

**STAFF RECOMMENDATIONS**

**ZONING ADVISORY COMMITTEE**

**Birmingham Planning Commission**

**Meeting Date:** February 2<sup>nd</sup>, 2021

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

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

**Place:** <https://birmingham.webex.com/birmingham/j.php?MTID=m4baae1fd643441705b8839ca35cce68f>

**ZAC2020-0034.....Norwood**

Application to change zone district boundaries from CR-5(Contingency-Multiple Dwelling District) to MU-M (Mixed-Use Medium District) in order to construct a new real estate office, filed by Grant Gramstad, representing the owner, ZAC LOVOY-Development Heights, LLC., for the property located at 1215 31<sup>st</sup> Street North and situated in the SE ¼ of Section 24, Township 17-S, Range 3-West (Council District 4).

**Proposed Use:** A new real estate office

**Property and Abutting Land Uses:**

The subject property is .34 acres and is currently zoned CR-5 (Contingency-Multiple Dwelling District). Abutting/adjacent the subject property to the north is zoned, R-3 (Single- Family District). To the south it is Texaco Gas Station & Lewie’s Appliance zoned CB-2 (Contingency-General Business District). To the east of the property is, LeNell’s Beverage Boutique zoned QB-1 (Qualified- Neighborhood Business District). To the west of the location it is zoned CR-5 (Contingency-Multiple Dwelling District).

**Applicant’s Proposal:**

The applicant’s proposed plan is to operate a new real estate office called “EXIT Realty Franchise of Birmingham”, where training new real estate agents and brokers as independent contractors to help others buy, sell and invest in a broad spectrum of real estate across the greater Birmingham area. The hours of operation would be Monday through Friday from 8am to 5pm. The agents/brokers will have access into the building to meet with clients, handle paperwork and or drop off funds.

On the other end of this building at this location, Three D Properties of Alabama, Inc. will use that dedicated space mostly as office space to holding meetings with their clients, business partners and vendors and store renovation supplies.

City’s **Long Range Land Use Plan** identifies the property as **Mixed-Use Low District (MU-L)**. The mixed-use low district is designed to be compact, walkable, and contain residential and commercial areas, often with a “Main Street” spine that historically served as a town center with two- to three-story buildings. Uses can be mixed horizontally (side-by-side), or vertically (one above the other). Uses in this district include: multi-family, townhouse, cottage and small-lot single-family residential, neighborhood supporting retail and services, offices, hotels and live/work structures. Main Street areas would typically be characterized by ground-floor uses including small markets, convenience retail and services, restaurants and cafes, and existing or potential residential uses on upper floors. The proposed rezoning request is **somewhat consistent** with the **Long Range Land Use Plan**. However, the Northside Framework Plan recommends that the Future Land Use for this location be changed to Mixed Use Medium.

**Zoning Ordinance:**

The applicant’s proposed site plan shows 17 parking spaces. The parking requirement for office, business or professional (not otherwise specified) is 1 per 400 sf of GFA; therefore, the total number of parking spaces required is 18 spaces; however, with the 10% bus stop reduction the required parking for this site is 16 parking spaces.

**Stormwater:**

The City’s Stormwater staff recommends that any new construction or re-development would have to comply with the post-construction ordinance and zoning parking requirements.

***Birmingham Department of Transportation:***

The Birmingham Department of Transportation (BDOT), states that all driveway/sidewalk permits will be required. The alley is narrow (11') so angle parking would be required instead of perpendicular, but there are no building facing the other side of the alley on the church property, so this should be acceptable.

***Landscaping:***

All landscaping must comply with the requirements in Title 1, Chapter 6 of the Zoning Ordinance (Landscaping, Buffering and Screening). Prior to permit issuance, a fully developed detailed landscape plan will be required, per the City's Landscape Architect.

Any necessary permits/licenses required by the City of Birmingham must be approved and obtained prior to opening.

***Neighborhood Recommendation:***

**The Norwood Neighborhood Association** held a meeting on **January 17, 2021**, to review the proposed project and voted to approve the request. The vote was **22** approved and **0** denied with **1** abstaining.

***Framework Plan:***

This property is located within the Southside/Northside Framework Plan Area, and the framework plan for this area is in progress and the Implementation Committee has not been formed.

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

The applicant's rezoning request is **not consistent** with the future land use plan; however, the rezoning request does have merit for approval, since the Northside Framework Plan recommends that the Future Land Use be changed to Mixed Use Medium for this property. The applicant is proposing to rebuild a commercial development while attempting to maintain the character of the surrounding uses and adhering to the long range land use plan. Staff recommends approval of the rezoning request.