

City of Huntington Board of Zoning Appeals

October 1st, 2020

Staff Report: A petition for a Variance to allow for a new commercial development to be less than the required build-to frontage of 60% in a C-1 Neighborhood Commercial District.

Legal Ad

BZA 20-V-12

Issue: A petition for a Variance pursuant to Article 1327 to allow for a new building to be less than the required width of 60% of the street frontage down to 41%. The property is located in a C-1 Neighborhood Commercial District at 1570, 1572, and 1574 Hal Greer Blvd, Huntington, WV.

Property Owner: Blue Barn Properties, 1440 4th Ave, Huntington, WV

Petitioner: Robert's Running Shop, 1440 4th Ave, Huntington, WV

Introduction

Robert's Running Shop is petitioning to construct a new commercial structure that has less than the required build-to percentage.

Existing Conditions / Background

The property, made up of three parcels, is an approximately 120 foot wide commercial property along Hal Greer Blvd. These three parcels recently had single-family detached homes on them but were demolished for this project.

Up until 2014, Hal Greer Blvd between 8th Ave and Washington Blvd was primarily zoned C-2 Highway Commercial District with pockets of C-1 Neighborhood

Commercial District. In 2014, as part of the Fairfield West Redevelopment Plan of 2013, the remainder of the corridor that was C-2 was rezoned to C-1 Neighborhood Commercial District. This was in an effort to transition the new development to neighborhood oriented services rather than automobile oriented services.

The Build-to regulations are part of the June 22nd, 2020 Zoning Ordinance amendments. The build-to percentage is the portion of a building front facade that must be built within a certain area of the property frontage called the build-to zone (see Figure 1). In this district, the build-to zone is between 0 feet and 8 feet for commercial buildings. The build-to percentage is 60%. Therefore 60% of the first 8 feet in depth of the property along Hal Greer has to be occupied by the front facade of the building.

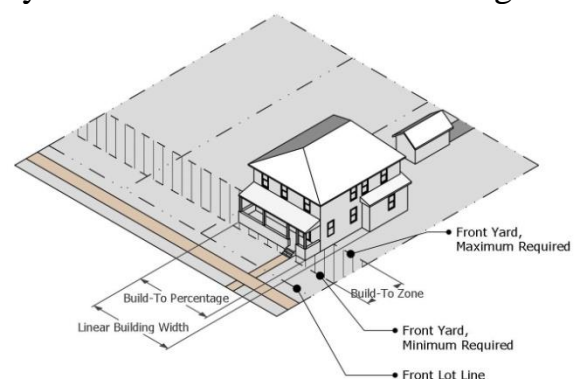


Figure 1 - Graphic example of build-to percentage from the Zoning Ordinance

These changes were in line with significant public feedback in the 2019 Hal Greer Boulevard Management Plan about

improving future development to be more walkable and pedestrian oriented. By requiring new commercial and mixed-use development to fill the street frontage the following is accomplished:

- Increase urban style development rather than suburban
- Increase active street frontage
- Enhance pedestrian experience by making the form of development address people more than cars
- Place vehicular storage to the side and rear of uses
- Better support of multimodal transportation

Proposed Conditions

Robert's Running Shop would like to construct a store front that is only 50 feet wide rather than the required 72 feet. This is in an effort to maximize the parking available on site for customers. The proposed site layout has 21 parking space, 12 more than required by the zoning ordinance.

No bike parking is shown in the site concept plans at this time.

Stormwater management requirements will still need to be met as well because of the project exceeding the 5,500 square foot threshold. This may further reduce the number of parking spaces in the proposal from the petitioner.

Aside from the proposed private development, the city and WVDOT is seeking to develop a 10 foot wide shared use path in front of this property to better accommodate pedestrian traffic and

bike travel. There will also be a planted median and nearby midblock crossing. Anticipated construction start date is November 2021.



Figure 2 - Site Layout Preferred by Petitioner. This options has 41% Build-to Percentage.



Figure 3 - Ideal Frontage Required by the Zoning Ordinance. This option has 60% Build-to Percentage.

Photos



Figure 4 - Looking at the property from across Hal Greer Blvd.



Figure 5 - Looking North up Hal Greer Blvd at the adjacent bank followed by single-family homes.

Zoning Ordinance

Article 1327 requires that all new construction have a build-to percentage of 60%. Article 1327 also permits vehicular parking reductions up to 25% without any special conditions being met for commercial uses.

Article 1343 requires 1 vehicular parking space per 300 square feet of Retail Sales and Services. Article 1343 also requires 1 bike parking space per 3000 square feet but a minimum of 2 bike parking spaces regardless of size.

