

‘ORDINANCE NO. 1907 -A

**AN ORDINANCE TO AMEND THE MASTER DEVELOPMENT PLAN  
FOR MIXED-USE PROPERTY IN THE CITY OF MOUNTAIN BROOK, ALABAMA  
LOCATED AT 1930 CAHABA ROAD**

Legal Description: LOT 1-A BLOCK 3, RESURVEY OF PARTS OF LOTS 1 & 2 ENGLISH VILLAGE WEST SECTOR AS RECORDED IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

**BE IT ORDAINED** by the City Council of the City of the City of Mountain Brook, Alabama, as follows:

**Section 1. Development Standards.** The Master Development Plan and the materials submitted by the applicant, as required by Section 129-234 of the Mountain Brook City Code, as originally approved by the Mountain Brook City Council in 1996 and most recently amended on November 8, 2010, are hereby amended to include the changes set forth in the Amended Master Development Plan Application to allow a 1,000 square foot addition and to add five new on-street parking spaces to 20<sup>th</sup> Avenue South, as depicted in the attached Exhibit “A,” which is approved herewith, made a part hereof, and specifically incorporated herein by reference, said Plan and materials constituting regulatory standards for use of the subject property, subject to further modification only as provided for in Article XIV, Chapter 129 of the Mountain Brook City Code.

**Section 2. Repealer.** All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Mountain Brook, Alabama, that are inconsistent with the provisions of this ordinance are hereby expressly repealed.

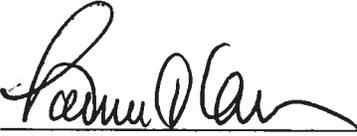
**Section 3. Severability.** If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

**Section 4. Effective Date.** This ordinance shall become effective immediately upon adoption and publication as provided by law.”

**ADOPTED:** This 14th day of July, 2014.

**APPROVED:** This 14th day of July, 2014.

  
\_\_\_\_\_  
Council President

  
\_\_\_\_\_  
Mayor

1907

**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 an ordinance adopted by the City Council of the City of Mountain Brook, Alabama, as its meeting held on July 14, 2014, as same appears in the minutes of record of said meeting, and published by posting copies thereof on July 15, 2014, at the following public places, which copies remained posted for five (5) days as required by law.

City Hall, 56 Church Street  
Gilchrist Pharmacy, 2850 Cahaba Road

Overton Park 3020 Overton Road  
The Invitation Place, 3150 Overton Road



\_\_\_\_\_  
Steven Boone, City Clerk

# VINO/GALLERY 1930

## ***Petition Summary***

Request to amend an existing development plan for property in the Mixed-Use zoning district.

## ***Analysis***

The proposal involves a 1000 square foot addition to the building and the provision of five (5) additional on-street parking spaces on 20<sup>th</sup> Avenue South. This addition is to be used primarily by the gallery, with joint events catered by Vino. The parking requirement for the gallery and the restaurant is the same (5 spaces/1000 sq. ft.), so the proposed addition and provision of additional on-street parking complies with the zoning ordinance whether used by the gallery or by the restaurant.

Section 129-555 of the Village Overlay allows for parking credit for new on-street parking created as part of a development plan, so while the on-street parking will be available for public use by all patrons of English Village, the subject property will receive parking credit for the provision of the new parking spaces.

## ***Background***

This parcel has been approved for a variety of uses. It was first rezoned from Local Business to Mixed Use in 1996; then amended to allow a specific mixed-use development with an Anthony's Restaurant and Jazz Club in a basement, retail and parking on the ground level, and 3 residential condominiums above (this plan was never implemented).

In 2001 the development plan was amended to allow three (3) galleries in the existing building: an art gallery, a chair gallery and a garden design shop. These galleries were established but subsequently closed. In 2009, a request to establish a Mexican restaurant was recommended for denial by the Planning Commission and the application was withdrawn without being forwarded to the City Council.

