

# HEART OF HOMEWOOD

## DOWNTOWN ZONING CODE UPDATE

### INTRODUCTION TO THE DRAFT DOWNTOWN HOMEWOOD CODE

#### COMMUNITY INPUT

(Comments marked 1 below)  
Tuesday, April 23, 2019  
11:30am – 1pm and 5 – 6:30pm

#### CITY COUNCIL, PLANNING COMMISSION, AND STAFF WORK SESSION

(Comments marked 2 below)  
Wednesday, April 24, 2019  
9 – 11:30am

#### DOWNTOWN PROPERTY OWNERS, DEVELOPERS, HOMEWOOD CHAMBER OF COMMERCE, ARCHITECTS, AND BUILDERS WORK SESSIONS

(Comments marked 3 below)  
Wednesday, April 24, 2019  
1 – 2:30pm and 3 – 4:30pm

#### IMPLEMENTING THE ADOPTED HEART OF HOMEWOOD PLAN

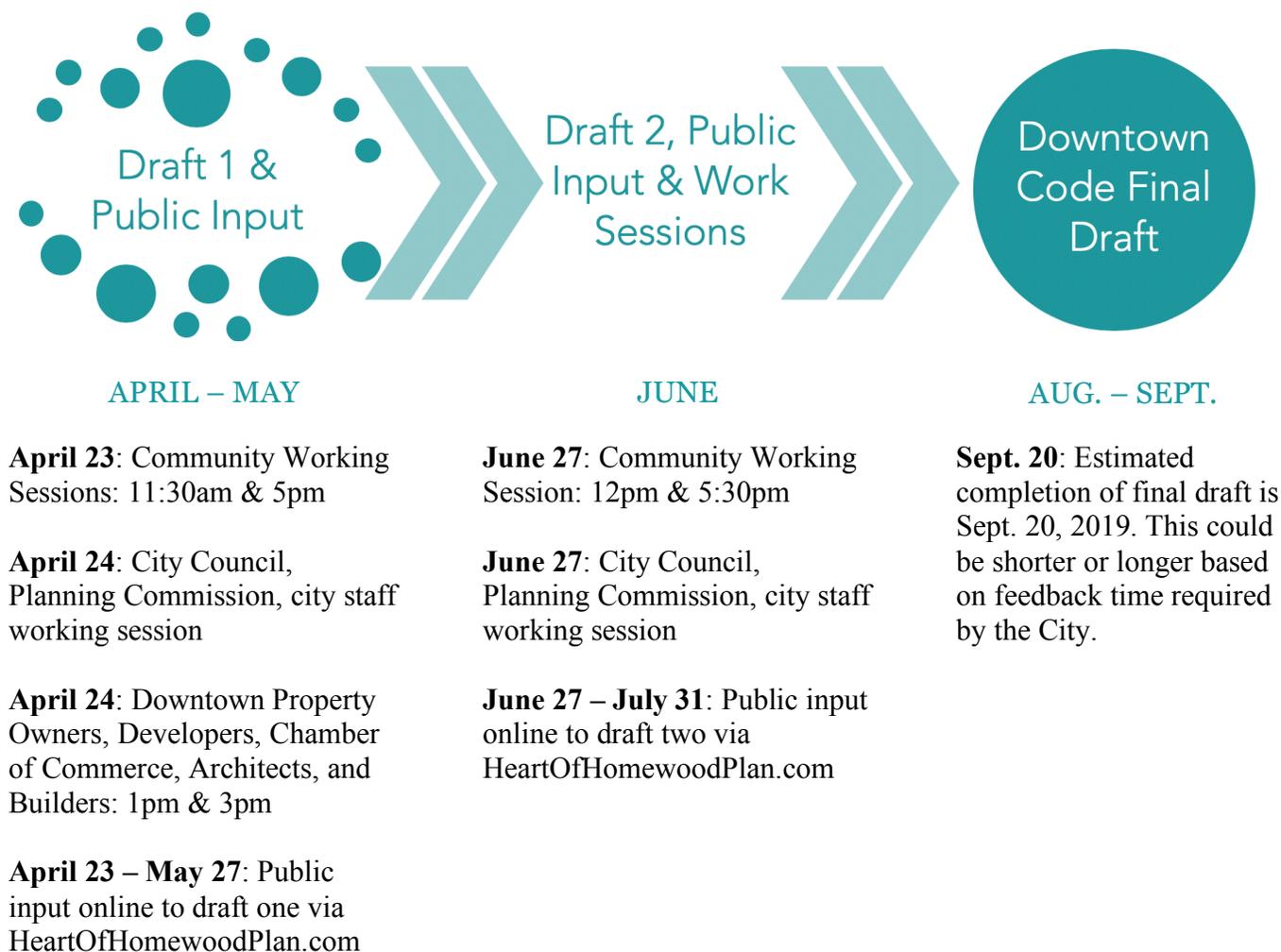
“The people of Homewood envision a pedestrian-friendly downtown, which includes mixed-used development, at a range of scales, activated public spaces, and improved physical connections between the surrounding residential areas and the 18<sup>th</sup> Street commercial core. The vision reinforces the existing retail core areas and public spaces by organizing new mixed-use development and streetscape amenities around those areas. It respects the surrounding residential neighborhoods by “stair-stepping” or decreasing new development intensity away from the downtown core. The vision includes providing additional residential options where opportunities exist to blend residential, commercial or office uses, such as live/ work units. It also calls for streetscape improvements, including landscape, façade and signage updates.” ~Heart of Homewood Plan, adopted October 2018

