



**PLANNING & ZONING MEETING
WEDNESDAY, OCTOBER 7th, 2020
3:30 PM
CITY COUNCIL CHAMBERS, CITY HALL
COUNCIL PRESIDENT WILLIAM PARKER, CHAIR**

AGENDA

I. CALL TO ORDER

II. APPROVAL OF MINUTES

- September 16th, 2020

III. ZONING ITEMS

1. **ZAC2020-00004**..... **Liberty Highlands**
Application for a change in zone district boundaries from I-1 (Light Manufacturing District) to I-2 (Heavy Manufacturing District) to allow a new Copart facility, filed by Kent Haney, representing the owner, GKH, LLC, for the property located at 5750 Highway 78E and situated in the SE¼ of Section 15, Township 17-S, Range 1-West. (35210, District 2).

Proposed Use: New Copart Facility

The City’s **Long Range Land Use Plan** identifies the property as Planned Development and General Commercial. The planned development category allows for large recreational facilities, healthcare institutions and mixed-use districts. Locations in the Northeast Framework Plan Area include Liberty Highlands, Echo Highlands, Alabama Industrial School for Boys, and the Cahaba Community. The general commercial category allows for commercial / service, general and large tenant retail, restaurants and food stores. The proposed rezoning request is *somewhat consistent* with the **Long Range Land Use Plan**.

Neighborhood Recommendation:

The *Liberty Highlands Neighborhood Association* met at its regularly scheduled meeting on February 27th, 2020, to review the proposed project and voted to RECOMMEND approval of the request. The vote was 5 approved and 0 denied.

The Northeast Area Framework Plan Implementation Committee was notified of the rezoning request. The Committee did not have a meeting scheduled.

Staff's Recommendation to ZAC:

The applicant's rezoning request is somewhat consistent with the future land use plan and has merit for approval, subject to the following "Q" conditions if approved:

1. No parts sales allowed
2. No clearing, grading or construction activities shall occur within 100 feet of the creek boundaries
3. The following uses shall not be allowed:
 - a. Heliport
 - b. Landfill
 - c. Off-Premise Sign
 - d. Railroad Station
 - e. Railroad Yard
 - f. Reservoir/Water Tank
 - g. Scrap Metal Processor
 - h. Solid Waste Transfer Facility
 - i. Tank Farm
 - j. Utility Substation
 - k. Water Treatment Plant
 - l. Water/Sewer Pumping Station

Zoning Advisory Committee Action:

The Zoning Advisory Committee met at its regularly scheduled meeting on June 2nd, 2020, to review the applicant's rezoning request and voted to **NOT RECOMMEND** approval.

Planning & Zoning Committee Action:

The Planning and Zoning Committee met at its regularly scheduled meeting on August 5, 2020, to review the applicant's rezoning request and voted to **RECOMMEND** approval.

However, the "Q" conditions were not a part of the approval moving forwarded to City Council on September 15, 2020. The City Council President William Parker requested the applicant go back to the Planning & Zoning Committee with hope that the applicant and neighborhood members could meet & resolve issues associated with the proposed "Q" conditions.

Neighborhood, Applicant, and Staff Virtual (WebEx) Meeting

The neighborhood, applicant and staff met via WebEx on Monday, September 21, 2020 and as a result of the meeting the following “Q” conditions are recommended and the application was revised.

Proposed “Q” Conditions:

1. No parts sales allowed;
2. No dismantling or disassembling of any disabled or inoperable vehicles on the site;
3. No clearing, grading or construction activities shall occur within 100 feet of the creek boundaries;
4. Copart will not expand its operations north of the railroad and this area will not be rezoned Heavy Manufacturing/Heavy Industrial;
5. The following uses shall not be allowed:
 - a. Heliport
 - b. Landfill
 - c. Off-Premise Sign
 - d. Railroad Station
 - e. Railroad Yard
 - f. Reservoir/Water Tank
 - g. Scrap Metal Processor
 - h. Solid Waste Transfer Facility
 - i. Tank Farm
 - j. Utility Substation
 - k. Water Treatment Plant
 - l. Water/Sewer Pumping Station

IV. MINI-STORAGE WAREHOUSE UPDATE

V. ZBA AND PLANNING COMMISSION APPLICATION UPDATE

VI. OLD AND NEW BUSINESS

VII. ADJOURN

P&Z Committee Agenda

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If accommodation is required for an event or meeting, please contact: Kimberly Garner, Director of Public Information, with reasonable advance notice by e-mailing her at Kimberly.Garner@birminghamal.gov or calling her at (205) 254-2036.