

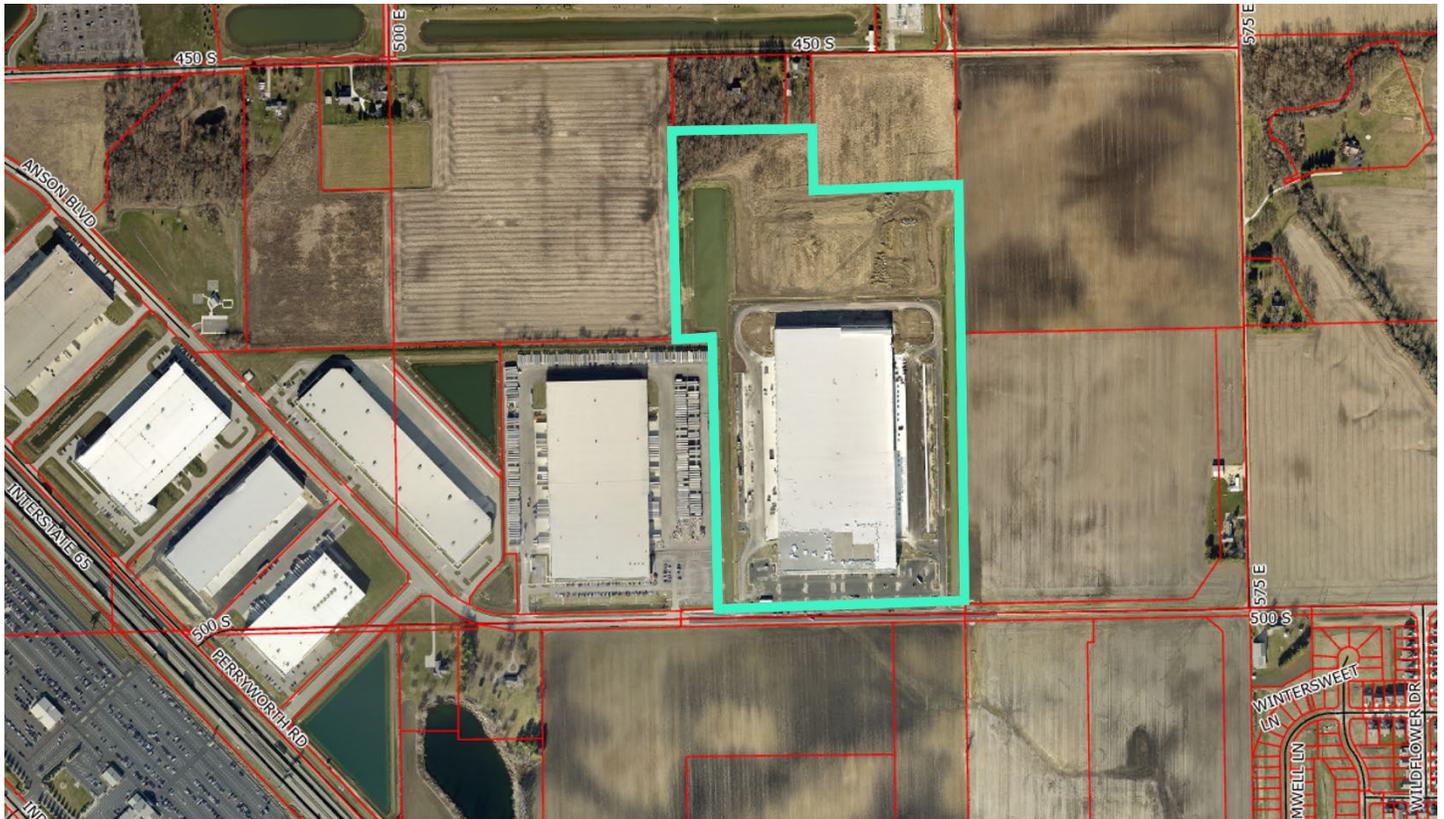


# Staff Report BZA22-001-VA

## 65 Commerce Park Building 4 Parking Variance

Meeting Date: February 3, 2022

**Docket BZA21-001-VA 65 Commerce Park Building 4 Parking Variance.** The applicant is requesting a Variance to exceed the maximum number of parking stalls; proposing 1,250 standard parking stalls where the maximum permitted is 962. The site in question is located at 5400 E 500 S in Whitestown. The applicant and owner is Whitestown Industrial Holdings II, LLC.