Overall, the community wants to ensure that the character and scale of future development complements existing uses so that downtown Homewood continues to prosper as an economically competitive engine supporting a prosperous city. The Homewood community has already done the hard work of developing a collective local vision, and now is the time to enable that with a zoning code update. The following notes are a summary of presentation highlights, followed by community questions and suggested edits.

## PROJECT TIMELINE

The Homewood Downtown Code draft one has been released to the public for critique. The code is designed to help implement the Heart of Homewood Plan, adopted in October 2018. During April 2019, the consultant team of the Regional Planning Commission of Greater Birmingham and PlaceMakers, LLC, presented the draft code, collected community edits, and answered questions about how the code will operate. The team met with members of the Homewood community, downtown property owners, developers, builders, architects, the Chamber of Commerce, City Council, Planning Commission, and city staff for extensive working sessions.

For anyone who was unable to make these sessions, or for anyone who would like to submit additional edits for consideration, the comment period to draft one of the downtown code is available via the project website, HeartOfHomewoodPlan.com, from April 25 through May 27, 2019. After this timeframe, the consultant team will prepare a final draft and host work sessions on June 27, to receive edits to the final draft of the code from the community, City Council, and the Planning Commission. After this final round of inputs, the consultant team will complete final edits and the City will pursue publication and public hearings. Consideration for adoption is expected in September.



## TODAY'S DOWNTOWN ZONING

Downtown has 6 commercial districts today. Mixed-use (MXD) requires a negotiated plan and functions as a planned unit development (PUD).

Some residential, commercial, institutional and manufacturing parcels do not change zoning districts in the draft downtown zoning map.

## PROPOSED INTENSITY ZONES, AS DIRECTED BY HEART OF HOMEWOOD PLAN

**A-street / B-street:** The dashed yellow line on the proposed zoning map marks the A-street, that prioritize people on foot. The rest of the streets are B-streets, that prioritize people in cars. Different zoning rules apply for the two types of streets. On the A-streets, the buildings shape the public realm with a street wall, creating the feeling of an outdoor room with parking always behind the building or on-street. On the B-streets, some parking lots may be visible from the street, beside a 40' or 50' building at the setback, depending on the intensity zone.

**Low Intensity Zone:** Single-family, duplex, tri-plex, townhouses, office, retail, restaurants, some services, and some institutional provide an edge to residential parcels. The DNA of the Low Intensity (LI) Zone is modeled on town houses on Central Avenue at Homewood Central Park.

**Medium Intensity Zone:** Duplex, tri-plex, townhouses, multi-family, small hotels, office, retail, restaurants, services, some institutional generally provide a transition between LI and HI. The DNA of the Medium Intensity (MI) Zone is modeled on today's pedestrian friendly 18<sup>th</sup> Street, as an authentic main street.

**High Intensity Zone:** Multi-family, hotels, office, retail, restaurants, services, institutional provide the core of the town center. The DNA of the High Intensity (HI) Zone is modeled on SoHo, Aloft, and the most robust urbanism here.

**Question:** Can we require ground floor commercial uses for the HI district to assure we do not get a 5-story apartment building? (2)

**Action:** The consultant team discussed with the downtown business and development community, and this was the response:

**Question:** Residential development is 95% of the work that is currently being financed. We are not being realistic about the value added to our city if we require commercial uses in residential buildings. Financing and delivering this quantity of mixed-use buildings is a challenge from a development perspective. Please reconsider since residents are critical to the success of Downtown economy. (3)

**Edit:** The consultant team discussed with City Councilors representing downtown, who recommended that 25% of the ground floor per building be commercial facing A-streets only.

