

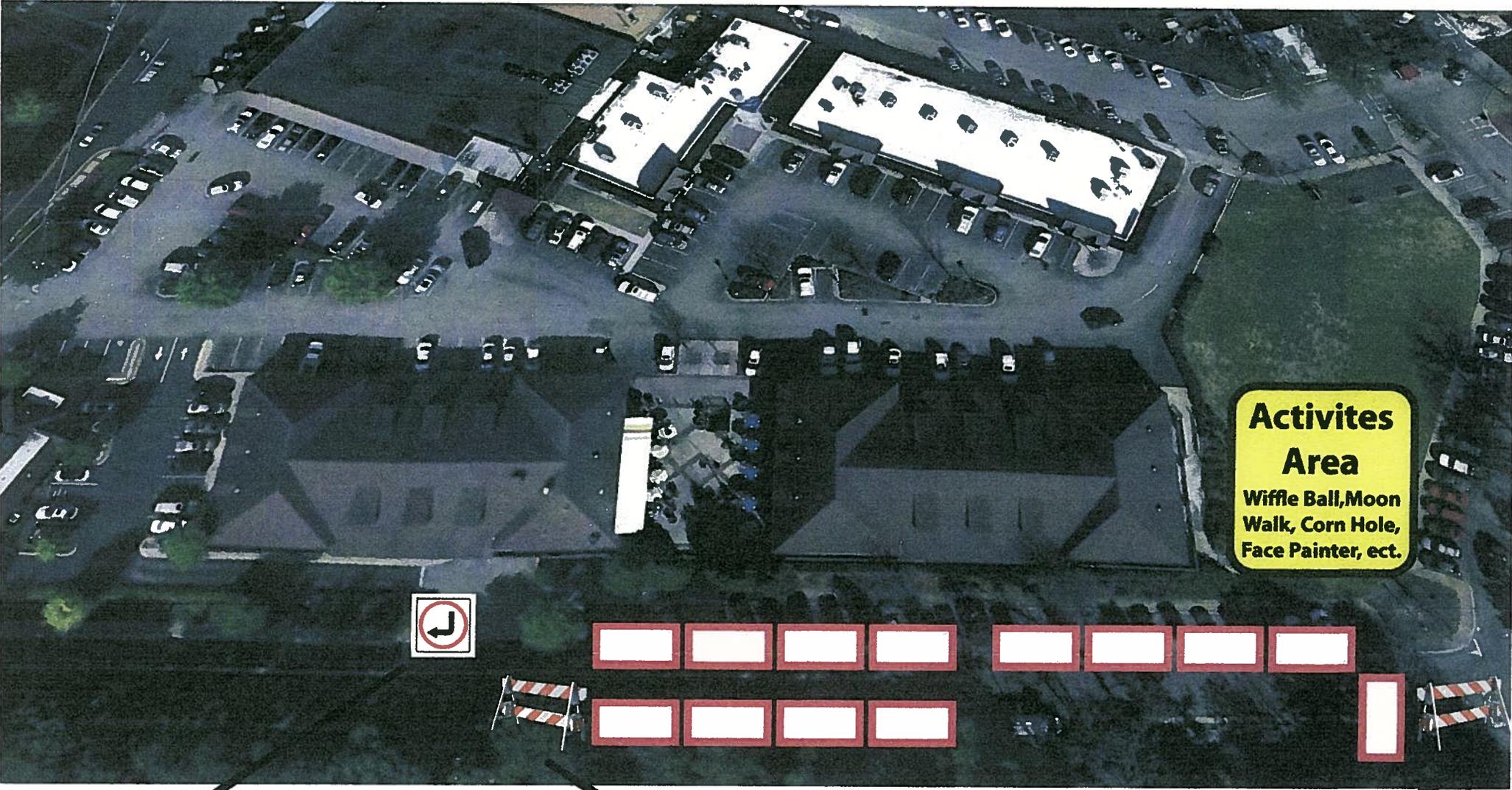
**MOUNTAIN BROOK CITY COUNCIL
PRE-MEETING AGENDA**

**PRE-COUNCIL ROOM (A-106) CITY HALL
56 CHURCH STREET
MOUNTAIN BROOK, AL 35213**

MARCH 24, 2014 – 6:30 P.M.

