

BIRMINGHAM PLANNING COMMISSION

MINUTES

The Birmingham Planning Commission convened in the Gallery of Distinguished Citizens on Tuesday, June 20, 2023, at 4:43 p.m.

MEMBERS PRESENT: Chairman Michael Morrison, Vice-Chairman Dr. Nyesha Black, Ronald Crenshaw, Councilor Valerie Abbott, Patty A. Pilkerton, J. Charles Jordan II, Brian Gunn, Mashonda Taylor, Sharon Deep-Nelson, Stephen Schrader, and Denise Bell

MEMBERS ABSENT: Chairman Pro-Tem Haley Colson-Lewis, Chief Chaz Mitchell, and Councilor LaTonya Tate

STAFF PRESENT: Michael Ward, Heather Garrison, Tim Gambrel, Roderick Lowe, Kim Speorl, Tracey K. Hayes, Thomas Yuill, Amelia Muller, Christina Argo, and Colin Alexander

I. APPROVAL OF AGENDA

The meeting was called to order by Chairman Michael Morrison. Commissioner Taylor made a motion to approve the agenda as presented. The motion was seconded by Brian Gunn and the agenda was approved unanimously.

II. APPROVAL OF MINUTES FROM FEBRUARY 8, 2023

Commissioner Deep-Nelson made a motion to approve the minutes from the Commission's meeting on February 8, 2023. The motion was seconded by Commissioner Taylor and the minutes were approved unanimously.

III. DIRECTOR'S REPORT

No Director's Report.

IV. CASE NO. ZAC2023-00004

SUBJECT: Proposed Zoning Ordinance text amendment to include revisions to the City's parking regulations.

APPLICANT: City of Birmingham

PREMISES: Citywide

Page Break

Senior Planner Heather Garrison introduced the case by summarizing the proposed amendments to the parking regulations in the City's zoning ordinance.

Principal Planner Michael Ward expanded on this introduction by pointing out the four focus areas with major changes. He explained that the City's proposed zoning revisions focus on four main areas that include the elimination of parking minimums, Transportation Demand Management Plans, bicycle parking requirements, and residential parking requirements. Mr. Ward also mentioned that another proposed change relates to automobile parking and will require a special exception through the Zoning Board of Adjustment (ZBA).

Chairman Morrison opened the floor to questions from commissioners at this time.

Councilor Abbott asked why the city was changing the parking regulations prior to fixing sidewalks, bus routes, etc. She expressed that she felt this was putting the cart before the horse. Chief Planner Tim Gambrel responded that these regulations are setting us up for growth moving forward.

Councilor Abbott then asked why would the city change the parking requirements if things like repaired sidewalks and fixed routes through BJCTA weren't yet in place? Mr. Gambrel answered that these updates are an attempt to make the entire system more robust.

Commissioner Gunn asked if there was any available data to support the proposed changes? Chief Planner Tim Gambrel responded that many cities have done this successfully. He went on to explain that twenty percent (20%) of housing costs are for parking and oftentimes, in affordable housing where residents don't own a car, it doesn't make sense to require parking that will not be used.

Commissioner Deep-Nelson expressed that she wanted to add to Councilor Abbott's statements that sidewalks and parks in her neighborhood are in major disrepair. She also mentioned accessibility issues with our sidewalks and thought these updates were for people without accessibility issues. Mr. Gambrel responded that we have a sidewalk master plan, we address ADA during project development, and the city is progressing towards a position of maintaining our system. Christina Argo, from Birmingham Department of Transportation expressed that they are taking a progressive approach to parking and transportation.

Commissioner Deep-Nelson then asked if there was a maintenance plan in place or plans on how to maintain our sidewalks? Colin Alexander, Birmingham Department of Transportation explained that they are working on repairing as many sidewalks as possible but there are always budget deficits. He went on to express that the city has a resurfacing plan, within two years will see a bicycle network, and they are working on acquiring a vendor to do a pavement management plan. Mr. Alexander also mentioned that this was the first step of many to be taken to begin addressing current parking issues.

Commissioner Deep-Nelson asked when the change from maximum parking to minimum parking occurred and what other cities are doing this? Chief Planner Tim Gambrel answered that there is proof across the county of cities using these types of parking regulations.

Commissioner Deep-Nelson then asked if we considered BJCTA a partner? Christina Argo responded yes; they are very much a partner.

Commissioner Schrader asked how the city would determine if a transportation demand management plan met our requirements without specific requirements listed? Mr. Gambrel expressed that the city would work with developers through meetings and conversations to determine if the plan would meet the regulations.

Vice-Chairman Dr. Black asked if there were requirements for plans on developments under 50,000 sf. Chief Planner Tim Gambrel responded that there were no provisions to which Dr. Black responded she felt this to be problematic for the city.

Vice-Chairman Dr. Black asked what the unintended consequences other cities have seen during this type of policy change? Mr. Gambrel responded that he had not seen any horror stories.

