

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: April 4, 2011****CASE NUMBER**

5669

APPLICANT NAME

Mercy Medical (Hatch Mott MacDonald, Agent)

LOCATION

2900 Spring Hill Avenue and 262 Union Avenue
(North side of Spring Hill Avenue, 159'± East of Union
Avenue, extending North to Frederick Street; and the East
side of Union Avenue, 53'± South of Frederick Street).

VARIANCE REQUEST

PARKING: Off-site Parking Variance to allow 32 off-site
parking spaces for a medical office building in a B-3,
Community Business District.

**ZONING ORDINANCE
REQUIREMENT**

PARKING: The Zoning Ordinance requires all parking to
be on the building site in a B-3, Community Business
District.

ZONING

B-3, Community Business

AREA OF PROPERTY

0.9± Acre

**TRAFFIC ENGINEERING
COMMENTS**

No comments.

**CITY COUNCIL
DISTRICT**

District 1

ANALYSIS

The applicant is requesting an Off-Site Parking Variance to
allow 32 off-site parking spaces for a medical office building in a B-3, Community Business
District; the Zoning Ordinance requires all parking to be on the building site in a B-3,
Community Business District.

The 2900 Spring Hill Avenue site was used for many years as a rug and shade store until
approximately early 2007 with shared access and parking with the adjacent commercial site at
2860 Spring Hill Avenue. The applicant proposes to operate an adult day care facility in the
19,200 square-foot building (after modifications) which requires 64 parking spaces. The site
can accommodate 32 parking spaces without utilizing the previously-shared parking on the
adjacent 2860 Spring Hill Avenue site. In order to provide the 64 total required parking spaces,
the applicant proposes to utilize an adjacent site at 262 Union Avenue to provide 32 additional
parking spaces. Technically, the two sites should be combined into one lot with an associated

Planned Unit Development to share access and parking with the 2860 Spring Hill Avenue site; however, since that property owner does not wish to participate in a PUD, an off-site parking variance would be necessary to satisfy the parking requirements.

The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application; and, unless the Board is presented with sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement of the Ordinance will result in an unnecessary hardship. The Ordinance also states that a variance should not be approved unless the spirit and intent of the Ordinance is observed and substantial justice done to the applicant and the surrounding neighborhood.

Variances are not intended to be granted frequently. The applicant must clearly show the Board that the request is due to very unusual characteristics of the property and that it satisfies the variance standards. What constitutes unnecessary hardship and substantial justice is a matter to be determined from the facts and circumstances of each application.

The site plan submitted appears to satisfy the parking requirements as far as the total number of provided spaces. However, the parking spaces are dimensioned as 8'-6" wide and not the required 9' minimum width. Therefore, the two sites may not be capable of providing the 64 total required spaces at 9' minimum width.

As there is proposed to be far less than a 50% increase in gross floor area for the 2900 Spring Hill Avenue site, no landscaping or tree planting compliance would be required. The existing building at 262 Union Avenue is proposed to be demolished and the entire site would become the off-site parking lot and would be subject to full compliance with the landscaping and tree planting requirements of the Ordinance. Calculations provided on the site plan indicate full landscaping ratio compliance; however, the perimeter tree calculations do not consider that at least one-half must be over-story trees. Therefore, the perimeter tree calculations should be revised to indicate that at least one-half of the required number of perimeter trees will be over-story trees. All proposed tree species should be specified on the site plan. A one-lot subdivision was approved by the Planning Commission on February 17, 2011, to combine the two lots which currently comprise the 262 Union Avenue location into one lot and that subdivision should be completed prior to the issuance of a Certificate of Occupancy for this site if approved for off-site parking.

Due to the fact that the site plan does not indicate parking spaces at 9' minimum width, both sites may not be able to provide the required total of 64 parking spaces. The site plan must be revised to indicate parking spaces at the minimum 9' width, and if the required 64 spaces cannot be provided, this application should be revised to also include a Parking Ratio Variance. Also, the site plan must be revised to indicate the proper number of perimeter overstory tree plantings and all proposed tree species on the off-site parking area. Therefore, the Board should consider this application for holdover to the May meeting to allow the applicant to submit the required changes to the site plan.

