

**STAFF RECOMMENDATIONS**

**ZONING ADVISORY COMMITTEE  
Birmingham Planning Commission**

**Meeting Date:** November 5<sup>th</sup>, 2019

**Time:** 6:00 P.M.

**Pre-Meeting:** 5:30 P.M.

**Place:** City Council Chambers  
710 19<sup>th</sup> Street, North

**ZAC2019-00026** ..... **South Woodlawn**  
Application to change zone district boundaries from R-4, Two-Family and Semi-Attached Dwelling District, and R-5, Multiple Dwelling District, to D-5, Multiple Dwelling District in order to construct a cottage and townhouse development filed by Dynamic Civil Solutions, representing the owner, WF Real Property Resources LLC, for the properties located at 5984 Georgia Road, 6004 Georgia Road, 6012 Georgia Road, 6032 Georgia Road, 132 61<sup>st</sup> Street South, 200 61<sup>st</sup> Street South and 216 61<sup>st</sup> Street South, and situated in the NE ¼ of Section 21, Township 17-S, Range 2-West (Council District 4).

**Proposed Use:** New cottage and townhouse development

**Property and Abutting Land Uses:**

The subject property is currently zoned R-4 (Two Family and Semi-Attached Dwelling District) and R-5 (Multiple Dwelling District). Abutting the subject property to the North is the Park at Wood Station Apartments (zoned R-4 and R-5). To the South are single family residential properties zoned R-4. To the East are single family residential properties zoned R-4. The Chateau Plaza Apartments are to the West of the property zoned R-5.

**Applicant’s Proposal:**

The project consists of two mini projects, being designed to look as one development. The Cottages on Georgia Road will include the new construction of eight (8) Senior-citizen cottages and a pavilion. Each cottage has 2 bedrooms and 1 bathroom. The Woodlawn Townhouse Development will include the construction of eleven (11) townhouses and one (1) Single-family detached home (located at 6004 Georgia Road). Each unit will have 3 bedrooms and 2-1/2 bathrooms. Associated green space, landscaping and lighting will be provided to meet City requirements.

The City’s **Long Range Land Use Plan** identifies the properties at 132 61<sup>st</sup> Street south, 200 61<sup>st</sup> Street South, 216 61<sup>st</sup> Street South and 6032 Georgia Road as **Residential Low**. This land use category is exclusively single-family homes. In addition, schools, churches, and neighborhood-serving public uses are allowed.

The proposed rezoning request for the properties located at 132 61<sup>st</sup> Street South, 200 61<sup>st</sup> Street South and 216 61<sup>st</sup> Street South is **not consistent** with the **Long Range Land Use Plan**.

The City’s **Long Range Land Use Plan** identifies the properties at 6012 Georgia Road, 6004 Georgia Road and 5984 Georgia Road as **Residential Medium**. This land use category allows for a mix of single- and two-family, townhouse, and small apartment buildings (6 or fewer units). In addition, schools, churches, and neighborhood-serving public uses are allowed.

The proposed rezoning request for the properties at 6012 Georgia Road, 6004 Georgia Road and 5984 Georgia Road is **consistent** with the **Long Range Land Use Plan**.

**Zoning Ordinance:**

The applicant’s site plan (and proposed resurvey) shows the 8 cottage as a multi-family development on 1 lot. This proposal meets the density requirement and the lot width requirement. The front yard setback (on 61<sup>st</sup> Street South) is 25 feet, the rear yard setback is 25 feet, the side yard setback minimum is 5 with a total of both sides being a minimum of 14 feet and the maximum height is 45 feet. The parking requirement for 2 or more bedrooms is 1.5 per dwelling unit, for a combined total requirement of 12 parking spaces on the lot. All landscaping must comply with the requirements in Title 1, Chapter 6 of the Zoning Ordinance (Landscaping, Buffering and Screening).

The site plan (and proposed resurvey) shows 11 lots for the townhouse development. Two (2) of the lots (3 and 4) do not have public street frontage and will require a variance from the Zoning Board of Adjustment and a waiver from the Subdivision Regulations. The minimum lot area and minimum lot widths meet the D-5 requirements. The front yard setbacks on Georgia Road are 15 feet, the rear setbacks are 20 feet, the side yard setback minimum is 5 feet with a total of both sides being a minimum of 14 feet (in a row) and the maximum height is 45 feet. The parking requirement is 1 space per dwelling unit. All landscaping must comply with the requirements in Title 1, Chapter 6 of the Zoning Ordinance (Landscaping, Buffering and Screening). Townhouse developments are also subject to the following conditions:

