

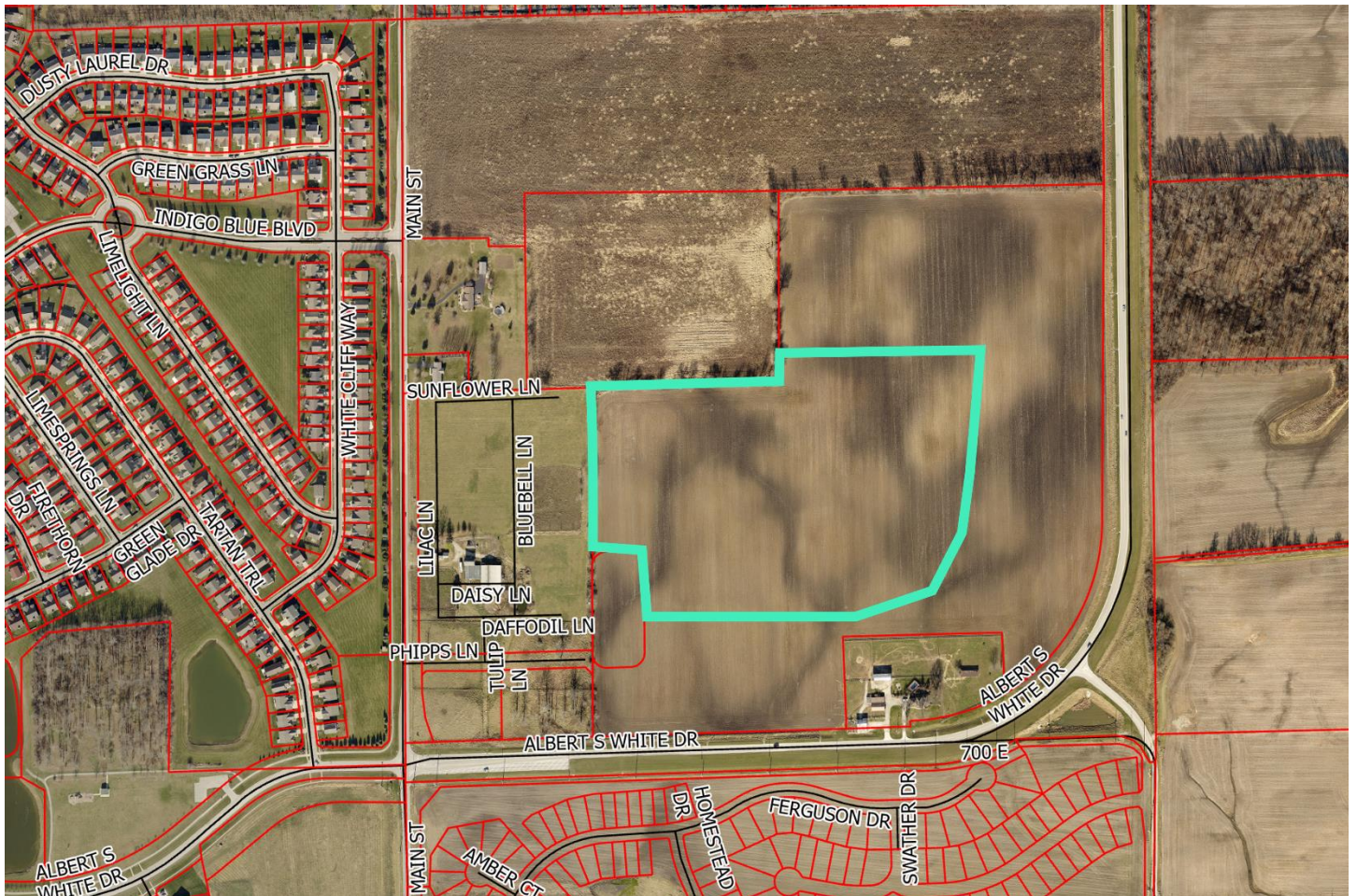


# Staff Report BZA22-005-VA

## Leo Brown Group Parking Variance

Meeting Date: March 3, 2022

**Docket BZA22-005-VA Leo Brown Group Parking Variance.** The applicant is requesting a Variance to exceed the maximum number of parking stalls; proposing 463 standard parking stalls where the maximum permitted is 404. The site in question is approximately 21.79 acres and located northeast of the intersection of Albert S White and Main Street, on the north side of the future Phipps Lane. The applicant is Leo Brown Group, LLC on behalf of the owner PNG Real Estate, LLC.



