



Zoning Advisory Committee

Staff Report

Department of Planning, Engineering, & Permits

RANDALL L. WOODFIN
MAYOR

KATRINA THOMAS
DIRECTOR

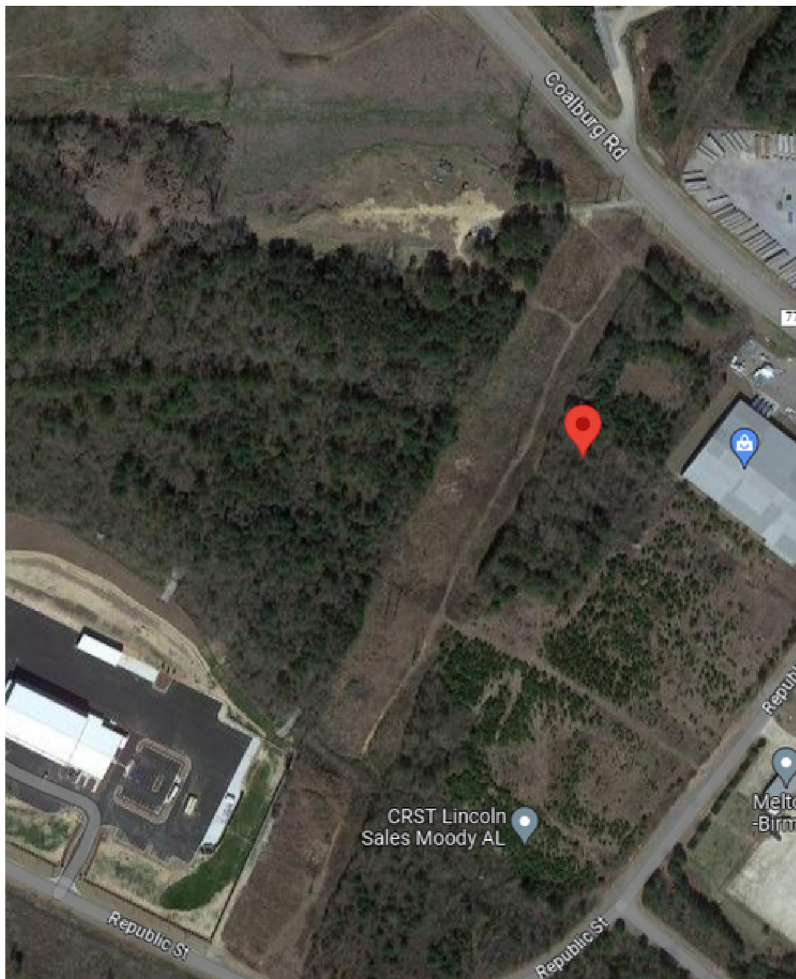
ZAC2023-00001

Hooper City Neighborhood

Request: Application for a Site Development Plan Review in an I-3, Planned Manufacturing District.

Filed by: Stan Richards of R+L Carriers on behalf of the owner, the City of Birmingham.

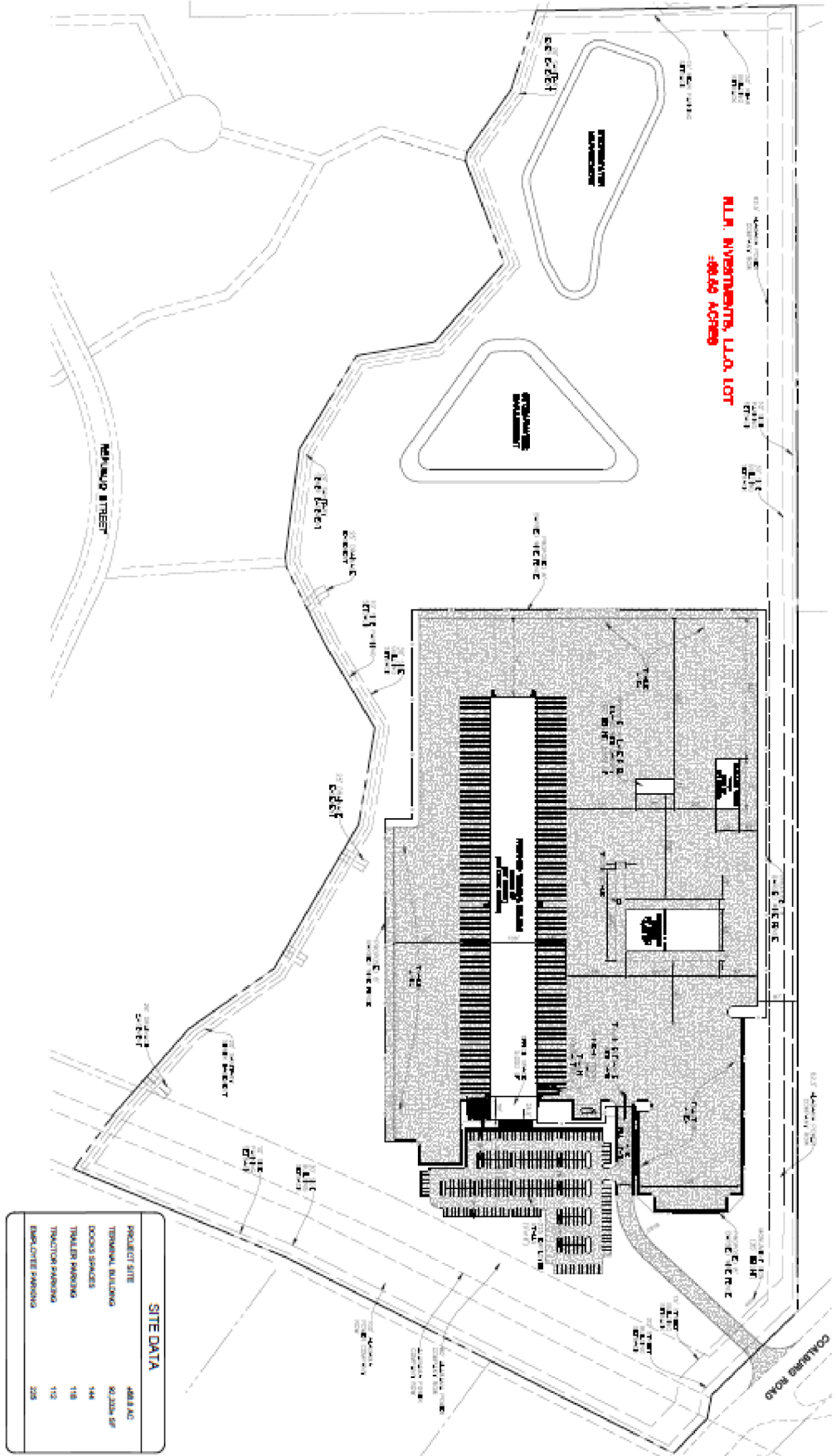
Location: 4570 Coalburg Road Birmingham, AL 35214, and situated in the SW ¼ of Section 10, Township 17-S, Range 3-West, (Council District 9).



