

AREA BOARD OF ZONING APPEALS OF TIPPECANOE COUNTY

MINUTES OF A PUBLIC HEARING

DATE..... February 26, 2020
TIME..... 6:00 P.M.
PLACE..... COUNTY OFFICE BUILDING
20 N. 3RD STREET
LAFAYETTE, IN 47901

MEMBERS PRESENT

Steve Clevenger
Tom Andrew
Gary Schroeder
Frank Donaldson
Carl Griffin
Ed Butz
Jen Dekker

MEMBERS ABSENT

STAFF PRESENT

Ryan O’Gara
Rabita Foley
Chyna Lynch
Zach Williams, Atty.

The Area Board of Zoning Appeals of Tippecanoe County public hearing was held on the 26th day of February 2020 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

President Steve Clevenger called the meeting to order.

I. APPROVAL OF MINUTES

Jen Dekker moved to approve the minutes from the January 22, 2020 BZA public hearing. Carl Griffin seconded, and the minutes were approved by unanimous voice vote.

II. NEW BUSINESS

Ryan O’Gara said there is one continuance this evening. **BZA-2032 JAMES L. AND SHEILA A. COCHRAN** has requested to be continued to the March 25, 2020 meeting to add variances.

III. PUBLIC HEARING

Jen Dekker moved that there be incorporated into the public hearing portion of each application to be heard this evening and to become part of the evidence at such hearing, the Unified Zoning Ordinance, the Unified Subdivision Ordinance, the Comprehensive Plan, the By-laws of the Area Board of Zoning Appeals, the application and all documents filed therewith, the staff report and recommendation on the applications to be heard this evening and responses from the checkpoint agencies. Carl Griffin seconded, and the motion carried by voice vote.

Carl Griffin moved to continue **BZA-2032 JAMES L. AND SHEILA A. COCHRAN** to the March 25, 2020 BZA meeting. Tom Andrew seconded and the motion passed by unanimous voice vote.

Steve Clevenger read the meeting procedures.

1. BZA-2030 VITA INVESTMENT HOLDINGS, LLC:

Petitioner is requesting the following variance to construct a senior living facility, offering nursing care, memory care, and independent living options, with 177 units (a mix of studio, one and two bedrooms) in 7 buildings on R3W-zoned land:

1. To increase the building height to ~~32.5'~~ 31.83' at the finished floor of the upper story from the maximum allowed 14'; and (UZO 2-10-11)
 2. To reduce the off-street parking to 136 from the minimum requirement of 184 spaces; (UZO 4-6-3) Withdrawn.
- on property located north of Cumberland Avenue, just west of US 231, in West Lafayette, Wabash 11 (NW) 23-5.

Gary Schroder moved to hear and vote on **BZA-2030 VITA INVESTMENT HOLDINGS, LLC.** Carl Griffin seconded.

Jen Dekker recused herself because of a conflict of interest.

Ryan O'Gara presented the zoning map, site plan, and aerial photos. He said the site is on the western edge of West Lafayette city limits. This area has been rezoned from R1 to R3W with the recent US 231 Corridor project. The Comprehensive Plan envisioned the US 231 and Cumberland Avenue intersection as a suburban style major activity center that promotes a diverse mix of uses. Staff is sympathetic with petitioner on the antiquated height limitations that are imposed in R3W and are working on changing these limitations. Staff is recommending approval for the variance.

Daniel Teder, 250 Main Street, Lafayette, IN 47905, representative for petitioner, said they have received approval for bonding for this project from the West Lafayette Economic Development Department and West Lafayette City Council. To complete this portion of the project, this variance needs to be granted. Staff has indicated that the height standard for this area is antiquated. This request has no negative impact on the community. He thanked the Board and requested approval.

The Board voted by ballot 6 yes to 0 no to approve **BZA-2030 VITA INVESTMENT HOLDINGS, LLC, Variance #1.**

Jen Dekker rejoined the meeting at 6:11PM.

2. BZA-2031 THETA NU HOUSING, LLC:

Petitioner is requesting the following variances to raze the existing structure and construct a new sorority building on R3W-zoned land:

1. To increase the building height to 28' at the finished floor of the upper story from the maximum allowed 14'; (UZO 2-10-11)
2. To decrease the parking requirement to 24 spaces from the minimum requirement of 45; (UZO 4-6-3)
3. To eliminate the maneuvering aisle required for parking spaces along the alley; (UZO 4-6-15)
4. To eliminate the no parking setback requirement; (UZO 4-4-6)
5. To reduce the required building setback from Northwestern Avenue to 20' from the minimum requirement of 60'; (~~UZO 2-10-8~~) Not needed per staff review.
6. To reduce the street setback from Fowler Avenue to 30' from the minimum requirement of 60'; and (~~UZO 2-10-8~~) Not needed per staff review.
7. To reduce the required bicycle parking to 25 spaces from the minimum requirement of 45; (UZO 4-6-7)

on property located at the southeast corner of Northwestern and Fowler Avenues, in West Lafayette, Wabash 19 (NE) 23-4

Gary Schroder moved to hear and vote on **BZA-2031 THETA NU HOUSING, LLC.** Tom Andrew seconded.

