

STAFF RECOMMENDATIONS

ZONING ADVISORY COMMITTEE

Birmingham Planning Commission

Meeting Date: August 20, 2019

Time: 6:00 P.M.

Pre-Meeting: 5:30 P.M.

Place: City Council Chambers

710 19th Street, North

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 18th 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.*

Property and Abutting Land Uses:

The subject property sits on approximately .33 acres of land, all of which is currently zoned M-1, Light Industrial District. The subject property is mainly surrounded by hospital medical buildings, parking lots and commercial uses all of which are zoned B-6, Health and Institutional District, while commercial uses are occurring north, east and south of the subject property which are zoned B-4, Central Business District, and M-1, Light Manufacturing District.

Applicant's Proposal:

The developer proposes to demolish the existing structure on the site and build a new metal-framed multi-story, mixed-use building with restaurant on the ground floor and apartments (student housing) on the upper floors. The purpose of the development is to serve the international student community at UAB and the medical residents at UAB and Children's Hospital. There are 110 proposed residences, arranged around a central lightwell. The residences are "dormitory-style" 2 bedroom units each with a kitchenette and shared bathroom. Larger communal functions such as laundry, large kitchens, study halls, and recreation space will be provided as common shared amenities throughout the building. No on-site parking will be provided.

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***.

Zoning Ordinance:

The applicant's site plan submittal complies with the MU-D, Mixed- Use Downtown District. A mixed-use development consisting of a restaurant use and student housing are permitted in this district.

Parking spaces are not required in the B-4 and MU-D, Mixed Use High District. Where parking is provided in the B-4 and MU-D Mixed use Downtown District all remaining requirements of the off-

street parking and loading regulations should apply. The applicant needs to address parking as it is proposed that no on-site parking will be provided. The applicant must meet with the Department of Transportation to discuss a time line on the staging construction equipment. The subject property is located within the Midtown Commercial Revitalization District; therefore review and approval of any new construction, exterior work, and signage must be reviewed and approved by the City's Design Review Committee.

Neighborhood Recommendation:

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

The City's Watershed Staff reviewed the applicant's proposal and if the request is approved, recommends the following:

- *If greater than 1 acre is disturbed, ADEM Construction NPDES Permit inclusion will be required prior to the issuance of City SEC permits.*
- *City of Birmingham Soil Erosion Control permit will be required.*
- *City of Birmingham Civil Construction permit will be required.*
- *Post Construction runoff shall not exceed pre-project runoff for the 1,2, 10, and 25-year storm events. The 100-year storm shall safely pass the system.*
- *LID/GI practices are required for the parking space area that is greater than the requirement for the parking space count.*
- *Compliance with the Post Construction Stormwater Ordinance is required.*
- *A review meeting with City Personnel is recommended prior to any construction.*

Staff's Recommendation to ZAC:

The applicant's rezoning request ***is consistent*** with the future land use plan and has merit for approval.

STAFF RECOMMENDATIONS

ZONING ADVISORY COMMITTEE

Birmingham Planning Commission

Meeting Date: August 20, 2019

Time: 6:00 P.M.

Pre-Meeting: 5:30 P.M.

Place: City Council Chambers

710 19th Street, North

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 1st Avenue South and situated in the NE ¼ of Section 36, Township 17-S, Range 3-West (35233, District 5).

Proposed Use: *To allow the adaptive re-use of existing building and the construction of a new The developer proposes to adaptively re-use an existing 2 story brick building and construct a new 3 story metal framed building as an addition to create new condominiums.*

Property and Abutting Land Uses:

The subject property sits on approximately .33 acres of land, all of which is currently zoned M-1, Light Industrial District. The subject property is mainly surrounded by hospital medical buildings, parking lots and commercial uses all of which are zoned B-6, Health and Institutional District, while commercial uses are occurring north, east and south of the subject property which are zoned B-4, Central Business District, and M-1, Light Manufacturing District.

Applicant's Proposal:

The overall development will include condominiums of varying size and on-site parking for a portion of the residents. There are 38 proposed 1 bedroom condominiums and 7 proposed multi-level rowhouses. Each rowhouse includes a ground level, mezzanine, second level, and rooftop penthouse.

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***.

Zoning Ordinance:

The applicant's site plan submittal complies with the MU-D, Mixed- Use Downtown District. Condominiums are permitted in this district. Parking spaces are not required in the B-4 and MU-D, Mixed Use High District. Where parking is provided in the B-4 and MU-D Mixed use Downtown District all remaining requirements of the off-street parking and loading regulations should apply. The applicant must meet with the Department of Transportation to discuss a time line on the staging construction equipment. The subject property is located within the Automotive Historic District; therefore review and approval of any new construction, exterior work, and signage must be reviewed and approved by the City's Design Review Committee. Lastly, the applicant would need to file a subdivision application in order to create condominiums.

Neighborhood Recommendation:

The Southside Neighborhood Association will meet at its regularly scheduled meeting on **August 15, 2019** to review the proposed rezoning request

The City's Watershed Staff reviewed the applicant's proposal and if the request is approved, recommends the following:

- *If greater than 1 acre is disturbed, ADEM Construction NPDES Permit inclusion will be required prior to the issuance of City SEC permits.*
- *City of Birmingham Soil Erosion Control permit will be required.*
- *City of Birmingham Civil Construction permit will be required.*
- *Post Construction runoff shall not exceed pre-project runoff for the 1,2, 10, and 25-year storm events. The 100-year storm shall safely pass the system.*
- *LID/GI practices are required for the parking space area that is greater than the requirement for the parking space count.*
- *Compliance with the Post Construction Stormwater Ordinance is required.*
- *A review meeting with City Personnel is recommended prior to any construction.*

Staff's Recommendation to ZAC:

The applicant's rezoning request ***is consistent*** with the future land use plan and ***has merit*** for approval.

STAFF RECOMMENDATIONS
ZONING ADVISORY COMMITTEE
Birmingham Planning Commission
Meeting Date: August 20th, 2019
Time: 6:00 P.M.
Pre-Meeting: 5:30 P.M.
Place: City Council Chambers
710 19th Street, North

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 revises density requirements, modifies I-3 permitted uses, revises cemetery requirements (to meet State Code of Alabama) and modifies 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).