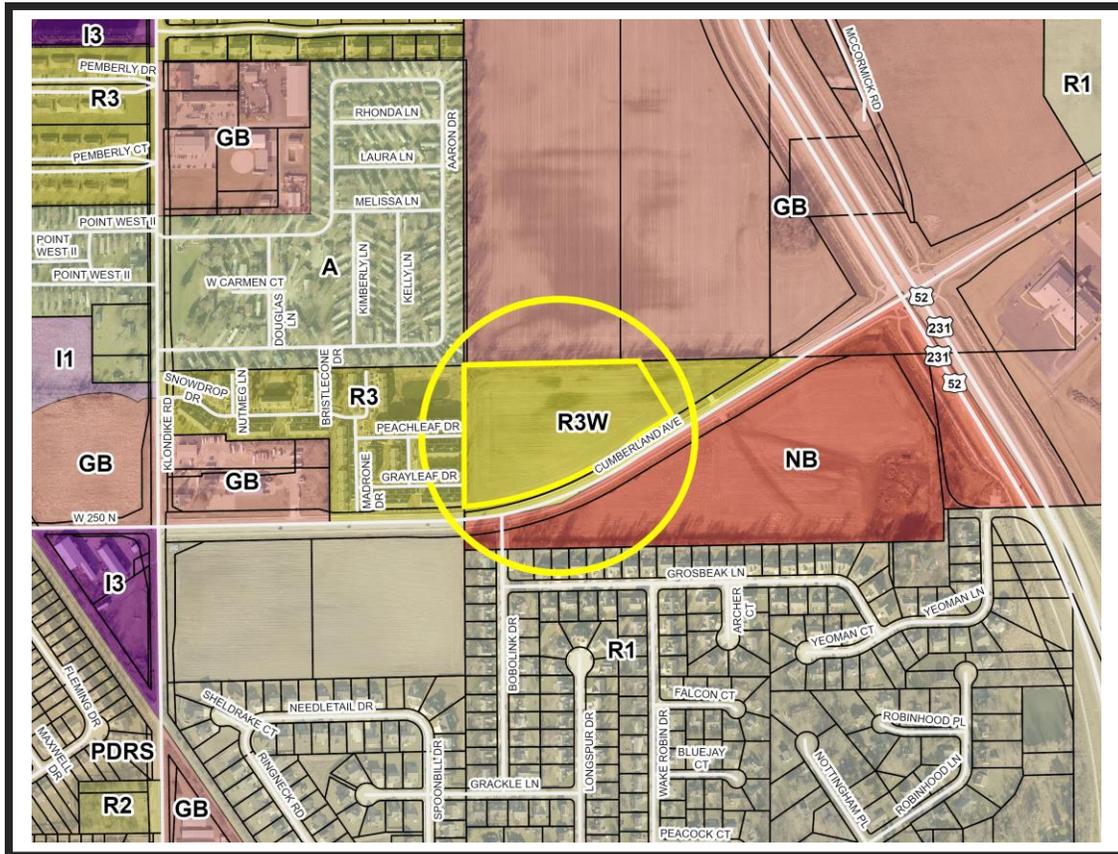

BZA-2030
VITA INVESTMENT HOLDINGS, LLC
(variance)

STAFF REPORT
February 20, 2020



Staff Report
February 20, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, represented by attorney Daniel Teder, is requesting a height variance of ~~32.5'~~ 31.83' at the finished floor of the upper story instead of the maximum allowed 14' in the R3W zone. The 9.2-acre property is located on the north side of Cumberland Avenue west of its intersection with US 231 and immediately east of Copper Beech Townhomes. This land is part of a 2-lot subdivision called Vita West Lafayette minor subdivision. A senior living facility, offering nursing care, memory care, and independent living options with 177 units (a mix of studio, one and two bedrooms) is proposed.

AREA ZONING PATTERNS:

The property was rezoned from R1 to R3 by the County Commissioners in February 2012 (Z-2479). Later in 2015 after annexation, the City of West Lafayette sponsored a rezone that changed all R3 zoned land within the city to R3W (Z-2627).

Land to the west is zoned R3; Agricultural zoning is to the northwest and GB zoning is immediately north. South across Cumberland is NB zoning. East across US 231 is more GB zoning.

AREA LAND USE PATTERNS:

The land in question was most recently farmed, as is the land to the north and south across Cumberland Avenue. Adjoining to the west is Copper Beech Townhomes and a mobile home park is located to the northwest.

TRAFFIC AND TRANSPORTATION:

The site plan shows two entrances onto Cumberland Avenue: one opposite Bobolink Drive and a second farther east. The County Highway Department will need to review these access points.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Indiana American Water and American Suburban Utilities will serve the site. A 30' wide bufferyard for evergreen plantings is shown along the northern boundary of the site where it abuts GB zoning.

