

**BIRMINGHAM PLANNING COMMISSION
MINUTES**

The Birmingham Planning Commission convened on the second floor of the Boutwell Auditorium on Wednesday, October 4, 2023 at 8:41 a.m.

MEMBERS PRESENT: Chairman Michael Morrison, Vice-Chairman Dr. Nyesha Black, Chairman Pro-Tem Haley Colson Lewis, Patty A. Pilkerton, Mashonda Taylor, Brian Gunn, Ronald Crenshaw, Councilor Valerie Abbott, J. Charles Jordan II, Stephen Schrader, Christopher Tyler Burks, Chief Chaz Mitchell, Denise Bell

MEMBERS ABSENT: Sharon Deep-Nelson and Councilor LaTonya Tate

STAFF PRESENT: Michael Ward, Tim Gambrel, Kim Speorl, Hunter Garrison, and Jess Mays

I. APPROVAL OF AGENDA

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

II. APPROVAL OF MINUTES FROM THE SEPTEMBER 6, 2023 MEETING

Commissioner Schrader had a comment about the fourth paragraph on page three of the minutes. He didn't feel what was listed accurately characterized what Zoning Administrator Kim Speorl said in response to his question. Principal Planner Michael Ward said that Planning staff will make that correction.

Councilor Abbott asked Planning staff to include what the acronyms stand for within the minutes. Mr. Ward said Planning staff will look through the minutes to add what each of the mentioned acronyms stand for.

Commissioner Schrader made a motion to approve the minutes from the Commission's meeting on September 6, 2023 with the noted corrections. The motion was seconded by Councilor Abbott and the minutes were approved unanimously.

III. DIRECTOR'S REPORT

Chief Planner Tim Gambrel announced the following upcoming dates associated with the proposed parking amendments (Right Size Parking Initiative):

October 5, 2023—Virtual Public Meeting at 6:00 pm

October 10, 2023—Public Meeting at Avondale Library at 6:00 pm

October 16, 2023—Virtual Public Meeting at noon

October 17, 2023—Right Size Parking Committee Meeting at 5:00 pm in Conference Room 215 at City Hall.

He mentioned that additional information about the meetings can be found online at birminghamal.gov/parking.

Mr. Gambrel also announced some upcoming meetings associated with the Northside/Southside and the Eastern Area (Woodlawn, East Lake, East Birmingham, and Airport Hills) Communities Framework Plans. He mentioned that a meeting was held with the Northside Community on September 27th and Planning staff plans to meet with them again on November 2nd at 6:00 pm at Protective Stadium. He also mentioned that there are two meetings scheduled with the Southside Community (October 12th and November 9th; both meetings will start at 6:00 pm at Highlands United Methodist Church). He stated that there will be an Eastern Area Framework Plan meeting on October 24th at 6:00 pm at Woodlawn United Methodist Church.

- IV. SUBJECT:** A public hearing to consider a proposal to adopt the Southern Area Communities Framework Plan, including recommended changes to the City’s Land Use Plan (Continued Case).
- APPLICANT:** City of Birmingham
- PREMISES:** The Red Mountain, Crestwood, and Crestline Communities

Senior Planner Hunter Garrison stated that this item was presented at the last meeting and he proceeded to address the following comments from the previous meeting:

1. Dr. Black’s comments regarding lighting under the Red Mountain Expressway.

Mr. Garrison mentioned that an action was added to the Southern Area Communities Framework Plan on page 28 that is titled, “Enhance residents’ safety by installing extra lighting around neighborhood attractions and along commercial thoroughfares.” A paragraph in that section specifically calls out enhanced lighting for the Red Mountain Expressway.

2. Councilor Abbott’s comments about educating property owners that maintenance of the sidewalks in front of their properties are their responsibility.

Mr. Garrison said that planning staff reached out to the Office of City Attorney regarding sidewalk maintenance responsibilities. It was discovered that although it is supposed to be the responsibility of property owners to maintain the sidewalks in front of their properties, the City hasn’t enforced that in a long time.

3. Chairman Morrison’s comment about the future land use plan about designating a section around Highland Avenue and Niazuma Avenue to Mixed-Use Medium; he suggested that maybe it should be Mixed-Use Low.

Mr. Garrison said planning staff looked at the existing conditions as well as the height of the structures and believes that Mixed-Use Medium is the best land use for that area.

Vice-Chairman Black asked Mr. Garrison to restate the page number where the enhanced lighting action is located. Mr. Garrison said page 28 and he proceeded to read what the action stated.

Commissioner Schrader asked if there were two versions of the Framework Plan document because he didn't see the enhanced lighting action on page 28. Mr. Ward said the document in the Commissioner's packet was the summary of the Southern Area Communities Framework Plan. He mentioned that the full Southern Area Communities Framework Plan document is well over 100 pages so it would've been too large to mail. He also mentioned that the electronic copy of the packet that was emailed to the Commissioners contained a link to the full Southern Area Communities Framework Plan.

