

**BIRMINGHAM PLANNING COMMISSION  
MINUTES**

The Birmingham Planning Commission convened on the second floor of the Boutwell Auditorium on Wednesday, November 1, 2023 at 8:51 a.m.

**MEMBERS PRESENT:** Chairman Michael Morrison, Vice-Chairman Dr. Nyesha Black, Chairman Pro-Tem Haley Colson-Lewis, Patty A. Pilkerton, Mashonda Taylor, Ronald Crenshaw, Brian Gunn, J. Charles Jordan II, Stephen Schrader, Sharon Deep-Nelson, Christopher Tyler Burks, Denise Bell, Kamilah Gray-Lewis, Councilor Valerie Abbott, and Councilor LaTonya Tate

**MEMBERS ABSENT:** none

**STAFF PRESENT:** Katrina Thomas, Tracey Hayes, Tim Gambrel, 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. Chairman Pro-Tem Colson-Lewis made a motion to approve the agenda as presented. The motion was seconded by Commissioner Taylor and the agenda was approved unanimously.

After the vote, Chairman Morrison welcomed Kamilah Gray-Lewis, Director of Governmental Affairs with the Mayor's Office, to the Planning Commission. He said Mrs. Gray-Lewis was recently appointed by Mayor Woodfin to be a supernumerary on the Planning Commission. He added that she will attend the Planning Commission meetings in the absence of either Chief Chaz Mitchell or Director Denise Bell.

**II. APPROVAL OF MINUTES FROM THE OCTOBER 4, 2023 MEETING**

The minutes were not ready.

**III. DIRECTOR'S REPORT**

Chief Planner Tim Gambrel announced that the Southside Community will host a Framework Plan meeting on November 9, 2023 at 6:00 pm at the Highlands United Methodist Church. He also announced that the Northside Community will host a Framework Plan meeting on November 16, 2023 at 6:00 pm at Protective Stadium.

**IV. CASE NO:** ZAC2023-00004

**SUBJECT:** A request to amend the City of Birmingham’s Zoning Ordinance to include revisions to the City’s parking regulations.

**APPLICANT:** City of Birmingham

**PREMISES:** Citywide

Senior Planner Hunter Garrison gave a detailed presentation regarding the need for eliminating parking minimums, which would reduce the amount of excessive surface parking spaces in the City of Birmingham. Mr. Garrison went over the data that explained the following key reasons to eliminate parking minimums:

1. Parking minimums make housing less affordable and limit where it can be built.
2. Parking minimums make sprawl endemic, this prevents a multi-modal system from becoming viable by increasing the distance you must travel.
3. Parking minimums block redevelopment of vacant or underutilized buildings as complying with minimums can make projects infeasible.
4. Parking contributes to environmental hazards such as flooding and urban heat island effect.

Mr. Garrison also went over the Transportation Demand Management (TDM) section of the proposal and went over some example TDM measures.

After a brief discussion, Chairman Morrison announced the public hearing for this item. Chris Bertrand, Associate Attorney with the Southern Environmental Law Center and a resident at 2931 10<sup>th</sup> Avenue South, addressed the Planning Commission. Mr. Bertrand said that he supports the proposal.

Paul Godbey, President of the Southside Neighborhood Association, addressed the Planning Commission. Mr. Godbey spoke against the proposal. He said that transit is not reliable and using TDM measures are risky. He added that some developments are causing more parking on the street.

Wytangy Peak-Finney, Senior Director of Capital Projects & Project Delivery with the Birmingham-Jefferson County Transit Authority (BJCTA), addressed the Planning Commission. Mrs. Peak-Finney spoke in favor of the proposal.

Daniel Christiansen, Vice-President of the Central City Neighborhood Association and the Chair of the Alabama Urbanist Coalition, addressed the Planning Commission. Mr. Christiansen said he supported the proposal.

Andre Davis, Executive Director of the Birmingham Parking Authority, addressed the Planning Commission. Mr. Davis said he supports the proposal. He added that he was the former Director of Transportation for UAB and UAB has a TDM Plan.

David Fleming, President and CEO of REV Birmingham, addressed the Planning Commission. Mr. Fleming said he supports the proposal.