STAFF COMMENTS:

Petitioner's request for a height variance in the R3W zone comes with little surprise to staff. For many years the height standard in the R3W zone has only allowed a building of 2 ½ stories, creating many by-right projects in West Lafayette with a sunken first floor with two stories above. This historic standard comes from a time when the city had insufficient fire

trucks to reach taller buildings. Almost all other multi-family developments in West Lafayette that are taller have gone through the planned development process where the standards are negotiable, or they obtained height variances. Attempts to amend the height standards for the R3W (and other West Lafayette zones with similar height requirements) have been unsuccessful in the past.

The proposal to develop these 9.2 acres with a highest finished floor elevation of ~~32.5'~~ 31.83' (and an overall height of 45' 8") will not be out of place. The closest neighborhood is adjacent to the west and contains an apartment community. Because this property is outside of West Lafayette and zoned R3, the maximum overall building height for these buildings is 35'. With greater building setbacks, the permitted height could be even taller.

Regarding the ballot items:

1. The Area Plan Commission at its January 15, 2020 meeting determined that the variance requested **IS NOT** a use variance.

And it is staff's opinion that:

2. Granting this variance **WILL NOT** be injurious to the public health, safety, and general welfare of the community. An increased building height of ~~32.5'~~ 31.83' (based on how height is measured in the R3W zone) on these 9.2 acres will have no negative impact on public health or safety.
3. Use and value of the area adjacent to the property included in the variance request **WILL NOT** be affected in a substantially adverse manner. Properties to the north (in the GB zone) and west (in the unincorporated county) have a maximum building height of 35', with an option of being even taller with additional setbacks.
4. The terms of the zoning ordinance are being applied to a situation that **IS NOT** common to other properties in the same zoning district. Holding this property to a 14' height standard that is today rarely utilized would be unusual and uncommon.
5. Strict application of the terms of the zoning ordinance **WILL** result in an unusual or unnecessary hardship as defined in the zoning ordinance. Because of a height standard that is overdue for amending, the ordinance itself creates a hardship in this case.

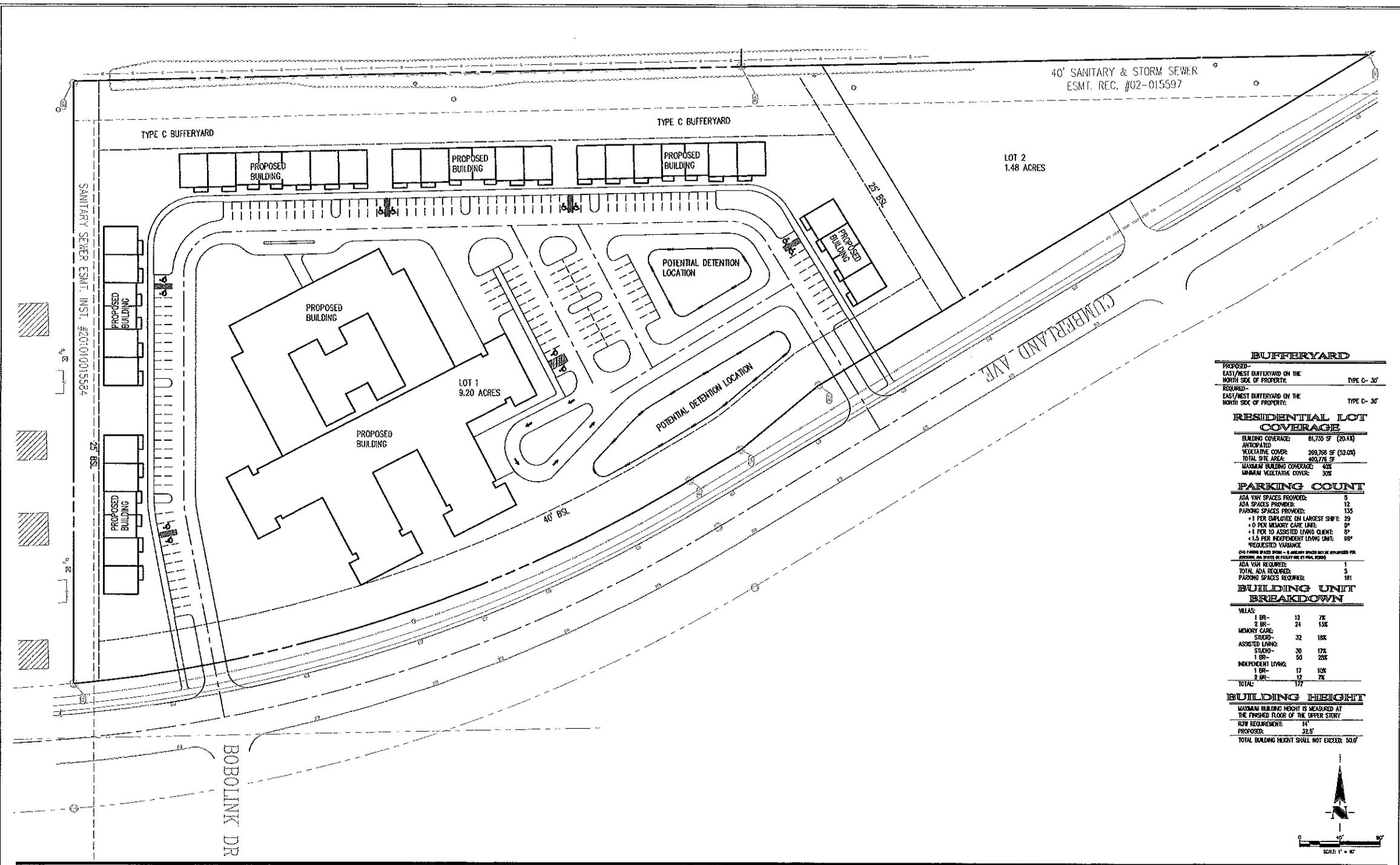
Note: Questions 5a. and 5b. need only be answered if a hardship is found in Question 5 above.