**B. Townhouse.** In the D-4, D-5, D-6, MU-L and MU-M districts townhouse development shall be permitted provided that the following conditions are met:

1. For the purposes of this Section, all new construction shall be constructed on a lot of record, showing separate ownership for each lot.
2. Recreational facilities and parking facilities shall be permitted when constructed as an accessory use to the entire development.
3. Undeveloped open space, and/or outdoor recreation shall account for 35 percent of the total development in D-5 and D-6 dwelling districts, and 50 percent of the total development in D-4 dwelling district. In any case, not less than 25 percent of the total area percentages shall remain as undeveloped and/or landscaped open space.
4. Front building lines shall vary a minimum of three feet or more for every two dwelling units.
5. The front doors of all dwelling units must be a minimum of 10 feet from any paved surface, except walkways. Private walkways, having a destination of a public walkway or street or private drive, or parking lot shall be provided.
6. All dwellings shall be serviced by utilities and other wiring from the rear or side of the dwelling unless underground.
7. No structure shall contain any more than eight attached dwelling units.

The site plan also shows one (1) single family home (lot 14). The lot meets the minimum requirements for lot area and lot width. The front yard setback is 20 feet, the rear yard setback 15 feet, the die yard setback is one side a minimum of 5 feet with a total of 14 feet (minimum). The height cannot exceed 35 feet. The parking requirement is 1 space for a house at or below 1,500 square feet and 2 spaces for a house at or above 1,501 square feet. All landscaping must comply with the requirements in Title 1, Chapter 6 of the Zoning Ordinance (Landscaping, Buffering and Screening)

The development will have to comply with all of the City's Stormwater requirements, including a Stormwater Management Permit that will include a Stormwater Management meeting during the conceptual phase of the project.

The parcels must be presented to the Subdivision Committee for approval of a resurvey. The applicant is proposing to install a private road for access. The private road must meet all the requirements of the City's Subdivision Regulations.

***Neighborhood Recommendation:***

The *South Woodlawn Neighborhood Association* met at its regularly scheduled meeting on October 5<sup>th</sup>, 2019, to review the proposed project and voted to ***recommend*** approval of the proposed rezoning request. The vote was 7 approved and 0 denied.

***Staff's Recommendation to ZAC:***

The applicant's rezoning request for properties located at 132 61<sup>st</sup> Street South, 200 61<sup>st</sup> Street South and 216 61<sup>st</sup> Street South is ***not consistent*** with the future land use plan and is ***not recommended*** for approval. The remaining properties are ***consistent*** with the future land use plan and have ***merit*** for approval.

**ZAC2019-00037..... Crestline**  
Application for the review and approval of a site development plan in B-5, Mixed Business District, for the conversion of a Rite Aid Pharmacy to a medical office and retail space, filed by Kerioth Corporation, representing the owner, TC Irondale, LLC, for property located at 1337 Montclair Road and situated in the SE¼ of Section 27, Township 17-S, Range 2-West. (35210, District 2)

**Proposed Use:** Conversion of Rite Aid Pharmacy into a medical office (Doctor’s Office) and retail space

**Property and Abutting Land Uses:**

The subject property is located at the intersection of Montclair Road and Grace Baker Road. To the North of the property is the Fair Haven Complex, zoned QB-2. To the South of the property is the Extra Space Storage Facility, zoned B-5. The Sonic Drive-In is located to the East of the property, zoned B-5. To the West of the property is Publix Grocery Store, zoned QB-2.

**Applicant’s Proposal:**

The applicant intends on converting the vacant Rite Aid Pharmacy building into a medical office (doctor’s office) and retail space. While most of the work will be interior only, the applicant does intend to update the landscaping within the parking lot and around the exterior of the building.

**Zoning Ordinance:**

The applicant’s site development plan meets the submittal requirements as outlined in the B-5, Mixed Business District Guidelines. The B-5, Mixed Business District requires that all site development plan reviews and amendments be reviewed by the Zoning Advisory Committee.

The Landscaping Plan was reviewed by the City’s Landscape Architect. It appears to meet all of the requirements outlined in the City’s Zoning Ordinance.

**Neighborhood Recommendation:**

**The Crestline Neighborhood Association will** met at its regularly scheduled meeting on October 24<sup>th</sup>, 2019 to review the proposed project. The Neighborhood Association voted to support the project.

**Staff’s Recommendation to the ZAC:**

Staff recommends approval of the site development plan with the following conditions:

1. Once a site development plan has been approved, no work shall be done and no permits shall be issued except in accord with said plan. No certificate of occupancy shall be issued until all site improvements as required by an approved site development plan are completed.