, Engineering and Permits Staff. The hour's operations for the outdoor performance venue should not extend past 12:00a.m.
6. If the property described as Block D in the conceptual plan is developed as any entertainment use other than an outdoor performance venue, then it shall be set back from 15th Avenue North between 22nd and 23rd Streets North and from 22nd Street North between 15th and 17th Avenues North by no less than 50 feet, and a vegetative buffer and berm shall be placed in the setback as approved by Planning, Engineering and Permits Staff.
7. Applicant must provide quarterly updates to the neighborhood regarding the status of the proposed development.

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### ZONING ADVISORY COMMITTEE

**ZAC2019-00031**

**Druid Hills**

**Description:** Application to change to zone district boundaries from R-3, Single Family District to MU-D, Mixed-Use Downtown District

**Applicant:** BIRMINGHAM CITY COUNCIL

**Owner:** PARKER MABLE

**Premises/Geographic:** 2212 15th Avenue North

**Parcel Information:** 1. 012200252014007001; situated in the NW 1/4 of Section 25, Township 17S; Range 3-W

**Property Zoned:** R-3 SINGLE FAMILY DISTRICT

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

BE IT RESOLVED By the Zoning Advisory Committee of the Birmingham Planning Commission that the application filed by the Birmingham City Council, for a change in the zone district boundaries from R-3 (Single Family District) to MU-D (Mixed-Use Downtown District), in order to allow a mixed-use development, 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
2. The conceptual plan (Exhibit E), as described in the Urban Renewal Plan, shall act as the site plan.
3. If development in Block D is not consistent with the conceptual plan, then the new development must be reviewed and approved by the Zoning Advisory Committee.
4. Properties described as Block D in the conceptual plan shall be limited in height to 70 feet.
5. If the property described as Block D in the conceptual plan is developed as an outdoor performance venue, then it shall be set back from 15th Avenue North between 22nd and 23rd Streets North and from 22nd Street North between 15th and 17th Avenues North by no less than 200 feet, and a vegetative buffer and berm shall be placed in the setback as approved by Planning, Engineering and Permits Staff. The hour's operations for the outdoor performance venue should not extend past 12:00a.m.
6. If the property described as Block D in the conceptual plan is developed as any entertainment use other than an outdoor performance venue, then it shall be set back from 15th Avenue North between 22nd and 23rd Streets North and from 22nd Street North between 15th and 17th Avenues North by no less than 50 feet, and a vegetative buffer and berm shall be placed in the setback as approved by Planning, Engineering and Permits Staff.
7. Applicant must provide quarterly updates to the neighborhood regarding the status of the proposed development.

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**ZONING ADVISORY COMMITTEE**

**ZAC2019-00032**

**Druid Hills**

**Description:** Application to change to zone district boundaries from R-3, Single Family Residential District to MU-D, Mixed-Use Downtown District.

**Applicant:** BIRMINGHAM CITY COUNCIL

**Owner:** PADAWER JEFFREY JAY

**Premises/Geographic:** 1500 Walnut Hill Circle

**Parcel Information:** 1. 012200252027004000; situated in the NW 1/4 of Section 25, Township 17S; Range 3-W

**Property Zoned:** R-3 SINGLE FAMILY DISTRICT

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

BE IT RESOLVED By the Zoning Advisory Committee of the Birmingham Planning Commission that the application filed by the Birmingham City Council, for a change in the zone district boundaries from R-3 (Single Family District) to MU-D (Mixed-Use Downtown District), in order to allow a mixed-use development, 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
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3. If development in Block D is not consistent with the conceptual plan, then the new development must be reviewed and approved by the Zoning Advisory Committee.
4. Properties described as Block D in the conceptual plan shall be limited in height to 70 feet.
5. If the property described as Block D in the conceptual plan is developed as an outdoor performance venue, then it shall be set back from 15th Avenue North between 22nd and 23rd Streets North and from 22nd Street North between 15th and 17th Avenues North by no less than 200 feet, and a vegetative buffer and berm shall be placed in the setback as approved by Planning, Engineering and Permits Staff. The hour's operations for the outdoor performance venue should not extend past 12:00a.m.
6. If the property described as Block D in the conceptual plan is developed as any entertainment use other than an outdoor performance venue, then it shall be set back from 15th Avenue North between 22nd and 23rd Streets North and from 22nd Street North between 15th and 17th Avenues North by no less than 50 feet, and a vegetative buffer and berm shall be placed in the setback as approved by Planning, Engineering and Permits Staff.
7. Applicant must provide quarterly updates to the neighborhood regarding the status of the proposed development.