In 2010 the Planning Commission recommended approval of Case 1823, and the Council approved the amended development plan on November 8, 2010 to allow any use permitted in the Local Business District to be established on the subject property. Vino restaurant and the gallery were subsequently established.

On July 7, 2014, the Planning Commission recommended approval of this proposed amendment to the Mixed-Use development plan.

## ***Appends***

LOCATION: 1930 Cahaba Road

ZONING DISTRICT: Mixed Use

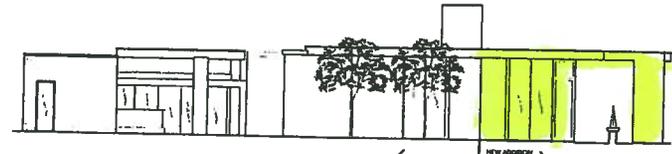
OWNER: Paragon Management, LLC

AGENT: Ali Rabiee

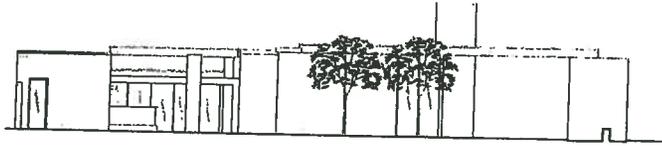
1917

# VINO ADDITION

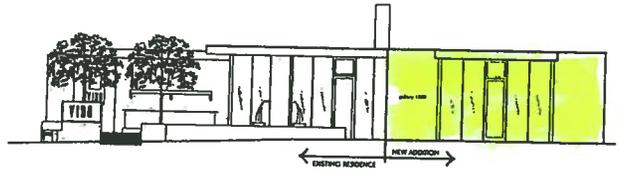
1930 CAHABA ROAD  
MOUNTAIN BROOK, ALABAMA  
01 MAY 2014



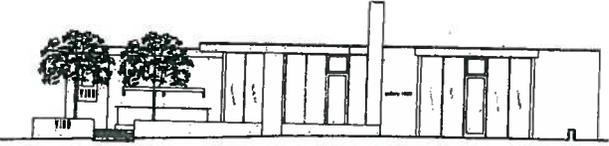
2 NEW SOUTH ELEVATION  
1/8" = 1'-0"



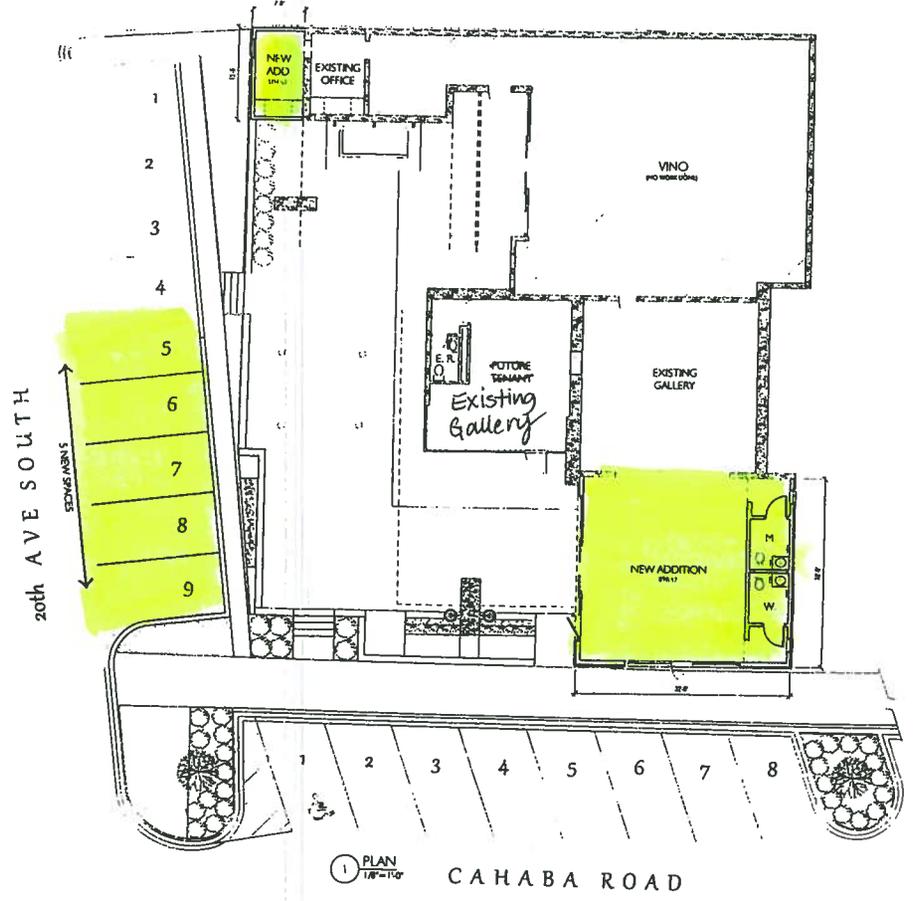
3 EXISTING SOUTH ELEVATION  
1/8" = 1'-0"



