

ARCHITECTURAL GUIDELINES FOR COMMERCIAL PROPERTIES IN THE FOURTH AVENUE COMMERCIAL REVITALIZATION AREA

Article I. Definitions

For the purpose of these guidelines, certain terms and words are hereby defined.

- (a) Neighborhood Revitalization and Improvement Plan - An Urban Renewal Plan so entitled and adopted by the Birmingham City Council subsequent to January 31, 1978.
- (b) Commercial Revitalization Project Area - That portion of an Urban Renewal Plan area consisting of a Rehabilitation Area as defined herein which may further include an Optional Rehabilitation Area, which is defined as that portion of the Commercial Revitalization Project Area which lies outside of the designated Rehabilitation Area.
- (c) Rehabilitation Area - That portion of a designated Urban Renewal Plan area in which all properties must comply with Design Standards adopted by the Design Review Committee.
- (d) Design Review Committee - A voluntary committee of architects, building trades practitioners, and members at large appointed by the City Council to review and approve the private physical development of Commercial Rehabilitation Areas according to the provisions of Ordinance 84-141.
- (e) Commercial Rehabilitation Incentive Program - A program of financial incentives (rebates) adopted by the City Council to encourage the rehabilitation of commercial structures in Commercial Rehabilitation Areas.
- (f) Public Improvement Area - An area in which the City has undertaken extensive physical improvements to public facilities.
- (g) Public Right-of-way or Public Way - Any street, alley or other public way which has been dedicated to the public use.

Article II. Rehabilitation of Existing Commercial Properties

The following standards shall be applied to all existing commercial (non-residential) structures whether occupied or vacant in the commercial rehabilitation area. These standards shall apply to properties whose owners or tenants are seeking approval for rebates for rehabilitation work from the Design Review Committee.

A. Store Fronts and Show Windows

- (1) A store front shall include the building face, entrances, porches and areas leading to the door, including sidelights, transoms, display platform devices, lighting and signage designed to be viewed from the public right-of-way or parking lots.
- (2) All show windows, and entrances, including signs, lighting, sun protection porches, security grilles, etc., shall be compatible and harmonious with the scale and character of the structure. All store front elements must be located within their original opening dimension, unless approved by the Design Review Committee.
- (3) Show windows shall not be painted for permanent advertising purposes but may be painted for authorized identification of the place of business if authorized by the Design Review Committee, and in accordance with Paragraph D, "Signs".
- (4) Show windows with trim, mullions or muntins not consistent or compatible with overall facade design, shall be replaced or modified in a manner harmonious with the entire facade.
- (5) Glass in show windows shall be transparent; clear, bronze or gray tinted. (Translucent, opaque, reflective or colored glass, other than gray or bronze tinted, shall be permitted only with prior approval by the Design Review Committee). Other treatment or colors of glass require the approval of the Design Review Committee.
- (6) Solid or permanently closed or covered store fronts shall not be permitted, unless original or treated as an integral part of building facade using wall materials

and window detailing compatible with the upper floors, or other building surfaces; all damaged, sagging or otherwise deteriorated store fronts, show windows or entrances shall be repaired or replaced. Other treatment or colors of glass require the approval of the Design Review Committee.

- (7) Ceilings, partitions and other interior elements that are visible through the window from the exterior shall be placed in good condition. (See Windows)

B. Windows:

- (1) Replace missing or irreparable windows on significant facades with materials that match, as closely as possible, the original. In general, do not change size or arrangement of panes, muntins or rails where they contribute to the character of the building.
- (2) Windows not in the front of buildings shall be kept properly repaired or, with Fire Department approval, may be closed, except where side or rear facade is also a primary facade in which case, sills, lintels and frame must be removed and the opening properly closed to match the adjacent wall.
- (3) All windows must be tight fitting and have sashes of proper size and design to be compatible and harmonious with the scale and character of the structure. Sashes with rotten wood and/or deteriorated metal, broken joints or loose mullions or muntins shall be replaced. All broken and missing window glass shall be replaced with new glass similar in character to existing.
- (4) Window openings in upper floors of the front of the building shall not be boarded up, filled, nor window panes painted without prior approval by the Design Review Committee.
- (5) If ceilings, partitions and other interior elements terminate inside the window area, and are visible through the window from the exterior edge, they shall be stopped short of the glass and the exterior edge or face shall be treated in such a manner so as not to be

obvious from the exterior. Boxes, crates, etc. shall not be stacked inside windows unless concealed by shutters, blinds, drapes or other appropriate window covering.

