



**THURSDAY, AUGUST 29, 2019 8:30 A.M.  
5<sup>TH</sup> FLOOR CONFERENCE ROOM, CITY HALL**

**COUNCILOR STEVEN W. HOYT, CHAIR**

**SPECIAL CALLED MEETING**

**AGENDA**

I. CALL TO ORDER

II. APPROVAL OF MINUTES

- July 10, 2019

III. DISCUSSION OF COMMITTEE APPOINTMENTS/ REAPPOINTMENTS

- Design Review
- Zoning Board of Adjustment

IV. ZONING ITEMS

- 1. ZAC2019-00012 & ZAC2019-00015.....Druid Hills and Evergreen  
Application for a change in zone district boundaries from CB-2, Contingency General Business District, B-6, Health and Institutional District and CO&I, Contingency Office and Institutional District to D-4, Medium Density District and MU-D, Mixed-Use Downtown in order to allow a new mixed-use development for properties generally located around the former Carraway Hospital Campus boarded Carraway Boulevard to the east, 25<sup>th</sup> Street North to the west, 20<sup>th</sup> Avenue North to the north and 13<sup>th</sup> Avenue North and 1547 Walnut Circle (See Exhibit 1), filed by Brian Wolfe, representing the owners, The Lovelady Center, Inc. and Paul Joseph Minarcine (see attached map) situated in the **NW ¼ Section 25, Township 17-S, Range 3SW ¼ Section 24, Township 17-S, Range 3-West. (35234, District 5).****

**Proposed Use: To allow a mixed-use development.**

*The City's Long Range Land Use Plan* identifies the northern most portion of the project as **Residential Low**, a designation applied to single family homes and Mixed-Use Low; a designation applied to compact, walkable residential and commercial areas. The central most portion of the site which is comprised of the former Carraway Hospital is identified as **Mixed-Use High**; a designation applied to medium to high density office, residential. The area along Walnut Hill is identified as Mixed-Use Low. Most of the proposed zoning changes are **Somewhat Consistent** with the Long Range Land Use Plan, zoning proposed for Block D and E (See exhibit D in the Urban Renewal Plan) are **Somewhat Consistent** with the land use plan as they are being proposed as **Mixed-Use Downtown** and the land use plan identifies them as **Mixed-Use Low**. Furthermore, since the applicant has worked with the City to develop an **Urban Renewal Plan**, conducted extensive neighborhood input meetings, the neighborhood supports the conceptual plan (Exhibit E) as expressed in the **Urban Renewal Plan**, the Birmingham Planning Commission recommended adoption of the Urban Renewal Plan, the Birmingham City Council adopted the **Urban Renewal Plan**, and the property presented in the **Urban Renewal Plan**, if developed as prescribed in the conceptual plan with certain development controls, would be a catalytic development in the area that is intended to benefit the neighborhoods and the City, it is practical, in this case, to except the **Urban Renewal Plan** as a city sponsored plan that serves as evidence for the practicality of amending the **Future Land Use Plan** for the area described as Block D & E. Further, the framework plan for this area will recommend that the area described as Block D be assigned a Future Land Use designation of **MU-M, Mixed-Use Medium** and the area described as Block E be assigned a Future Land Use designation of **MU-H, Mixed-Use High**.

*The Evergreen Neighborhood Association* met at its regularly scheduled meeting on **July 16, 2019** to review the proposed project and voted to **Recommend** the rezoning request. The vote was **6 approved, 0 denied**.

*The Druid Hills Neighborhood Association* held a **Special Called Meeting on July 29, 2019** to review the proposed project and voted to **Recommend** the rezoning request. The vote was **11 approved, 1 denied**.

As a courtesy, the applicant presented the proposed rezoning to the neighboring *The Norwood Neighborhood Association* at its regularly scheduled meeting on **July 27, 2019**. *The Norwood Neighborhood Association* supported the rezoning request. The vote was **6 approved, 0 denied**.

