 **City of Forest Park**

**Board of Zoning Appeals**

**Minutes**

**February 26, 2019**

**Call to Order:** Chairman Andy Porter called the meeting of the Zoning Board of Appeals to order at 6:12 p.m.

**Roll Call:** Those present were Chairman Andy Porter, Azfar Haque, and Pastor Michael Clinkscales and secretary Kierra Smith.

Also present was Mike Tuttle, Zoning Administrator of Planning Building and Zoning.

**Approval of Minutes:** Pastor Michael Clinkscales motion to approved minutes of previous meeting and Azfar Haque second the motion. Voting was unanimous.

**New Business:**

**Item 1: Request of variance that would allow a reduction of the minimum front yard setback of 65 feet to 57 feet to accommodate the installation of a gas pump canopy. The subject property address is 5953 Ash Street.**

The applicant, Babloo Bagga, Owner of the property at 5953 Ash Street, presents his case by stating he has been owner of the reference shopping center for the last 6 years. The business he currently operates is Happy Food Mart located at 5971 Ash Street. He states he has owned this business since 2010. The applicant explains he is planning to install a two MPD gas station on the site, however there is a few things he intend on doing to the building once the variance is approved. He plans to stucco the entire building, right now the current structure has a metal frame and after meeting with his contractors he will soon make a decision on the final design for the building. The applicant states he also plans to repave the existing parking lot and plans to meet any requirements put forth by the board or the city for signage and landscaping.

Andy Porter stated from his understanding, if the applicant is granted the variance the next step will be for the case to go before the Architectural Design Review Board, after reviewing both the existing and conceptual site plan, there are conditions outlined in the report as it relates to the placement of the canopy. He asks the applicant what are his thoughts on moving the canopy northward so it doesn’t impede ingress and egress traffic flow on the southern side of the site. Babloo Bagga responds that is something both he and his architect are okay with doing and have no issues with changing the placement of the canopy. Andy Porter posed the question, if 14 feet between an angled parking spot and the car that would be parked in the canopy is enough space to avoid any vehicular accidents. The applicant answers, to his knowledge and after speaking with his architect, that space would be sufficient enough to avoid any vehicular accidents to the pumps or the canopies. He explains they only plan to install two MPDs on the site. Andy Porter states it appears the city requires 4 parking spaces for every 1,000 square feet. His calculations are the site should have 38 parking space and seems there is only 33 existing parking spaces; he then asked how the applicant will address this issue? Babloo Bagga replies, he is unsure at the moment how they plan to rectify the situation. After the parking spaces are restriped to reflect angled parking, he hopes there will be room for the other 5 spaces needed. Andy Porter also asks if the applicant’s building improvement applies to the rear side of the building as well. Babloo Bagga answers yes. Andy Porter stated after driving by and seeing the site it appears there are people living in one of the bays on the rear side. The applicant explains there is a basement in the structure that’s being rented out to a painting company, one bay is vacant and the other one has a broken garage door. He assures the entire door will be replaced.

Pastor Michael Clinkscales asks Babloo Bagga if the rear side of the building will be stucco in addition to the front. The applicant replies, the front side of the structure will be stucco and the rear will remain brick, however it will be repainted.

Azfar Haque posed a question, will the structure have brick on the entire rear side, where he plans to install a new door? Babloo Bagga answers yes, the entire side will be brick down and the building will be up to code regulation.

The applicant says the outside lighting may include newer LED specialty lights, which will face downward towards the parking lot and not towards the residential area on the backside. Mike Tuttle states, if approved for the variance the application will go before the Architectural Design Review Board, in which the applicant must provide a lighting plan for the site. He also mentions the other matters that will be address includes, the parking, renderings of the structure, and the interior finish. The applicant states he is more than willing to do whatever is required to complete the next steps in the process.

Pastor Michael Clinkscales asks Babloo Bagga if he has all his necessary paperwork to submit for all permits needed. The applicant replies his architect Dawn Dickerson and Mark Whitley are preparing the plans to be submitted to the city and once they are approved all permits will be pulled.

Andy Porter says he doesn’t want the board to go outside of their scope of what they are qualified to address. He states, their task is to decide whether or not they will grant a variance to the applicant that allows him to construct 8 feet closer to the building’s front setback than is currently allowed in the city’s code. He states his point in mentioning these things is to prep Mr. Babloo Bagga for the next stages in the process, which will be to appear in front of the Architectural Design Review Board, in doing so he tells the applicant he would be required to make significant changes to the conceptual plan provided, in additions to the conditions put forth by staff.

Azfar Haque asks, in reference to the distance between the pumps and parking at the front of store, what type of signage will be put in place in order to minimize the chance any vehicular accidents on site. Babloo Bagga replies whatever is required he is willing to do. Mike Tuttle states, the Architectural Design Review Board will address all matters of ingress and egress of traffic orientation.

Azfar made a motion to approve the variance subject to the conditions put forth by staff. Pastor Michael Clinkscales second the motion. Voting was unanimous. Action: Approval with Conditions

1. Applicant will amend the site plan to reflect traffic improvements to include signage.
2. Applicant will amend to reflect the location of gas pumps to improve vehicular flow.
3. Applicant will provide documentation that lighting will not be directed outward toward residential boundary and the adjacent right-of-way.
4. Staff shall review and if appropriate, approve the final plans and documentation.

**Other Business:** None.

**Adjournment:** Pastor Michael Clinkscales made a motion to adjourn the meeting. Azfar Haque second the motion. Voting was unanimous.