Staff Comments

The variance should not be granted, or should be granted only with the condition of a much greater build-to percentage than proposed by the petitioner.

Staff has recommended to the petitioner that the loading area is not required. This, in their Figure 2 layout, would allow for 16 parking spaces, 5 short of the layout proposed for the variance, which is still 7 more than required by the zoning ordinance.

In addition, the project will need to meet the requirements of the Stormwater Utility Board. This will likely cause a potential loss in the number of parking spaces proposed in the petitioners preferred site plan due to the amount of impervious surface and the need for stormwater management such as a bioretention swale, causing the variance to have a lesser impact on available parking than intended.

However, accessibility is important. To assist in keeping the parking close to the entrance, staff had originally recommended placing the entry point on the southwest corner of the building so that it created a vestibule that extended into proposed parking lot, helping to meet the build-to percentage. The ADA space would then be shifted to the east and the sidewalk would wrap around this extrusion from the building. This is shown in Figure 6. However the petitioner chose not to pursue this option to help meet the build-to requirements.



Figure 6 - A concept proposed by Zoning where the entrance is placed at the southwest corner of the building. The entryway is indicated by the red outlined rectangle.

As a second alternative, adequate parking can be provided without significantly reducing the build-to percentage. The image shown in Figure 7, drawn up by the zoning office, demonstrates a 56% build-to percentage that also proposes 19 dedicated parking spaces with a loading area, prior to any takeaways from parking due to stormwater management requirements. This is more than double the required spaces for this use.

For that reason, the staff recommends that if the Board Members should decide to grant a variance for accessibility reasons, the build-to percentage should be no less than 55%. This gives the petitioner 54 feet of the build-to zone to use for setbacks, driveway, parking stall, and sidewalks. The petitioner will need: 3 feet for setback for the parking lot from the side lot lines, 22 feet minimum width for a two-way drive aisle, 18 feet

minimum depth for a parking space, and 5 feet recommended for the sidewalk width. That totals 48 feet, leaving them with 6 feet to use for needed flexibility in their design and site layout. Please see Figure 7 for an example of this layout.

Alternative Option that Requires a Variance Drawn by Planning and Zoning



Figure 7 - An Alternative proposed by Zoning if the Board should desire to grant a variance. This option has a build-to percentage of 56%.