## BUILDING HEIGHTS

**Low Intensity:** 3 stories maximum; no minimum

**Medium Intensity:** 4 stories; no minimum, except for the block of 18<sup>th</sup> St. between Reese St. and 28<sup>th</sup> Ave. is restricted to 3 stories maximum.

**High Intensity:** 5 stories, which matches the recent downtown construction like Aloft and SoHo and reduces the risk of litigation from down-zoning properties. The existing C4-b zoning category could potentially develop an 11-story building, with all of the density bonuses, per the current floor area ratios (FAR), but most lot sizes are not large enough to support this. Instead of the very unpredictable FAR, the proposed zoning standards will be more predictable, since it controls for heights and setbacks.

**Question:** What are other streets with similar intensities of 4 and 5 story buildings that would be enabled under similar rules to our draft downtown code? (1)

**Answer:** Oglethorpe Street in Savannah, Georgia; Main Street in Franklin, Tennessee; Downtown Huntsville, Alabama

**Question:** Can we protect 18<sup>th</sup> Street a little more for the historic portion? (1 & 2)

**Edit:** The Draft was edited to add a limitation to 3 story max from Reese St. to 28<sup>th</sup> Ave. S.

**Question:** How can we remain competitive with Birmingham when we do not permit 4 over 2 construction? Six stories is critical to Downtown economic development. (3)

**Answer:** There is tremendous resistance from many residents to increased density. The City Council and Planning Commission support the current draft heights.

## REGIONS BUILDING

While Regions Bank is an important and valued community member, many people react negatively to this building largely because of the scale and the architecture. While a zoning code cannot guarantee beauty, it will assure transparent glass at the first level, three stories shorter and no exposed parking lots at the street. Zoning codes are limited to governing health, safety and welfare and cannot address aesthetics.

## PARKING

Current standards require parking on the magnitude of a suburban WalMart, which is not reflective of the park-once-and-walk nature of Downtown Homewood. Most historic downtowns do not require parking minimums because of superior walkability along with limited surface area.

Parking is already regulated by two entities: finance and market demand. These two set a high enough standard that cities do not have to be in the parking quota business. 18<sup>th</sup> Street's C-4a zoning district does not require onsite parking for ground floor uses today. All other C-4 zoning districts currently have parking standards that are suburban in requirements. In a recent study in conjunction with the Heart of Homewood Plan, the current structured parking at SoHo was found to 60% empty during the peak demand at lunchtimes.

## PARKING STANDARDS

Elevating the quality of the parking experience without regulating the number of parking spaces is the goal of the draft parking standards.

**Location** – behind buildings, instead of in front

**Landscape** – trees bays to add shade and reduce the urban heat island

**Pedestrian walkways** – required if the parking lot is big enough

**Drive-through locations** – behind buildings to keep from degrading pedestrian streets

**Access points** – limited

**Question:** What happens to parking on the corner? (1)

**Answer:** This depends on if the street is an A-street (requires more building width) or a B-street (which only requires the building to be a certain distance from the corner). **A-street:** Parking must be setback a minimum of 30 ft. or placed behind a building. **B-street:** Parking must be setback a minimum of 10 ft. with screening.

**Question:** What happens to the parking if someone puts in a 4-story building? (1)

**Answer:** The financier and end-users will require that parking be provided. The City would govern parking placement and design standards. If the lot being developed is 100' x 120', it can surface park up to 4 stories with the adjacent on-street parking. If it is over 4 stories, it would need to add structured parking to meet standard market and financier demands.

**Question:** Can we put in parking meters to ensure employees do not park in front of businesses, or people who are not actively utilizing downtown, especially since technology is making physical individual parking space meters not required? There is some debate on this issue. (1 & 3)

**Answer:** Metered parking in a walkable environment is a best practice but outside of the scope of zoning. This is a parking management issue and should certainly be considered.

## OPEN SPACE STANDARDS

The draft downtown code requires High Intensity developments over one acre in size to contribute to open space according in several ways: **Size** – 5% of the site area must be developed as open space or a fee in lieu may be paid toward improvements 5% of the site appraised land value. **Dimensions** – must be a minimum of 30’ per side. **Location** – Pocket park must face street on at least one side. **Landscape** – 1/3 of area must be shaded; may be paved or landscaped or both.

