

**BOARD OF ZONING ADJUSTMENT
STAFF REPORT****Date: July 2, 2012**

<u>CASE NUMBER</u>	5763/5710
<u>APPLICANT NAME</u>	Waterfront Rescue Mission
<u>LOCATION</u>	279 North Washington Avenue (Southwest corner of North Washington Avenue and Congress Street)
<u>VARIANCE REQUEST</u>	PARKING RATIO: Variance to allow 38 parking spaces to serve an emergency shelter facility with 100 beds, a 3,967 square foot medical clinic, a 1,468 square foot dining area, and 6,072 square feet of office space
<u>ZONING ORDINANCE REQUIREMENT</u>	PARKING RATIO: Requires at 48 parking spaces be provided for these uses within the Hank Aaron Loop
<u>ZONING</u>	B-4, General Business District
<u>AREA OF PROPERTY</u>	1.52± Acres
<u>ENGINEERING COMMENTS</u>	No comments
<u>TRAFFIC ENGINEERING COMMENTS</u>	No comments
<u>CITY COUNCIL DISTRICT</u>	District 2

ANALYSIS The applicant is requesting approval for a Parking Ratio Variance to allow 38 parking spaces to serve an emergency shelter facility with 100 beds, a 3,967 square foot medical clinic, a 1,468 square foot dining area, and 6,072 square feet of office space; the Zoning Ordinance requires 48 parking spaces be provided for these uses within the Hank Aaron Loop.

The applicant requested a similar variance at the Board of Zoning Adjustment's October 3, 2011 meeting. The variance to reduce required parking from 53 parking spaces to 38 parking spaces was approved at that time, however no permits were obtained before the variance expired and there have been significant changes to the proposed layout of the site.

Since the original approval, the site plan has been reconfigured to alter the sizes of the proposed structures as well as the layout of the parking. The sizes of the shelter and clinic buildings were increased, while the sizes of the dining area and office space were decreased. These changes result in a reduced parking requirement from when the original variance was granted from 53 parking spaces to 48 parking spaces. The proposed parking area on the South portion of the site remains the same as on the previously approved site plan, however the parking area on the West of the site has been significantly altered. The revised site plan illustrates 38 parking spaces as the previous site plan did.

The applicant currently operates an emergency shelter facility at a different location and is wishing to relocate and expand operations to include a dining area as well as a medical facility and office space. The applicant illustrates a total of 38 parking spaces to be provided resulting in a shortfall of 10 parking spaces; the previously approved site plan had a deficit of 15 parking spaces. The applicant states that the majority of clientele that visit the site will be homeless and not have vehicles, so the reduction in the number of required parking spaces could be appropriate.

The applicant had a 1-lot subdivision for the site approved at the Planning Commission's October 6, 2011 meeting, but has not been recorded. In addition, Planning Approval and Planned Unit Development applications were approved at the December 1, 2011 meeting and also at the June 7, 2012 meeting of the Planning Commission to reflect the currently proposed site plan. Before any permits can be issued relating to this variance, the applicant should complete the Subdivision process as well as come into compliance with the conditions of approval for the Planning Approval and Planned Unit Development.