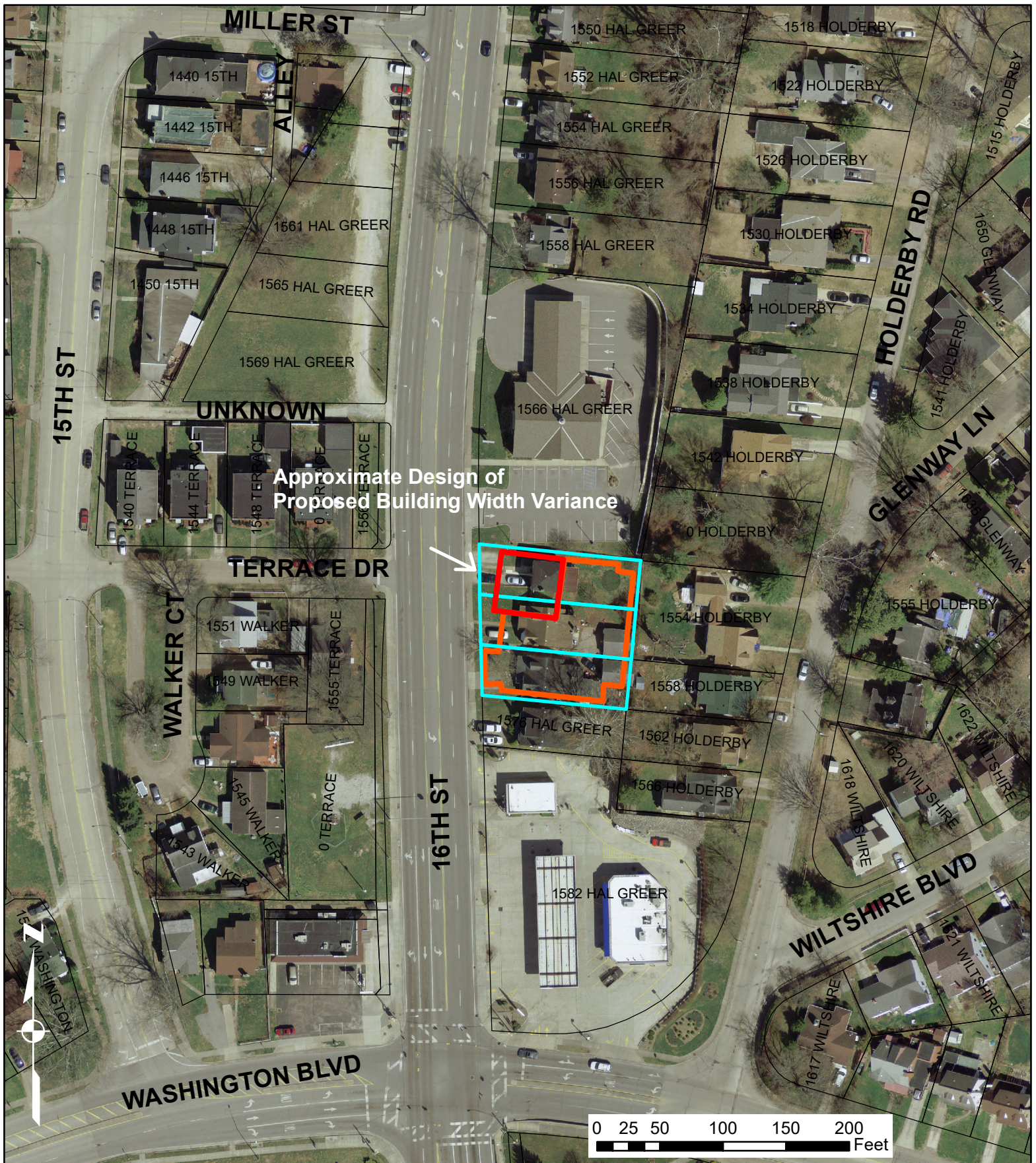
Summary / Findings of Fact

1. Blue Barn Properties is the owner.
2. Robert's Running Shop is the petitioner.
3. The proposed use of the property is retail sale and services.
4. The property is zoned C-1 Neighborhood Commercial District.
5. Article 1327 requires that the build-to percentage be 60%.
6. The petitioner's requested build-to percentage is 41%.

7. The required vehicle parking spaces before eligible reductions is 11.
8. The required vehicle parking spaces after the reductions offered within the C-1 Neighborhood Commercial District regulations is 9.
9. The required bike parking spaces is 2.
10. The proposed vehicle parking spaces is 21 plus a loading area for trucks.
11. The property is approximately 14,460 SF.