Commissioner Schrader asked if the 100+ page Southern Area Communities Framework Plan contained the enhanced lighting action, instead of the summary document. Mr. Ward said yes.

Commissioner Morrison stated that 10th Avenue South and 26th Street was mentioned for enhanced lighting, but what about 27th Street South and the Red Mountain Expressway. Mr. Garrison said he believes the action speaks to that, but he can discuss it further with planning staff. Commissioner Morrison said he wants to make sure the action clearly states that enhanced lighting is for underneath the Red Mountain Expressway in that area to promote pedestrian safety.

Vice-Chairman Black said she would have looked up the digital format of the Southern Area Communities Framework Plan, but she can't connect to the internet because she doesn't have the Wi-Fi password for the Boutwell Auditorium. Chief Chaz Mitchell (who serves as Chief of Operations for the City of Birmingham) said we will share the Wi-Fi password for the Boutwell with the Commissioners.

Councilor Abbott said on page 21 of the summary document, it says the Future Land Use Plan is subject to periodic review to see if conditions have changed to justify an amendment or change. She asked planning staff how they define "periodic review". Mr. Gambrel said it is the intention after the Framework Plans are adopted for planning staff to conduct windshield surveys of existing conditions (both building conditions and uses). He added that they plan to get on a three-year cycle. He stated that planning staff will go back to the earlier adopted Framework Plans first (Titusville, North Birmingham, and the Western Area) and update the Future Land Use Plans for those areas in the first three years. Then, planning staff will update the Future Land Use Plans for the next three Framework Plan areas (Northeast Area, Southwest Area, and Pratt/Ensley) in the next three years.

Chairman Morrison mentioned the proposed Mixed-Use Medium area around Arlington Avenue South and the Red Mountain Expressway. He asked what the maximum height is for a building within the Mixed-Use Medium zoning district. Mr. Gambrel said 65 feet.

Vice-Chairman Black asked Mr. Gambrel if he could give an example of a 65-foot building. Mr. Gambrel mentioned that the Mixed-Use Low zoning district is limited to 45 feet and there are existing buildings in that area that are over 45 feet. He added that there are uses with square foot restrictions and density limits in Mixed-Use Low so some of the existing office buildings and apartments would be over the limits allowed in Mixed-Use Low.

After a brief discussion, Vice-Chairman Black made a motion to approve the Southern Area Communities Framework Plan that includes recommended changes to the City's Land Use Plan. The motion was seconded by Commissioner Taylor and the following resolution was approved unanimously:

WHEREAS, planning staff and the Regional Planning Commission of Greater Birmingham (RPCGB) launched the planning process to develop the Southern Area Framework Plan in late 2020; and

WHEREAS, the Southern Area Framework Plan is a policy and strategic document to guide future decisions in the Southern Area Communities as it relates to its quality of life, environmental, and economic prosperity; and

WHEREAS, planning staff and the RPCGB assessed existing conditions then engaged the Southern Area Communities through a series of public meetings to seek ideas and determine the issues and concerns facing those who live, work, and own businesses in the Southern Area; and

WHEREAS, the Southern Area Communities Framework Plan contains planning elements that impact quality of life, such as Community Renewal, Economic and Workforce Development, Transportation and Infrastructure, Future Land Use, and Implementation; and

WHEREAS, the policy goals, strategies, and actions identified within these planning elements have been carefully reviewed and evaluated by concerned residents, City departments, public agencies, neighborhood representatives, civic leaders, and public officials involved in the development of the proposals contained within the Southern Area Framework Plan and the recommended Future Land Use Plan; and

WHEREAS, the Birmingham Planning Commission finds that the adoption and implementation of said Community Framework Plan is for a City purpose and is in the public interest; and

WHEREAS, the Birmingham Planning Commission has held a public hearing to allow citizen input and has given thoughtful and careful consideration to the comments and opinions expressed; now therefore

BE IT RESOLVED by the Birmingham Planning Commission that said Planning Commission does hereby adopt and approve the hereinabove described Community Framework Plan, as defined and set forth in the document entitled "Southern Area Framework Plan", dated April 2023, including all maps, lists, tables, and other materials included therewith.

BE IT FURTHER RESOLVED that said Planning Commission does hereby adopt and approve the revised land use recommendations reflected on the maps entitled “Southern Area Proposed Future Land Use”, “Crestline Proposed Future Land Use”, “Crestwood Proposed Future Land Use”, and “Red Mountain Proposed Future Land Use”.

BE IT ALSO FURTHER RESOLVED that the recommended land use plan maps hereinabove described hereby supersedes that portion of the City of Birmingham’s officially adopted future Land Use Plan relevant to the proposed Framework Plan.

V. OTHER BUSINESS AND COMMUNICATIONS

There being no further business, the meeting was adjourned at 9:10 a.m.