4 NEW EAST ELEVATION  
1/8" = 1'-0"



5 EXISTING EAST ELEVATION  
1/8" = 1'-0"



1 PLAN  
1/8" = 1'-0"

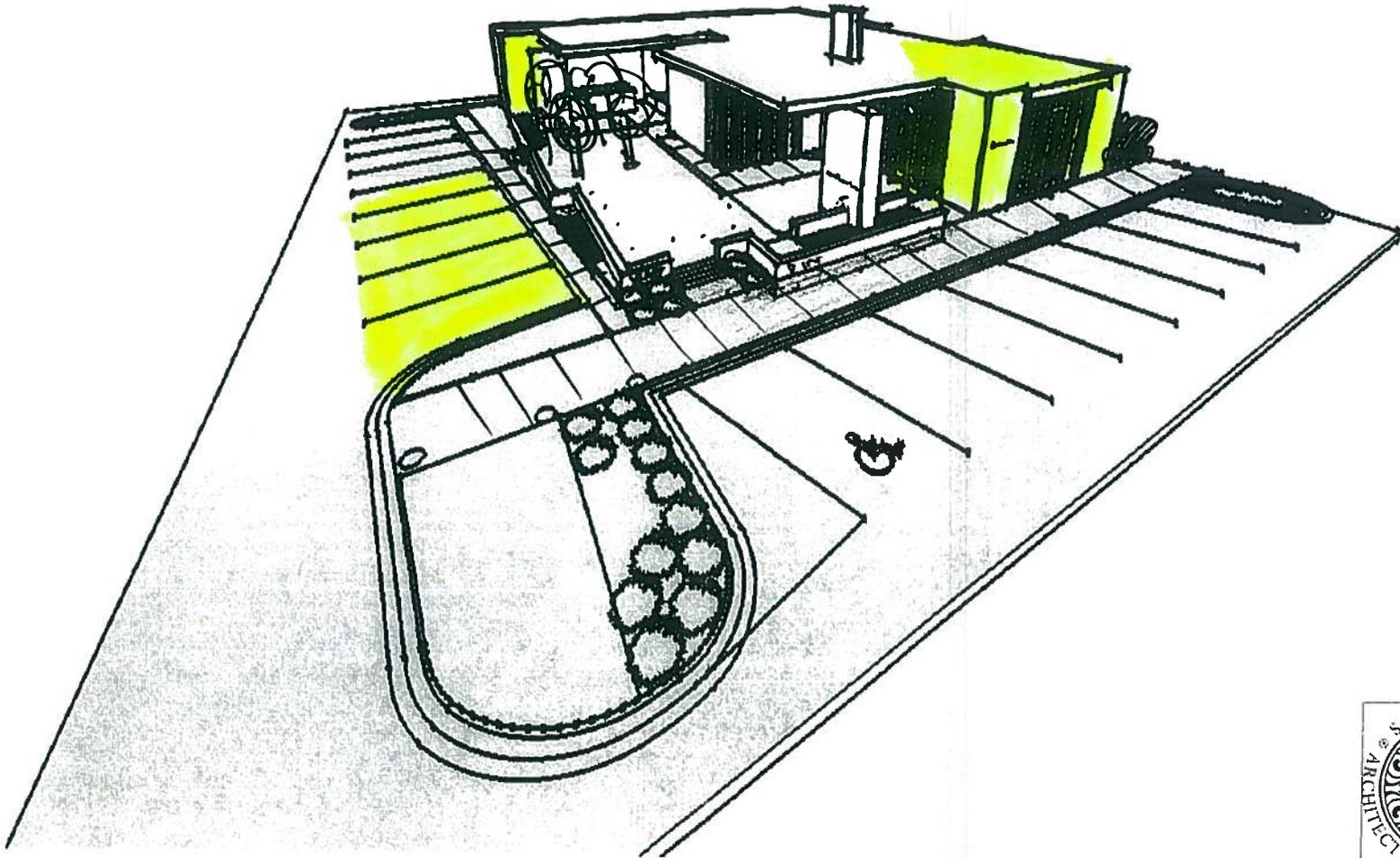
MAXIMUM ADDITION: 200 S.F. PER (1) PARKING SPACES  
200 x 5 = 1,000 S.F.