Aerial photo of the land from Google Maps

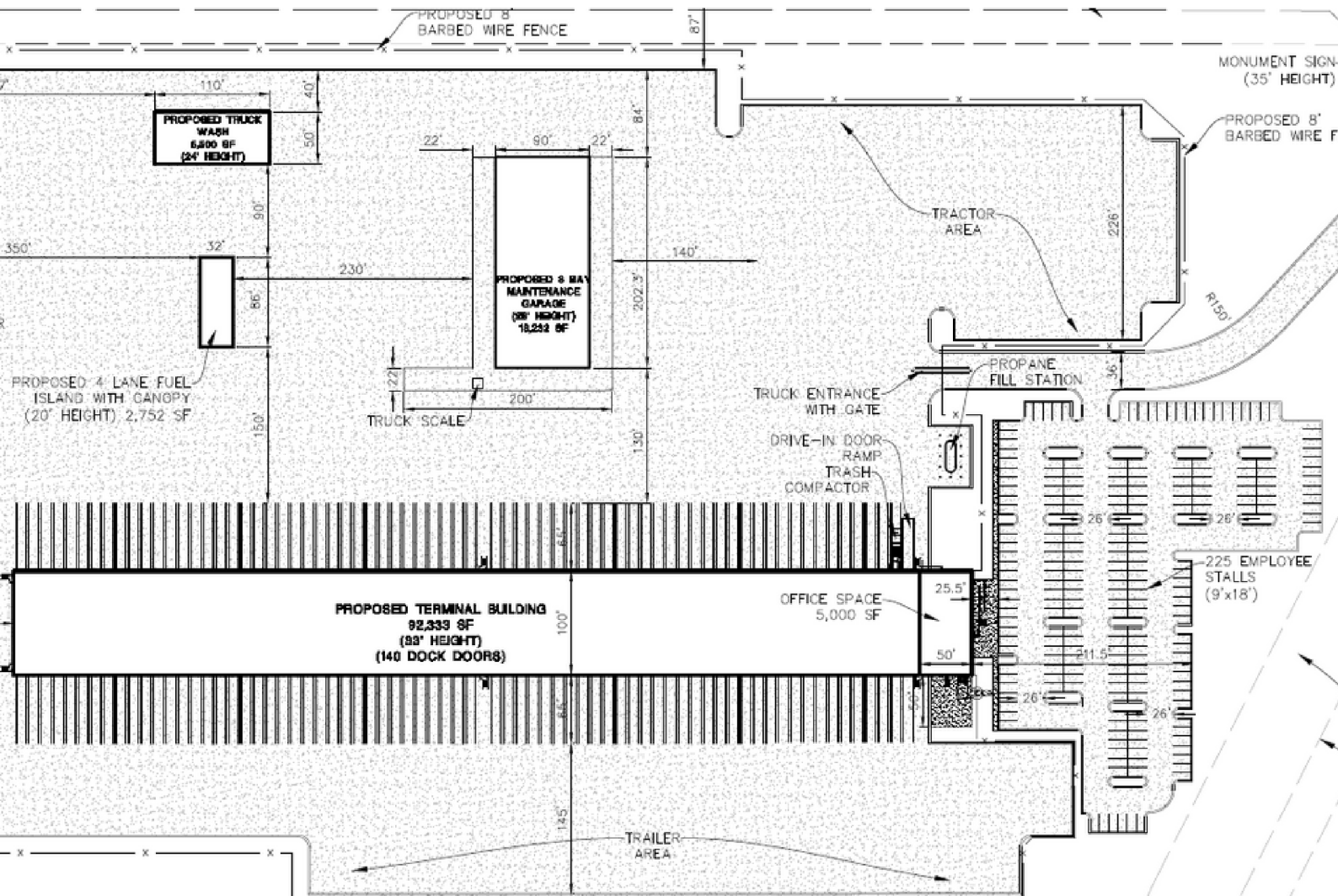
Proposed Use: A truck plaza and heavy truck repair facility.

Overall Site Plan



Applicant's Proposal.

R+L Carriers is proposing a commercial truck facility that will include constructing an 82,190 sq. ft cross dock facility with 130 dock doors, a 5,000 sq. ft. office, a 18,232 sq. ft. maintenance garage, a 4-lane fueling island, and a 5,500 sq. ft. truck wash facility. The paving improvements include tractor parking stalls, trailer parking stalls, employee parking stalls, and associated drive aisles. The property is currently zoned I-3, and no zoning changes are proposed.