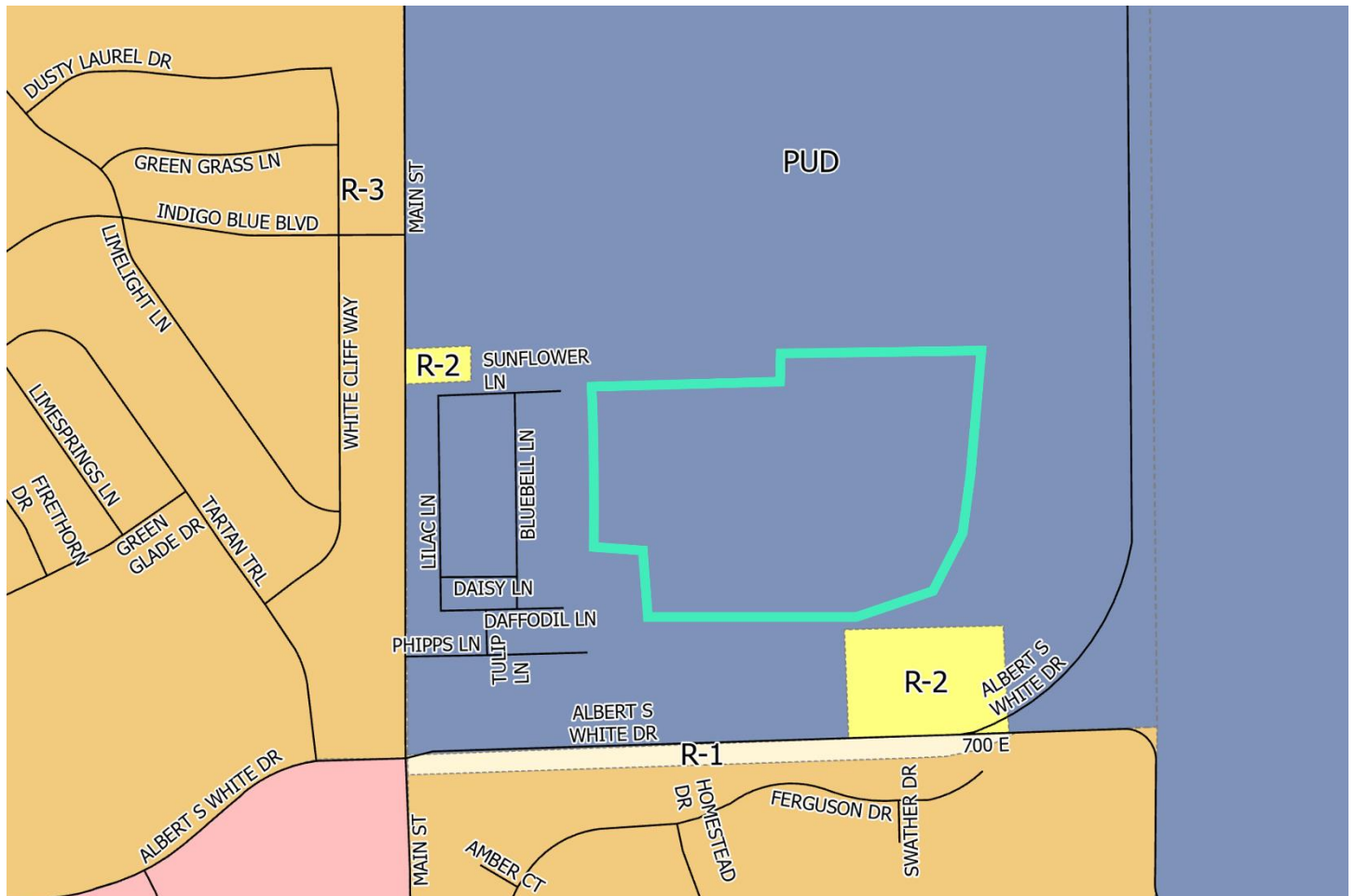
### Site Location

The site in question is a part of the Bridle Oaks Development and located east of Main Street behind the Meadows on Main apartment complex currently under construction. The site is located north and west of Albert S White Drive and south of the Bridle Oaks single-family residential development currently under construction. The surrounding area is characterized by residential and agriculture uses.