1. Request by Urban Cookhouse to hold a “Farmers’ Market” on Dan Watkins Road on Wednesday afternoons during the summer – Laura Powell of Urban Cookhouse. (See attached information. This item may be added to the formal agenda.)
2. Conditional use application for a lunch time restaurant in the Park Lane building in English Village – Dana Hazen. (See attached information. This item may be added to the formal agenda.)
3. Requested three-way stop at Dexter Avenue and West Montcrest Drive – Chief Cook and Sam Gaston.

Crestline Village Farmers Market



Activites Area
Wiffle Ball, Moon Walk, Corn Hole, Face Painter, ect.



**Parking Deck Exit
Right Turn Only**

**Police Block Off
Tuesday at Noon**

The Crestline Farmers Market

RULES AND GUIDELINES

2014

INTRODUCTION

The Crestline Farmers Market has the goal to provide fresh foods and products, and direct marketing of farm products to the people of the local community and its surrounding areas. The following rules and guidelines are designed to make it as easy as possible for local producers to sell their products directly to the general public.

- The Market Manager will be Alyssa Taul, email: ataul@uab.edu, phone # 205-914-0885. The Market Manager's responsibilities include but are not limited to recruitment and retention of vendors and presenters, communication with the Mountain Brook Chamber of Commerce on all issues pertaining to the market, and marketing/promotion. The Market Manager will also act as a point of contact on market days for any questions that may arise. Market Manager will work alongside Gameday Done Right in tent set-up and break down.

LOCATION

The Crestline Farmers Market will be located on Dan Watkins Road near Urban Cookhouse at 212 Country Club Park, 35213.

THE SELLING SEASON

The Market will be open each Wednesday evening for retail sales from June 4th and run through August 6th.

PERMITS AND FEES

A growers' permit must be completed before selling at the market. Permits are available at no charge from the County Extension Office. The purpose of the certificate is to ensure that the products sold originate with producer, his or her family, employees or partners. This allows the producer and the customer to be exempt from state and local taxes for goods sold. Any fees collected by the market are for the express purpose of tent and equipment rental.

- **If you are a grower, a copy of your permit must returned to Alyssa Taul either by mail, fax or email prior to participating in the market**
- All non-growers will be required to pay State of Alabama, City of Mountain Brook, and Jefferson County Sales tax on goods sold at market. All necessary licenses and fee are the responsibility of the vendor.
- All vendors selling processed food items are required to abide by all rules set forth by the Alabama Farmers Market Authority's and the Alabama Department of Public Health. The Market Manager will follow these rules and advise vendor prior to selling at market of any necessary food labeling guidelines and/or health department permit requirements.

SPACE ASSIGNMENTS AND RESERVATION POLICIES

1. Vendors will be licensed to sell from only one space as assigned by the Market Manager, unless an additional space has been approved and payment received. Displays must be confined to the assigned space. If a vehicle or display is obstructing pedestrian traffic, or judged to be a safety hazard, it must be moved.
2. Vendors' fee structure is as follows:
 - Single space full season rental: \$300 per season (\$30/day) for a 10x10 tent and one 6-foot table (to qualify for discounted rate, vendor must prepay for season in its entirety by June 4th)
 - Single space per day rental: \$35 per day for a 10x10 tent and one 6-foot table.

Additional tables are permitted to be brought by the vendor. Vendor is also responsible for providing his/her own trash receptacle and for removal of trash at the end of each market day.

3. If you are renting space per day and not per season, the farmer/vendor must provide notification to Market Manager, Alyssa Taul, by Tuesday prior to the market at 5 p.m. to reserve a space at the market.
4. Payment for space is made payable to Gameday Done Right each market day.
6. The market manager designates the vending location for all producers with or without vehicles and if the market manager judges it necessary, may require a producer to relocate.