STUDIO O  
ARCHITECTURE & INTERIORS

Proposed Plot Plan and Elevations

# VINO ADDITION

1930 CAHABA ROAD  
MOUNTAIN BROOK, ALABAMA



**LEGEND**

ASP	ASPHALT
BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
LMG	HEADWALL
d	DEFLECTION
Δ	DELTA
ESMT	EASEMENT
G.M.	GAS METER
HW	LONG CHORD
MIN	MINIMUM
MH	MANHOLE
M.W.	MONITORING WELL
OH	OVERHANG
POR	PORCH
R	RADIUS
R.O.W.	RIGHT OF WAY
SAW	SANITARY
STM	STORM
S.L.	SPRINKLER HEAD
UTL	UTILITY
AC	ACRES
S.F.	SQUARE FEET
CL	CENTERLINE
A/C	AIR CONDITIONER
○	POLE
—	ANCHOR
—	FENCE
—	POWER LINE
—	PAVEMENT
W	WITH
W.M.	WATER METER
TAK	TANGENT
RES	RESIDENCE
○LGT	LIGHT
COV	COVERED
■	DECK
■	CONCRETE WALL

# Existing Survey



NOTE: NO SUBSURFACE UTILITIES HAVE BEEN LOCATED

SCALE: 1"=10'  
STATE OF ALABAMA  
JEFFERSON COUNTY)

"Closing Survey"