### Zoning

The site in question is zoned Bridle Oaks- Planned Unit Development. The PUD district “includes a mix of residential types, including detached single-family home sites, a mixed-use and residential development area including retail/office, multi-family dwellings and townhomes. This variety of housing types will provide options which cater to

young professionals and those seeking a more urban lifestyle. In this regard, the project accommodates a mix of densities with connectivity to the Farm Heritage Trail, as well as the Legacy Core.” Permitted uses in the Mixed Use and Residential Area include uses within the GB and MF Zones of the UDO. Permitted uses within the MF Zone include but is not limited to multi-family and two-family dwellings, assisted living, and government buildings amongst others.



### Unified Development Ordinance

Under Section 7.10 G. The Parking Requirements Table outlines the requirements for standard parking stalls based on the number of dwelling units. The site in question permits a minimum of 252.5 parking stalls and a maximum of 404 parking stalls for 202 multi-family dwellings. The applicant is proposing a total of 463 standard parking stalls on site, a variance request of 59 parking stalls. ADA stalls are not included in the maximum parking calculations per the UDO.

## G. Parking Requirements Table

RESIDENTIAL PRIMARY USES	Vehicle Min	Vehicle Max	Bicycle Min
<b>Household Living</b>			
Dwelling, Multifamily	1.25/unit	2.0/unit	1/5 units
Dwelling, Single Family	2.0/unit	No max	No requirement
Dwelling, Two Family	1.25/unit	4.0/unit	No requirement
Live/Work Dwelling	1.25/unit	2.0/unit	1/5 units
Mobile Home Park	1.5/unit	4.0/unit	1/5 units
<b>Group Living</b>			
Assisted Living	0.75/unit	2.0/unit	No requirement
Fraternity, Sorority, Student Housing	1.25/unit	2.0/unit	1/5 units
Group Residential Facility	0.75/unit	1.5/unit	No requirement
Nursing Home, Hospice	0.75/unit	2.0/unit	No requirement

## Proposed Development

The applicant is requesting a variance to permit 463 standard parking stalls where the maximum permitted is 404 stalls based on number of proposed dwelling units. The applicant has submitted for a Primary Plat and Concept Plan to the Whitestown Plan Commission to review the project concept.

The submitted materials and staff review indicate the following:

- Approximately 21.79 acre site;
- Proposed 202 dwelling units, cottage style, composed of 2 bedroom units, 3 bedroom units, and duplex units;
- 16 garages resulting in 6 stalls per garage;
- Total proposed 463 parking stalls composed of:
  - 292 uncovered standard 9x18 stalls;
  - 75 covered parking stalls carport style; and,
  - 96 garage parking stalls.

## Staff Recommendation

Staff is providing a favorable recommendation for the Leo Brown Group Parking Variance docket BZA22-005-VA.

Staff's recommendation to the Board of Zoning Appeals finds the variance complies with the following requirements in accordance with UDO Section 11.14 F. 2. and is consistent with Indiana Code IC 36-7-4-918.5 and approval be granted upon:

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 covered and uncovered parking is a common occurrence throughout all residential areas. Garages and uncovered parking are included in the total parking count similar to how its calculated for single-family residential uses, even though this use is classified as multi-family. Garages may be used for storage.***
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 proposed parking will be internal to the property and not generally visible 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 applicant's ability to provide sufficient parking for its tenants. Although the overall site is classified as multi-family under the parking table, the individual home style is more similar to that of single-family. The single-family parking requirements do not have a maximum permitted vehicle requirement.***

If the Board of Zoning Appeals makes a recommendation to approve the variance from the parking standards, staff recommends the approval be contingent upon the following conditions:

- The two garage structures (as identified in Exhibit A) be converted to uncovered parking and those two proposed garage structures cannot be relocated. The resulting breakdown of parking is 463 total parking stalls composed of 304 uncovered parking stalls, 75 covered parking carport style, and 84 garage parking stalls.