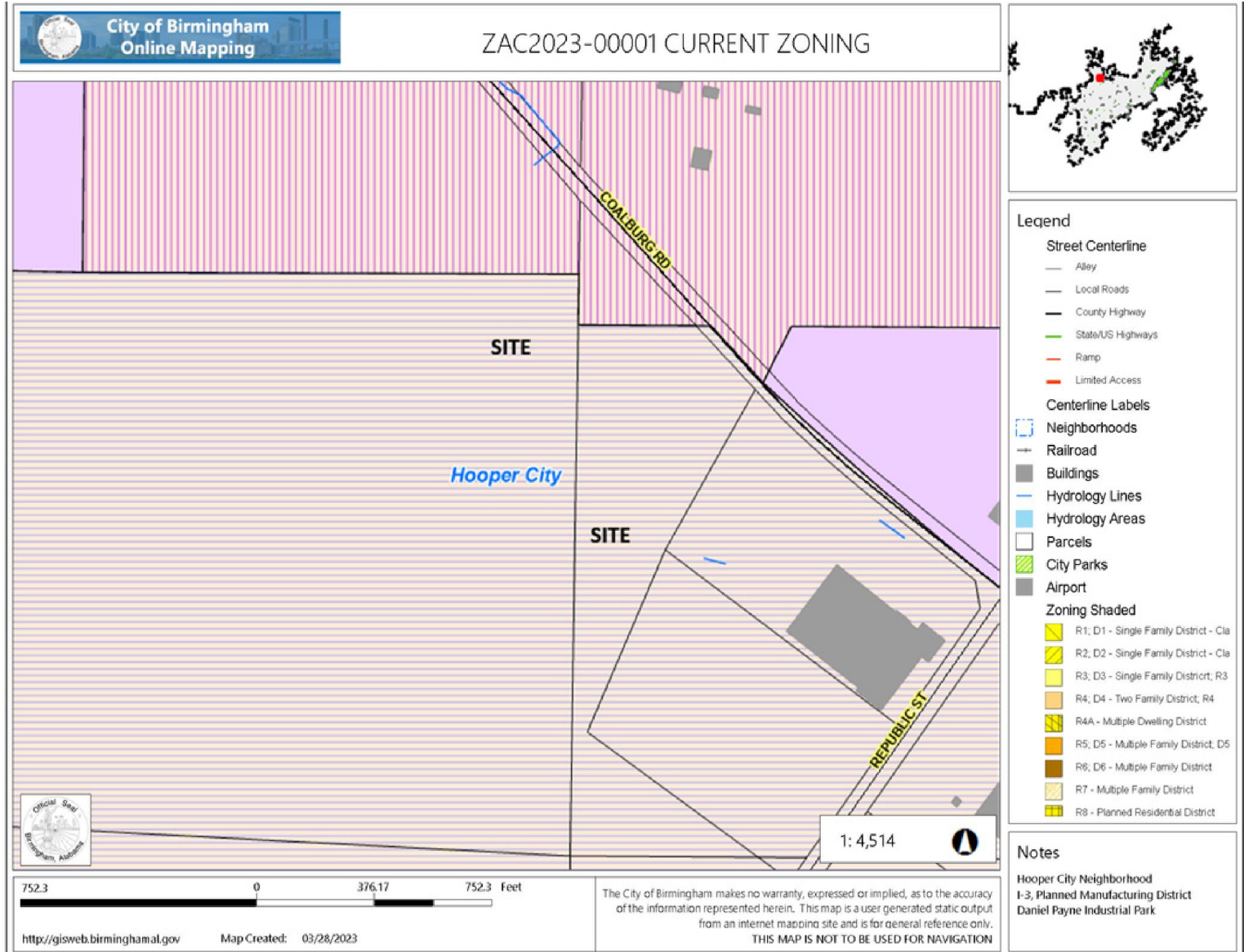


SITE PLAN

SITE DATA	
PROJECT SITE	±68.8 AC
TERMINAL BUILDING	92,333± SF
DOCKS SPACES	144
TRAILER PARKING	118
TRACTOR PARKING	112
EMPLOYEE PARKING	225

Property and Abutting Land Uses.

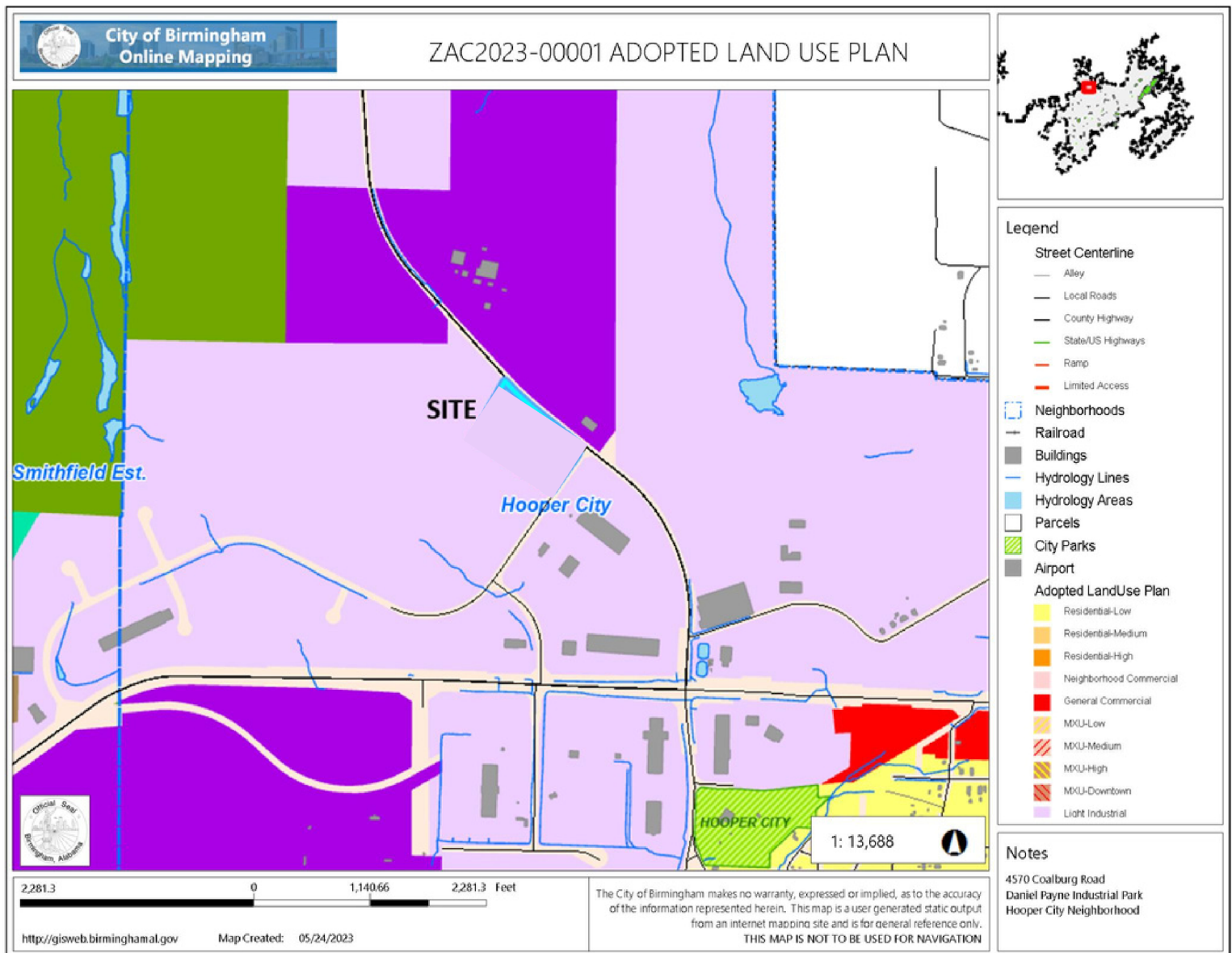
The subject property is proposed to sit on 68.8 acres of land, currently zoned **I-3, Planned Manufacturing District**. Adjacent parcels to the North are zoned **I-4, Landfill, Mining and Timbering District** and **I-1, Light Manufacturing District**. Parcels to the South and East are zoned **I-3, Planned Manufacturing District**. Parcels to the West are zoned **CM-4, Contingency, Special Mining and Lumbering District**. This site is located within the *Daniel Payne Industrial Park*.