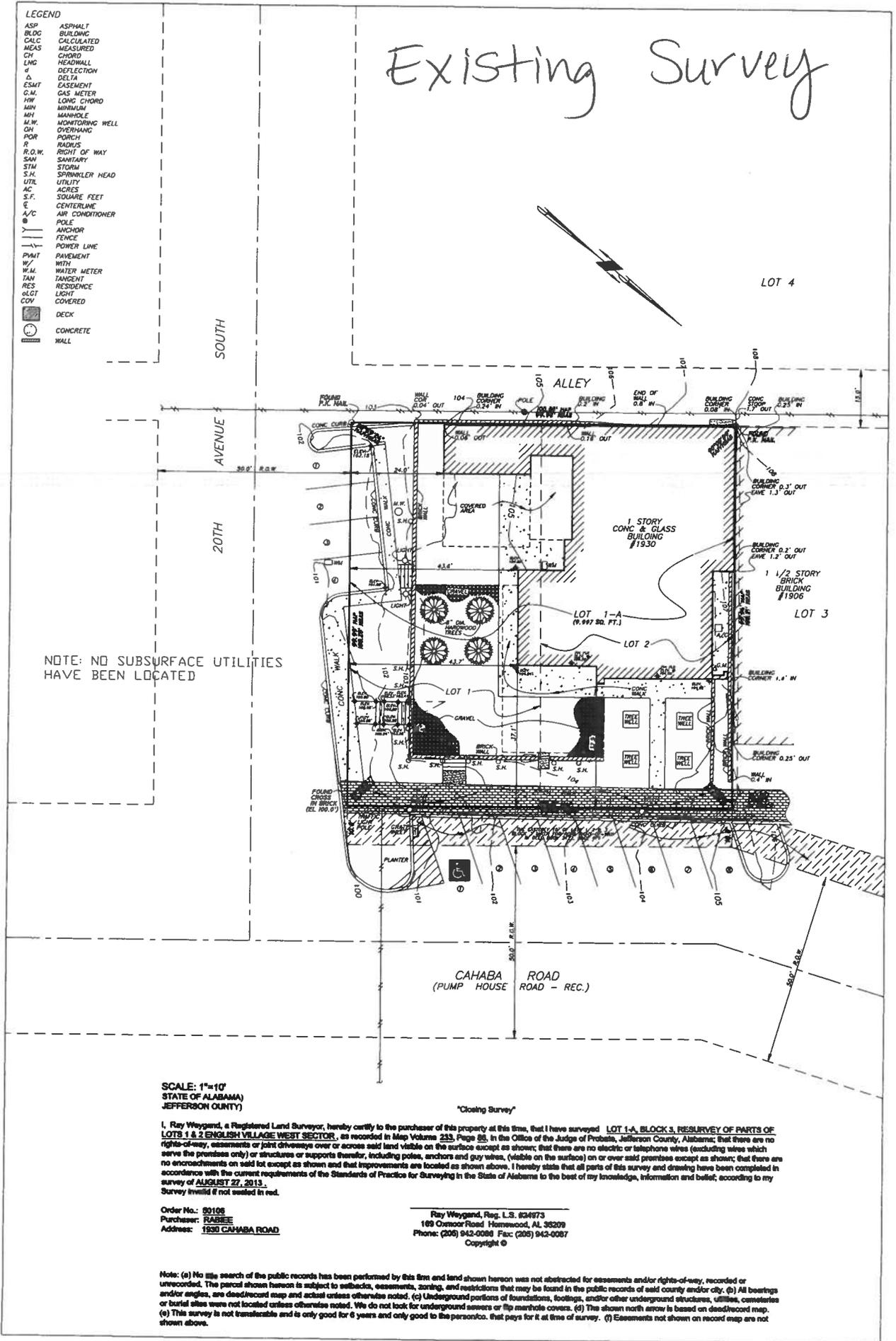
I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed LOT 1-A, BLOCK 3, RESURVEY OF PARTS OF LOTS 1 & 2 ENGLISH VILLAGE WEST SECTOR, as recorded in Map Volume 233, Page 86, in the Office of the Judge of Probate, Jefferson County, Alabama; that there are no rights-of-way, easements or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve the premises only) or structures or supports therefor, including poles, anchors and guy wires, (visible on the surface) on or over said premises except as shown; that there are no encroachments on said lot except as shown and that improvements are located as shown above. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief; according to my survey of AUGUST 27, 2013.

Survey invalid if not stated in red.

Order No.: 99106  
Purchaser: RABEE  
Address: 1930 CAHABA ROAD

Ray Weygand, Reg. L.S. 934973  
189 Osceola Road, Homewood, AL 36209  
Phone: (205) 943-0088 Fax: (205) 943-0087  
Copyright ©

Note: (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for assessments and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles, are dead/record map and actual unless otherwise noted. (c) Underground portions of foundations, footings, and/or other underground structures, utilities, conduits or burial sites were not located unless otherwise noted. We do not look for underground sewers or fire manhole covers. (d) The shown north arrow is based on dead/record map. (e) This survey is not transferable and is only good for 6 years and only good to the person(s) that pays for it at time of survey. (f) Easements not shown on record map are not shown above.