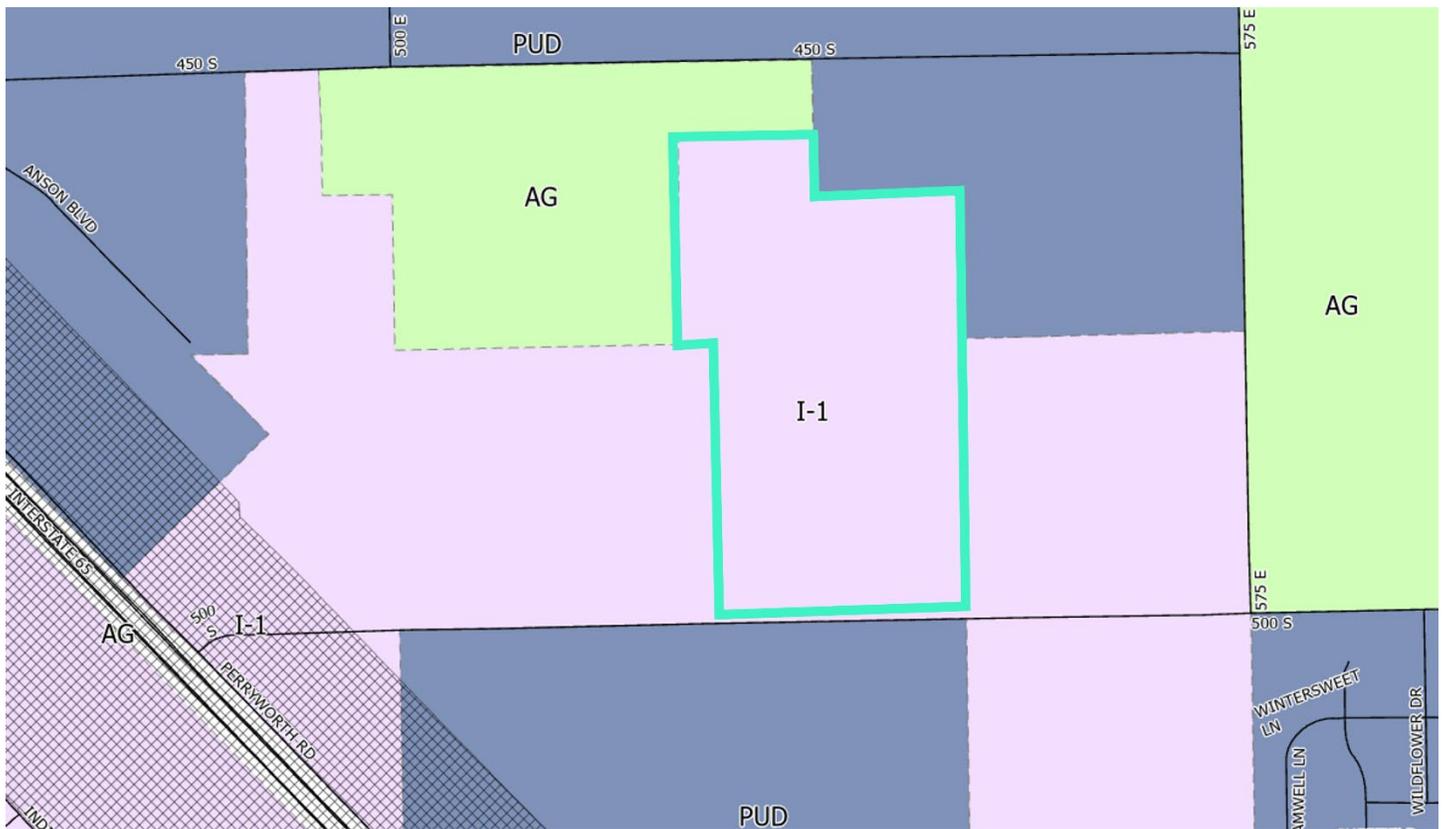


### Site Location

The site in question is a part of the 65 Commerce Park Development and located on the north side of CR 500 S, approximately 1,346 feet west of the intersection of CR 500 S and CR 575 E. An existing light industrial building and associated parking is currently operating on site. The surrounding area is characterized by industrial and agriculture uses.

### Zoning

The site in question is zoned I-1, a light industry zone. The I-1 district “is established to accommodate light industrial uses in which all operations, including storage of materials would be confined within a building, and would include warehousing operations.” Permitted uses include nursing homes, parking lots, manufacturing fabricating and assembly, and wholesale trade and storage amongst others.



## Unified Development Ordinance

Under Section 7.10 G. The Parking Requirements Table outlines the requirements for standard parking stalls based on use and gross floor area of the structure. The site in question, based on use and building footprint, permits a maximum of 962 standard parking stalls. The applicant is proposing a total of 1,250 standard parking stalls on site, a variance request of 288 stalls. ADA stalls are not included in the maximum parking calculations per the UDO.