The I-3, Planned Manufacturing District is designed to allow for the orderly arrangement of high quality manufacturing development designed for maximum compatibility internally and with surrounding environs. This district shall not be established on less than six acres; however, this may be reduced to one acre, or a half block consisting of all lot frontage between two intervening streets, if such property is situated within or adjacent to a "C" or "I" zoning district or else abuts on a street having at least four moving lanes. Uses in this district include: warehouse and distribution uses, urban agriculture, supporting uses, such as minor retail and services to support the major uses. No residential uses are allowed in this district.

Long Range Land Use Plan.

The City's **Long-Range Land Use Plan** identifies the property as **Light Industrial**. The Light Industrial District. The light manufacturing district is designed to allow for light manufacturing and office uses, potentially in "business park" settings, and typically near major transportation routes including Interstates, State Highways, railroad spurs and airport facilities. Uses in this district include: warehouse and distribution uses, urban agriculture, supporting uses, such as minor retail and services to support the major uses. No residential uses are allowed in this district.



Zoning Ordinance.

Truck Plaza: Any building premises or land in which or upon which a business may engage in the service, maintenance or storage of commercial vehicles including dispensing of motor fuel or petroleum products directly into motor vehicles. A truck plaza also may include overnight accommodation, restaurant and truck wash facilities.

Truck Repair, Heavy: Any building or land used for the general repair or reconditioning of heavy trucks and equipment and engines, including but not limited to body, frame or fender straightening or repair, the reconditioning, repairing, sale, mounting, or installing of any used tires, painting, or upholstery work, collision repair, vehicle steam cleaning, but excluding the assembly, disassembly, dismantling or salvage of any vehicle, in whole or in part. No abandoned or inoperable vehicles shall be stored on the premises.

Office: A room or group of rooms where the principal use is conducting the affairs of a business, profession, service, industry or government and generally furnished with desks, tables, files and communication equipment.

Chapter 4: Land Use Development Standards.

Truck Repair, Heavy. In the I-3 district, a truck service shop shall be permitted provided that the following conditions are met:

1. No visibly disabled, abandoned or inoperable trucks shall be stored on the premises.
2. No truck to be repaired shall remain on the premises more than sixty days.
3. **Submittal of a site development plan, to be approved by the ZAC.**

Section 6. I-3 Planned Manufacturing District.

Subsection 1. Generally.

1. The regulations set forth in this Section or set forth elsewhere in this Ordinance, when referred to in this Section, are the regulations in the I-3 Planned Manufacturing District.
2. The I-3 Planned Manufacturing District is provided to encourage the orderly arrangement of high quality manufacturing development designed for maximum compatibility internally and with surrounding environs. This district shall not be established on less than six acres; however, this may be reduced to one acre, or a half block consisting of all lot frontage between two intervening streets, if such property is situated within or adjacent to a "C" or "I" zoning district or else abuts on a street having at least four moving lanes.

Subsection 2. Use regulations.

1. No other grading, construction, site improvement or use, temporary or otherwise, shall be permitted except in accord with an approved site development plan as specified in Subsections 5 and 6. Where such plan has been approved it may also designate the following additional uses as being permitted.
2. Permitted uses are as shown on Table 1.02.201 in Chapter 2 of this Ordinance, Zoning Districts and Land Uses.
3. Accessory structures and uses, except that all outside storage shall consist of finished or packaged goods and must be enclosed by walls, fences, berms, shrubs or trees, pre-existing or newly planted, sufficient to substantially screen it from nearby streets and residential zone districts.

4. None of the uses permitted on Table 1.02.201 or activities shall involve resource production, foundries, processing or refining of raw materials, such as ore, metals, rubber, plastic, fuel, petroleum, nor storage or disposal of hazardous chemicals or wastes.

Subsection 3. Area and dimensional regulations.

1. Chapter 3 Area and Dimensional Regulations of this Ordinance shall govern the location of all structures in this district.
2. Where permitted uses are to be located on a lot adjacent to a dwelling district or any zoning district permitting dwellings, a landscape buffer yard shall be required per Chapter 6, Article III of this Ordinance.
3. All structures and any impervious man-made surfaces shall cover no more than 70 percent of the land on any lot, and the remaining area shall be maintained in natural vegetation or landscaping.

Subsection 4. Parking and loading regulations.

1. Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses as set forth in Chapter 5 of this Ordinance.

Subsection 5. Development plan requirements.

1. In order to prevent adverse environmental impacts and to achieve a compatible relation among uses covered in Subsection 2, Item B above and with the land use suitability of surrounding properties and nearby zone districts, as well as the surrounding transportation network, any owners of lands included in this district shall concur in an overall site development plan to be reviewed and considered for approval by the Commission or ZAC prior to any grading, clearing, site improvements or issuance of related permits.
2. All owners of property petitioning for establishment of a new I-3 District shall submit an acceptable development plan for ZAC approval prior to adoption by the Council. Any district may be phased over a reasonable period of time. Final site development plans may be postponed for portions of the parcel scheduled for completion after the first six acres. However when phased, the whole district must be covered by a more generalized conceptual design for ultimate development which may be tentative, but must include a viable timetable for completion of each sector, with sufficient information to judge internal and external impacts. C. The site development plan shall include:
 - o Maps indicating:
 - a. The direction of north, appropriate scale and topography in not greater than two foot contour intervals.
 - b. The proposed location and height of all structures and site improvements.
 - c. The use of all structures and premises.
 - d. The areas and proportionate amount of parking to be developed.
 - e. The location of streets, driveways and walks including all points of ingress and egress and access streets.
 - f. All service areas and loading spaces.
 - g. Location and areas of illumination of all exterior lighting.

- h. The location, size, number and character of all exterior signs.
 - i. The location, character and extent of all recreation, open space, beautification features, and landscaping, fences, retaining and screen walls, and other treatment for the protection of adjoining property.
 - j. The facilities planned for sanitary sewers or treatment, and surface drainage of the premises.
 - k. A grading plan showing original and finished slopes, means of stabilization and relation to flood plains, drainage ways, wetlands, subsurface conditions and soil suitability.
2. A traffic analysis indicating that the proposed development will be so related to streets and arteries that the traffic generated can be accommodated without causing excessive congestion or hazards, or objectionable volumes of traffic on residential streets.
3. A comprehensive independent market analysis, if requested by the Commission or ZAC, on the needs to be served and the general economic justification.
4. A copy of any proposed subdivision plats, new streets, other easements, and deed restrictions including any third party covenants to be recorded, and the legal treatment and responsibility for maintenance of any public or common grounds or spaces.

Subsection 6. Review and approval of plans.