RECOMMENDATION: Based on the preceding, this application is recommended for holdover to the May meeting to allow the applicant to address the following items:

- 1) revision of the parking spaces from 8'-6" width to 9' minimum width;
- 2) revision of the application to also include a Parking Ratio Variance if the required 64 spaces cannot be provided after revising the parking spaces to 9' width; and
- 3) revision of the site plan to indicate the required number of overstory perimeter trees and identification of all proposed tree species on the off-site parking area.

LOCATOR MAP



APPLICATION NUMBER 5669 DATE April 4, 2011

APPLICANT Mercy Medical

REQUEST Off-Site Parking Variance



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous land use.

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LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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**BOARD OF ADJUSTMENT
VICINITY MAP - EXISTING ZONING**

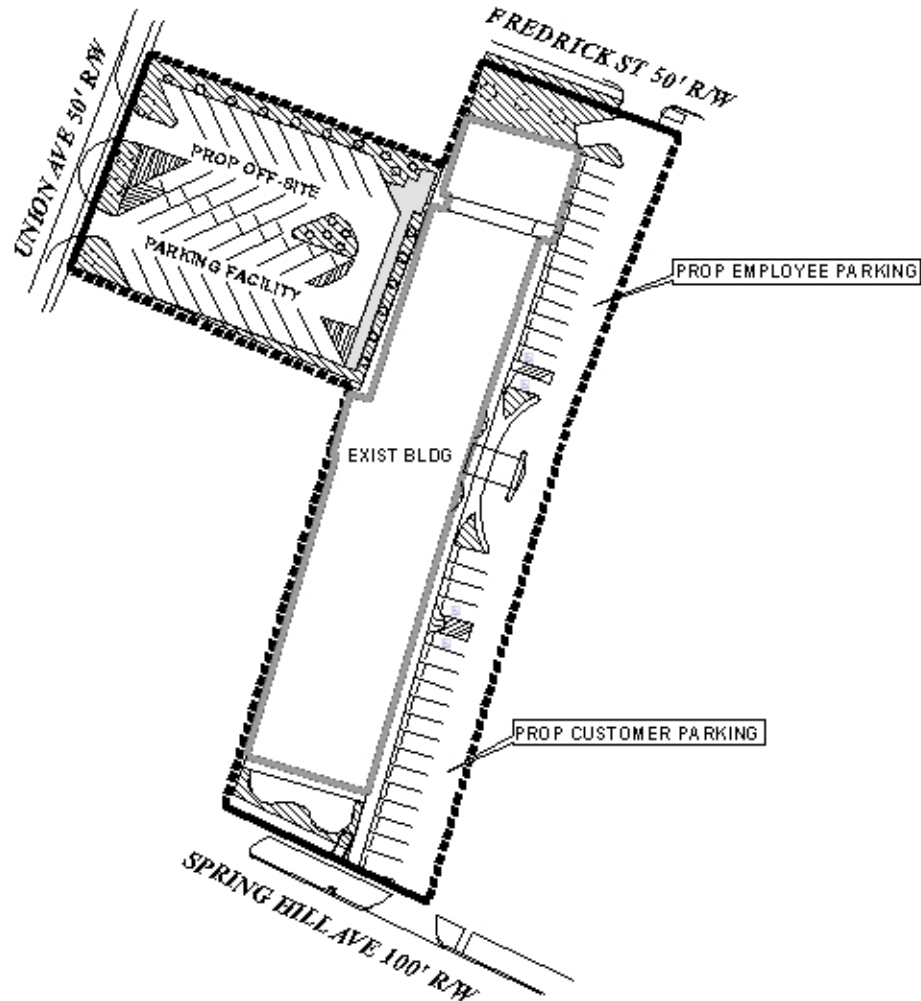


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SITE PLAN



The site plan illustrates the proposed off-site parking area.

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