



MEETING MINUTES
ZONING BOARD OF APPEALS

Tuesday, March 19, 2019

7:00 PM

Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Mary Beth Berns, Myrna Arevalo, Scott Gingold, Kiril Mirintchev,
Violetta Cullen

Members Absent: Mary McAuley, Lisa Dziekan

Staff Present: Melissa Klotz

Presiding Member: Mary Beth Berns

Declaration of Quorum

With a quorum present, Chair Berns called the meeting to order at 7:00 p.m.

Minutes

Ms. Cullen motioned to approve the meeting minutes of February 19, 2019, which were seconded by Ms. Arevalo and approved 4-0 with one abstention.

Old Business

New Business

140 Chicago Ave.

19ZMJV-0014

Eric Eriksson, architect, applies for Special Use permit for an Automobile Service Station, Mobile, and a Special Use permit for a Convenience Store at 140 Chicago Avenue in the C1 Commercial District (Zoning Code Section 6-10-2-3), and applies for major zoning relief to reduce the required driveway aisle width adjacent for 90-degree parking stalls from 24' to 21' (Zoning Code Section 6-16-2-7, Table 16-A). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Ms. Klotz read the case into the record.

Eric Eriksson, architect, explained the proposal:

- The property has been a gas station for over 50 years and has a very small 450 square foot convenience store.
- The property is long and skinny, which makes it difficult to design a smooth traffic flow.
- The proposal reduces from 6 gas pumps to 5 (to serve 10 vehicles).
- The south curb cut is one way out only and is being reduced in size.
- The public sidewalk will remain and connect to the adjacent development..

Mr. Gingold asked where vehicles will queue if they need to wait for a gas pump to become available, and noted the new site layout removes any queueing area so that vehicles will back up onto Chicago Ave. Chair Berns stated vehicles could queue in the easternmost drive aisle within the property and then vehicles at the gas pumps could still pull forward to exit.

Mr. Gingold expressed concern that fewer gas pumps will be on the property and vehicles will end up backing up. The applicant explained that although there are 6 pumps to serve 12 vehicles currently, only 6 cars can actually fit at the pumps at one time. So, the new layout with fewer pumps will serve more vehicles than the current setup. Vehicle backup is not anticipated.

Chair Berns asked if a lighting plan was submitted, and the applicant stated one will be submitted with the building permit, and special care will be given to keep the lighting low at the south end of the property that adjoins the new mixed use development.

Mr. Eriksson continued:

- Trucks will make gas deliveries every other day, and convenience store deliveries will occur once per week.
- 1-2 employees will work per shift.
- There are 2 parallel employee parking spaces at the southwest end of the property.
- 24 hour operations will continue.
- Delivery trucks will park on the south end of the property.
- The owner purchased the property 6 years ago.

Mr. Mirintchev asked if there is a different location for the air and vacuum, and the applicant explained it is best where shown because there is some noise from the equipment that may not be compatible with the residential development to the south. Chair Berns suggested that is a minor detail that can be addressed by staff at the final DAPR meeting if needed. Mr. Gingold noted the drive aisle zoning relief will be less of an issue if the air and vacuum are moved and the parking can move over so that some of it has the larger drive aisle.

Matt Rodgers, 133 Clyde Ave., stated the existing gas station is not visually appealing so the redevelopment is exciting. He also noted the north curb cut should remain two way so that vehicles can more easily exit to head north instead of driving around the block and adding to traffic volumes.

Deliberation:

Mr. Gingold commended the applicant for angling the gas pumps for better circulation, but does have some concern about vehicles queueing onto Chicago Ave. However, since street parking is being added on the west side of Chicago Ave. in front of the residential development, it would not be detrimental if a backup occurred.

Chair Berns agreed that it would be ideal if the air and vacuum are moved elsewhere so that the parking spaces can move over slightly so that more of the parking spaces (but not all) would then have a compliant drive-aisle, but that is a minor detail that can be addressed at DAPR.

Mr. Gingold suggested the proposal should include a condition to require the business owner to carry insurance to cover vehicular accidents on the property that are caused by the reduced drive aisle. Chair Berns stated insurance is not within the purview of the ZBA. Ms. Klotz confirmed staff was comfortable with the reduced drive aisle and unanimously recommended approval at DAPR.

The Standards for Variation were addressed:

1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes

7. Yes; No - Mr. Gingold noted the Standard could be met by minor adjustments to the site plan that will be addressed by DAPR in the permitting process.

The Standards for Special Use were addressed:

1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes
8. Yes
9. Yes

Mr. Gingold motioned to recommend approval of the special uses and variation with the following conditions:

1. All conditions recommended by the DAPR Committee that are not yet fulfilled.
2. 24 hour operation, 7 days a week permitted.
3. Employees shall not utilize street parking.
4. Delivery vehicles shall not park or stage on the street.
5. Substantial compliance with the documents and testimony on record.

Mr. Gingold added that within the permit process, the DAPR Committee shall discuss the location of the air and vacuum machines to reduce the impact of the shortened drive aisle. The motion was seconded by Ms. Cullen and unanimously recommended for approval with conditions.

Adjourned 8:05pm