

VILLAGE OF HOMEWOOD



BOARD AGENDA MEMORANDUM

DATE OF MEETING: September 13, 2022

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Parking Variance for Commercial Retail at 810 Maple Avenue

PURPOSE

The applicant, Mohammad Majid, recently bought the subject property which was built for its former function as a tire retailer and installer. The property owner plans to repurpose the existing 11,940 square foot building and site for two retail tenants – a beauty supply store and tobacco shop.

Table 44-487.2 of the zoning ordinance, *Parking Requirements*, requires 48 spaces to operate the businesses. Because the former use was motor vehicle service and repair, the site was developed with 26 parking spaces, which is fewer than is required for retail. The existing development of the site and its adjoining properties limits the applicant's ability to provide more parking on-site; therefore the site is deficient by 22 parking spaces. Mr. Majid has requested a variance from the parking requirements.



PROCESS

At a public hearing on August 11, 2022, the Planning and Zoning Commission considered the request for a variance from parking requirements and approval of the site plan. Prior to the Planning & Zoning Commission meeting, the staff site plan review committee requested several changes to the plan (the revised site plan is attached). The revisions further limited the number of parking spaces on the site, reducing the parking from 28 to 26 spaces. This difference in spaces was acknowledged by the Planning and Zoning Commission during their discussion.

At the hearing, the property owner and a representative from his architect were present. No member of the public attended. All seven commission members voted to recommend approval

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of the requested variance to operate the 11,940 square foot retail spaces with 26 parking spaces and strongly suggested that the applicant contact the owner of the shopping center directly to the north (Kohl's) to make an agreement to use parking along the north side of the property.

In response, the applicant has provided a letter documenting their efforts to contact the property owner (Kohl's) and discuss an agreement to lease 21 parking spaces. Kohl's offered a lease of the 21 parking spaces at a rate of \$100 per space per month, or a total of \$2,100 per month. The applicant has determined that this additional unforeseen cost creates a hardship for operating the businesses at the subject property and is not economically feasible.

OUTCOME

The Planning and Zoning Commission reviewed the application, heard testimony by the applicant, and considered the applicant's response to the standards for a parking variance. The following Findings of Fact by the standards set forth in Section 44-82 of the zoning ordinance may be entered into the record:

1. The subject property is located at 810 Maple Avenue and owned by the applicant, Mohammad Majid.
2. The subject property is located in the B-4 Shopping Center Zoning District.
3. Commercial retail is a permitted use in the B-4 Shopping Center Zoning District.
4. The existing development of the subject property, including the 11,940 square foot building and surface parking, was formerly purpose-built for motor vehicle service and repair.
5. The Homewood Zoning Ordinance requires one parking space for every 250 square feet of retail space, or a total of 48 spaces for the proposed 11,940 square foot of retail.
6. The applicant proposes to provide 26 parking spaces on the subject property.
7. The applicant has contacted the adjacent property owner in pursuit of leasing additional parking spaces and found that the cost of \$100 per month per parking space is not economically feasible.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

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RECOMMENDED BOARD ACTION

Pass an ordinance granting a variance from Table 11.2 (Municode Table 44-487.2) *Parking Requirements* to allow the operation of a 11,940 square foot retail building with 26 parking spaces at 810 Maple Avenue.

ATTACHMENT(S)

- Site Plan by BAU Design and Development, last revised August 16, 2022
- Letter from BAU Design and Development, dated September 2, 2022
- Ordinance granting a variance