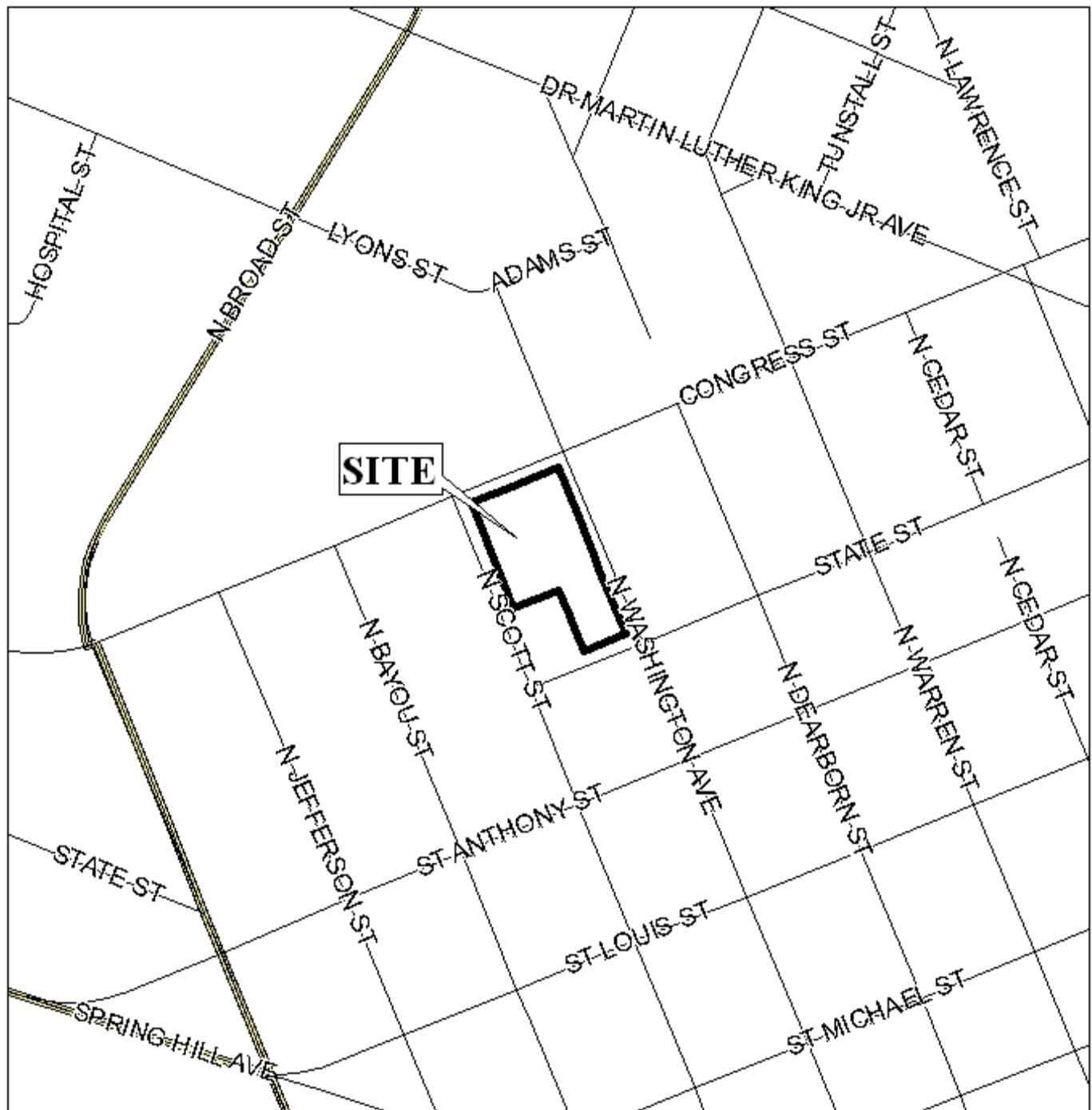
The Zoning Ordinance states that no variance shall be granted where economics are the basis for the application. Furthermore, the applicant must present sufficient evidence to find that the variance will not be contrary to the public interest, and that special conditions exist such that a literal enforcement 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.

RECOMMENDATION: Based on the preceding, this application is recommended for approval subject to the following conditions:

- 1) completion of the subdivision process for the site;
- 2) compliance with the conditions of approval for the Planning Approval and Planned Unit Development; and
- 3) full compliance with all municipal codes and ordinances.

LOCATOR MAP



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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



Residential land use is located to the east and south
of the site. Offices are located to the west of the site.