**LEGEND**

- ASP ASPHALT
- B/LDC BUILDING
- CALC CALCULATED
- MEAS MEASURED
- CH CHORD
- LNG HEADWALL
- Δ DEFLECTION
- Δ DELTA
- ESMT EASEMENT
- G.M. GAS METER
- HW LONG CHORD
- MIN MINIMUM
- MW MANHOLE
- M.W. MONITORING WELL
- OH OVERHANG
- POB POBCH
- R RADIUS
- R.O.W. RIGHT OF WAY
- SAW SANITARY
- STW STORM
- S.H. SPRINKLER HEAD
- UTL UTILITY
- AC ACRES
- S.F. SQUARE FEET
- C CENTERLINE
- A/C AIR CONDITIONER
- POLE POLE
- ANCHOR ANCHOR
- FENCE FENCE
- POWER LINE POWER LINE
- PAVT PAVEMENT
- W/W WATER METER
- TAN TANGENT
- RES RESIDENCE
- DLCT LIGHT COVERED
- CDV COVERED
- DECK DECK
- CONCRETE CONCRETE
- WALL WALL

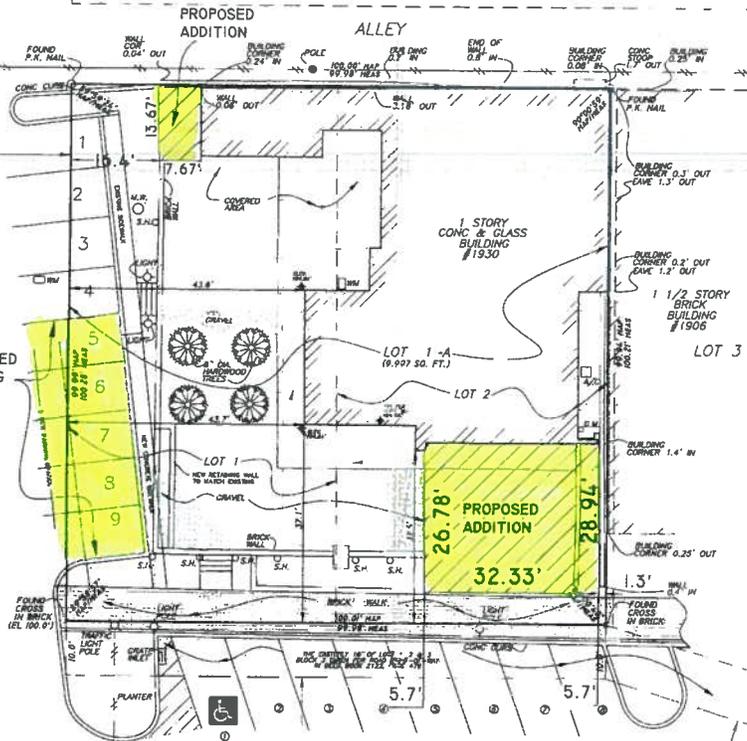
Existing Survey  
w/ Proposed Additions



LOT 4

NOTE: NL SUBSURFACE UTILITIES  
HAVE BEEN LOCATED

20TH AVENUE SOUTH



**PLOT PLAN**

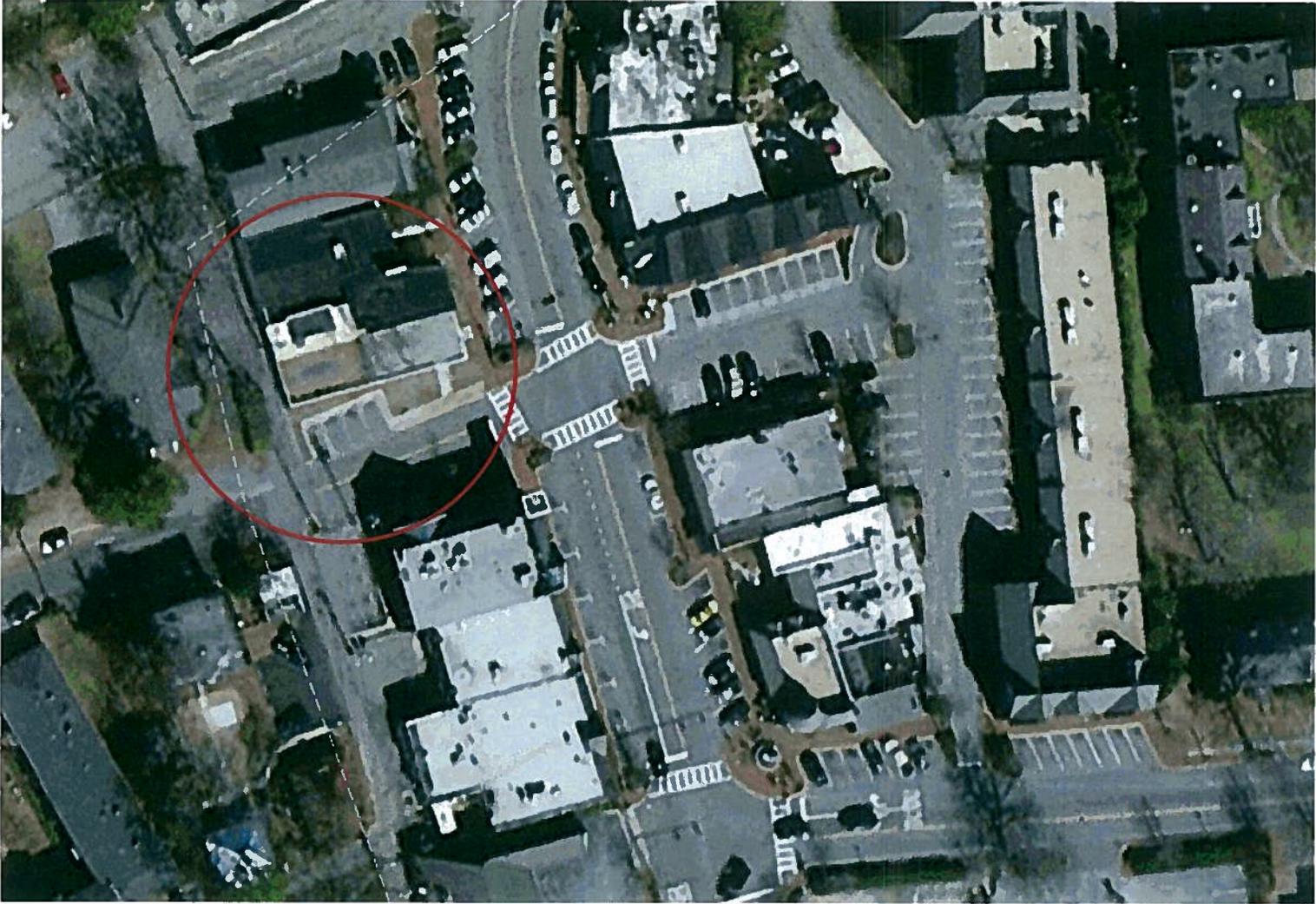
SCALE: 1"=10'

