

JOINT PLANNING AND ZONING AND SPECIAL CALLED COMMITTEE OF THE WHOLE MEETING  
Thursday, April 4, 2019  
3:00 p.m.  
5<sup>TH</sup> Floor Conference Room

## MINUTES

COUNCILOR STEVEN W. HOYT, COMMITTEE CHAIR  
COUNCILOR ABBOTT & COUNCILOR O'QUINN, COMMITTEE MEMBERS

Councilor(s) Present: Abbott, O'Quinn

### I. CALL TO ORDER

Council President Abbott called the meeting to order.

### II. APPROVAL OF MINUTES - February 7, 2019

**Action Taken:**

**Councilor O'Quinn: \_\_\_\_\_ Moved to Approve.**

**Councilor Abbott: \_\_\_\_\_ Seconded.**

### III. ZONING ITEMS

1. ZAC2019-00002.....Fairview

Application for a change in zone district boundaries from D-3, Single Family District to D-4, Medium Density Residential District, filed by the owner, Nancy Calloway, for the property located at 1501 4th Avenue West situated in the NW ¼ of Section 04, Township 18-S; 3-W., and (35208), (Council District 8).

**Proposed Use:** Communal Living Facility.

*The City's Long Range Land Use Plan identifies the property for Residential Low; a designation applied to Single Family Homes therefore, the proposed rezoning is not consistent with the Plan.*

*The Fairview Neighborhood Association met at its regularly scheduled meeting on March 5, 2019 to review the proposed project and voted to approve it. The vote was 6 approved, 1 denied and 1 abstention.*

*As a courtesy, the applicant presented the proposed redevelopment to the neighboring The Bush Hills Neighborhood Association at its regularly scheduled meeting on February 26, 2019. The Bush Hills Neighborhood Association did not support the rezoning request. The vote was 1 approved and 30 denied.*

**Zoning Advisory Committee Action:**

*The Zoning Advisory Committee met at its regularly scheduled meeting on March 19, 2019 and voted to Recommend approval of the applicant's request.*

**Action Taken:**

**Councilor Abbott: \_\_\_\_\_ Moved to Deny Approval.**

**Councilor O'Quinn: \_\_\_\_\_ Seconded.**

**Item Was NOT Approved.**

2. ZAC2019-00004.....Five Points South

Application for a change in zone district boundaries from M-2, Heavy Industrial District to MU-D, Mixed-Use Downtown District, filed by Tim Larson, representing the owners, Birmingham POD, LLC. for the property located at 1100 2nd Avenue South and situated in the NE¼ of Section 02, Township 18-S, Range 3-West. (35233, District 5).

**Proposed Use:** Mixed use development with business, amphitheater retail and apartment type uses.

*The City's Long Range Land Use Plan identifies the property as Light Manufacturing. Although the proposed rezoning request is Not Consistent with the Long Range Land Use, the rezoning request is compatible with adjacent uses.*

MINUTES

*The Five Points South Neighborhood Association met at its regularly scheduled meeting on **March 25, 2019** to review the proposed project and voted **“To Recommend Approval”** of the proposed rezoning request. The vote was **11 approved** and **0 denied**.*

**Zoning Advisory Committee Action:**

*The Zoning Advisory Committee will meet at its regularly scheduled meeting on **April 2, 2019** to review the applicant’s request.*

**Action Taken:**

**Councilor O’Quinn: Moved to Approve.**

**Councilor Abbott: Seconded.**

**Item Recommended to the city Council Agenda.**

**3. ZAC2019-00005.....Central City**

**Application for a change in zone district boundaries from M-1, Light Industrial District to MU-D, Mixed-Use Downtown District, filed by Tim Larson, representing the owners, Birmingham POD, LLC. for the property located at 2409 Morris Avenue and situated in the NE¼ of Section 36, Township 17-S, Range 3-West. (35203, District 5).**

**Proposed Use:** Mixed use development with business, retail and live-work units.

*The City’s **Long Range Land Use Plan** identifies the property as **Mixed-Use Downtown**; therefore the proposed rezoning request **is Consistent** with the **Long Range Land Use Plan**.*

*The **Central City Association** met at its regularly scheduled meeting on **March 19, 2019** to review the proposed project and voted **“To Recommend Approval”** of the proposed rezoning request. The vote was **7 approved** and **0 denied**.*

**Zoning Advisory Committee Action:**

*The Zoning Advisory Committee will meet at its regularly scheduled meeting on **April 2, 2019** to review the applicant’s request.*

**Action Taken:**

**Councilor O’Quinn: Moved to Approve.**

**Councilor Abbott: Seconded.**

**Item Recommended to the city Council Agenda.**

**4. ZAC2019-00006.....Citywide**

ZAC2019-00006 is a proposal to amend the City of Birmingham’s Zoning Ordinance to include a Healthy Food Overlay District and to modify guidelines pertaining to urban agriculture. The purpose of a Healthy Food Overlay District is to allow for more convenient access to fresh meats, fruits and vegetables within a designated area in the City that lacks a supermarket, supercenter, or a large grocery store. The Healthy Food Overlay District guidelines will also limit the over-concentration of small box discount stores within the Overlay District. The modifications to the urban agriculture standards in the City’s Zoning Ordinance will add guidelines for mobile grocery stores and make it easier to allow for more farmers markets, public markets, and community gardens within the City.

**Action Taken:**

**Councilor O’Quinn: Moved to Delay.**

**Councilor Abbott: Seconded.**

**Item Delayed Until the Next Scheduled Planning and Zoning Committee Meeting.**

**5. Annexation for the property located at 8101 Liberty Parkway.** This property is comprised of a portion of a tract of land located in a part of Lot 1, HealthSouth Headquarters Addition to Liberty Park, as recorded in Map Book 243, Page 1 in the office of the Judge of Probate of Jefferson County, Alabama, being situated in the N.E. 1/4 of the S.W. 1/4 of Section 12, Township 18 South, Range 2 West of the Huntsville Meridian, the said parts shown in the attached map labeled Attachment A. The property being annexed is owned by the Encompass Health Corporation, formerly known as Health South Corporation. The parcel was formerly located in the City of Vestavia Hills, Alabama and was officially de-annexed from that municipality on July 23rd 2018.

MINUTES

The subject property proposed to be annexed is located on the same parcel as the current headquarters for Encompass Health Corporation. This property is located in the Overton neighborhood of the Cahaba Community in City Council District 2.

**Action Taken:**

**Councilor O'Quinn: \_\_\_\_\_ Moved to Approve.**

**Councilor Abbott: \_\_\_\_\_ Seconded.**

**Item Recommended to the city Council Agenda.**

V. OLD AND NEW BUSINESS

VI. ADJOURN

**Councilor O'Quinn: \_\_\_\_\_ Moved to Adjourn.**

**Councilor Abbott: \_\_\_\_\_ Seconded.**

**Meeting Adjourn.**