5a. The hardship involved **IS NOT** self-imposed or solely based on a perceived reduction of or restriction on economic gain. In this situation, the zoning ordinance is presenting a hardship with outdated development standards regarding building height.

5b. The variance sought **DOES** provide only the minimum relief needed to alleviate the hardship. A height of ~~32.5'~~ 31.83' at the finished floor is reasonable.

STAFF RECOMMENDATION:

Approval



40' SANITARY & STORM SEWER
ESMT. REC. #02-015597

TYPE C BUFFERYARD

TYPE C BUFFERYARD

LOT 2
1.48 ACRES

LOT 1
9.20 ACRES

CUMBERLAND AVE

BOBOLINK DR

BUFFERYARD

PROPOSED- EAST/WEST BUFFERYARD ON THE NORTH SIDE OF PROPERTY:	TYPE C- 30'
REQUIRED- EAST/WEST BUFFERYARD ON THE NORTH SIDE OF PROPERTY:	TYPE C- 30'

RESIDENTIAL LOT COVERAGE

BUILDING COVERAGE:	81,730 SF (20.4%)
ANTICIPATED VEGETATIVE COVER:	269,766 SF (52.0%)
TOTAL SITE AREA:	491,778 SF
MINIMUM BUILDING COVERAGE:	42%
MINIMUM VEGETATIVE COVER:	30%

PARKING COUNT

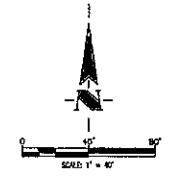
ADA VEH SPACES PROVIDED:	5
ADA SPACES PROVIDED:	12
PARKING SPACES PROVIDED:	133
+1 PER EMPLOYEE ON LARGEST SHIFT:	29
+0 PER UNASSISTED CARE UNIT:	0*
+1 PER 10 ASSISTED LIVING UNITS:	8*
+1.5 PER INDEPENDENT LIVING UNIT:	88*
REQUESTED VARIANCE:	
<small>ADA PARKING SPACES PROVIDED - 5 AND OTHER SPACES MUST BE PROVIDED FOR PERSONS AND OTHERS OR PROXY ONE AT EACH ENTRY</small>	
ADA VEH REQUIRED:	1
TOTAL ADA REQUIRED:	5
PARKING SPACES REQUIRED:	181

BUILDING UNIT BREAKDOWN

VILLAGES:		
1 BR-	12	7%
2 BR-	24	13%
MEMORY CARE:		
STUDIO-	32	18%
ASSISTED LIVING:		
STUDIO-	30	17%
1 BR-	50	23%
INDEPENDENT LIVING:		
1 BR-	17	6%
2 BR-	12	7%
TOTAL:	177	

BUILDING HEIGHT

MAXIMUM BUILDING HEIGHT IS MEASURED AT THE FINISHED FLOOR OF THE UPPER STORY	
MSJ REQUIREMENT:	34'
PROPOSED:	32.5'
TOTAL BUILDING HEIGHT SHALL NOT EXCEED 50.0'	

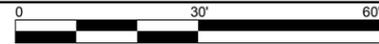


WEST LAFAYETTE, RCF
CUMBERLAND AVENUE, WEST LAFAYETTE, INDIANA - 12/23/19



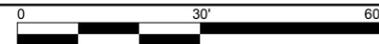
A MAIN BUILDING SOUTH ELEVATION

SCALE: 1" = 30'



B MEMORY CARE NORTH ELEVATION

SCALE: 1" = 30'



C TOWNHOME TYPICAL ELEVATION

SCALE: 1" = 30'