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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			



NTS

BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING

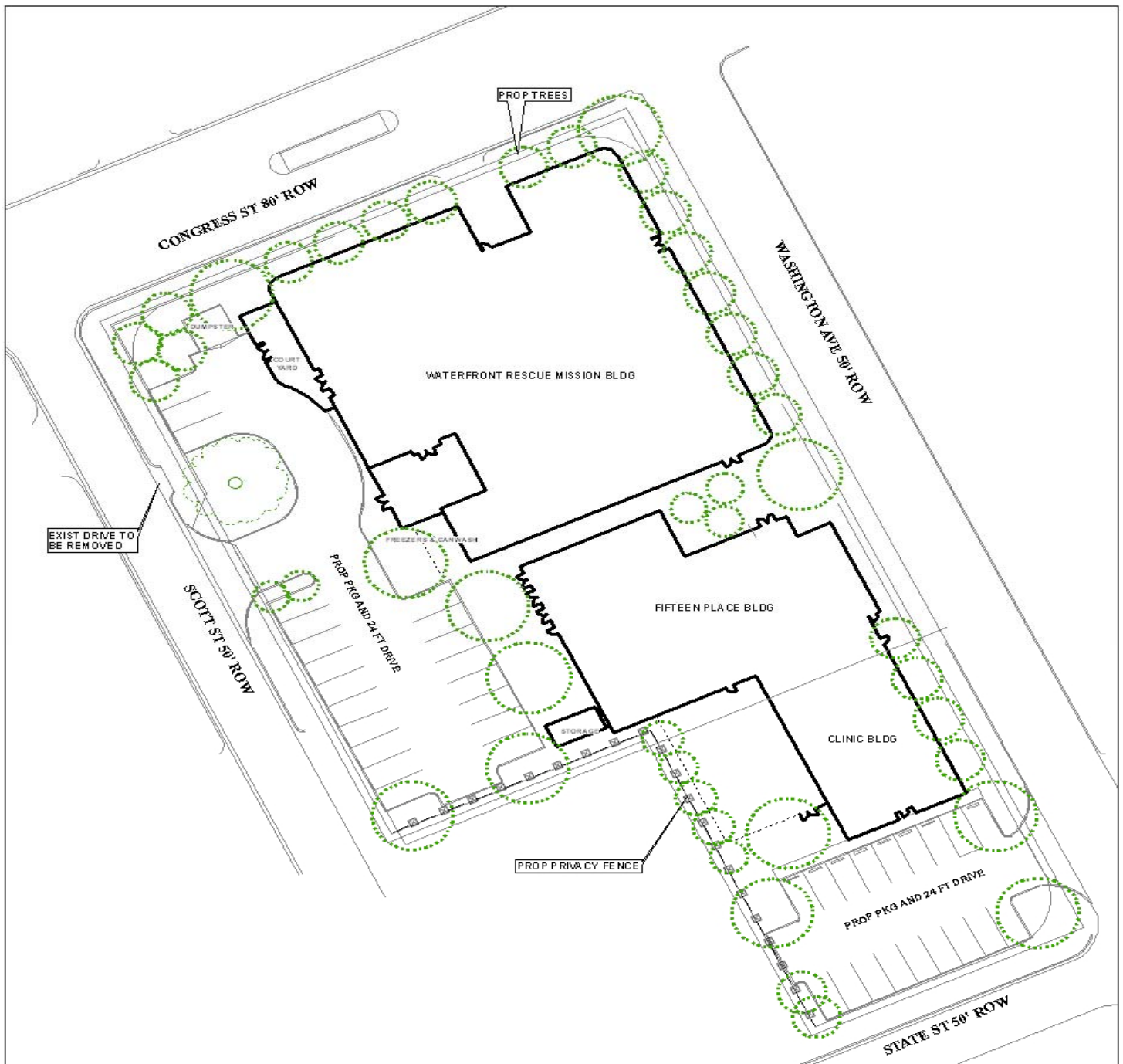


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SITE PLAN



The site plan illustrates the proposed buildings, parking, and landscaping.

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