Rabita Foley presented the zoning map, site plan, and aerial photos. She said this site is close to campus and recently received primary approval to combine four lots. The petitioner will be razing the four structures on the lot that are currently student housing apartments. A sorority will be built in its place. The first request is to increase the building height. As stated earlier, building height requirements in West Lafayette are antiquated so staff is recommending approval. The second request is to reduce the parking

spaces to 24 from the required 45 spaces. Staff believes that is an excessive reduction because of the occupancy of the house and the social activities that are held at the house. The third request is to eliminate the maneuvering aisle. The 8 parking spaces would need to use the alley for a maneuvering aisle. The fourth request is to eliminate the no parking set back requirement on the eastern and western side of the property. Staff believes this request does not meet the hardship test. Request five and six, which are reductions in setbacks from Northwestern and Fowler, are not needed because the property is zoned R3W and allowed average setbacks. Request seven is for a reduction in bicycle parking. Staff believes the requirement for bicycle parking is excessive and are approving this request. The West Lafayette Downtown Plan recommends urban residential and mixed use for this type of site. Staff feels the proposed site plan does not meet the West Lafayette Downtown Plan because it does not reflect the urban style. Staff is recommending the following:

Approval for Variance #1;
 Denial for Variance #2;
 Denial for Variance #3;
 Denial for Variance #4; and
 Approval for Variance #7.

Daniel Teder, 250 Main Street, Lafayette, IN 47905, representative for petitioner, said this site is on less than a third of an acre. It is on the corner of Northwestern and Fowler with setbacks and rights-of-way that are not common in West Lafayette. West Lafayette is demanding an additional 10-feet of right-of-way on Northwestern Avenue. Petitioner will raze the existing structures on the site. A three-story sorority with 60 beds will be built in its place. The West Lafayette City Engineer and West Lafayette Redevelopment Director have been consulted for this project and support the requests for variance. This request meets the greenspace and building coverage requirement. The parking ratio is at 53% which is similar to other sites in the area. There is also a proposed bus stop in front of the building. The current sorority has 58 women with 13 parking spaces and no issues with parking. There is no vehicular access on Northwestern and the only means of access is the alley. With parking off the alley, there will be more opportunity for greenspace and attractive views of the sorority. Variances 1, 2, 3, and 4 will not be injurious to public safety and welfare. In an urban environment, cars navigate this type of traffic. The preference is to have compact cars park along the alley. There will be a sidewalk between the parking and the building as an add safety measure. This is not a self-imposed hardship. It is difficult to have the public access that is requested in the staff report. This is a design that fits well with the neighborhood. West Lafayette prefers a sorority with variances instead of having another apartment building.

Sydney Klaveano, Theta Nu Purdue Chapter President, said the sorority was founded in 1897 in Virginia and is on 168 campuses across the country. The Purdue chapter was founded 5 years ago and currently has 130 members. This chapter has proven to be a leader in the community since emerging on campus. The chapter regularly hosts events with local Girl Scouts and Cary Home children. This potential house means a great deal to this chapter. They have been renting a home on campus and the lease ends soon. This proposal means they would have a forever home. Their current house has 58 beds and 13 parking spaces with no issues with parking. About two-thirds of the chapter does not have a car on campus. Those that do have cars, park at their apartment or at Chauncey Hill. Some of the women chose to take the bus, ride their bikes or walk to and from the house. The proposed site has a CityBus stop out front which will also reduce parking. She thanked the Board.

Carl Griffin asked how this site could be made more urban like the West Lafayette Downtown Plan suggests.

Ryan O'Gara said surface lots are a big no-go in an urbanizing environment. It uses space that could be better utilized. The proposed higher-density use would be supported by the plan but would discourage surface parking lots. A building with the parking under the structure or tucked underneath would fit better.

Carl Griffin asked Sydney Klaveano where members park their car on Chauncey Hill.

Sydney Klaveano, Theta Nu Purdue Chapter President, said Purdue has a campus garage on Chauncey Hill that does not require a parking pass.

Carl Griffin asked Chad Spitznagle if he had any concerns with this project.

Chad Spitznagle, 1200 N Salisbury Street, West Lafayette, IN 47906, said he did not see an issue. The Economic Development Department is happy with the use. The parking reduction does not make this a large parking lot. This use is similar to other sites in the Village.

Tom Andrew asked if the way it is zoned now, could an apartment building be built if the sorority left.

Ryan O’Gara said multifamily use is permitted in this space.

The Board voted by ballot 7 yes to 0 no to approve **BZA-2031 THETA NU HOUSING, LLC, Variance #1.**

The Board voted by ballot 7 yes to 0 no to approve **BZA-2031 THETA NU HOUSING, LLC, Variance #2.**

The Board voted by ballot 7 yes to 0 no to approve **BZA-2031 THETA NU HOUSING, LLC, Variance #3.**

The Board voted by ballot 7 yes to 0 no to approve **BZA-2031 THETA NU HOUSING, LLC, Variance #4.**

The Board voted by ballot 7 yes to 0 no to approve **BZA-2031 THETA NU HOUSING, LLC, Variance #7.**

Steve Clevenger stated that unless any member has an objection the chair will order the findings of each member casting a vote for the majority decision of the Board to be the collective findings of the Board in support of the decision of the Board. Hearing none, it is so ordered.

IV. ADMINISTRATIVE MATTERS

None.

V. ADJOURNMENT

Gary Schroeder moved for adjournment.

The meeting adjourned at 6:45 p.m.

Respectfully submitted,

Chyna Lynch
Recording Secretary

Reviewed by,



Sallie Dell Fahey
Executive Director