REGULATIONS

1. **Only producers may sell at the market.** A producer is defined as the person that grows or makes the product and may also include the producer's immediate family, partners, employees, or local cooperatives upon prior review. A partnership, for the purpose of this document, is defined as two or more individuals engaged together in the joint production of agricultural products. Any complaints filed with the Market Manager concerning production regulations will be investigated by the State of Alabama Farmers Market Authority. Should a complaint be found valid, it may result in expulsion from the market for the remainder of the selling season, and no refund will be made for market fees paid to date.
2. Arts and crafts are not permitted for sale at the market unless they have received prior approval by the Market Manager. **Anyone interested in selling goods of this nature must submit samples of product to the Market Manager** for approval to participate in market.
3. Producers may sell their own farm and kitchen products (if approved by selection committee) including (but not limited to): fruits, vegetables, eggs, cut flowers, plants, cheese, cider, jams, jellies, relishes, honey, home canned goods and baked goods. Many items are subject to Health Department regulations. It is the responsibility of the producer to abide by these regulations. Contact the Health Department for inspection and approval. No cooking is permitted by vendors within the market area without prior approval by the Market Manager. It is the responsibility of each producer to abide by all state and federal regulations, which govern the production, harvest, preparation, preservation, labeling, or safety of products offered for sale at the market.

4. Vendors must be set up at the market by 3:30PM and ready to do business when the market opens at 4:00PM. Each seller is expected to stop selling at 8:00PM and have all produce, baked goods, boxes, containers, etc, loaded for removal by 8:30PM. The Market Manager will have the authority to change the market hours on special occasions.
5. The sale of live animals is not allowed at the market.
6. Solicitation for political campaigns, products, services, or charitable contributions not specifically addressed as a market commodity is not permitted.
7. Vendors must be sixteen years of age or older. Younger children are welcome and encouraged to participate, but must be accompanied by an adult responsible for the child's conduct and safety.
9. Fraudulent, dishonest, or deceptive merchandising, disruptive behavior, or collusion to set prices among vendors may be grounds for forfeiture of the right to do business of any kind in the market.
10. All profane, abusive, discourteous, and boisterous language and/or conduct at or about the market area is prohibited.
11. Vendors will be solely responsible at all times for the cleanliness within their vending area regardless of the origin of the debris in that location. Each vendor is required to leave the space clean at the end of the day.
12. The Market Manager will have the full power to enforce all rules and regulations within the market area. Failure by any vendor to comply with any of these rules and regulations can result in the forfeiture of the right to do business of any kind in the market.

Name of Farm/Business

Signature of Representative

Crestline Farmers Market Vendor Application

First Name: _____ Last Name: _____

Farm/Business Name: _____

Address: _____

City: _____ County: _____ Zip Code: _____

Home Phone: _____ Cell Phone: _____

Email: _____

Farm
Address: _____

Please list products you intend to sell at the market:

Indemnification: By participating in the market, all vendors shall be individually and severally responsible to the Crestline Farmers Market, the Market Manager, Urban Cookhouse, Gameday Done Right, and Mountain Brook Chamber of Commerce for any loss, personal injury, deaths, and/or any other damage that may occur as a result of the vendors' negligence or that of its servants, agents or employees. All vendors hereby agree to indemnify and save the owners of the Crestline Farmers Market, the Market Manager, Urban Cookhouse, Gameday Done Right, and Mountain Brook Chamber of Commerce harmless from any loss, cost, damages, and other expenses, including attorneys' fees, suffered or incurred by the owners of the Crestline Farmers Market, the Market Manager, Gameday Done Right, Urban Cookhouse, and the Mountain Brook Chamber of Commerce by reason of the vendor's negligence or that of its servants, agents or employees.

Applicant Statement:

I agree to abide by the Guidelines of the Crestline Farmers Market and to obtain all applicable permits and licenses; I further agree not to hold the Market responsible for any damages arising out of the sales of my products.

Signed: _____

Printed Name: _____ Date: _____

Please read and sign. Return to Alyssa Taul, email: ataul@uab.edu,



**City of Mountain Brook
EVENT PERMIT APPLICATION**

FOR EVENT, PARADE, PROCESSION, OR OTHER ASSEMBLY

(Applications submitted less than 30 days prior to the event may not be approved.)