1. The ZAC shall review, approve in part or whole, or disapprove, setting forth its reasons therefore, all conceptual designs and any site development plans for I-3 Districts initiated or recommended for adoption by the Commission without an original plan in the case of initial zoning of annexed territory or zoning in accordance with a Comprehensive Plan. The ZAC shall also review, and approve or deny all other site development plans involved in rezoning requests or subsequent plan amendments. After due notice and hearing of all interested parties, and consideration of analyses or recommendations by its staff, the ZAC shall judge the acceptability of varied elements of the plan in close conformity with the following criteria to:
 - a. Minimize traffic congestion, conflicting movements, hazards, clutter or glare interfering with drivers' visibility of streets, drives and sight lines around corners, also accommodating emergency vehicles, and protecting pedestrian ways and avoiding the attraction of customer or truck traffic through local residential frontage streets,
2. Assure long term adequacy of grading, storm drainage, sanitary sewers, other utilities and improvements, particularly preventing landslides, erosion, sedimentation, flooding and similar problems on subject property and nearby parcels of land in accordance with the City Soil Erosion and Sediment Control Code,
3. Minimize activity conflicts, and environmental degradation, while maximizing a compatible interrelation of uses and economical development through shared access, parking, utility easements, service areas, clustering, etc.,
4. Preserve historical or significant places, scenic features, steep slopes or drainage ways, and create effective natural, planted and man-made buffers of sufficient height, density and width to screen objectionable on-site noise, vibration, smoke, dust, fumes, odor, glare or visibility from adjacent less intensive uses and particularly residential development and zones.
5. 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.

Subsection 7. Delay in construction.

1. In the event that construction in accordance with the originally approved development plan has not begun within the two years from the date of its approval, the development plan shall expire and become null and void. If less than 25% of the site improvements have been installed within 18 months after issuance of a permit to begin construction, the site development plan shall expire and become null and void.

Parking Requirement.

- Public or semi-public facility (not otherwise specified): 1 parking space per 300 sq. ft. of Gross Floor Area.
 - 82,190 sq. ft. / 300 = 274 parking spaces
- Office, business or professional (not otherwise specified): 1 parking space per 400 sq. ft. of Gross Floor Area.
 - 5,000 sq. ft. / 400 = 13 parking spaces
- Vehicle and equipment sales including recreational and heavy equipment sales and service (all required spaces shall be identified as customer parking): 1 parking space per 500 sq. ft. of Gross Floor Area.
 - 23,732 sq. ft. / 500 = 47 parking spaces

334 Parking Spaces Required

The site plan has

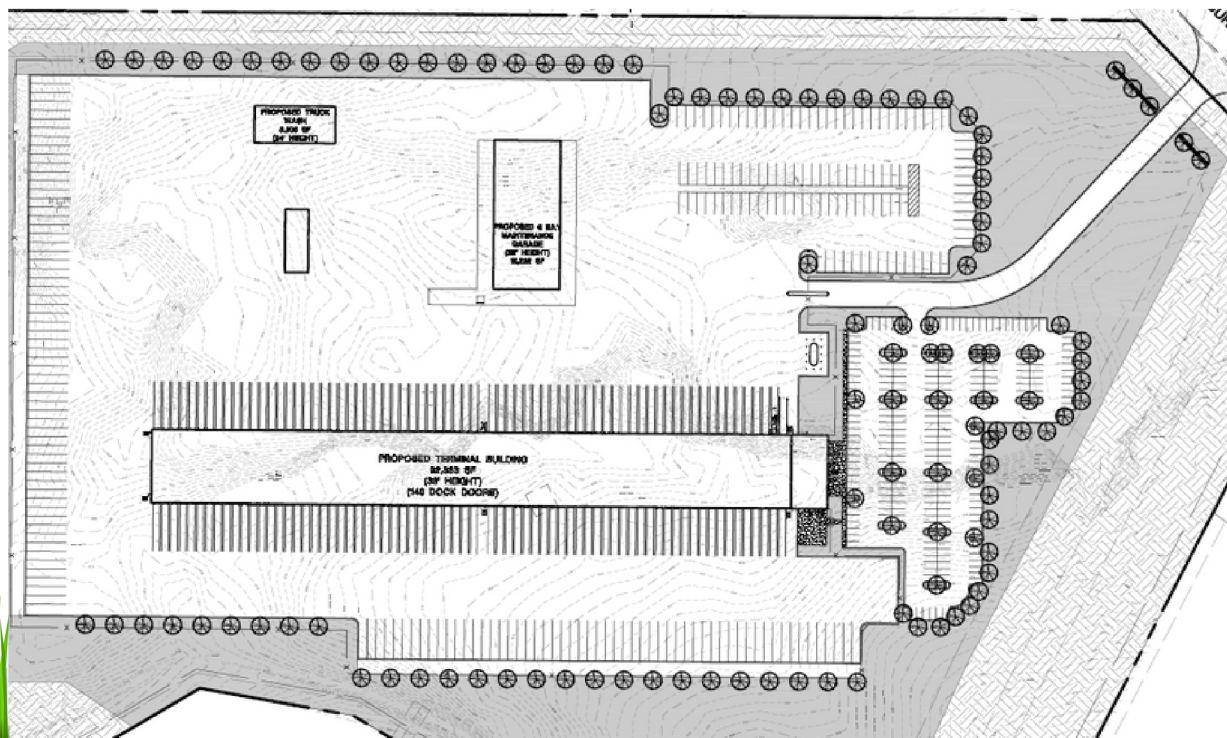
- 144 Dock Spaces
- 118 Trailer Spaces
- 112 Tractor Spaces
- 225 Employee Spaces

599 Parking Spaces total

Landscape Review.

The City's landscape architect has reviewed the conceptual plan and does not have any concerns.