INDUSTRIAL, MANUFACTURING, AND WHOLESALE PRIMARY USES	Vehicle Min	Vehicle Max	Bicycle Min
<b>Communications &amp; Information</b>			
Antennas Not Attached to a Tower	No requirement	No requirement	No requirement
Communication Services	0.5/1,000 of GFA	1/1,000 of GFA	No requirement
Telecommunication Towers	No requirement	No requirement	No requirement
Telecommunication Facilities – All Others	No requirement	No requirement	No requirement
<b>Industrial Services</b>			
All Types	0.5/1,000 of GFA	1/1,000 of GFA	No requirement
<b>Manufacturing &amp; Extraction and Energy Producing Systems</b>			
All Types	0.5/1,000 of GFA	1/1,000 of GFA	No requirement
<b>Mining &amp; Extraction and Energy Producing Systems</b>			
All Types	No requirement	No requirement	No requirement
<b>Transportation Facilities</b>			
Terminal Station/Service Facility for Passenger System	0.5/1,000 of GFA	1/1,000 of GFA	No requirement
<b>Waste Related Services</b>			
All Types	No requirement	No requirement	No requirement
<b>Wholesale Storage, Warehouse &amp; Distribution</b>			
Automobile Towing Service Storage Yard	All Types	All Types	All Types
Mini-Storage Facility	0.1/1,000 of GFA	0.3/1,000 of GFA	No requirement
Truck/Freight Terminal/Distribution Center	0.25/1,000 of GFA	0.5/1,000 of GFA	No requirement
Vehicle Storage, Commercial	0.5/1,000 of GFA	1/1,000 of GFA	No requirement
Wholesale Trade or Storage, All Types	0.5/1,000 of GFA	1/1,000 of GFA	No requirement

## Proposed Development

The applicant is requesting a variance to permit 1,250 standard parking stalls where the maximum permitted is 962 stalls based on building gross floor area. The applicant has submitted for a Development Plan Review to the Whitestown Plan Commission to approve the building expansion project.

The submitted materials and staff review indicate the following:

- The existing structure is approximately 329,124 square feet and the proposed addition is approximately 632,798 square feet for a total of 961,922 square feet;
- There are 768 existing standard parking stalls and the applicant is proposing an additional 481 stalls as part of the building expansion project;
- The existing building and associated parking was approved by Plan Commission under the old Unified Development Ordinance; and,
- The maximum permitted standard vehicle stalls is taken at 1 stall/1,000 gross floor area.

## Decision Criteria

Per the Unified Development Ordinance Section 11.14 F. 2. the Board of Zoning Appeals shall use the following three decision criteria, consistent with the requirements of the Indiana Code IC 36-7-4-918.5, when taking action on all variance requests:

