

Board of Zoning Appeals
8:30 a.m., Thursday, February 10, 2022
City Service Center Conference Room · 915 Quarrier Street

Members Attending:

Bill Hairston
Mary Jo Cleland
Mary Anne Crickard (via zoom)

Staff Attending:

Dan Vriendt
Lori Brannon

Applicant/Public:

Justin Knapp

Call to Order: Bill Hairston

I. Items for Review

VAR-22-3001 & CUP-22-0218

Application of Justin Knapp requesting a parking variance and a conditional use permit in order to establish a bar at the property located at **1012 Bridge Road**.

Justin Knapp presented his request for VAR-22-3001 and CUP-22-0218 to the Board. He wants to establish a tap room serving craft beers from 5 to 9pm Monday through Friday, 12 to 9pm on Saturday, and 12 to 5pm on Sunday. The professional office and retail locations in the vicinity close between 5pm and 6:30pm, but 4 other food service establishments would have operating hours consistent with the proposed business, remaining open until 10 or 11pm. Mr. Knapp anticipates his customers will access street parking and the large lot across Bridge Road, but stated that no agreement with that property owner is in place. Mr. Knapp also stated that the property owner contacted him regarding another potential tenant leasing the space, so the request may be immaterial.

Lori Brannon presented the staff findings, conclusions and recommendations to the Board:

The subject property is located in the South Hills' Bridge Road Shops area. Land uses in the vicinity include a mix of professional office, retail, and food service. Properties abutting the rear of subject property are residential in nature. The applicant has submitted a Security & Operations Plan as required. This includes a floor plan illustrating the location of the bar and seating areas, kitchen and bathroom facilities, and indicating the inclusion of 6 security cameras throughout the space. The image further illustrates that there is no stage area for live entertainment. The zoning ordinance requires 17 on-site parking spaces for the square footage

of the space as indicated on the site plan. There is no dedicated on-site parking available to the proposed business, and the applicant has failed to identify adequate off-site parking, and a letter from the owner of the largest parking area nearby states that no agreement is in place. A FOIA request sent to the WV Alcohol Beverage Control Administration revealed no record of licenses or violations involving the applicant.

While the proposed bar satisfies the conditions set forth in the zoning ordinance specific to operating an alcohol-related business, it does not satisfy the general standards of approval for conditional uses. Specifically, the significant lack of on-site parking would result in additional demand for right-of-way parking and parking spaces dedicated to other businesses in the neighborhood. This increased parking demand in an area already experiencing a shortage of parking would have an adverse effect on the public health, safety and welfare and the rights of adjacent business and property owners. For these reasons, staff recommendation is to deny the application as submitted or continue the case if the applicant wishes to explore other parking arrangements.

Motion and Vote: On the motion of Mary Jo Cleland, seconded by Mary Anne Crickard, the Board voted unanimously 3-0 for a continuance on VAR-22-3001 and CUP-22-0218 until Mr. Knapp secures a parking arrangements.

II. Approval of minutes for the January 13, 2022 hearing.

Motion and Vote: On the motion of Mary Jo Cleland, seconded by Mary Anne Crickard, the Board voted unanimously 3-0 to approve the minutes of the January 13, 2022 hearing.