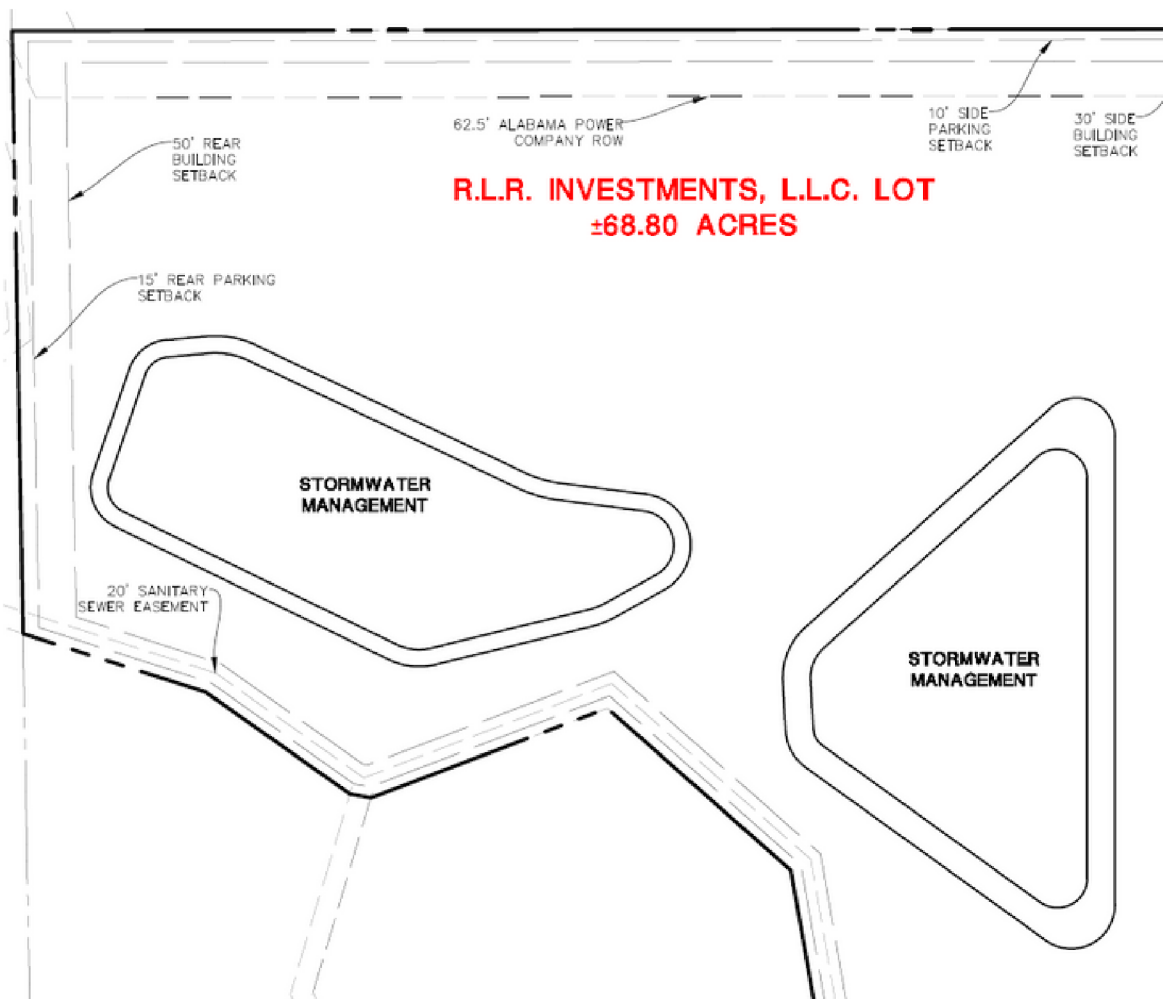
Landscape Plan



Stormwater.

The City's Stormwater Engineer has approved the conceptual plan with all stormwater, floodplain, and soil erosion ordinances applying, and will be working with the project engineer as they progress with the stormwater design.

- City of Birmingham Soil Erosion control permit will be required.
- City of Birmingham Civil Construction permit will be required.
- City of Birmingham Stormwater Permit requirements will apply, including certifications from the design engineer.
- 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 areas that are greater than the requirement for the parking space count.
- Compliance with the Post Construction Stormwater Ordinance is required.



Birmingham Department of Transportation.

The Department of Transportation has reviewed the site plan and does believe that a traffic study is necessary since there are no immediate concerns regarding traffic circulation or ingress/egress of the site.

Neighborhood Recommendation.

The ***Hooper City Neighborhood Association*** met at its regularly scheduled meeting on **May 11, 2023**, to review the site development plan and did not provide a recommendation.

Framework Plan.

This property is located within the ***North Birmingham Framework Plan Area***. This framework plan was adopted in February of 2015. The ***North Birmingham Implementation Committee*** met at their regularly scheduled meeting on and provided the following comments:

STAFF REPORT
ZONING ADVISORY COMMITTEE
Birmingham Planning Commission
Meeting Date: June 20, 2023
Time: 6:00 P.M.
Pre-Meeting: 5:30 P.M.