Commissioner Bell asked what places were researched during the development of the ordinance? She went on to say that she would like to see the cities that were researched.

Commissioner Pilkerton asked if we were to change this, who would enforce it? Christina Argo responded that we are aware that parking enforcement is a broken system that we are working toward systematic changes to address.

Commissioner Deep-Nelson asked if the City maintained the alleys anymore? Colin Alexander answered that alleys will be incorporated into resurfacing plans in the future. Commissioner Deep-Nelson then asked if requirements for apartments considered events held at these places. Chief Planner Tim Gambrel responded that the requirements for multifamily will not be changing but they do not contemplate events.

Commissioner Pilkerton asked if the Commission had to approve the document in its entirety or could certain parts be adopted or edited? Mr. Gambrel responded that if additional research was needed, they would take the document as a whole.

Councilor Abbott asked if the Commission had seen the plan or supporting elements? She then stated that she didn't feel comfortable voting today. Commissioner Taylor added to this by asking where and what cities have been successful doing this? She also asked if there was a difference between downtown and residential requirements? Mr. Gambrel answered that Buffalo, NY, Lexington, KY, and Raleigh, NC had done this successfully.

Vice-Chairman Dr. Black asked how we would monitor these changes to which Mr. Gambrel responded through observation.

Commissioner Bell asked who approved the TDMs? Mr. Gambrel responded that the Director of PEP and the Director of Transportation. Commissioner Morrison asked if there were standards for TDM's? Mr. Gambrel answered that there is a checklist with guidelines to follow.

Commissioner Schrader asked what the next steps to developing infrastructure would be? Christina Argo responded by securing funding and budgeting and applying for grants.

Commissioner Gunn asked if there were alternative solutions to what was proposed? Chief Planner Tim Gambrel answered that based on the research, there are alternative solutions, but this was what seemed to best fit for Birmingham.

Due to time constraints, Chairman Morrison opened the floor to public comment for fifteen minutes.

Dick Schmalz, 304 20th Street South, Developer with Publix, Chipotle, and Starbucks. Mr. Schmalz stated that he took the opportunity to quantify what they've done with the real-world example and the new regulations. He wanted to highlight that he had an issue with the half requirement in the B-4 zone but was in favor of the overall changes.

Paul Godbey, 821 23rd Street South, President of Southside Neighborhood Association. Mr. Godbey wanted to point out areas within the city that currently have parking issues. These included the following: 10th Avenue and 20th Street - private entity - park on the streets, in the transit lanes, next door - built in 1970 - 240 tenants and 70 parking spaces - park on the street, Lakeview area - 120 tenants, 88 spaces, end up parking in the streets. He expressed that there is a need for the parking spaces as there is an issue with parking in certain areas within the city. Without the parking to handle the load, the street becomes crowded. Mr. Godbey was not in favor of the proposed changes.

Elizabeth Sanfelippio, 1431, 33rd Street South, Highland Park Neighborhood Association. Ms. Sanfelippio expressed that she felt this process was being fast tracked and the neighborhood didn't know about the public hearing and voting on the proposed changes. She felt that there needed to be more publications and notices for this type of meeting. She also stated that she didn't understand why this couldn't be done on a case-by-case basis instead of doing an overall change.

Faris Zaibaq, 806 Nob Hill Drive, Apartment H. Mr. Zaibaq asked the Commission what their main hold up with the proposed changes was. Councilor O'Quinn responded that this was such a huge change that hesitancy was expected but they wanted to take the time to fully understand before making a final decision. Mr. Zaibaq also stated that there are over 200 cities across the country that have repealed their changes to parking minimums. Overall, Mr. Zaibaq felt this would be a positive change for the urban core.

Clark Bailey, 2 20th Street North, Suite 800, Professional Engineer with Kimley-Horn. Mr. Bailey serves as the Chair of the Transportation Committee for the Urban Land Institute and has extensive experience with transportation systems. He expressed that this policy being enacted would be an extremely slow change that would put us on the right track and give the ability to monitor the progress very slowly. In addition, the zoning process allows this document to be modified. Mr. Bailey then highlighted that the BJCTA is making drastic improvements with their BRT routes to become more efficient, the EPA is getting involved to add a more strategic piece with their strategic plan, and the bike and pedestrian infrastructure is starting to be developed to coincide with these proposed changes. In addition, Mr. Bailey pointed out that the cost of maintaining

infrastructure for vehicles is far more than the cost of maintaining infrastructure for bicycles and pedestrians.

Commissioner Pilkerton made a motion to table the proposed amendments of the parking regulations within the zoning ordinance at a later date to form a committee to further research and gather data on parking minimums. The motion was seconded by Vice-Chairman Dr. Black and approved unanimously.

VI. Other Business and Communications

There being no further business the meeting was adjourned at 6:24 p.m.