Today's Date: 03/13/2014 Individual/Organization: Urban Cookhouse

Contact Information:

(a) Name: Laura Powell (b) Title: Director of Corporate Development/Farmers Market Supervisor

(c) Address: 16 Office Park Circle Suite 10A, Birmingham, AL 35223

(d) Tel. No.: (502)-299-5679 (e) Cell No. (502)-299-5679

(g) Email address: laura@urbancookhouse.com f) Fax No. (205)-802-8779

Describe the type, nature, character and purpose of the event (list all activities): Urban Cookhouse Farmers Markets were established in 2010 in response to a growing need to support small family farms. In response to our motto, "Buy Local, Eat Urban," UC desires to provide a connection between these farmers and the local community. We currently manage two farmers markets, one in downtown Homewood (Soho Lot) and another at The Summit Shopping Center. All of our vendors are local, from a rough geographic range of about 85 miles. It's an absolute joy to serve these farmers and vendors, and UC's goal is to pull in the community to join us in this support. Activities include setting up tents (in uniform) for market vendors, as well as kid's activities such as face painting, corn hole, etc.

Give the inclusive date(s)/time(s) of the event: The markets will run for 10 weeks on Wednesday evenings from 4-8pm after school lets out. June 4 - Aug 6.

Give the number and composition of the event:	<u>Component</u>	<u>Number</u>
	<u>People (riding/walking) people walking to markets estimate 50-70 per hour of event</u>	
	<u>Motor Vehicles cars of vendors and customers estimate 20-40</u>	
	<u>Floats possible moonwalk</u>	<u>1</u>
	<u>Animals 0</u>	<u>0</u>
	<u>Other 0</u>	<u>0</u>

Identify the place, area, locality, and/or route of the assembly: Dan Watkins (first 20ish spots once you turn right onto Dan Watkins after passing Library. We believe this would best serve our merchants, traffic and customers. We have received full permission from Walter Scott (manager Tommy Joyce) to use this property.

Will it be necessary to block any street or sidewalk during the course of the assembly/event? If so, explain: The police will mark off spots with cones on Wednesday mornings (noon at the latest) starting June 4. This way we can secure parking spots for the market. Cars will still be able to turn right out of parking deck to exit after this time. Similarly, cars can turn onto Dan Watkins off Country Club Rd. to pull into parking deck if needed. However, you will NOT be

able to turn left out of parking deck, as that part of street will be blocked from noon-8pm for market.

Will alcoholic beverages be sold and/or served? If so, explain circumstances: No.

Will money be solicited? If so, explain circumstances: Each farmer/vendor will charge for their product.

Will signs, placards, banners, flags or cards be displayed? Yes, we will have 11x18 posters to distribute to local stores in the Crestline area to advertise the event. Urban Cookhouse will have a lot of marketing material in our stores to market the event as well. Urban Cookhouse will have a banner at hub tent titled, "Crestline Farmers Market." We also will have A-signs on each side of road to direct traffic/customers // tell them where market is taking place.

List all vendors supplying food, drink(s), games, booths, etc.:

Example vendors:

Harvest Farm

Operated by Trent Boyd, a 5th generation farmer from Fairview, Alabama. They grow a variety of produce including 10 varieties of heirloom tomatoes, strawberries, figs, corn, field peas, squash, beans, blueberries, and blackberries. All of their products are produced as naturally as possible.

The "Peach Man"

The Peach Man, Kenneth Easterling, is well known in Homewood and has been selling his harvests from the back of his pickup truck on 18th Street for years. He joins our market during peach season, selling 12 unique varieties of Chilton County peaches!

Owl's Hollow

Owl's Hollow Hydroponic Farm was established in May 2001 and is operated by Rod Palmer. Their products are grown floating in water, which contains all of the nutrients they need. Leaving the roots on allows the vegetables to stay fresh in storage and keep their crisp flavor longer.

Hamm Farm

From Cullman County, Dwight Hamm will have a large display of exotic peppers and other seasonal produce.

Smitherman Farm

Local farmer Josh Smitherman will be selling fresh produce at the market. You don't want to miss his delicious fruits and vegetables.