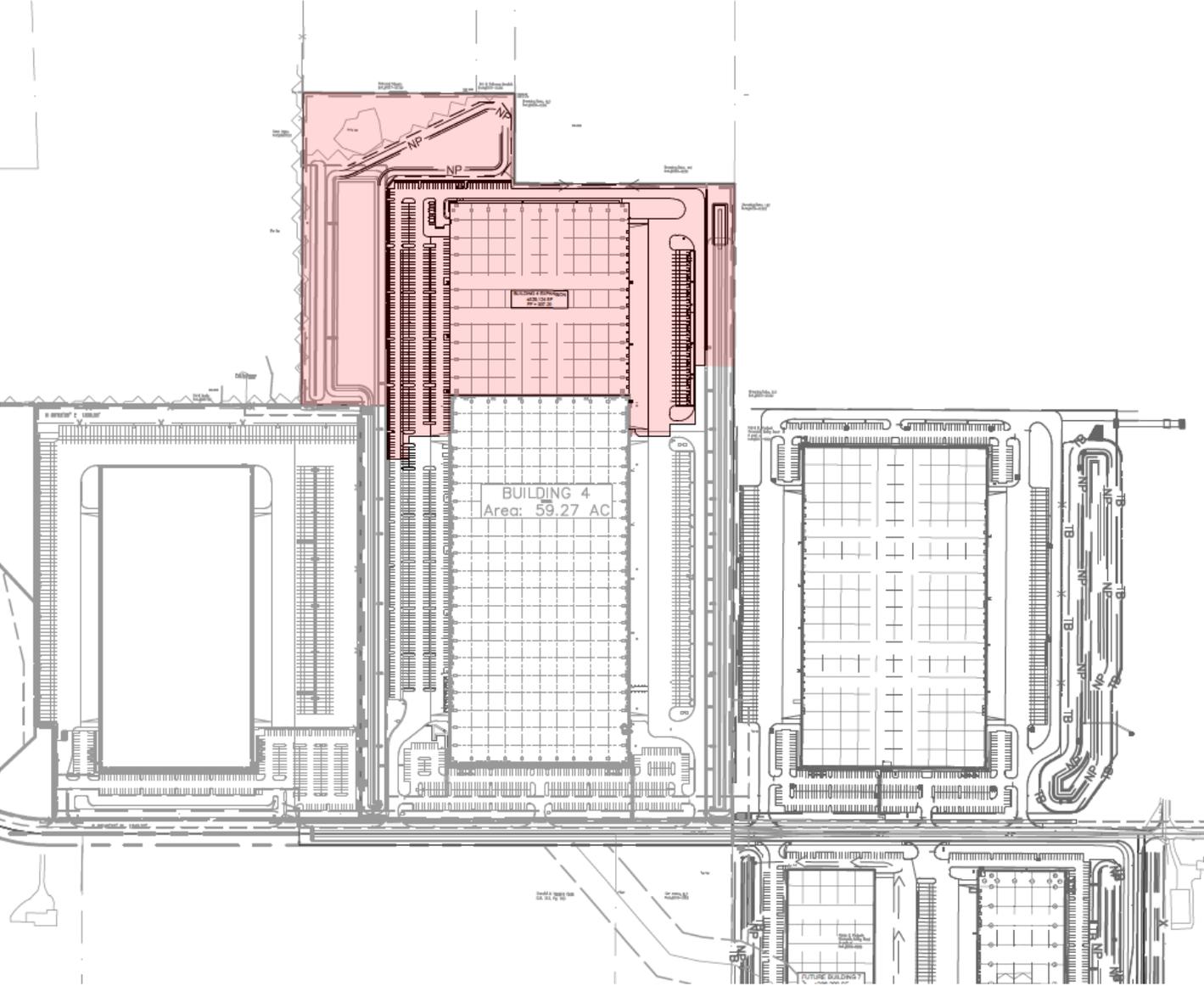
1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
3. The strict application of the terms of the Ordinance will result in Practical difficulties in the use of the property.

## Staff Recommendation

Staff recommends the Variance be approved with the following finding of facts:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because:  
***Approval of the variance will not be injurious to the public health, safety, morals, and general welfare because parking is already located on site. The new proposed parking offers proper circulation for safety of pedestrians and vehicle drivers.***
2. The use or value of the area adjacent to the property included in the variances will not be affected in a substantially adverse manner because:  
***The use or value of the surrounding area will not be negatively affected if the variance is approved because the area is generally industrial in nature and the proposed parking is located to the rear of the site out of view from the right-of-way.***
3. The strict application of the terms of the Ordinance will result in practical difficulties as applied to the property for which the variance is sought because:  
***The ordinance's maximum parking standard would limit the business' ability to staff the business for practical operations. The business has been operating on site since the original building was constructed and has an understanding of what it's employee parking requirements are that are more fine-tuned than the UDO parking table.***

# Materials Submitted by the Applicant



## **Standards for Evaluation**

**1. The variance will not be injurious to the public health, safety, morals, and general welfare of the community because...**

The variance is to allow an increased number of car parking spaces in place of truck dock area and trailer parking spaces. There shall be no significant changes to the amount of paved area or required setbacks from property lines. The use of the additional car parking spaces is to serve the expansion of the operation of the existing building tenant and allow for the addition of employees to the tenant's business. The building expansion use is consistent with the existing building use, which is a permitted use under the current I-1 zoning for the property. Because granting the variance will allow for the expansion of a successful business, which is allowed under the site's zoning classification, the variance will not cause injury to the public health, safety, morals and general welfare of the community.

**2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because...**

The use of the property included in the variance is consistent with the use and zoning of the properties to the south, west and east. The buffer and setbacks from the property to the north shall be maintained and meet ordinance requirements. Granting the variance will not have any adverse effect on the adjacent area because the additional required car parking spaces will be adequately set back from adjacent areas.

**3. The strict application of the terms of the Ordinance will continue the unusual and unnecessary hardship as applied to the property for which the variance is sought because...**

The approximate additional +/- 433 car parking spaces to be located on the west side of the expansion building, in place of truck dock area and trailer parking spaces, are required by the future building tenant to expand its operation and add to its employee count. Without the approval of the variance, an existing successful business will not be able to expand its business and add employees to its operation. The layout of the car parking area is consistent with and is an expansion of the existing car parking area on the west side of the existing building.