C. Building Fronts, Sides and Rears Abutting Streets,. Public Parking Lots or Public Areas

- (1) All structural and decorative elements of building fronts, sides and rears abutting and/or prominently visible from streets or public improvement areas shall be repaired or replaced to match as closely as possible the original materials and construction of that building. Rotten, deteriorated or weakened portions shall be removed, repaired and replaced to match as closely as possible to the original.
- (2) All exterior front, side or rear walls which have been wholly or partially resurfaced or built over shall be repaired and or improved in an acceptable manner. Unpainted masonry walls may be painted where necessary to conceal mixed material or patched wall coverings. Other unpainted masonry walls may be painted with the approval of the Design review Committee. Existing painted masonry walls shall have loose material removed and be painted a single color except for trim which may be another color. Samples of all proposed colors shall be submitted for approval to the Design Review Committee with proposed improvement plans. Patched walls shall match the existing adjacent surfaces as to materials, texture, color, bond and jointing.
- (3) Applied facing material shall be treated as follows:

If original, it shall be painted and/or repaired as necessary according to the minimum standards set forth in these architectural guidelines; if not original and in need of significant repair, or not in harmony with the character of the building, it is to be removed to reveal the original exterior material which shall be repaired as necessary; or removed and replaced by new facing material, according to the minimum standards set forth in these architectural guidelines, as approved by the Design Review Committee.
- (4) Existing miscellaneous elements on the building

fronts, such as empty electrical conduit, unused sign brackets, etc., shall be removed and building surface repaired or rebuilt as required to match adjacent surfaces.

- (5) Sheet metal gutters, downspouts and copings shall be repaired or replaced as necessary and shall be neatly located and securely installed. Gutters and downspouts that require painting shall be painted to harmonize with the other building front elements.

D. Signs

- (1) Signs shall be limited to those identifying the use conducted therein. Except with prior approval by the Design Review Committee, advertising by material or product manufacturers and suppliers other than the primary use of the property shall not be permitted. All lighting elements such as wires, conduits, junction boxes, transformers, ballasts, switches and panel boxes shall be concealed from view as much as possible.
- (2) Signs and displays for advertising or promotion are not permitted in public rights-of-way unless specifically authorized in writing by the Design Review Committee in addition to securing the necessary permits from the City.
- (3) Flat signs shall be placed parallel to the building face and shall not project more than 12" from the surface of the building and shall not exceed in area two times the width in feet of the frontage of the building. Flat signs shall be placed no higher than the bottom of the second story window where windows exist or approximately fourteen (14) feet above grade level for single story buildings.
- (4) In the case of corner properties one flat sign per side is permitted. The area of each sign shall not exceed two times the lesser frontage width in feet. The depth and height limitations shall apply as in paragraph "3" above.
- (5) Projecting signs shall not be permitted on any portion of any building except where specifically approved by Design Review Committee. Generally, the Design Review Committee will consider approval of a projecting sign, where such was original to the

building or which adds a desirable design element harmonious and compatible with the overall desired character and rehabilitation goals of the entire Fourth Avenue Commercial Revitalization Area; and otherwise does not detract from or pose a visual impedance to adjacent businesses.