Tawanna Wright, Associate State Director of Community Outreach with the American Association of Retired Persons (AARP), addressed the Planning Commission. Ms. Wright spoke in favor of the proposal.

Clark Bailey, Professional Engineer with Kimley-Horn and Transportation Chair for the Urban Land Institute (ULI), addressed the Planning Commission. Mr. Bailey spoke in favor of the proposal.

Bruce Lanier, resident at 4227 Altamont Road, addressed the Planning Commission. Mr. Lanier said he supports the proposal.

Michael Lewandowski, Architect with Davis Baker Architects, addressed the Planning Commission. Mr. Lewandowski spoke in favor of the proposal.

With no additional public speakers, the public hearing was closed.

Councilor Abbott said this citywide proposal is premature and it should be implemented in mixed-use areas first. She added that parking enforcement is lacking and a commitment to parking enforcement is needed from the City's Department of Transportation.

James Fowler, Director of the City's Department of Transportation (BDOT), addressed the Planning Commission. Mr. Fowler said BDOT is committed to parking enforcement and his department has developed a 12-step parking enforcement strategy. He mentioned that the City Council recently approved revised regulations for private off-street parking lots, booting, and towing policies. He added that the City plans to tow vehicles for public safety violations. He also added that the City plans to increase the budget for parking enforcement.

Councilor Abbott said that heard that there will be rate changes for the BPA parking decks. Mr. Davis said no rate changes have been proposed. He added that the BPA is working on a strategic plan and it should be done by the end of November 2023.

Councilor Tate said she travels a lot and sees a lot of walking in other cities. She stated that she would like to see more walking in Birmingham, but the City must make sure that we have adequate and safe walking infrastructure.

Chairman Morrison said the apartment/retail development called the Waites (located at 707 Richard Arrington Jr. Boulevard South) has caused on-street parking to increase and that has made parking at nearby businesses, such as Our Place, a nightmare. He added that some drivers get into altercations over parking in that area to the point that the police has to be called.

Commissioner Pilkerton asked about the BPA study. Mr. Davis said it's a comprehensive parking study and it should be completed soon. He mentioned his transportation/parking experience as the

former Director of Transportation for UAB and he said a “culture of compliance” must be created in the City. Chairman Pro-Tem Colson-Lewis agreed with Mr. Davis and she said everything must work together (compliance, enforcement, transit).

Vice-Chairman Black said Mr. Davis was the most persuasive regarding this case in her opinion. She wanted to make sure that the parking proposal and the TDM plans will be monitored. Mr. Garrison said if the parking proposal is adopted, it will be monitored. He added that the City will monitor TDM plans annually for the first few years.

With no additional questions, Mr. Garrison read the following statement on behalf of the City’s interdepartmental team (the City’s Department of Planning, Engineering & Permits, the City’s Department of Transportation, and the Mayor’s Office) regarding the removal of parking minimums:

Putting people first is the mission that we are charged with every day when we show up to serve at City Hall. The Right Size Parking Initiative fits squarely in that mission, prioritizing people over cars in the way we encourage and regulate development. The research is clear in showing that the removal of minimum parking requirements lowers the cost of housing production, encouraging the development of more affordable and workforce housing for residents. This policy also promotes infill development, which in turn supports pedestrian, bicycle, and transit accessibility. Significant portions of our population live day to day without reliable access to an automobile, yet we still have zoning requirements that prioritize allocating land for the storage of privately owned automobiles and growing in a suburban fashion.

These parking requirements, while they may be well-intended and appear to be somewhat harmless, actually come at a serious cost to the community. It is our firm belief that keeping these parking requirements has the resulting effect of prioritizing personal automobiles at the expense of the most vulnerable members of our community. Minimum parking requirements undercut our ability to provide affordable housing, safe pedestrian access, effective transit service, and protections for the environment.

Chairman Morrison said he appreciates Mr. Garrison’s work on the proposal and the presentation.

