



Legislation Details (With Text)

File #: 22-1490B **Version:** 1
Type: Ordinance **Status:** Passed
File created: 12/8/2022 **In control:** City Council
On agenda: 12/20/2022 **Final action:** 12/20/2022
Title: Pass the ordinance granting a variance to the off street parking requirements for 235 West Jefferson Avenue (The Alice Chin Team) - PZC 22-1-080

Sponsors:

Indexes:

Code sections:

Attachments: 1. 235 W Jefferson Ave Parking Variance Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Site Plan, 4. Exhibit C - Response to the standards, 5. PZC Meeting Minutes 12-7-22 DRAFT, 6. Application, 7. Petitioner narrative, 8. Location Map

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------|--------|--------|
| 12/20/2022 | 1 | City Council | passed | |

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the ordinance granting a variance to the off street parking requirements for 235 West Jefferson Avenue (The Alice Chin Team) - PZC 22-1-080

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Kathleen Russell, AICP, Community Planner

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission (PZC) considered this matter on December 7, 2022, and voted to recommend approval of the request (approved 7-0). Staff concurs.

BACKGROUND:

The subject property is generally located on the north side of Jefferson Avenue east of the intersection of Eagle Street and Jefferson Avenue and is zoned TU (Transitional Use). The property is approximately 6,000 SQFT and is currently improved with an office and detached garage.

DISCUSSION:

The Petitioner, Don Brown, Brownstone Homes, requests a variance to the off street parking requirements. The Petitioner intends use the subject property as a real estate office. Per Code, a professional office is required to provide 3.3 parking spaces per 1,000 square feet of gross floor area. The proposed office is 1,767 SQFT, so six spaces would be required. Three spaces are available on the site, with two being in the detached garage and one adjacent to the garage. The outdoor space will be required to be striped, so it is clear to customers that it is an available parking space.

To support the deviation request, the Petitioner has supplied the estimated number of people on the

site at any one time. The maximum amount of people on site including employees and customers is three people. The Petitioner has explained that a majority of the employees will be in the field and most work will also be remote. Most transactions are also done virtually or at another location.

For these reasons, staff is in support of the request for a variance to reduce the required number of off-street parking spaces subject to the following condition:

If the City's Zoning Administrator determines that the Petitioner's parking needs cannot be accommodated within the parking on the subject property, the Petitioner shall take adequate measures to meet the parking needs, including but not limited to formally assigning/reserving parking spaces for each employee, establishing an overflow parking location off-site, or constructing additional parking spaces, which shall be subject to the review and approval of the Zoning Administrator. Failure to timely take adequate measures to adequately accommodate the owner's parking needs may result in the City's revocation of the parking deviation.

Findings of Fact

The Petitioner's responses to the Standards for Granting a Variance can be found in the attachments. Upon review, staff agrees with the Petitioner's Findings and recommends their adoption by the City Council.

Planning and Zoning Commission

The PZC considered the variance request on December 7, 2022. Alice Chin, The Alice Chin Team, presented the case. No members of the public spoke on the request. During the meeting, the Commission discussed the available parking spaces currently on the site. The PZC moved to adopt the findings of fact as presented by the Petitioner and approve PZC 22-1-080 (approved 7-0). Staff concurs.

Key Takeaways

- The Petitioner requests approval of PZC 22-1-080, a variance to the off street parking requirements to permit three parking spaces rather than the required six parking spaces for a professional office at 235 West Jefferson Avenue.
- The PZC supported the requested variance (vote: 7 in favor; 0 opposed). Staff recommends approval of the request with a condition as noted in the staff report.

FISCAL IMPACT:

N/A