- (6) Painted signs on framed backings or use of separate cutout letters shall be permitted in accordance with the above limits for flat signs.
- (7) Lettering applied to ground floor show windows or entrance doors shall not exceed six (6) inches in height, and the text shall be limited to identification of the primary business therein.
- (8) Signs identifying the business occupant shall be permitted at rear entrance doors if they are mounted flush against the building and do not exceed six (6) square feet in size, except where authorized by the Design Review Committee.
- (9) Signs in upper floor windows are generally not permitted.
- (10) Roof top signs, signs on or above the parapet of a building, billboards, or outdoor advertising signs painted or mounted on structures other than billboards, except as otherwise herein provided, shall not be permitted.
- (11) Painted or sewn signs designating only business name or address on awnings or free standing canopies are permitted. A sign that is part of an original marquee, may be permitted if in keeping with the building type or use with prior approval of the Design Review Committee.
- (12) Pole or “lollipop” signs shall not be permitted except with prior approval of the Design Review Committee.
- (13) If approved methods of identification are not available, properly landscaped monument type signs may be permitted if they are in scale and character with surrounding buildings and only with prior approval of the Design Review Committee.

- (14) Temporary signs, such as lease or rental signs, with prior Design Review Committee approval, may be permitted but shall not be posted for a period that exceeds ninety (90) days.
- (15) Portable or moving signs shall not be permitted, except with the approval of the Design Review Committee.
- (16) Neon, flashing or illuminated signs may be used with the approval of the Design Review Committee.
- (17) All signs not conforming to these requirements shall be removed within two (2) years from the project initiation date. No lease for such billboards expiring after the project initiation date shall be renewed.

E. Awnings:

- (1) Shall be permitted if compatible and harmonious with the scale and character of the structure, and adjoining structures.
- (2) Soft, flameproof awnings are permitted over the first floor and on upper floors above windows only.
- (3) Awnings shall not project more than seven (7) feet from the building front and shall not be lower than eight (8) feet above grade and shall terminate against the building at a height not to exceed approximately fourteen (14) feet above the pavement, except with prior approval of the Design Review Committee.
- (4) Rigid or fixed awnings or canopies are permitted if original or an integral part of the structure and compatible and harmonious with the scale and character of the structure and adjacent structures and pose no visual impedance to adjacent buildings. New rigid or fixed awnings or canopies may be added to existing structure subject to restrictions outlined above and with prior approval by the Design Review Committee.

F. Buildings Walls Visible from Public Ways

If a building side or rear, is exposed to view from a public way or

public parking lot, the face of the building so exposed shall be improved in a manner consistent with these architectural guidelines as necessary to avoid visually detracting from the area.

G. Mechanical and Electrical Equipment on Exterior Walls

- (1) New individual room air conditioning units shall not be installed in front or side wall windows, if they will be visible from streets or public improvements, without prior approval by the Design Review Committee.
- (2) Through wall air conditioning units may be installed subject to prior approval by the Design Review Committee, provided where visible from streets or public improvements the units do not project beyond any adjacent exterior face of the building and are properly screened and ventilated and do not detract from the building character and appearance.
- (3) Where through wall air conditioning units cannot be flush mounted awnings may be used in order to make the units as unobtrusive as possible. In such a case, they must be compatible with the scale and character of the building and must be approved in advance by the Design Review Committee.
- (4) Grilles, louvers, vents and other mechanical and electrical items including utility service locations may be installed in or on exterior walls, where unavoidable and necessary for the function of the building, subject to prior approval by the Design Review Committee, provided where visible from streets or public improvements the necessary items are treated or otherwise made as unobtrusive as possible and do not unnecessarily detract from the building character and appearance.

H. Roofs

- (1) Where visible, deteriorated roof coverings shall be replaced with new material that matches as closely as possible the original. All architectural features that give the roof its character shall be preserved or restored. The original roof shape shall be preserved.
- (2) Chimneys, elevator penthouses or any other auxiliary

structure on the roofs shall be repaired and cleaned as required for rear and side walls.

