MINUTES OF THE PUBLIC MEETING
OF THE CITY OF ANGOLA BOARD OF ZONING APPEALS
HELD ON JUNE 24, 2024

The Board of Zoning Appeals held their regularly scheduled meeting on Monday, June 24, 2024 at 5:00 p.m., The minutes are recorded and prepared by the Department of Economic Development and Planning staff.

Chairman Brant Moore called the public meeting to order at 5:00 p.m. in the Angola Council Chambers at City Hall.

The following members were present: Brant Moore, Chris Thomas, Phil Roe, Mike Sutter, and Susan Ralston. Also present at the meeting: Planner Brett Steele, Director Retha Hicks, and City Attorney Kim Shoup

Member Sutter mentioned item number 3 of the May minutes had him make the first and second motion. Planner Steele stated he would make the correction. With the correction, Member Sutter made a motion to approve minutes for the May 28, 2024 meeting. Member Ralston seconded the motion. All members present approved, none opposed.

Chairman Moore reviewed the meeting rules and procedures.

Chairman Moore moved to the next item on the agenda – New Business – 2024-BZA-06001 – Trine University Development Standard Variances

Planner Steele presented the only case as 2024-BZA-06001 seeking development standards variances. The applicant was Trine University representative Gretchen Miller. The property is located within Woodhull's Addition with the current zoning of UV: University District. The applicant requested relief from Section 18.72.040 University Development Standards; (E) Minimum Front Yard Setback, Section 18.72.040 University Development Standards; (I) Maximum Lot Coverage, Section 18.160.360 Setback Standards; (B)(8) Parking Lots, Section 18.172.060 Buffer Yard Planting Standards; (B)(1) Depth, Section 18.160.120 Driveway Standards; (A) Separation, and Section 18.160.510 Trash Receptacle Standards; (C) Setbacks. The hearing date was June 24, 2024, with Legal Notice of the Public Hearing appeared in The Herald Republican on June 14, 2024. Twenty (20) property owners within 300 feet of the project were sent notice on June 12, 2024. The property is not within a floodplain.

Planner Steele continued that for many years, Trine University has been steadily acquiring properties in the Woodhull Subdivision, which was originally platted for traditional residential housing back in April 1870, to expand their growth north of Thunder Drive. This targeted approach has allowed the university to expand its physical footprint and cater to the needs of its growing student body. Prior developments constructed in this portion of campus would include the University Center, Trine Ice Hockey Arena, Ryan Tennis Center and student housing. In December 2015, Trine University acquired lots 52 and 53. Near the end of 2022 and beginning of 2023, they acquired lots 46-49. Structures on these lots were promptly razed in anticipation of future campus expansion. On June 10, 2024, the Plan Commission forwarded with favorable recommendation to common council a zoning map amendment to initiate the new phase of development for the campus.

Planner Steele stated that Trine University is proposing a two-phased development plan throughout four target areas referencing a site plan image. Phase 1, identified as AREA 1 and AREA 2, is to incorporate development of parking lots to address the shortage of parking for students and visitors. This phase targets completion before the upcoming academic year. Phase 2 (AREA 4) includes construction of a

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new dormitory to provide much needed student housing. Both phases seek variances to be developed in a manner consistent with the campus growth. The last targeted area (AREA 3) includes additional pathways along Saginaw St (private) connecting an existing residence hall, north of the University Center that do not require action by this board.

Planner Steele noted that the developments include a multiple unit student housing and parking lots designed for 171 stalls, eight of which are ADA compliant. All targeted areas embrace new landscaping and sidewalks to provide safe, adequate pedestrian traffic flow for those utilizing the designated areas.

Planner Steele then spoke to each development standard variance and their targeted location. First, the dormitory location referencing a site image for each variance; Section 18.72.040 University Development Standards; (E) Minimum Front Yard Setback. The petitioner requested relief from the front yard setback along Moss Street; 20-ft to 0-ft (area in **BLUE**). This is to accommodate the main entrance of the dormitory from Moss Street for architectural features. The main building façade projects 12-ft into the front yard setback. Section 18.72.040 University Development Standards; (I) Maximum Lot Coverage the petitioner request relief from the maximum lot coverage of 70 percent, to increase allowable coverage to 75 percent.

Planner Steele continued that while the proposed dormitory's grand entry overhang and columns do project into the front yard presenting a 0-ft setback, the main structure itself offers an 8-foot setback from the right-of-way, placing it approximately 26 feet from the Moss Street curb.

Planner Steele said the concerns regarding overall lot coverage presented to each designated area could be addressed through future combining of parcels, but for convenience, Trine University is proceeding with the established plat vacation parcel lines. A holistic look at the property in this area, which is all owned by Trine have adequate lot coverage. Advanced measures are being taken to ensure proper stormwater management for all development.