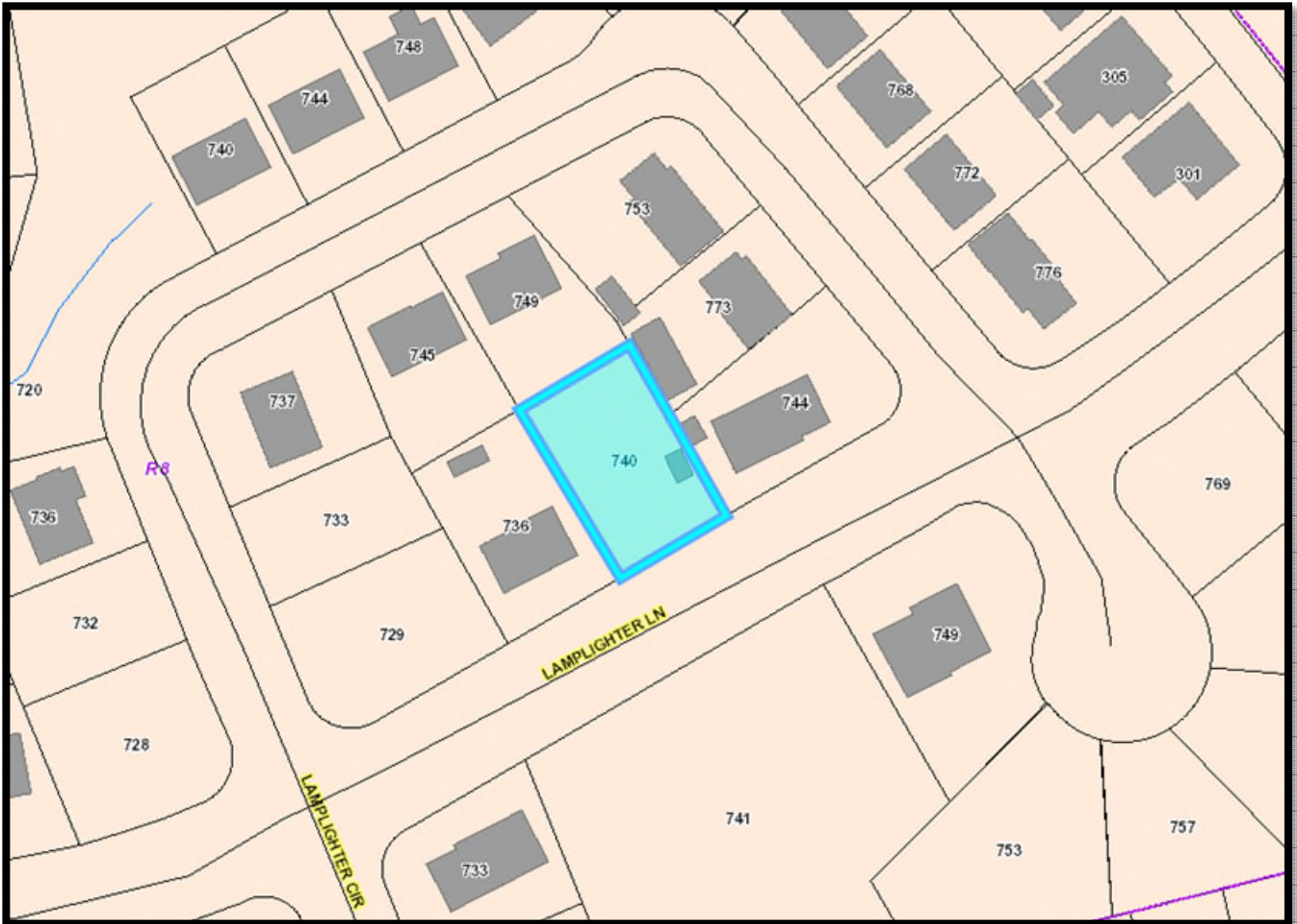
ZAC2023-00006..... North Pratt

A request for site development plan review in an R-8 district - the applicant plans to construct a community garden that will include a hoop house, raised garden beds, a walking path and an outdoor classroom area- located at 740 Lamplighter Lane.

Proposed Use: Community Garden and Outdoor Classroom

Property and Abutting Land Uses:

The subject property is 0.17 acres. The current zoning for the property is R-8, Planned Residential District. All properties surrounding the proposed development are also zoned R-8. The site is currently vacant.



Zoning Map – BGIS



Google Image of Site

Per the City's Zoning Ordinance:

The ZAC shall review, approve in part or whole, or disapprove, setting forth its reasons therefore, all conceptual designs and any site development plans for D-6 Districts initiated or recommended for adoption by the Commission without an original plan, in the case of initial zoning of annexed territory. The ZAC shall also review, and approve or disapprove all other site development plans involved in rezoning requests or subsequent plan amendments. After due notice and hearing of all interested parties, and consideration of analyses or recommendations by its staff, the ZAC shall judge the acceptability of varied elements of the plan in close conformity with the following criteria to:

1. Minimize traffic congestion, conflicting movements, hazards, clutter or glare interfering with drivers' visibility of streets, drives and protecting pedestrian ways and avoiding the attraction of customer or truck traffic through local residential frontage streets;
2. Assure long term adequacy of grading, storm drainage, sanitary sewers, other utilities and improvements, particularly preventing landslides, erosion, sedimentation, flooding and similar problems on subject property and nearby parcels of land in accordance with the City Soil Erosion and Sediment Control Code;
3. Minimize activity conflicts, and environmental degradation, while maximizing a compatible interrelation of uses and economical development through shared access, parking utility easements, service areas, clustering, etc.;
4. Preserve historic or significant places, scenic features, steep slopes, or drainage ways, and create effective natural, planted and man-made buffers of sufficient height, density and width to screen objectionable onsite noise, vibration, smoke, dust, fumes, odor, heat, glare or visibility from

adjacent less intensive uses and particularly residential development and zones.

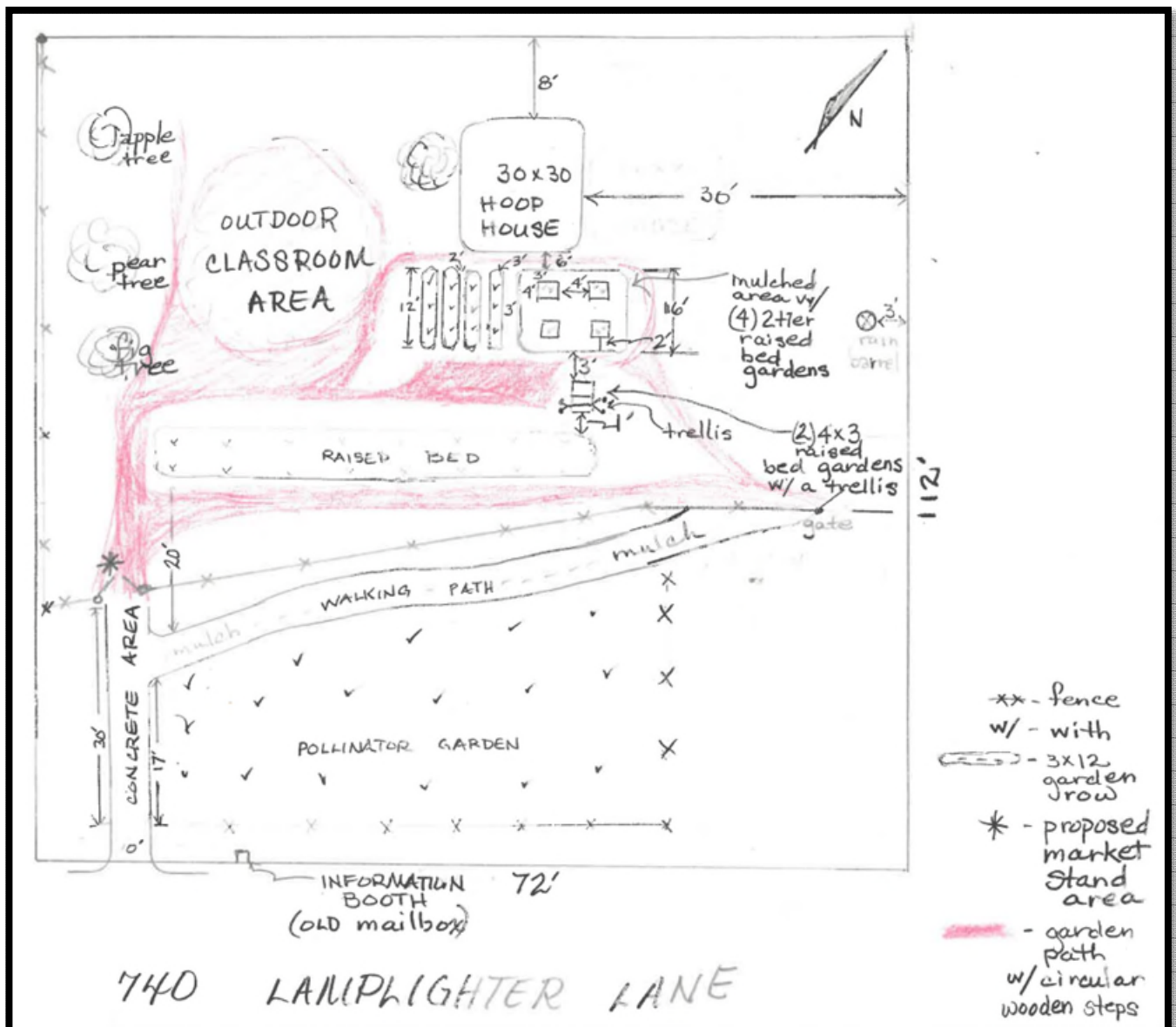
Once a site development plan has been approved, no work shall be done and no permits shall be issued except in accordance with said plan. No certificate of occupancy shall be issued until all site improvements as required by an approved site development plan are completed.