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### ZONING ADVISORY COMMITTEE

**ZAC2019-00033**

**Druid Hills**

**Description:** Application for a change in zone district boundaries from B-6, Health and Institutional District to MU-D, Mixed-Use Downtown

**Applicant:** BIRMINGHAM CITY COUNCIL

**Owner:** PADAWER JEFFREY JAY

**Premises/Geographic:** 1521 Walnut Hill Circle

**Parcel Information:** 1. 012200252014002000; situated in the NW 1/4 of Section 25, Township 17S; Range 3-W

**Property Zoned:** B-6 HEALTH AND INSTITUTIONAL

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

BE IT RESOLVED By the Zoning Advisory Committee of the Birmingham Planning Commission that the application filed by the Birmingham City Council, for a change in the zone district boundaries from B-6 (Health & Institutional District) to MU-D (Mixed-Use Downtown District), in order to allow a mixed-use development, 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
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6. If the property described as Block D in the conceptual plan is developed as any entertainment use other than an outdoor performance venue, then it shall be set back from 15th Avenue North between 22nd and 23rd Streets North and from 22nd Street North between 15th and 17th Avenues North by no less than 50 feet, and a vegetative buffer and berm shall be placed in the setback as approved by Planning, Engineering and Permits Staff.
7. Applicant must provide quarterly updates to the neighborhood regarding the status of the proposed development.

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**ZONING ADVISORY COMMITTEE**

**ZAC2019-00034**

**Five Points South**

**Description:** Application to change zone district boundaries from B-3 (General Business District) to MU-H (Mixed-Use High District) for a vet clinic that specializes in cardiac care for animals (dogs and cats)

**Applicant:** ROBERT BRUNER

**Owner:** BELLENGER-ENGLEBERT & PETZ

**Premises/Geographic:** 2114 10th Avenue South

**Parcel Information:** 1. 012800062017008000; 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

BE IT RESOLVED By the Zoning Advisory Committee of the Birmingham Planning Commission that the application filed by Robert Bruner, on behalf of the owner, Dr. Ingrid Straeter-Knowlen, for a change in the zone district boundaries from B-3 (Community Business District) to MU-H (Mixed-Use High District), in order to allow a veterinarian clinic (specializing in cardiac care), be and the same is hereby Recommended to the City Council.

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### ZONING ADVISORY COMMITTEE

**ZAC2019-00035**

**Roebuck**

**Description:** Application for a change in zone district boundaries from QC-1, Qualified Neighborhood Commercial District to QC-1, Qualified Neighborhood Commercial District and thereby amending the "Q" conditions of Case ZAC2017-00003, Ordinance 1983-G (see ZAC1994-00012 Ordinance #1523-G) to modify the 30 foot planted or natural buffer on the south side of the site to a 10 foot planted or natural buffer (to allow for more parking)

**Applicant:** BRENT PIERCE

**Owner:** AMERICAS FIRST FEDERAL CREDIT

**Premises/Geographic:** 724 Crow Drive

**Parcel Information:** 1. 011300361012026000; situated in the NE 1/4 of Section 36, Township 16S; Range 2-W

**Property Zoned:** C1 - NEIGHBORHOOD BUSINESS

**Proposed Use:** Amendment of ~Q~ Conditions

BE IT RESOLVED By the Zoning Advisory Committee of the Birmingham Planning Commission that the application filed by Brent Pierce, on behalf of the owner, America's First Federal Credit Union, for a change in the zone district boundaries from "Q" C-1 (Qualified Neighborhood Commercial District) to "Q" C-1 (Qualified Neighborhood Commercial District) and thereby amending the "Q" conditions of Case ZAC2017-00003, Ordinance 1983-G (see ZAC1994-00012 Ordinance #1523-G) to modify the 30 foot planted or natural buffer on the south side of the site to a 10 foot planted or natural buffer, in order to allow for 17 new parking spaces, be and the same is hereby Recommended to the City Council.

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**ZONING ADVISORY COMMITTEE**

**ZAC2019-00036**

**Echo Highlands**

**Description:** Application for the review and approval of a site development plan in I-3, Planned Manufacturing District, for a new warehouse building at Nidek Medical Products

**Applicant:** DONNIE ADAMS

**Owner:** NIDEK MEDICAL PRODUCTS INC

**Premises/Geographic:** 3949 Valley East Industrial Drive

**Parcel Information:** 1. 011300154000009007; situated in the SE 1/4 of Section 15, Township 16S; Range 2-W

**Property Zoned:** I-3 - PLANNED INDUSTRIAL DIST

**Proposed Use:** Development Plan Review

BE IT RESOLVED By the Zoning Advisory Committee of the Birmingham Planning Commission that the application of Joey Donnie Adams, representing the owner Nidek Medical Products, for the review and approval of a site development plan in an I-3, Planned Manufacturing District in order for the warehouse addition at the rear of the building, as per the site plan submitted to the Zoning Advisory Committee and marked "Received", October, 2019, be and the same is hereby "Approved" with the following conditions:

1. Site Development Plan must meet the requirements of the restrictive covenants of Valley East Industrial Park.
2. Once a site development plan has been approved, no work shall be done and no permits shall be issued except in accord with said plan. No certificate of occupancy shall be issued until all site improvement as required by an approved site development plan has been completed.

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