
BZA-2037

TIPPECANOE COUNTY NSE08 SCHOOL BUILDING CORPORATION

Variance

Staff Report
May 21, 2020

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, who is the owner, represented by attorney Mark DeYoung, is requesting the following parking variances for the R1-zoned Harrison High School's proposed expansion:

1. To decrease the required parking to 965 spaces from the minimum requirement of 1,048 spaces; and
2. To allow the Administrative Officer to permit off-site parking to be located within 410 feet instead of the maximum allowed 300 feet; (*Only necessary if variance #1 is denied per staff review.*)

on property located at 5701 N 50 W, Tippecanoe 30 (NE) 24-4. The Tippecanoe School Corporation is planning to build a 71,724-sq. ft. science wing addition to the existing Harrison High School building.

AREA ZONING PATTERNS:

The subject property was rezoned from A to R1 in 1993 (Z-1552). The Tippecanoe School Corporation (TSC) successfully rezoned 36 acres for the Burnett Creek Elementary School to the west across 50 W in 1996 (Z-1684). Then the 50-acre Battle Ground Middle School property at the northwest corner of 600 N and 50 W was rezoned to R1 in 2005 (Z-2260).

Land at the southwest corner of 600 N and 50 W is zoned Agricultural. A small area of the property's southeast corner is zoned FP (Flood Plain), associated with an unnamed tributary to Burnett's Creek. Based on the flood certification document provided by the petitioner, the proposed structure is outside of the 100-year floodplain line.

In the past few years, multiple rezones for single-family residential subdivisions have been approved in the vicinity. The 73-acre Fieldstone Subdivision, located to the north across CR 600 N (just west of Battle Ground Middle School), was rezoned from R1 to R1B (Z-2601) in April 2015. The 48.35 acre Timberbrook Subdivision located on the south side of CR 600 N was rezoned from A to R1 (Z-2602) at the same meeting. In 2019, 144.5 acres for Fieldstone II Subdivision was rezoned from A to R1B (Z-2751).

AREA LAND USE PATTERNS:

Harrison High School was established in 1967 when a school consolidation project merged Klondike, Battle Ground, and East Tipp High Schools. Burnett Creek Elementary

School is to the west across 50 W. The Tippecanoe County Villa is farther to the south. Harrison Highlands single-family subdivision is to the north across 600 N.

TRAFFIC AND TRANSPORTATION:

The *Thoroughfare Plan* classifies CR 50 W and CR 600 N as rural secondary arterial roads.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Indiana American Water and American Suburban Utilities serve the site.

STAFF COMMENTS:

Petitioner plans to add a 71,724 sq. ft. science wing addition on the east side of the existing school building. The variances to reduce parking to 965 spaces (#1) and allow the Administrative Officer to permit off-site parking located within 410 feet (#2) are the result of the proposed expansion. The UZO permits elementary and secondary schools in all residential zones by right.

The increase in required parking is due to the addition of classrooms and the removal of existing parking spaces to build the science wing. The site currently has 993 parking spaces: 939 regular spaces, 27 accessible spaces, and 27 spaces for bus parking. The site plan shows the removal of 146 existing parking spaces (for the science wing) and the addition of 118 new parking spaces east of the proposed addition (for a total of 965 proposed spaces). According to petitioner, more than adequate on-site parking exists to serve the proposed addition. Pockets of existing parking lots close to the football and baseball fields, farther away from the primary operations are underutilized. Currently the school has issued only 757 parking permits for the 2019-2020 school year. A total of 179 surplus spaces at Burnett Creek Elementary School (to the west across 50 W) is also available when needed.

The ordinance allows the Administrative Officer to permit off-site parking for the school provided that the parking area is located within 300' of the site. The available surplus parking is 410 feet away from the site in the Burnett Creek Elementary school parking lot. The Administrative Officer can use various factors to determine eligibility of the proposed off-site parking facilities: proximity of the off-site parking facilities, ease of pedestrian access to the off-site parking facilities, and the type of use the off-site parking facilities serve. The Administrative Officer has indicated concern about the proposed off-site parking area because there is no pedestrian crossing on CR 50 W to ensure public safety.

The site of Harrison High School has substantially been built out over the past few decades to support the growing Tippecanoe County population. Available acreage on site cannot be fully utilized due to on-site drainage challenges. According to the petition, the site drainage facilities have been added to or improved under a Master Plan with the Tippecanoe County Surveyor since 2005. An underground detention pond was constructed in 2009 to address on-site drainage issues. Construction of additional paved parking areas would increase existing drainage challenges. The proximity to the floodplain associated with the unnamed tributary to Burnett's Creek is restraining further

expansion of the school. While rural schools typically can acquire adjacent land for expansion, Harrison High School has no useable land available to add to the size of the parcel to meet the parking standards of the ordinance.

Approval of request #1 (reduction in required parking) by the board will negate the need for request #2 (to allow off-site parking).

Regarding the ballot items:

1. The Executive Committee of the Area Plan Commission on May 6, 2020 determined that the variances requested **ARE NOT** use variances.

And it is staff's opinion regarding **variance #1 (parking space reduction)** that:

2. Granting this variance **WILL NOT** be injurious to the public health, safety, and general welfare of the community. The science wing addition will be an asset to the community and the existing on-site parking is underutilized.
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. The school already has a system to regulate on-site and off-site parking, no negative impact will occur due to the reduced parking.
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. The on-site drainage condition restricts additional institutional development to support the growing Tippecanoe County population.
5. Strict application of the terms of the zoning ordinance **WILL** result in an unusual or unnecessary hardship as defined in the zoning ordinance. The addition is needed to meet the needs of the students. However, increasing the impervious surface will negatively impact drainage and storm water management. Furthermore, the site already has excess, underutilized parking to support the proposed expansion.

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 because the ordinance parking standards for Harrison High School is excessive based on the TSC's operation data.

5b. The variance sought **DOES** provide only the minimum relief needed to alleviate the hardship. Allowing Harrison High School to expand at its current location to serve the growing community with the reduced parking is minimum relief.

STAFF RECOMMENDATION:

Variance #1 (Parking space reduction) Approval

Note: If variance #1 is approved, variance request #2 is not needed and should be withdrawn. If variance #1 is denied, staff's opinion regarding **variance #2 (to allow off-site parking)** is:

2. Granting this variance **WILL** be injurious to the public health, safety, and general welfare of the community. The access to the proposed off-site parking location, across CR 50 W does not have a pedestrian crossing to ensure public 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. The school already uses the off-site parking area for special events throughout the academic year.
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. It is unusual for school corporations to have elementary and secondary school facilities at close proximity to share resources.
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. Harrison High School already has more than enough parking spaces for daily operation.

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 because off-site parking is not required per TSC's parking permit data.

5b. The variance sought **DOES NOT** provide only the minimum relief needed to alleviate the hardship because sufficient on-site parking spaces are available to serve Harrison High School.

STAFF RECOMMENDATION:

Variance #2 (Off-site parking) Denial

