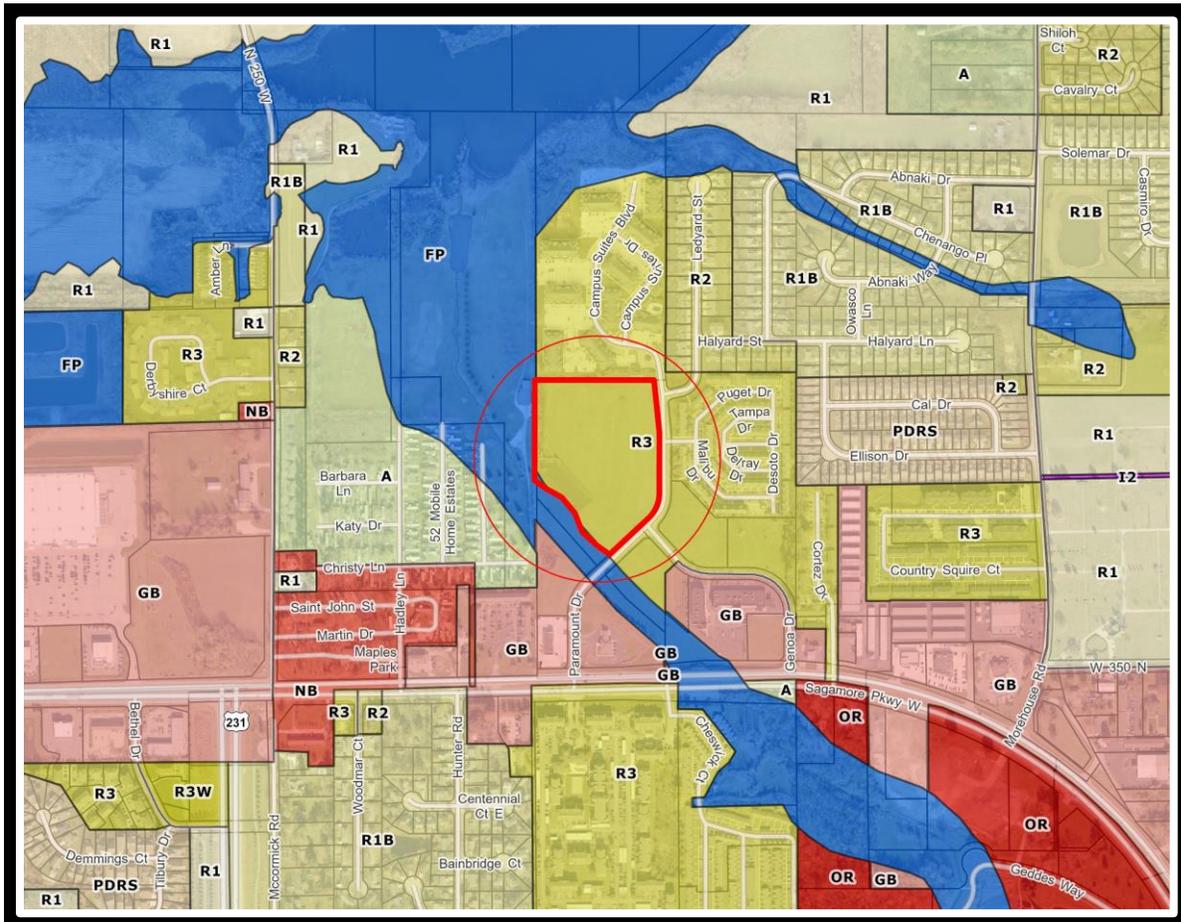

BZA-2069
WABASH LOFTS, LLC
(variance)

STAFF REPORT
January 20, 2022



BZA-2069
WABASH LOFTS, LLC
Parking Space Variance

Staff Report
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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, represented by attorney Christopher Shelmon of Gutwein Law, is requesting a variance to allow 357 on-site parking spaces instead of the required 480 on-site parking spaces for the proposed Wabash Lofts apartments in a R3 zone. The site is located on Lot 7 in the Paramount-Lakeshore Subdivision, specifically, 3680 Paramount Dr, Wabash (UZO 4-6-3).

AREA ZONING PATTERNS:

The zoning history in this part of the county is quite lengthy. Originally all these properties, located between the Cuppy-McClure regulated drain to the south and Hadley Lake to the north, were zoned Flood Plain with a small elevated area zoned R1. In 1998, this small R1-zoned area was rezoned to NB (Z-1790). Sometime after that change, a Flood Plain certification was completed which drastically changed the FP boundary taking most of this land out of the FP and at the same time expanding the NB zone. In 2001, the 6 acres adjacent to the north were rezoned from NB to its current R3 designation (Z-2025). In 2013, a large rezoning effort made by the Area Plan Commission brought many of the surrounding areas that were zoned NB and GB but were being used as multi-family residences into conformance by zoning them R3 (Z-2545). More recently, additional properties in the Paramount Minor SD and Paramount Lakeshore SD were rezoned from business zones to R3 (Z-2516, Z058, Z-2839). All of these rezones led to the prominent R3 zoning in the adjacent and surrounding area to the site.

A rezone in August of 2020 rezoned 5.22 acres of the subject site from NB to R3 for a 60-unit apartment complex, (Z-2801). Then, in July 2021 the entire 10.03 acres was rezoned from R3 & NB to R3.