Applicant's Proposal:

The Applicant is proposing to construct "Livy's Living Community Garden" for homeschoolers. The garden will provide all the tools to inspire the next generation of outdoor classroom settings. At the garden, they will teach children to grow produce by introducing fun educational practices for homeschool children in the community to be taught twice a month during the school year; initially. The outdoor classroom curriculum will consist of garden tool safety, compatible planting, pollinator gardening, rainwater conservation, and general agricultural practices. The applicant plans to enroll homeschool co-ops for the fall of 2024. Gardening topics will be taught by Kat Harper, Garden Manager, and other gardening gurus. Olivia McGaha, the property owner will also teach and coordinate with the community to be involved if they desire. The garden's strategic goals include:

- Enrich student education by using on-site gardens to teach agriculture through hands-on lessons.
- Deepen engagement in homeschool students' garden skills by providing training and support to teachers and parents.

In the future, the applicant would like the garden to serve the community with a market stand. This would include having a set of tables and boxes with produce and flowers from the harvest for sale to benefit the future of the garden.



Site Plan Provided by Applicant



Google Streetview of the Proposed Site

Zoning Ordinance:

The property is zoned R-8, Planned Residential District. This district was designed to allow for the flexible and orderly arrangement of large planned residential areas. Uses permitted in this district include:

1. Any use allowed in the D-1, D-2, D-3, D-4, D-5 District.
2. Two-family dwelling.
3. Multiple dwelling; provided, however that no building or accessory structure shall be located closer than 25 feet to any D-6 district boundary.
4. Attached and semi-attached single family dwellings.
5. Condominiums (residential).

The area and dimensional regulations are:

1. Maximum height of structures. Except as provided in Chapter 3 of this Ordinance, the maximum height of structures shall be 45 feet.
2. Structure setback. No building shall be closer to any abutting street than 25 feet.
3. Open space between buildings. Open space between buildings, measured at the closest point, shall not be less than 20 feet for one-story buildings, 30 feet when one or both are two-story buildings, or 40 feet when one or both are three-story buildings.
4. Area per family. The required average land area per family shall not be less than 3,750 square feet; except, that in attached and semi-attached single family dwellings, the average land area per family shall not be less than 2,500 feet.

A community garden is permitted with conditions in D-1, D-2, D-3, D-4 and D-5 provided the following conditions are met:

1. No dwelling structure is located on the same lot as the community garden.
2. A community garden permit application has been completed and approved by the Department that contains the following:
 - a. Name of all persons or entities that govern the garden;
 - b. Name, signature and contact information of Garden Manager;
 - c. Description of garden use and purpose;
 - d. Detailed explanation of location of garden including address;
 - e. Site plan depicting all structures, compost piles, proposed screening and garden installations of the proposed garden;

- g. Results of soil testing for soil condition and contamination.
3. Garden use excluding all accessory structures is allowed in any yard.
4. A community benefit is demonstrated in two of the following ways:
 - a. Garden space is provided for area neighbors.
 - b. Provide healthy food access to area neighbors.
 - c. Local Neighborhood Association sponsorship.
 - d. Provide gardening education to area neighbors.
 - e. Provide gardening internships to area neighbors.
 - f. Provide community events that support food access or healthy eating habits.
5. Accessory structures are limited to storage sheds, water cisterns, cold frames, hoopouses and greenhouses, and they must be built of standard uniform materials that are either new or in sound condition not showing signs of decay, and can be located anywhere on site other than the required front yard or as required as an accessory structure in rear or side yard.
6. For the purposes of this section, a greenhouse or market stand is not subject to the accessory structure requirements in Title 1, Chapter 3, Article I of this Ordinance.
7. All compost and organic matter stored on site shall be of materials, generated on-site by the owner or tenant and shall not cover more than 10% of the total lot area, and shall be screened from view of adjacent property and public right-of-way with fencing built of standard uniform materials that are either new or in sound condition not showing signs of decay or an evergreen landscape buffer.
8. All compost must be maintained to prevent rodents and pests, and shall be maintained to prevent odors and drainage from compost onto adjacent sites.
9. All gardening equipment shall be limited to household gardening/lawn equipment.
10. The maximum lot size for a community garden shall be no more than 50,000 square feet.

A market stand is permitted in the following districts: D-1, D-2, D-3, D-4, D-5, and D-6 provided that the following conditions are met:

1. It is accessory to a community garden.
2. Sales only occur on a temporary basis no more than 156 days per year and between the hours of 7:00am and 7:00pm.
3. Market cannot operate for more than three consecutive days.
4. Market manager demonstrates that adequate parking is available on the lot being used by the market or a parking arrangement has been made for a non-residential lot that is within 500 feet and is not in use during market hours.
5. Items made from kits, used or mass produced items are prohibited.
6. Only agriculture products grown on the community garden property can be sold.
7. Within one (1) hour after the closing of the market stand the market stand must be moved to its permanent storage area in a rear yard and the market area be cleaned of any debris or trash.
8. A letter or document verifying land owners permission for the market stand to operate on the property and identifying Community Garden Manager is submitted to Department.

Stormwater

The applicant is responsible for all permits related to Stormwater, including soil erosion control and civil construction permits, if necessary.

Landscaping

The Site Plan was reviewed by the City's Landscape Architect. No additional comments.

Department of Transportation

The applicant is responsible for any Department of Transportation related permits.

Neighborhood Recommendation:

The North Pratt Neighborhood Association met at its regularly scheduled meeting on **June 13, 2023**, to review the proposed project and voted to recommend approval of the site development plan. The vote was **6** *approved* and **1** *denied*.

Conditions of Approval

If approved, the following conditions are recommended for consideration:

1. Once a site development plan has been approved, no work shall be done and no permits shall be issued except in accordance with said plan. No certificate of occupancy shall be issued until all site improvements as required by an approved site development plan are completed.
2. In the event that construction in accordance with the originally approved development plan has not begun within two years from the date of its approval, the development plan shall expire and become null and void. If less than 25% of the site improvements have been installed within 18 months after issuance of a permit to begin construction, the site development plan shall expire and become null and void.