With no additional questions or comments, Commissioner Schrader made a motion to approve the revisions to the parking regulations in the City of Birmingham’s Zoning Ordinance. The motion was seconded by Chairman Pro-Tem Colson-Lewis and the roll call vote was as follows:

Yes (12): Black, Colson-Lewis, Pilkerton, Taylor, Gunn, Schrader, Jordan, Deep-Nelson, Burks, Gray-Lewis, Tate, and Bell

No (2): Morrison and Abbott

The following resolution was approved:

**WHEREAS**, an interdepartmental coordination team comprised of the Department of Planning, Engineering and Permits; Birmingham Department of Transportation; and the Mayor's Office has worked collaboratively on revisions to the City's parking regulations; and

**WHEREAS**, the purpose of these revisions is to create a vibrant and livable City by encouraging a multimodal transportation network through the regulation of off-street parking and bicycle parking infrastructure; and

**WHEREAS**, the proposed text changes were presented to developers, designers, land use attorneys, and other stakeholders for their feedback on January 30, 2023; and

**WHEREAS**, a session with neighborhood officers was held on January 31, 2023 to get their feedback on the proposed text changes; and

**WHEREAS**, after some revisions, the proposed text changes were presented to the Citizens Advisory Board on April 17, 2023 and May 15, 2023; and

**WHEREAS**, all Neighborhood Officers were mailed a draft of the proposed text changes on April 24, 2023; and

**WHEREAS**, Open Houses were held on May 2<sup>nd</sup>, May 4<sup>th</sup>, and May 9<sup>th</sup> at City Hall to get additional feedback from the public; and

**WHEREAS**, a Planning Commission workshop was held on May 16, 2023 so Commissioners could hear the proposal, ask questions, and provide feedback; and

**WHEREAS**, the proposed parking amendments were considered by the Planning Commission at a Special-Called meeting on June 20, 2023 and the Commission voted to table the item and asked for the creation of a committee/stakeholder working group to gather more information about parking minimums; and

**WHEREAS**, at the August 2, 2023 Planning Commission meeting, the Commission considered and approved a stakeholder working group list; and

**WHEREAS**, the first working group meeting was held on August 14, 2023 and it went over research and information regarding parking minimums; and

**WHEREAS**, the second working group meeting was held on September 11, 2023 and it went over research pertaining to Transportation Demand Management (TDM) plans; and

**WHEREAS**, the third working group meeting was led by BDOT on October 17, 2023 and it focused on parking enforcement; and

**WHEREAS**, four public engagement meetings were held on September 25<sup>th</sup> at the Birmingham Crossplex, on October 5<sup>th</sup> via WebEx, on October 10<sup>th</sup> at the Avondale Library, and

on October 16<sup>th</sup> via WebEx to inform the public about the parking reform initiative and to get their feedback; and

**WHEREAS**, a Planning Commission workshop was held on October 25, 2023 to go over the proposal and answer questions; 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 hereby **RECOMMENDS** to the Council of the City of Birmingham that the City's Zoning Ordinance be amended to include revisions to the City's parking regulations as set forth in the attached revisions.

**V. APPOINTMENT OF A NOMINATING COMMITTEE FOR THE ELECTION OF OFFICERS AND MEMBERSHIP ON THE PLANNING COMMISSION'S TWO STANDING COMMITTEES.**

Principal Planner Michael Ward gave a brief introduction of the item. Mr. Ward said according to the Planning Commission By-laws, nominations of officers shall be made by a three-member Nominating Committee appointed biennially by the Chairman at the Commission's November meeting. He stated that the Nominating Committee will recommend a slate of officers, as well as the membership of the Zoning Advisory and the Subdivision Committees, for consideration by the full Planning Commission at the December 6<sup>th</sup> meeting. He mentioned that the recommendations of the Nominating Committee do not preclude the nomination of other candidates by any member at the December meeting. He added that the elected members of the Executive Committee and the two standing committees will serve for two years, beginning on January 1, 2024.

Commissioner Schrader, Commissioner Jordan, and Commissioner Taylor volunteered to be a part of the Nominating Committee. With no questions or comments, Chairman Pro-Tem Colson-Lewis made a motion to approve the members of the Nominating Committee. The motion was seconded by Commissioner Taylor and the motion was approved unanimously.

**VI. OTHER BUSINESS AND COMMUNICATIONS**

There being no further business, the meeting was adjourned at 10:57 a.m.