****Additionally, UC will have an Oversight Committee: Julie will head this, as she is top representative of Crestline merchants. Their job is to approve Farmers Market vendors so there are no competing vendors with Crestline merchants.**

Applicant Signature: Laura Powell (e-signature)

Telephone Number: (502)-299-5679

Approved this _____ day of _____, 20____

Lawrence T. Oden, Mayor

or

Sam S. Gaston, City Manager

Parade Safety & Restrictions*

- Candy or other objects shall not be thrown or otherwise transferred to anyone along the parade route from vehicles or floats that are active within the parade.
- No stopping along the parade route.
- All float drivers must be properly licensed and insured. All drivers should be adults.
- All floats must have adequate lines of vision for the drivers to see.
- No float or parade participant may turn out of the designated parade route without police approval and direction.

*Strict adherence to these restrictions must be maintained. Failure to adhere to these restrictions may cause immediate expulsion from the parade of the offending party, may cause the immediate stoppage of the parade and will jeopardize future parades. Organizing parties must ensure all drivers in the parade are furnished a copy of these restrictions

Police Department Remarks

See attached memorandum

Signed: C. Clark Date: 3-19-14

Revenue Department Remarks:

Signed: _____ Date: _____

The approved application serves as the permit.

If you have any questions, please contact Doris Kenny at 802-3800 or kennyd@mtnbrook.org .

2 of 2

REV092013

2 of 2

REV092013

Memorandum

To: Doris Kenny
From: Lt. C. Clark
Date: 03/19/2014
Re: Farmer's Market Permit Application

The following are remarks concerning the event permit for the Farmer's Market:

- 1) If Dan Watkins is blocked between Keely Court and the entrance to the parking deck, traffic (especially from 4 pm to 6:30 pm) will snarl on Euclid. This will create a back up into Crestline Village and into the traffic triangle and beyond. To help mitigate this I recommend:
 - a) Temporary signage posted on Euclid Ave, Country Club Rd, and Memory Lane indicating that Dan Watkins is closed to thru traffic during the times of the event.
 - b) Temporary signs right at Dan Watkins, during event times indicating no thru traffic on Dan Watkins.
 - c) Have the road closure well publicized.
 - d) If the market is open from 4-8 pm, why does the road need to be closed from noon to 4pm? If it's for set up, how long will take down take? Will we be able to open the road at 8 pm? We require that an off-duty officer be hired and present during any road closure. As the plan stands, they will need to hire an off-duty officer from 12 noon until the road is reopened. They will be responsible for contacting the Police Department to set this up.
- 2) The parking areas will need to be blocked off overnight because once people park there during the day we have no way of locating them to get them moved. Also, there are some cars (3-4) which are parked there overnight on a regular basis. Most of these cars belong to businesses in Crestline. Arrangements will need to be made to ask them to park elsewhere.
- 3) Public Works will need to drop off two barricades at Dan Watkins and Keely Court and two on Dan Watkins at the entrance to the parking deck the morning of the event. The Police Department will handle this request.
- 4) If experience after the first event dictates, they may need to hire additional off-duty officers to direct traffic at Euclid Ave and Dan Watkins.

C. Clark

3-19-14



CITY OF MOUNTAIN BROOK

Dana O. Hazen, AICP
City Planner
56 Church Street
Mountain Brook, Alabama 35213
Telephone: 205/802-3821
Fax: 205.879.6913
hazend@mtnbrook.org
www.mtnbrook.org

MEMO

DATE: March 20, 2014

TO: Mayor, City Council
City Manager
City Attorney

FROM: Dana Hazen, City Planner

RE: Conditional Use for Tavern on the Summit
2117 Cahaba Road, English Village (existing Park Lane)

Request for approval of a sit-down restaurant in the existing Park Lane facility (previous Arman's restaurant) located in English Village. This is the same restaurant as Tavern at the Summit whose lease has expired. The owners of that restaurant are seeking to relocate to English Village. For clarification, this is the "upper" Tavern, not "The Village Tavern" on the lower level of the Summit.

As may be seen in the attached letter of operational characteristics, it is proposed that The Tavern be open during the lunch peak hours of 11:00 a.m. to 1:00 p.m., thereby requiring approval of a conditional use. The attached site plan indicates that there will be 35 on-site parking spaces for patrons, and 22 on-site parking spaces (tandem) for employees.