**Zoning Advisory Committee Action:**

**The Zoning Advisory Committee** will meet at its regularly scheduled meeting on **August 6, 2019** to review the applicant's rezoning request and voted to **Recommend** approval with the following **"Q" Conditions**:

- 1) *The conceptual plan (Exhibit E), as described in the Urban Renewal Plan, shall act as the site plan. If development is proposed that is not consistent with the land use mix of the conceptual plan, then it must be approved, as a site plan amendment, by the Zoning Advisory Committee and the Urban Renewal Plan must be amended and approved by the City Council.*
- 2) *Properties described as Block B & C in the conceptual plan shall be limited in height to 180 feet.*
- 3) *Properties described as Block D in the conceptual plan shall be limited in height to 70 feet.*
- 4) *Properties described as Block E in the conceptual plan shall be limited in height to 100 feet.*
- 5) *If the property described as Block D in the conceptual plan is developed as an outdoor performance venue, then it shall be set back from 15th Avenue North between 22nd and 23rd Streets North and from 22nd Street North between 15th and 17th Avenues North by no less than 200 feet, and a vegetative buffer and berm shall be placed in the setback as approved by Planning, Engineering and Permits Staff. The hour's operations for the outdoor performance venue should not extend past 12:00a.m.*
- 6) *If the property described as Block D in the conceptual plan is developed as any entertainment use other than an outdoor performance venue, then it shall be set back from 15th Avenue North between 22nd and 23rd Streets North and from 22nd Street North between 15th and 17th Avenues North by no less than 50 feet, and a vegetative buffer and berm shall be placed in the setback as approved by Planning, Engineering and Permits Staff.*
- 7) *Applicant must provide quarterly updates to the neighborhood regarding status of the development.*

**2. ZAC2019-00017.....Five Points**  
**South**

Application for a change in zone district boundaries from M-1, Light Industrial District to MU-D, Mixed-Use Downtown District, filed by T. Michael Gibson, representing the owner, Wells Fargo Bank, for the property located at 300 18<sup>th</sup> Street South and situated in the **SW ¼ of Section 36, Township 17-S, Range 3-**

**West and SW¼ of Section 36, Township 17-S, Range 3-West and. (35233, District 6).**

**Proposed Use: Mixed use development with ground floor retail and restaurant and apartments (student housing) on the upper floors.**

The City's *Long Range Land Use Plan* identifies the property as *Mixed-Use Downtown* a designation applied to medium to high density office, residential, retail and entertainment areas; therefore the proposed rezoning request *is Consistent* with the *Long Range Land Use Plan*.

*The Five Points South Neighborhood Association* met at its regularly scheduled meeting on July 22, 2019 to review the proposed rezoning request and voted "To Recommend Approval". The vote was 7 approved and 0 denied.

**Zoning Advisory Committee Action:**

*The Zoning Advisory Committee* will meet at its regularly scheduled meeting on August 20, 2019 to review the applicant's rezoning request and voted to *Recommend* approval.

3. **ZAC2019-00018.....Southside**  
**Application for a change in zone district boundaries from M-1, Light Industrial District to MU-D, Mixed-Use Downtown District, filed by the owner, T. Michael Gibson, for the property located at 2212 1<sup>st</sup> Avenue South and situated in the NE ¼ of Section 36, Township 17-S, Range 3-West (35233, District 5).**

**Proposed Use: To adaptively re-use an existing 2 story brick building and construct a new 3 story metal framed building as an addition to create a mixed-use development with condominiums.**

The City's *Long Range Land Use Plan* identifies the property as *Mixed-Use Downtown* a designation applied to medium to high density office, residential, retail and entertainment areas; therefore the proposed rezoning request *is Consistent* with the *Long Range Land Use Plan*.

*The Southside Neighborhood Association* met at its regularly scheduled meeting on August 15, 2019 to review the proposed rezoning request. The vote was 4 approved and 0 denied.

**Zoning Advisory Committee Action:**

*The Zoning Advisory Committee* will meet at its regularly scheduled meeting on August 20, 2019 to review the applicant's rezoning request and voted to *Recommend* approval.

**4. ZAC2018-00024.....Citywide**  
An ordinance to amend the City of Birmingham's Zoning Ordinance Title 1 "General Provisions" (Ord No. 17-51, as amended), filed by the Department of Planning, Engineering and Permits.

The recommended Ordinance change revise density requirements, modify I-3 permitted uses, revise cemetery requirements (to meet State Code of Alabama), amend accessory structures to places of worship and modify spacing requirements for multi-family student housing

See attached for text changes. Amendments are identified in red language (strikethrough text are deletions and **underlined text represent additions**).

**Zoning Advisory Committee Action:**

**The Zoning Advisory Committee** met at its regularly scheduled meeting on **August 20, 2019** to review the text changes and voted to ***Recommend*** approval.

V. OLD AND NEW BUSINESS

VI. ADJOURN

*If accommodation is required for an event or meeting, please contact: Chiara Perry, Birmingham City Council Public Information Officer, with reasonable advance notice by e-mailing her at [Chiara.Perry@birminghamal.gov](mailto:Chiara.Perry@birminghamal.gov) or calling her at (205) 254-2498.*