- (3) Any mechanical equipment placed on a roof shall be so located as to be hidden from view from the shopping street, and to be as inconspicuous as possible from other viewpoints. Equipment shall be screened with suitable elements of a permanent nature or finished so as to harmonize with the rest of the building. Where such screening is unfeasible, equipment shall be treated in such a manner as to minimize its visibility.
- (4) Roofs shall be cleaned and kept free of trash, debris or any other element which is not a permanent part of the building.

I. Auxiliary Structures

Structures at the rears of buildings attached or unattached to the principal commercial structure which are structurally deficient shall be properly repaired or demolished.

J. Rear and Side Yards and Parking Areas

When a rear or side yard exists or is created through demolition, the owner may utilize the space for storage and loading or parking provided the area is appropriately landscaped and/or screened from all adjacent streets, alleys, and public improvement areas. A sign not exceeding six (6) square feet may be used to identify and control parking and loading, with prior approval by the Design Review Committee.

K. Vacant Lots

When a vacant lot exists or is created through demolition, the owner must properly landscape and/or screen the property from adjacent streets, alleys and public improvement areas; cover all areas not actively used for storage parking or loading with grass or other ground cover approved for the property by the Design Review Committee; and maintain said ground cover and keep all the property free of trash and debris.

L. Demolition

No structures shall be demolished without prior approval by the Design Review Committee. In general, no request for approval of a demolition will be considered without detailed plans for the proposed

use of the site after demolition.

M. Other

All other repairs to a building, as determined during the initial inspection as necessary to safeguard the health and safety of possible building occupants, shall be made in accordance with applicable sections of the City Building Code, and as approved by Design Review Committee.

Article III. New Development of Properties

The following standards shall be applied to all new structures or additions to existing structures in the Fourth Avenue Commercial Revitalization Area:

A. Building Design:

- (1) Each building unit, shall be an integral element of the overall site design and the Neighborhood Revitalization and Improvement Plan and shall reflect and complement the character of the surrounding area.
- (2) Proposed commercial buildings shall be located so as to be compatible with surrounding residential areas and organized in a manner to coordinate customer and employee physical requirements. Building facades shall be complementary to those adjacent in terms of amenity and appearance, and should be compatible in scale material, fenestration, solid to void ratio, height, set back and orientation on site.

B. Parking Design:

- (1) Off-street parking areas shall be designed with careful regard to orderly arrangement, landscaping and ease of access as an integral part of the total site design. Off-street parking areas, except at entrance ways, shall be screened from streets by appropriate landscaping or structure.
- (2) Vehicular access to parking areas shall be direct and not in conflict with general vehicular movement serving the various uses within the site. Ingress and egress points shall be well distanced from intersection to avoid congestion and interference with traffic.

C. Loading and Service Area Design:

Loading and service space shall be provided in convenient off-street facilities to serve business uses in the proposed development to the maximum extent possible.