Planner Steele then spoke to development standard variances for the parking lots and to their specific locations. First, the corner of Saginaw St and Summit St. Again, site images were referenced with colored graphics. Section 18.72.040 University Development Standards; (I) Maximum Lot Coverage A request relief from the maximum lot coverage of 70 percent, to increase allowable coverage area to 85 percent. Section 18.160.360 Setback Standards; (B)(8)(a) Parking Lots Setbacks in Front Yards the request relief from the maximum projection of 25 percent to 75 percent; 15-ft setback to become 5-ft. Section 18.160.120 Driveway Standards; (A) Separation; (A)(1)(b) – Separation from Street Intersection the request relief from the minimum distance of 100-ft be reduced to 5-ft, (A)(2)(b) – Separation between Driveways t request relief from the minimum distance of 45-ft be reduced to 0-ft (D) – Setback from property lines the request relief from the minimum distance of 10-ft be reduced to 0-ft, and Section 18.172.060 Buffer Yard Planting Standards; (B)(1) Design for Depth the request relief from the minimum depth of 20-ft be waived.

Next, Planner Steele spoke to the parking lot for Saginaw St and Kinney St and the sections requesting relief from the ordinance. Section 18.72.040 University Development Standards; (I) Maximum Lot Coverage the request relief from the maximum lot coverage of 70 percent, to increase allowable coverage area to 85 percent (Northern Lot) and 80 percent (Southern Lot, existing gravel lot). Section 18.160.360 Setback Standards; (B)(8) Parking Lots Setbacks, (a) - Front Yard the request relief from the maximum projection of 25 percent to 75 percent; 15-ft setback to become 5-ft(b) – Side Yard the request relief from the maximum projection of 50 percent to 100 percent; 5-ft setback to become 0-ft.

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Section 18.160.120 Driveway Standards; (A)(1)(b) Separation from Street Intersection the request relief from the minimum distance of 100-ft be reduced to 25-ft. And lastly, Section 18.160.510 Trash Receptacle Standards; (C)(1) Setbacks in Front Yards to permit trash receptacle placement within the front yard.

Planner Steele stated the southeast parking lot at the corner of Kinney Street and Moss Street utilizes an existing entry/exit drive along Moss Street. The development essentially improves an existing gravel lot to current standards, with a slight reduction in size that is not required for this lot since established. The lot presents itself with three front yards and wasn't originally designed to provide proper space for the trash receptacle in a side yard, placing it within the alley way with no enclosure. The shift to the east 100-ft provides additional parking stalls, accessibility for the trash service provider, and properly enclosed.

Planner Steele advised the designed driveways practically mirror those of neighboring residences in this addition and eliminate the need for on-street parking. Eliminating the drive approach radius would provide additional distance, however, eliminate the flow of traffic entering and exiting the parking lot and aesthetics.

Furthermore, Planner Steele mentioned the development of these parking lots is intended to serve the student body and visitors for specific campus events or functions, not daily commuters passing through the area. Conversations with the Engineering and Street Department have occurred regarding all drive approach locations and both departments feel this is the best and safest design. Finally, the landscaping plan meets ordinance requirements for plantings and has received approval from the park superintendent.

Planner Steele showed nine images to the board as the targeted locations sit today. The images showed images from Google Street view, Beacon GIS, and staff images.

Planner Steele commented on the contextual zoning and land use stating the property is currently zoned UV. The immediate surrounding uses include to the north: traditional residential and Elmhurst Professional Plaza, to the South: Trine University, to the east: Trine University and traditional residential, and to the west: Trine University, Small/Medium General Commercial, and residential.

Planner Steele stated the Angola Comprehensive Plan speaks to several objectives in support of a project like this. Objective 1.5: Strongly encourage redevelopment of under-utilized, vacant, or abandoned structures and lots along with Object 2.4: Continue to support the initiatives of Trine University as a valued and critical community partner.

As of the meeting date, Theta-Xi of Kappa Sigma sent email correspondence on June 17th that they have no objection to the requests and look forward to the continued growth of the Trine Campus as a result of the legal notices noted Planner Steele.

Planner Steele finished by stating in conclusion staff is encouraged to see potential development on shovel-ready sites within the community. The variances present an opportunity to support the university's growth while ensuring responsible development. Additionally, the proposed development includes much-needed housing to support campus growth and parking to adequately support the university's needs.