The number of employees present during the lunch shift (11:00 am to 4:00 pm) will be 22. The restaurant will be open 7 days per week for lunch and dinner.

The site is comprised of 2 lots and a paper alley (see attached zoning map and aerial). The principal lot is zoned Local Business and the easterly lot is zoned Residence-C. It remains to be seen as to whether or not the paved portion of the Res-C lot can be used for the newly striped employee parking "by-right" or if BZA approval is needed to utilize the residential lot for parking. Staff will confer with counsel prior to the City Council meeting in order to determine if the BZA step is required. If so, any council approval of this conditional use may be conditioned on securing the necessary approval from BZA.

Also, the attached site plan indicates the striping of parallel parking spaces to the immediate rear of the existing building, which is in the paper alley.



Employee Lunch Time Parking Plan
(11am to 1pm)

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SUMMARY OF REQUEST

Context. Mike Mouron has the Park Lane (grocery) property, located at 2117 Cahaba Road, under contract to purchase and is in negotiation with the owners of The Tavern restaurant to lease the premises. The Tavern must be allowed to be open to serve lunch for this location to be viable for them. Given the limited parking in English Village during lunch time, the City of Mountain Brook has requested a proposal for an employee parking plan between the hours of 11am and 1pm.

On-Site Parking. According to The Tavern owners' on-site parking plan (included below), the venture will be *providing 35 spaces for its customers* on the property.

Sales Tax Impact. The Tavern is projecting *sales in the range of \$3 million*. The last five years at their Summit location, sales averaged \$3,389,000.

Request. We are requesting that the City of Mountain Brook grant approval for The Tavern to be open to serve lunch while utilizing the proposed parking plan (included below) for its employees between the hours of 11am and 1pm.

EMPLOYEE LUNCH TIME PARKING

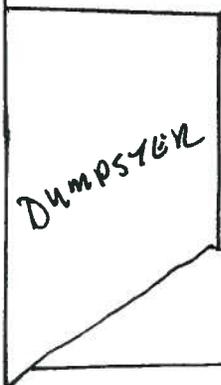
On-Site Solution

- *Creating an additional 22 spaces* in the back
- The employee spaces will be “stacked” (see On-Site Parking Capacity hand drawing below)
- 22 employees +/- needed for the lunch hours
- 35 spaces for customers, not including the upper lot leased by Mt. Brook of 18 spaces