D. Street, Pedestrian Walkways and Open Space Design:

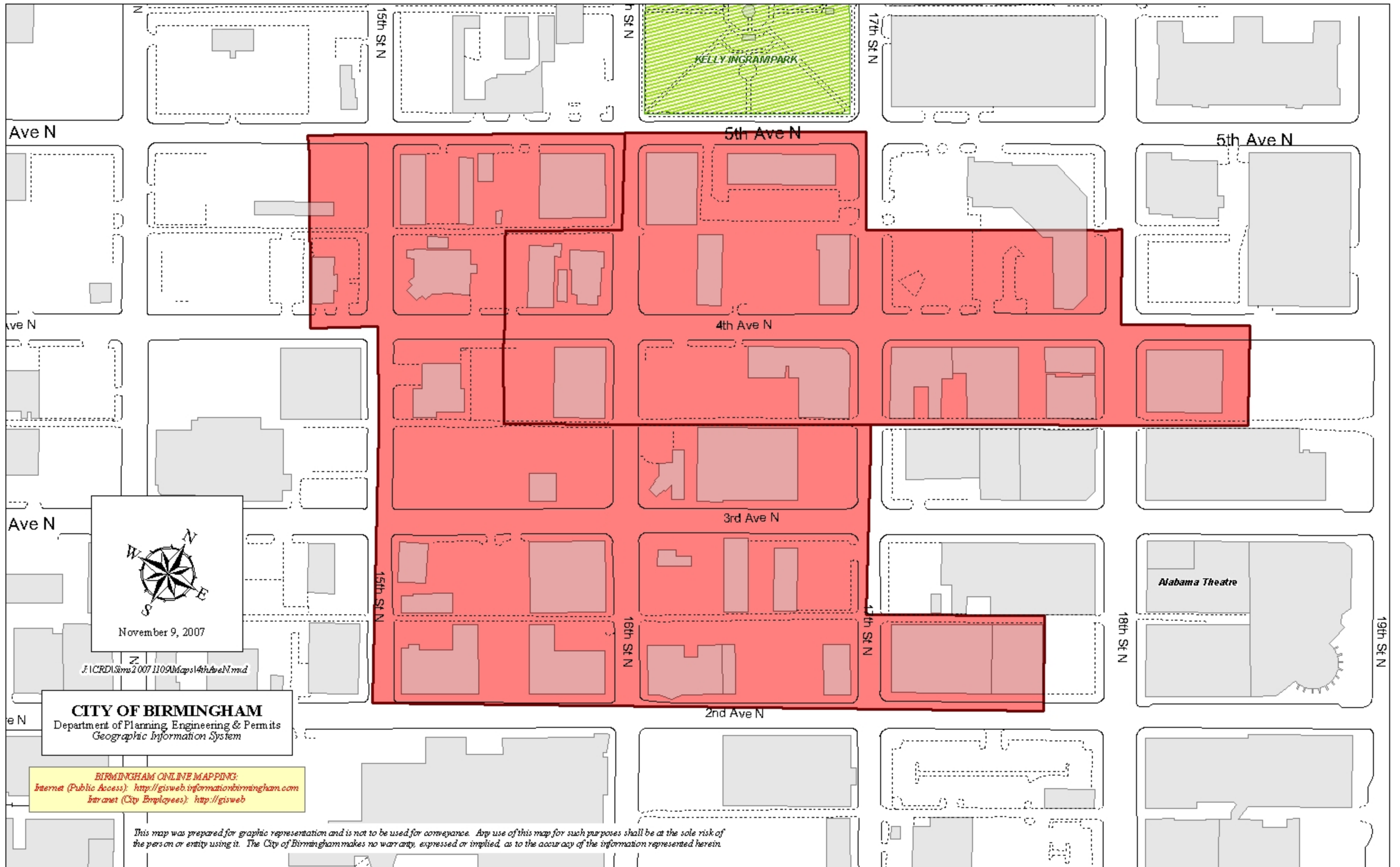
Proposed development shall consider the provision of appropriate open space in combination with the proper siting of buildings. Streets, pedestrian walkways and open spaces including street furniture and signs shall be designed as an integral part of the overall design, properly related to adjacent existing and proposed buildings.

E. Landscape Design:

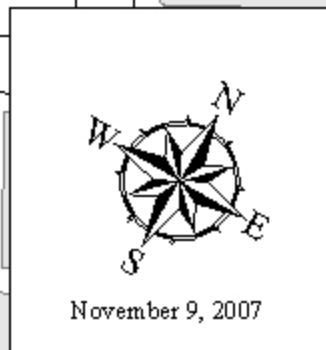
A coordinated landscape program for the proposed development shall be incorporated for the entire proposed site including landscape treatment for open space, streets and parking areas. Landscaping shall include trees, shrubbery and planting in combination with related paving and surface treatments.

F. Signs:

All signs for new structures and additions to existing structures shall conform to the requirements set forth in Article II, Section D, "Signs".



Alabama Theatre



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 Department of Planning, Engineering & Permits
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4th Avenue North Commercial Revitalization District