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Planner Steele advised it should be noted that the development plan for the parking lots will appear on the agenda for the July 8th Plan Commission scheduled meeting. As previously noted, the Angola Common Council heard and approved the 1st reading of the rezoning request. Planner Steele stated staff recommends Conditional Approval on requested variances for each specific location; Parking Lot that Development Plan approval granted by the Angola Plan Commission for Parking Lot, Independent. And for the dormitory that Development Plan approval granted by the Angola Plan Commission for Residence Hall.

Planner Steele asked if there were any questions by board members for staff, none were noted.

Chairman Moore opened the public hearing. Gretchen Miller, Trine University, took to the stand thanking the board for their time. Gretchen stated that she had nothing further to speak about regarding the project, however, would be glad to answer any questions.

With no comments from the public, Chairman Moore closed the public hearing. Planner Steele presented the Findings of Fact for Woodhull's Addition Lots 66-69, Development Standard Section 18.72.040(E) Minimum Front Yard Setback to 0-ft: 2024-BZA-06001.1.

1. The approval of the variance will not be injurious to the public health, safety, morals and general welfare of the community because the setback of 0-ft is to incorporate the grand entry to the structure to include the overhang and columns to provide an appealing access point to the building. Additionally, the 0-ft setback will span approximately 60-ft while the remaining structure rests at an 8-ft setback. Landscaping and sidewalks are incorporated. All members present agreed, none opposed.

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 because the existing residential dwelling is currently setback approximately 4-ft from the right-of-way along Moss Street. All members present agreed, none opposed.

3. The strict application of the terms of the ordinance will result in practical difficulties in the use of the property because to the south of proposed dormitory location is a private access drive and parking currently utilized for campus functions and operations. All members present agreed, none opposed.

Chairman Moore asked for a motion. **Member Sutter made a motion to *approve* Development Standard for Minimum Front Yard Setback to permit at 0-ft with condition that development plan approval granted by the Angola Plan Commission for Residence Hall. Member Roe seconded the motion. All members present were in favor, none opposed.**

Planner Steele presented the Findings of Fact for Woodhull's Addition Lots 46-49, 52, and 53, Development Standard Section 18.160.360(B)(8) Parking Lot Setbacks (a) Front to permit 5-ft (b) Side to permit 0-ft: 2024-BZA-06001.2

1. The approval of the variance will not be injurious to the public health, safety, morals and general welfare of the community because the development respects all designated right-a-ways and easements to ensure safety for pedestrian and vehicular traffic in the area. All members present agreed, none opposed.

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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 because the development of parking lots is to alleviate traffic congestion on nearby streets. Furthermore, creating a more desirable and functional environment for adjacent residents and businesses. All members present agreed, none opposed.

3. The strict application of the terms of the ordinance will result in practical difficulties in the use of the property because the restrictions would significantly reduce available parking stalls, effectively eliminating the much-needed parking intended to serve the campus community. All members present agreed, none opposed.

Chairman Moore asked for a motion. **Member Roe made a motion to *approve* Development Standard for Woodhull's Addition Lots 46-49, 52, and 53, Development Standard Section 18.160.360(B)(8) Parking Lot Setbacks (a) Front to permit 5-ft (b) Side to permit 0-ft with condition that development plan approval from the Angola Plan Commission for Parking Lot, Independent. Member Ralston seconded the motion. All members present were in favor, none opposed.**

Planner Steele presented the Findings of Fact for Woodhull's Addition Lots 46-49, 52, and 53, Development Standard Section 18.160.120(A) Drive Standards - Separation; (1)(b) from Intersection 100-ft to 5-ft, (1)(b) 100-ft to 25-ft, (2)(b) between driveways from 45-ft to 0-ft, and Section 18.160.120(D) setback from property lines from 10-ft to 0-ft: 2024-BZA-06001.3

1. The approval of the variance will not be injurious to the public health, safety, morals and general welfare of the community because the developments are located on a 'local street' per the thoroughfare map that do not foresee high volumes of vehicular traffic. Dual access points will reduce the number of vehicles/exiting the individual drive, providing no dead-end parking aisles. Additionally, the developments aren't intended to increase traffic, rather adequately house the student body and means of transportation. All members present agreed, none opposed.

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 because the development will complement the surrounding area and developments aren't meant to increase traffic flow, rather adequate house vehicles internally rather than on street parking. All members present agreed, none opposed.

3. The strict application of the terms of the ordinance will result in practical difficulties in the use of the property because the developments are presented with limited locations for access points with their proximity to adjacent intersections and property lines. All members present agreed, none opposed.