**Question:** How does the City help craft where these new open spaces go? (1)

**Edit:** If the developer chooses to, they may pay into a greenspace fund that would go toward downtown open space. 5% of the site area or appraised value fee in lieu would be used for streetscape improvements. Edit to specify these improvements be on A-streets or other streets within the HI District.

**Question:** Might the open space standards let small bits be developed but no larger areas? (1)

**Edit:** Will be incorporated in the implementation plan to encourage the payment into a fund, so that this impact fee can be used to develop a city-owned space.

**Question:** If I have a site smaller than 1 acre, do I have to build open space? (1)

**Answer:** No, except to provide street trees if your lot is over 30 feet wide.

**Question:** If paying into a fund, is this an annual fee or a one-time fee? (1)

**Answer:** The fee in lieu of building open space is a one-time fee.

**Question:** If I have 2 parcels that are a half-acre each that I am developing the property simultaneously together, do I still have to contribute 5% of my acreage to open space? (1)

**Edit:** Yes. Edit for clarity that lot consolidations must be calculation as the sum of the lots.

**Question:** The green space map seems to have some challenges based on past input. (1 & 2)

**Edit:** Replace map with language to prioritize streetscape improvements on A-streets or for new open space anywhere in HI.

**Question:** Are there any private open space requirements, for private spaces like balconies, rooftop gardens and terraces. (1)

**Edit:** Add private open space requirements for residential.

**Question:** Why is the funeral home not permitted? (1)

**Edit:** Added.

## ARCHITECTURAL STYLE

The Homewood Downtown Code update establishes clear rules for new development in the downtown study area, according to the vision articulated by the Heart of Homewood Plan. However, the draft code does not control architectural style.

**Question:** May we write rules that govern architectural style? (1)

**Answer:** Zoning cannot deal with architectural styles legally, because architectural style does not affect health, safety or welfare. The City is legally allowed to write non-binding architectural design guidelines, but these guidelines are only as good as the design review board or the town architect. Architectural design guidelines are not legally defensible since they are guidelines rather than standards and even the most objective guidelines are open to interpretation. However, the new zoning code will enable an urban form more in keeping with the character of Homewood. As an example, Park Avenue in Winter Park, Florida, is some of the least beautiful buildings architecturally, but the urbanism is so good that it is a delightful place.

**Question:** May we write rules that govern materials? (2)

**Edit:** Add approved materials list, based on the requirement of durability.

## GENERAL COMMENTS

**Question:** How can we be flexible enough so that we have less variances? (1)

**Edit:** Add a waiver provisions for small adjustments that do not require a variance. Develop language for administrative waivers for applications within 10% or 20%?

**Question:** How will our collective questions be compiled? (1 + 2)

**Answer:** Comments will be received during the public meetings, working sessions, as well as online at HeartOfHomewoodPlan.com through Memorial Day, Monday, May 27, 2019. After the question period has closed, the consultant team will provide a frequently asked questions (FAQ) with responses to the questions.

**Question:** Based on PlaceMakers experience across the country, do you recommend hiring a Homewood City Planner? (2)

**Edit:** Yes, will provide input as part of an implementation plan.

**Question:** How did you calculate our glazing? (2)

**Answer:** By looking at local examples. For instance, historic 4-square elevations are often called, “five, four, and a door,” meaning five windows upstairs, four windows downstairs, and a door, which yields 15% glazing on the upper levels. Shopfronts have the highest glazing requirement, at 70%. The basic glazing requirements are crafted to eliminate blank

walls and encourage walkability. Location of the glass calculations are under Sec. G Facades. The glazing is measured between 2' and 10' above the finished floor.

**Question:** For window signs, should neon in windows be limited in size? (2)

**Edit:** General window signs are restricted to 50% of the glazed area. Edit neon to be limited to 1' tall by 2' wide.

## ZONING MAP

**Question:** What if my property is not rezoned to an intensity zone, but I want it to be? In particular. (3)

**Edits** to the zoning map are being considered, as this is a first draft, provided it is context sensitive to its surroundings. Submit your request in writing for consideration to Lindsay Puckett, lpuckett@rpcgb.org.

**Question:** Why are the two lots on the west zoned Neighborhood Preservation (NPD)? Can it be changed to LI? (1 & 3)

**Answer:** These two lots are owned by the County. City Councilors reaffirmed the Heart of Homewood Plan decision that all residentially-zoned lots abutting Rosedale will remain as they are, to protect the surrounding community.