

JOINT PLANNING & ZONING AND SPECIAL CALLED COMMITTEE OF THE WHOLE MEETING
VIRTUAL

April 21, 2021 | 3:30 p.m.

MINUTES

COUNCIL PRESIDENT WILLIAM PARKER, COMMITTEE CHAIR
Councilor Abbott & Councilor Hilliard, Committee Members

WEBSITE ADDRESS:

www.birminghamal.gov

Event address for attendees:

<https://birmingham.webex.com/birmingham/onstage/g.php?MTID=e9731a7bc28bb43a04a309f40f5c2f968>

Audio Conference: United States Toll: +1-415-655-0002

Access Code: 187 754 4038

Councilor(s) Present: Parker, Abbott, Hilliard

I. CALL TO ORDER

Council President Parker called the meeting to order.

II. APPROVAL OF MINUTES

- February 17, 2021
- April 7, 2021

Action Taken:

Approval of Minutes Delayed – Not Distributed.

III. ZONING ITEM

1. **ZAC2020-00027, Overton**

An application to pre-zone territory proposed for annexation from HZ (Holding Zone Shelby County) and B-2 (Shelby County General Business District) to D-5 (Multiple Dwelling District) to construct a new 187 residential unit development, filed by Jim Beatty, representing the owner, Abbey-Greystone, LLC/Frank Barfield, for the properties located at 7273 & 7277 Cahaba Valley Road and situated in the SW ¼ of Section 29, Township 18-S, Range 1-West ,35242 (Council District 2).

Proposed Use: A new 187 residential development

This proposed property is outside the City Limits of Birmingham; however, the **City's Long Range Land Use Plan** identifies the adjacent property as **D-5 Multiple Dwelling District**. This residential high (Multifamily) district is designed to allow for multifamily rental and condominium structures and townhouse, typically in large developments or mid-rise and high-rise buildings. Uses in this district include: high density multi-family, schools, churches, and neighborhood-serving public uses. The proposed rezoning request would be **Consistent** with the **City's Long Range Land Use Plan** that is adjacent to the proposed rezoning request.

Neighborhood Recommendation:

The **Overton Neighborhood Association** held an executive meeting on **December 4, 2020** and voted to approve the rezoning request. The vote was **2** approved and **0** denied.

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Framework Plan:

This property is **not** located within the Northeast Framework Plan Area, because it is outside the city limits of Birmingham; however, the adjacent properties to the west of this location are in the Northeast Framework Plan. The Northeast Framework Plan area does have an active Implementation Committee. The co-chair (Frank Hamby) of the Northeast Framework Plan Implementation Committee, reviewed the proposed rezoning request and supports this development.

Staff's Recommendation to ZAC:

The applicant's rezoning request is **consistent** with the future land use plan of the adjacent properties and staff recommends the **approval** of the rezoning request.

Zoning Advisory Committee Action:

The Zoning Advisory Committee met at its regularly scheduled meeting on **Tuesday, April 20th, 2021** to review the applicant's rezoning request, and voted to _____ the proposed rezoning request.

Action Taken:

Councilor Hilliard: _____ Moved to Approve (Zoning).

Councilor Parker: _____ Seconded.

Item Recommended to the City Council Agenda for Zoning.

A special called meeting will be scheduled to approve the annexation portion of the request.

2. **ZAC2020-00028, Overton**

An application to pre-zone territory proposed for annexation from HZ (Holding Zone- Jefferson County) to D-5 (Multiple Dwelling District) and C-1 (Neighborhood Commercial District), filed by C. Randall Minor, representing the owner, Brock Maddox, LLC and Wayne & Pattie Graves, for the properties located at 3520, 3526, 3506, & 3540 Cahaba Valley Road; 3500 Eastern Valley Road and 3456 Grants Mill Rd (Outside City Limits of Birmingham) and 3504 Cahaba Valley Road situated in the SE ¼ of Section 10, Township 18-S, Range 1-West, 35242 (Council District 2).

Proposed Use: A new multi-family development consisting of up to 300 units and approximately 24,400 sf of supporting neighborhood retail and services.

These proposed properties are outside the city limits of Birmingham; however, the **City's Long Range Land Use Plan** identifies the properties adjacent to the proposed rezoning request as **Residential-Low and Open Space**. The residential-low (single-family) district is designed to allow for districts to ensure that they reflect existing or desired character and consolidate residential zoning districts that do not result in significant variations in development. Uses in this district include: single-family homes, school's churches, and neighborhood-serving public uses. The open space is land not covered by man-made water-resistant surfaces, parking or buildings, other than recreational structures, pools or stormwater facilities, which may be landscaped or preserved in a natural state for private use of owners or quests, or for public access as may be required by the provisions of these regulations or the zoning ordinance. The proposed rezoning request is **Not Consistent** with the **Long Range Land Use Plan** that is adjacent to the proposed rezoning request.

Neighborhood Recommendation:

The Overton Neighborhood Association met on **February 2, 2021** and voted to approve the proposed rezoning request. The vote was **2** approved and **0** denied.

Framework Plan:

This property is not located within the Northeast Framework Plan Area, because it is outside the city limits of Birmingham; however, the adjacent properties to the east of this location are in the Northeast Framework Plan. The Northeast Framework Plan area does have an active Implementation Committee. Staff discussed the proposed rezoning application with Ken Johnson (co-chair) of the Framework Implementation Committee and have not received a final response regarding the committee's recommendation.

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Staff's Recommendation to ZAC:

The applicant's rezoning request is **not consistent** with the future land use plan of the adjacent properties, and staff does not recommend the approval of the rezoning request.

Zoning Advisory Committee Action:

The Zoning Advisory Committee met at its regularly scheduled meeting on **Tuesday, April 20th, 2021** to review the applicant's rezoning request, and voted to _____ the proposed rezoning request.

Action Taken:

This Item has been Delayed.

IV. **OLD AND NEW BUSINESS**

None

V. **ADJOURN**

Councilor Abbott: _____ Moved to Adjourn.

Councilor Hilliard: _____ Seconded.

Meeting Adjourned.