Chairman Moore asked for a motion. **Member Ralston made a motion to *approve* Development Standard for Woodhull's Addition Lots 46-49, 52, and 53, Development Standard Section 18.160.120(A) Drive Standards - Separation; (1)(b) from Intersection 100-ft to 5-ft, (1)(b) 100-ft to 25-ft, (2)(b) between driveways from 45-ft to 0-ft, and Section 18.160.120(D) setback from property lines from 10-ft to 0-ft with condition that development plan approval from the Angola Plan Commission for Parking Lot, Independent. Member Thomas seconded the motion. All members present were in favor, none opposed.**

Planner Steele presented the Findings of Fact for Woodhull's Addition Lots 52 and 53, Development Standard Section 18.172.060(B)(1); Buffer Yard Planting Standards to be waived: 2024-BZA-06001.4.

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1. The approval of the variance will not be injurious to the public health, safety, morals and general welfare of the community because proper landscaping requirements are being met to ensure adequate visual breaks from University District to Traditional Residential and development itself. All members present agreed, none opposed.

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 because the development will complement the surrounding area and provide much needed parking to the area. Additionally, provide a safer area for adjacent properties to park and commute. All members present agreed, none opposed.

3. The strict application of the terms of the ordinance will result in practical difficulties in the use of the property because buffer yards to be a minimum of 20 feet deep would eliminate eleven parking spaces in this designated area. All members present agreed, none opposed.

Chairman Moore asked for a motion. **Member Sutter made a motion to *approve* Development Standard for Woodhull's Addition Lots 52 and 53, Development Standard Section 18.172.060(B)(1); Buffer Yard Planting Standards to be waived with condition that development plan approval from the Angola Plan Commission for Parking Lot, Independent. Member Roe seconded the motion. All members present were in favor, none opposed.**

Planner Steele presented the Findings of Fact for Woodhull's Addition, Development Standard Section 18.72.040(I); Maximum Lot Coverage to permit 85 percent for Lots 46-49, 85 percent for Lots 52/53, 75 percent for 66-69, and 80 percent for lots 54/55: 2024-BZA-06001.5.

1. The approval of the variance will not be injurious to the public health, safety, morals and general welfare of the community because extensive measures are being taken to ensure proper stormwater management approved by Indiana Department of Environmental Management (IDEM) and adequate pedestrian traffic throughout campus. All members present agreed, none opposed.

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 because the design incorporates landscaping and proper stormwater management, ensuring the continued functionality of the area. Additionally, increasing the lot coverage for the parking lots pulls vehicles from street parking making surrounding local streets less congested. All members present agreed, none opposed.

3. The strict application of the terms of the ordinance will result in practical difficulties in the use of the property because the lots designed in the late 1800s are too small to accommodate the scale of development proposed. Furthermore, the campus aims to respect the lot lines rather than consolidating all the campus properties into a single lot. All members present agreed, none opposed.

Chairman Moore asked for a motion. **Member Ralston made a motion to *approve* Development Standard for Woodhull's Addition, Development Standard Section 18.72.040(I); Maximum Lot Coverage to permit 85 percent for Lots 46-49, 85 percent for Lots 52/53, 75 percent for 66-69, and 80 percent for lots 54/55with condition that development plan approval from the Angola Plan Commission for Residence Hall and Parking Lot, Independent. Member Thomas seconded the motion. All members present were in favor, none opposed.**

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Planner Steele presented the Findings of Fact for Woodhull's Addition Lot 54 and Lot 55, Development Standard Section 18.172.510(C)(1) to permit Trash Receptacle in Front Yard: 2024-BZA-06001.6.

1. The approval of the variance will not be injurious to the public health, safety, morals and general welfare of the community because the proposed location is meeting side yard setbacks and positioned 25-ft from the right-of-way of Kinney St. Additionally, the trash receptacle will be screened with permitted material. All members present agreed, none opposed.

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 because the development will properly screen the trash receptable for this property providing a more aesthetic environment from its existing state. All members present agreed, none opposed.

3. The strict application of the terms of the ordinance will result in practical difficulties in the use of the property because of the existing site layout and consisting of three front yards. Additionally, shifting from its current location provides additional parking and easy collection vehicle maneuverability. All members present agreed, none opposed.

Chairman Moore asked for a motion. **Member Roe made a motion to *approve* Development Standard for Woodhull's Addition Lot 54 and Lot 55, Development Standard Section 18.172.510(C)(1) to permit Trash Receptacle in Front Yard with condition that development plan approval from the Angola Plan Commission for Parking Lot, Independent. Member Sutter seconded the motion. All members present were in favor, none opposed.**

Planner Steele advised all members that there was no meeting in July for lack of agenda items.

With no other business Chairman Moore adjourned the June 24, 2024 meeting at 5:33 p.m.

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Brant Moore, Chairman Date

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Brett Steele, Secretary Date

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