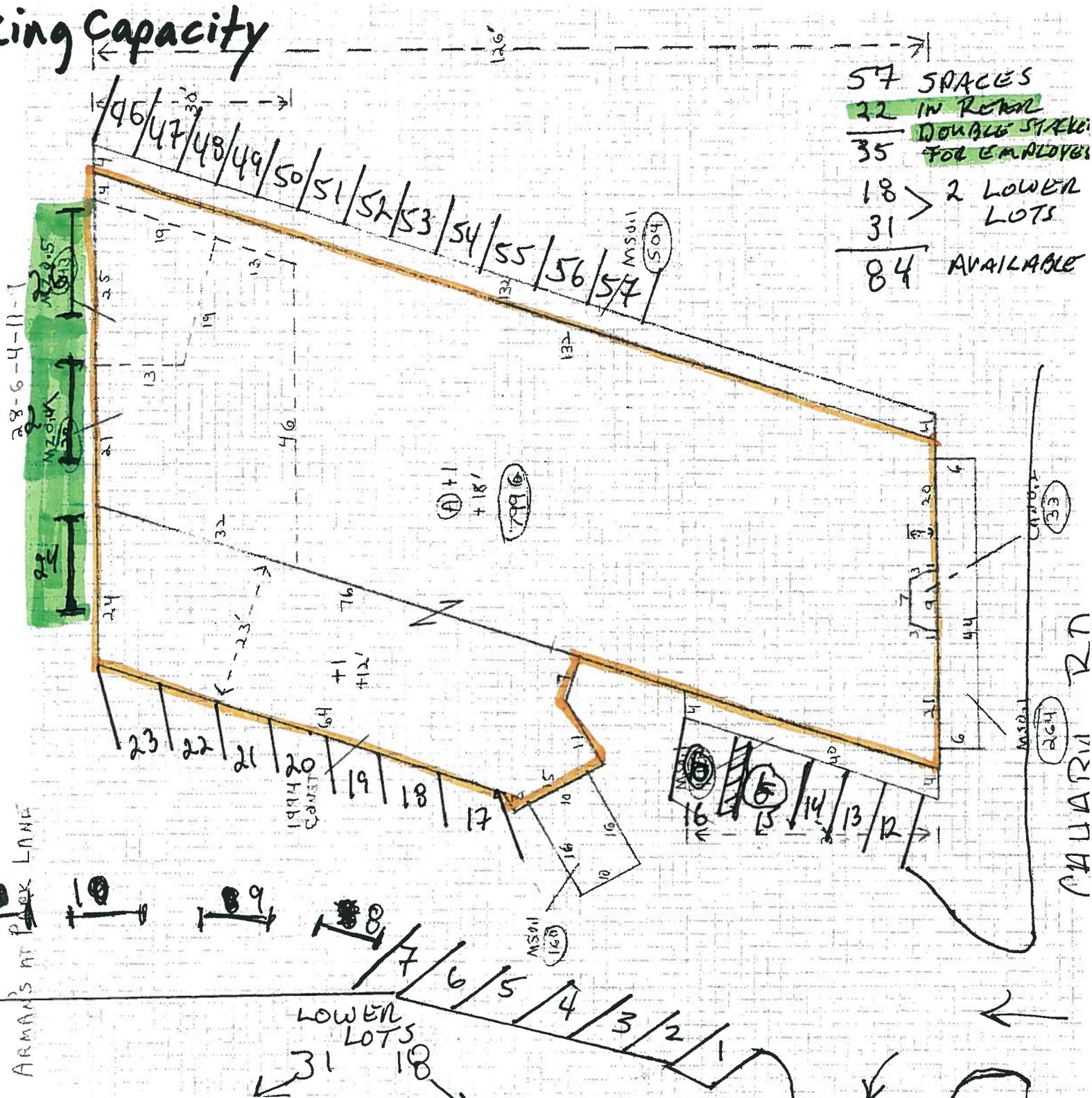
On-Site Parking Capacity

45	
44	35
43	34
42	33
41	32
40	31
39	30
38	29
37	28
36	27

Fence Line



ARMA'S AT PARK LANE



57 SPACES
 22 IN RETAIL
 35 DOUBLE STACKED FOR EMPLOYEES
 18 > 2 LOWER LOTS
 31
 84 AVAILABLE

LOWER LOTS
 31
 18

MAUARI RT

Adjusted Parking for Park Lane

There are a total of 57 spaces on the Park Lane footprint including two (2) handicapped spaces.

Have adjusted a total of twenty two (22) spaces at the rear (east end) of the building dedicated for employee parking Nineteen (19) along the fence line, double row, head to tail and 3 parallel spaces adjacent to the building.

There are twelve (12) spaces along the south side of the building, with an additional 23 on the north side.

There are 18 spaces in the west lot and 32 in the east lot that are adjacent to Park Lane and are under contract with the City of Mountain Brook.

The proposed restaurant would have a staff of approximately 22 people during its lunch shift which runs from 11:00 AM-4:00 PM, seven (7) days a week.



Legend

- Lockerbie Split Zoning
- Lockerbie_10_foot_Zoning
- landmark

Total_Prop.June2006

Zoning

- Clustered Residential
- Community Shopping
- Estate Residence District
- Local Business District
- MXD
- Office Park District
- Professional District
- PUD
- Residence A District
- Residence B District
- Residence C District
- Residence D District
- Residence E District
- Residence F District
- Recreation District
- RID
- Rec-2



RESOLUTION NO. 2014-

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the application of Mike Mouron, owner of the property located at 2117 Cahaba Road in English Village, to allow a prospective restaurant tenant to operate during the hours of 11 a.m. and 1 p.m. is hereby approved, subject to the following conditions:

ADOPTED: This 24th day of March, 2014.

APPROVED: This 24th day of March, 2014.

Council President

Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its regular meeting held on March 24, 2014, as same appears in the minutes of record of said meeting.

City Clerk