A mixture of R1B, R2, PDRS and A zoning encompasses a large residential area to the west, north and north east. The adjacent R3 properties to the north and east also add to the large residential area. There are GB, General Business, zones to the south along Sagamore Pkwy W establishing a commercial corridor. FP, Floodplain, zoning exists adjacent to the property to the west and south, with a small area of FP within the property's boundaries. However, this variance request does not include any floodplain area which was reviewed and confirmed by staff's certified floodplain manager.

AREA LAND USE PATTERNS:

The subject site is about 10.9 acres and is currently undeveloped. According to the

submitted site plans, petitioner is proposing to build an 8-building apartment complex along with a clubhouse and pool area. No subdivision has been filed at this time.

There are numerous residential areas to the west, north and east of the subject site. It is a mixture of all types of residential including mobile homes, single-family, duplexes and multi-family developments. Directly to the south along Sagamore is a small integrated center as well as an Old National Bank. There are additional businesses along Sagamore as you go both east and west adding to the commercial corridor in the area.

TRAFFIC AND TRANSPORTATION:

The site is located off Paramount Dr, classified as an urban local road by the adopted *Thoroughfare Plan*. The site has two access points that line up with Genoa Dr and Pacific Dr to the east side of Paramount. According to the UZO, a multi-family dwelling is required to provide 2 parking spaces per dwelling. The proposed development will have a total of 240 units; meaning the required parking for the site amounts to 480 parking spaces. Petitioner filed this variance to allow 357 parking spaces instead, a reduction of 123 spaces.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Public utilities serve the site.

STAFF COMMENTS:

According to the UZO, a multi-family dwelling belongs to parking group number 2. It requires 2 spaces per dwelling unit for properties located in unincorporated Tippecanoe County. The proposed development will have a total of 240 units; meaning the required parking for the site amounts to 480 parking spaces. The site plan currently shows 357 parking spaces: 349 regular spaces and 8 accessible spaces.

According to petitioner, 357 spots will be more than enough to meet the demand of residents in the apartment community. 176 units, or 73% of the total units, are either one-bedroom or studio units. The remaining 64 units are two-bedroom units, meaning there are a total of 304 bedrooms on site. 357 parking spaces would give one parking space per bedroom with a surplus of 53 spaces for guests and to accommodate the clubhouse.

Staff recognizes that similar sized apartment complexes in the area have far less parking due to the nature of the type of units. Comparable complexes adjacent such as Avenue North and Copper Beach have three- and four-bedroom units and have only 2 parking spaces per unit, but a comparable number of residents. It is simply petitioner's desire to have one bedroom and studio units that is driving up the parking requirement. For instance, if they had 177 units instead of 240 units by creating some units that are more than 2 bedrooms, then they would meet their parking requirements. It is also possible for petitioner to remove units altogether to meet parking requirements. Removing 2 buildings for instance and reconfiguring the remaining 6 buildings to have 178 units of any size would require 356 parking spaces eliminating the need for this variance.

Staff also thinks it is important to note that Lafayette's slightly more relaxed parking standard is 1.5 spaces per 1-bedroom unit and 1.75 spaces per two-bedroom unit, meaning if this site was located in Lafayette, they would be required to have 376 spots. The proposed 357 spots would still be 19 spots short per Lafayette's standards.

Staff does appreciate petitioner's efforts to conserve green space that would improve drainage on the site and overall create a better living environment for residents and neighbors. However, a reduction of buildings would also accomplish a similar result of more green space for the property.

Staff is primarily concerned that if two people do end up living in the one-bedroom or studio units, and since cars are the primary transport in this area, it could lead to a shortage of parking. Additionally, there are no good options for overflow parking. It would not be safe to have people trying to park along Paramount Dr blocking traffic and it could disrupt the surrounding developments as well if future residents of the proposed site try to use surrounding sites' parking.

In all, staff cannot support this variance request because a shortage of parking could negatively affect the surrounding developments and no hardship was found.

Regarding the ballot items:

1. The Area Plan Commission on January 19, 2022 determined that the variance requested **IS NOT** a use variance.

And it is staff's opinion that:

2. Granting this variance **WILL** be injurious to the public health, safety, and general welfare of the community. If there is a parking space shortage due to this variance being granted, future residents could try to park on Paramount Dr. creating a safety concern to local traffic and pedestrians who are walking to and from their cars.
3. Use and value of the area adjacent to the property included in the variance request **WILL** be affected in a substantially adverse manner. If there is a parking space shortage due to this variance being granted, future residents could try to park in the adjacent properties effecting their use.
4. The terms of the zoning ordinance are being applied to a situation that **IS** common to other properties in the same zoning district. There is nothing unusual about the site itself compared to neighboring properties.
5. Strict application of the terms of the zoning ordinance **WILL NOT** result in an unusual or unnecessary hardship as defined in the zoning ordinance. This variance is only necessary because of the proposed number of apartment buildings. A redesign of the proposed site plan with fewer buildings would reduce the amount of parking spaces needed. **Note:** Questions 5a. and 5b. need only be answered if a hardship is found in Question 5 above.

5a. The hardship involved **IS** self-imposed or solely based on a perceived reduction of or restriction on economic gain. It is petitioner's choice to have 8 buildings with the specific orientation of units. It is to their economic gain to have additional units which could be removed.

5b. The variance sought **DOES NOT** provide only the minimum relief needed to alleviate the hardship. However, staff could support the request if the proposed petition met Lafayette's standards of 376 spots rather than the proposed 357 spots.

STAFF RECOMMENDATION:

Denial