

Overview

Edgemere Development is proposing to construct a 48-unit multi-family 4-story building with a 13,500 +/- SF containing a mix of one and two-bedroom apartments, as well as community space, 42 parking spaces, and associated site improvements.

One variance from the Form Based Code is required:

Item	Required	Proposed	Comment
Section VI Mixed Use Development Subarea Façade Requirements Residential Transparency	50% Ground Floor 40% Upper Story	25% overall	Structural requirements preclude additional transparency

Tests for Granting Area Variances

- 1) *Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created.*

This neighboring property is Trolley Station Apartments, a 48-unit income restricted development; Parkside Apartments will not have a deleterious effect on the neighborhood.

- 2) *Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.*

Increasing the transparency required minimum would be challenging in a number of ways:

- The proposed facade already has more glazing than is typically budgeted for an affordable apartment project and substantially increasing that would be cost prohibitive.
- The building will be wood framed (this is constrained by cost), and the design needs to take into account how much wall is maintained for load-bearing purposes.
- A certain minimum continuous width of solid walls without openings must be maintained in order to properly design a shear wall system that will resist wind and other lateral forces.

3) *Whether the requested area variance is substantial.*

Minimum Transparency Requirement

Code requires: 50% Ground Floor and 40% Upper Story

Request: 25 % Overall

The 28-ft reduction in the side setback is substantially “offset” by the presence of a 20-ft-wide pipeline easement on the property to the west of the proposed addition, therefore the side setback reduction should not be considered substantial. The property to the west is vacant and undeveloped – the pipeline easement effectively precludes development near the common property line; therefore, the setback reduction will not be discernable to the casual observer.

4) *Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.*

The proposed transparency meets or exceeds that of the neighboring building and of similar developments and will not have any deleterious effect on the neighborhood.

5) *Whether the alleged difficulty was self-created, which consideration shall be relevant to decision of the ZBA, but shall not necessarily preclude the granting of the area variance.*

This difficulty is admittedly self-created, as the applicant is choosing to construct affordable housing rather than market-rate apartments with a different set of project economics.