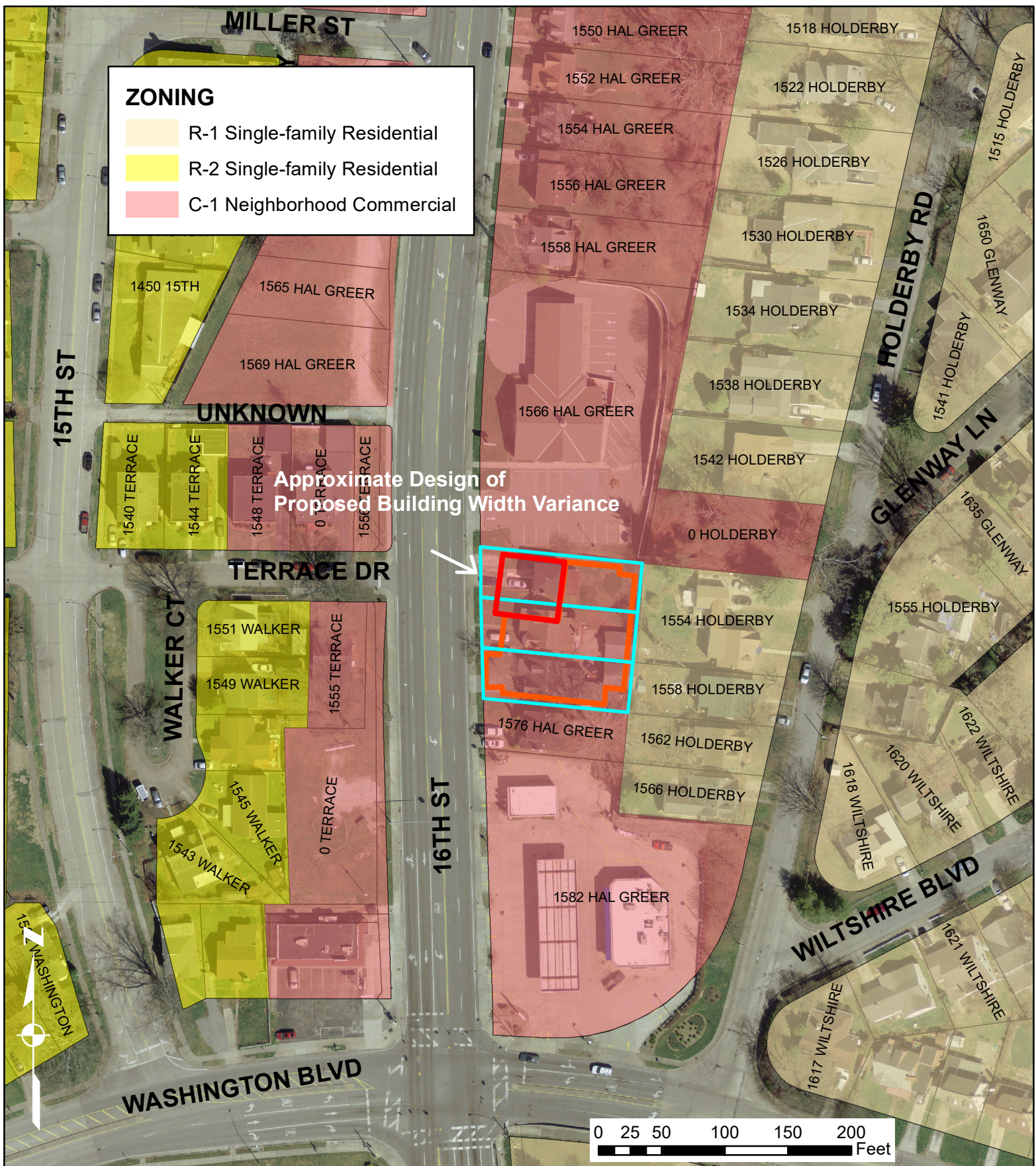
Attachments

Please see attached Aerial, Location, and Zoning Maps for reference.



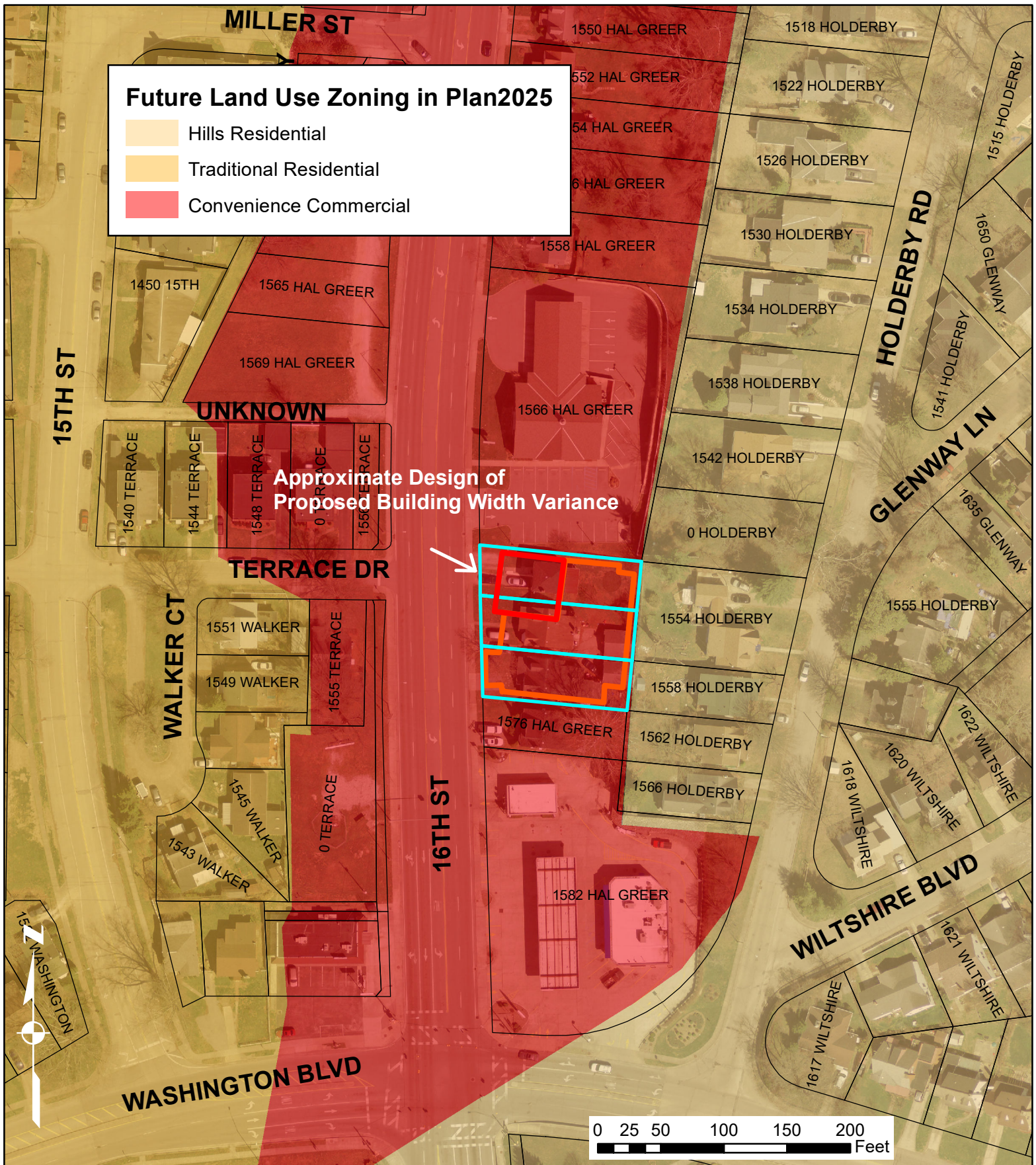
1570, 1572, 1574 Hal Greer Blvd Variance for Building Width





