



Legislation Text

File #: 18-1439, **Version:** 1

ZV 2018-12, Target Center, generally located on the northwest corner of Pines Boulevard and Hiatus Road, variance request. (Dean)

SUMMARY EXPLANATION AND BACKGROUND: **PROJECT DESCRIPTION / BACKGROUND**

Dwayne Dickerson, agent for the owner, is requesting a variance to allow 884 parking spaces where 897 parking spaces are required for the Target Center located on the northwest corner of Pines Boulevard and Hiatus Road. For reference the Target Center includes the Target building, Homegoods, JoAnn Fabrics, City Furniture and recently constructed Target Outbuilding (Starbucks and MOD Pizza).

On August 1, 2018 City Commission passed Ordinance #1904 allowing up to 1% of parking spaces in a center to be used for temporary parking (short term/take out). Code requires that these spaces be surplus and not used for required parking. Based on number of existing parking spaces on site (765 spaces), Target Center could have a maximum of eight (8) temporary parking spaces.

Starbucks, located in the Target Center Outbuilding, was approved for three (3) short term parking spaces located on the south side of the building and Target installed four (4) Pick-Up spaces in front of their store. These four spaces replaced a total of six conventional parking spaces.

During review of Target's pick-up spaces, it was discovered that there are six (6) existing cart corrals located in the parking field, taking up twelve (12) parking spaces. Due to the cart corrals taking away 12 parking spaces, and the loss of two (2) additional parking spaces for the Target Pick-Up spaces, parking provided falls below required parking.

Target has submitted this variance request so the seven temporary parking spaces (Target pick up and Starbucks short term) and existing cart corrals can be permitted.

VARIANCE REQUEST DETAILS:

ZV 2018-11) To allow 884 parking spaces instead of the required 897 parking spaces.

Code Reference: §155.251 AMOUNT OF OFF-STREET PARKING REQUIRED.

(A) Other uses. Minimum parking shall be required as set forth in the matrix below (Note: for reference only - Full Parking Matrix can be viewed online at America Legal Publishing)

VARIANCE DETERMINATION

The Planning and Zoning Board shall not grant any non-single-family variances, permits, or make any decision, finding, and determination unless it first determines that:

1. Its decision and action taken is in harmony with the general purposes of the zoning ordinances of the city and is not contrary to the public interest, health, or welfare, taking into account the character and use of adjoining buildings and those in the vicinity, the number of persons residing or working in the buildings, and traffic conditions in the vicinity.

2. In the granting of variances, the Planning and Zoning Board shall determine that the variance granted is the minimum variance that will accomplish the intended purpose (stated above) and:

A) That there are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances are peculiar to the land or building and do not apply generally to land or buildings in the neighborhood, and that the strict application of the provisions of the zoning ordinances would result in an unnecessary hardship and deprive the applicant of the reasonable use of the land or building; or

B) That any alleged hardship is not self-created by any person having an interest in the property nor is the result of a mere disregard for or in ignorance of the provisions of the zoning ordinances of the city; or

C) That granting the variance is not incompatible with public policy, will not adversely affect any adjacent property owners, and that the circumstances which cause the special conditions are peculiar to the subject property.