



MEETING MINUTES

Board of Zoning Appeals

Thursday, January 30, 2020

CALL TO ORDER

Mr. Deschler called the meeting to order at 6:30 p.m.

ROLL CALL

Board Members present: Mr. Goyal, Mr. Deschler, Ms. Herbert

Board Members absent: Ms. Cooper, Mr. Nigh

Staff present: Ms. Husak and Mr. Hounshell

ACCEPTANCE OF DOCUMENTS

Ms. Herbert moved, Mr. Goyal seconded to accept the documents into the record.

Vote on the motion: Mr. Deschler, yes; Mr. Goyal, yes; Ms. Herbert, yes
(Motion carried 3 – 0)

APPROVAL OF MINUTES

Ms. Herbert moved, Mr. Goyal seconded to approve the December 19, 2019 meeting minutes as submitted.

Vote on the motion: Ms. Herbert, yes; Mr. Deschler, yes; Mr. Goyal, yes.
(Motion carried 3 – 0)

The Vice Chair briefly explained the rules and procedures of the Board of Zoning Appeals and swore in any staff or member of the public who planned to address the Board during the meeting.

CASE:

1. **Caliber Collision, Emerald Parkway and Innovation Drive, 19-135V, Non-Use (Area) Variance**

Staff Presentation

Mr. Hounshell stated that this is a request for approval of a Non-Use (Area) Variance to Zoning Code Section 153.212(H) to allow 66 parking spaces where 149 parking spaces are required for an automotive body shop/office use located on a 4.39-acre site zoned Technology Flex District. This site is located at the northwest corner of the intersection of Innovation Drive and Emerald Parkway. The Cosgray Ditch runs along the northern portion of the site. The parking calculations are determined by the type of uses within a site per Zoning Code Section 153.212(H). The Zoning Code specifies that the minimum number of parking spaces required for "Vehicle Repair" is one

(1) parking space per 100 square feet or three (3) parking spaces per each service bay, whichever is greater. Of the approximately 16,000 sq. ft. building, 13,938 square feet is proposed for the auto body shop, therefore requiring 140 parking spaces. The minimum number of parking spaces required for "Office – Administration or Business" is one (1) parking space per 250 square feet. Approximately 2,246 square feet of the building will be office space, requiring nine (9) parking spaces for a total of 149 parking spaces. The applicant is proposing 66 parking spaces. Caliber Collision is a major vehicle repair business, employing approximately 20-25 employees. The majority of their parking is within a screened area for vehicles waiting to be serviced or repaired. Approximately 12-13 spaces for customers are located outside of the screened area. The applicant has stated that the purpose of requesting a parking variance is to avoid creating unnecessary impervious area on-site that is not needed to accommodate this business. The variance would allow better use of green space within the site and reduce potential stormwater runoff by approximately 25%. The applicant has provided a potential site plan that demonstrates the ability to meet the parking requirements and other applicable zoning regulations if the variance were to be denied or if there should be future need for more parking. The site plan shows that the site has the capacity to add more parking. Staff recognizes that the required amount of parking is excessive for this use. Providing it would result in greater amounts of pavement than necessary and could create a practical difficulty for the property owner to maintain and accommodate stormwater management, landscaping, and general maintenance. The purpose of the Code parking requirement is to ensure that all land uses have adequate on-site parking to accommodate employees and visitors. The applicant has provided adequate information that demonstrates that the proposed on-site parking can accommodate the additional building area with no adverse effect to the surrounding community. Therefore, staff recommends approval of the Non-Use Variance to Zoning Code Section 153.212(H) with one condition:

- 1) That the applicant construct the additional parking spaces should the City or the applicant determine that the need for additional parking has been demonstrated.

Board Questions

Mr. Goyal inquired the number of autobody shop employees.

Mr. Hounshell responded that 20-25 people would be employed on site.

Applicant Presentation

Patrick Reynolds, Cross Development, 9461 Kenwood Road, Cincinnati, OH, stated that Caliber Collision is a national client with many similar sites. He is available for questions.

Mr. Deschler inquired how many cars would be serviced at a time.

Mr. Reynolds responded that approximately 15 vehicles. Their goal is to turn around vehicles within seven business days. They have a streamlined process. Only operable vehicles are brought to this site, and all services occur within the building.

Ms. Herbert inquired if the applicant would have any objection to staff's recommended condition for approval.

Mr. Reynolds responded that they have no objection; however, the 66 parking spaces requested exceed the approximately 40 spaces needed.

Mr. Goyal inquired where the office employees would park.
Mr. Reynolds responded that the office employees would park behind the gated section.

Ms. Herbert inquired if the 12 spaces in front of the building are reserved for customers.
Mr. Reynolds responded affirmatively.

Mr. Deschler inquired how a future decision that additional parking spaces are needed would be made.

Mr. Hounshell responded that City Code Enforcement would identify the need based upon a visual review and any potential nuisance violations.

There was no public comment.

Board discussion

Ms. Herbert stated that the mandatory conditions have been met. The number of parking spaces required by Code is excessive and reduction of unneeded pavement is preferred. She concurs with staff's condition for approval.

Mr. Goyal stated that he is concerned that there may be insufficient room for a large tow truck to maneuver within the permitted area.

Mr. Reynolds responded that, for perspective purposes, a firetruck is larger than a tow truck. They have confirmed that a fire truck would have site accessibility and ability to navigate on three of the four sides of the building. The majority of vehicles served at this site will not be brought in by wrecker or tow truck. They will be driven to the site.

Mr. Goyal stated entry to the site is near where Innovation Drive terminates, and there is limited room for vehicle turn movements. When entering the service drive and passing the building, there is also a gate that blocks further vehicle progress but no space to turn around.

Mr. Anderson clarified the available space for vehicle turning movements.

Mr. Deschler indicated that the number of Code-required parking spaces are excessive for the proposed use, and the condition for approval will adequately protect the City. He has no objection to granting the variance.

Ms. Herbert moved, Mr. Goyal seconded to approve the request for a variance from the requirements of Zoning Code Section 153.212 to allow 66 parking spaces where 149 parking spaces are required for an automotive body shop/office use with one condition:

- 1) That the applicant construct the additional parking spaces should the City or applicant determine that the need for additional parking has been demonstrated.

Vote: Mr. Deschler, yes; Ms. Herbert, yes; Mr. Goyal, yes.
[Motion carried 3-0]

COMMUNICATIONS

Ms. Husak stated due to the fact that no applications have been received, the next BZA meeting is scheduled for March 19, 2020.

There was no additional business.

ADJOURNMENT

The meeting was adjourned at 6:45 p.m.

Jason Deschler
Vice Chair, Board of Zoning Appeals

Judith K. Beal
Deputy Clerk of Council