1570, 1572, 1574 Hal Greer Blvd Variance for Building Width





1570, 1572, 1574 Hal Greer Blvd Variance for Building Width





**HUNTINGTON
WEST VIRGINIA**
Planning & Development

APPLICATION FOR APPEAL FOR VARIANCE OF ZONING REGULATIONS

Huntington City Hall
800 Fifth Avenue, Rm 2
P.O. Box 1659
Huntington, WV 25717

All applications to be submitted typed or legibly written in blue or black ink.

Applicant: Robert's Running Shop Phone: 304-617-3662
Address: 1440 4th Ave, 25701 Email: woodsrunner40@gmail.com

Property Owner: Blue Banner Properties Phone: 304-617-3662
Address: 1440 4th Ave, 25701 Email: woodsrunner40@gmail.com

Occupant: _____ Phone: _____
Address: _____ Email: _____

Variance requested pursuant to Article 1327 Section 005 Number 2 and/or Figure _____ of the City of Huntington Zoning Ordinance.

Description of the variance being requested: The regulation states Building width must be at least 60% of width of lot. Taking 72 Feet of Frontage. We need Building width to be 50 feet. Making Handicap Parking more accessible & Allowing For Adequate Number of Parking spaces. With no off street parking Available Max Parking is of utmost importance
Description of property including tax map, parcel, lot number (if applicable), street address and/or other description: _____

1570, 1572, 1574 Halgreer Boulevard, Huntington 25701
LOTs 300, 301, 302 + Plot 314 Uplands Trx MAP #61 Parcels
#s 0144, 0145, 0146

Please describe the special conditions or attributes which pertain to the property or hardships for which the variance is sought (state any reason which the Board of Zoning Appeals should be aware of in forming its decision): With Parking Being our Main concern For Relocating our Proposal Gives us 7 more spaces A Bigger Building & Most Notably Handicap Parking Access Much closer to The Doors. SEE ATTACHED Site Plans. Thank you
(Attach additional pages if necessary)

The following exhibits are to be attached and made part of this application:

- Site plan of Real Estate involved (if applicable); drawn to scale with scale shown, with direction North clearly indicated on the drawing, showing all boundary lines and placement of existing and/or proposed structures, and with all dimensions shown (setbacks, buildings, etc.).
- Valid State or Federal Photo ID.
- One Hundred Sixty dollars (\$160.00) filing fee for each variance sought.

All of the above documentation is to be submitted to the office of Planning and Zoning by: Sept 18th in order to be placed on the next Board of Zoning Appeals agenda. Incomplete documentation will delay applicants review by the BZA. August 14th
July 21st

I/We, the undersigned, am/are aware that a Public Hearing by the Board of Zoning Appeals will be held on Tuesday, Sept 18th. It is my responsibility to attend (or send a representative) to the above meeting to present plans and to answer any questions regarding the request for a Variance. All meetings are held at 5:30 p.m. in the City Council Chambers of Huntington City Hall.

[Signature] 9/15/20
Signature of Applicant (include title if applicable) Date

[Signature] 9/15/20
Signature of Property Owner (Required) Date

For Office Use:
Received: 09.15.2020
Staff Initials: RU

New Roberts Running Shop

Huntington, West Virginia
September 10, 2020



Site Plan - Option 1

Scale: 1" = 10'-0"



Site Plan - Option 2

Scale: 1" = 10'-0"



City Plans ↑

Variance Request ↑