Lot - 1-A

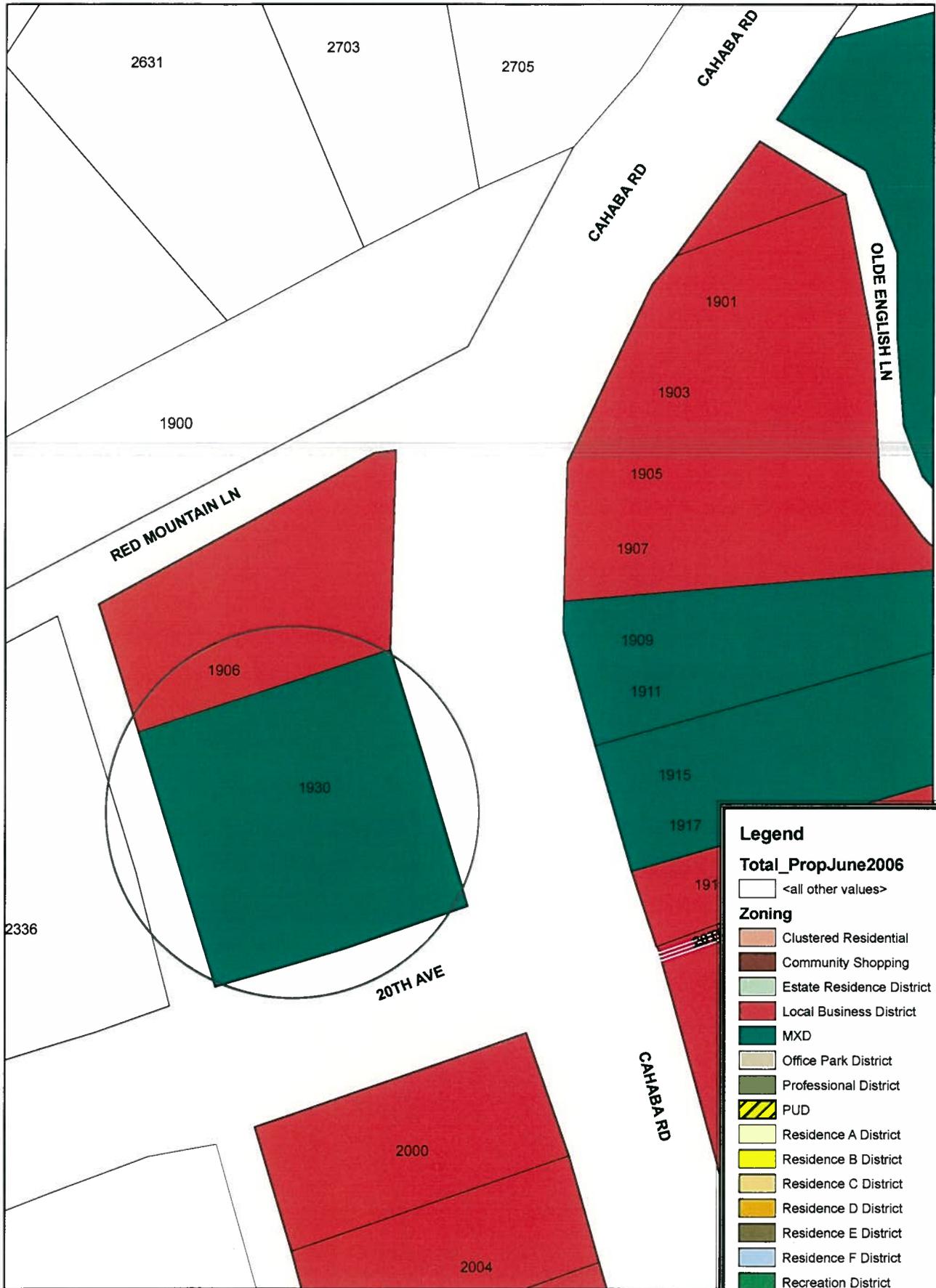
**BLOCK 3, RESURVEY OF PARTS OF  
LOTS 1 & 2 ENGLISH VILLAGE WEST SECTOR**

WEYGAND SURVEYORS, INC.  
169 OXMOOR ROAD  
HOMWOOD, AL 35209  
T:(205)942-0086  
F:(205)942-0087

Date, JULY 3, 2014  
This is NOT a survey.



1917



**Legend**

**Total\_PropJune2006**

- <all other values>

**Zoning**

- Clustering 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