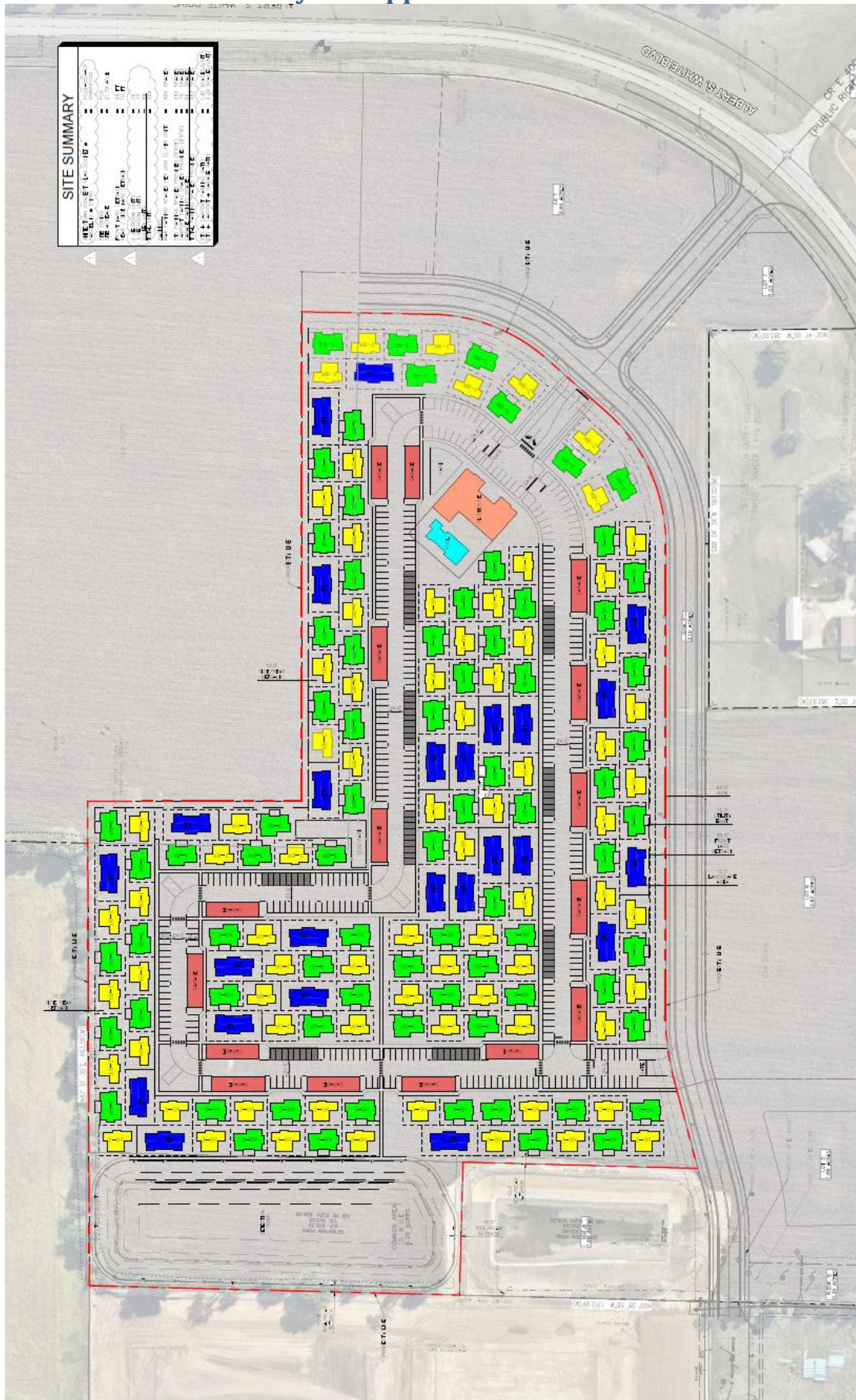
This condition is included because conversations with the Fire Department indicated turning concerns with the overhead bucket on the fire apparatus that a covered parking structure would impede the required turning necessary however it could make the turn with uncovered parking.

- The maximum lot coverage of impervious surface for this area of the zoning district is 70%. This recommendation for approval does not permit the lot coverage of the site to exceed 70% even though the quantity of parking stalls is permitted to increase.

## Exhibit A



# 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 applicant plans to provide a limited number of garages throughout the development. Town staff have stated that garage spaces would need to be included within the overall parking count. In the applicant's experience, garage spaces are often used by residents for additional storage rather than parking. With this in mind, the applicant would like to provide surface/open parking spaces at the maximum ratio, with the additional garage spaces then exceeding the maximum threshold of 2 spaces / unit.

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 additional parking spaces above the 2/unit maximum are internal to the development and should not negatively impact neighboring property owners. Off-street parking shortage is a common issue for multifamily developments, so by allowing the applicant to exceed the 2/unit ratio, it will reduce the risk of parking shortages. The applicant further believes the heightened parking ratio can be achieved while still providing adequate green space to meet the Town requirements.

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...

Counting the proposed garage spaces in the overall parking ratio will result in an inadequate number of parking spaces for the development when acknowledging the tendency of residents to utilize the garages for storage. A shortage of internal off-street parking could result in spillover parking onto Phipps Drive.