

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-DV3-031
Address: 2802 and 2806 Washington Boulevard (approximate address)
Location: Center Township, Council District #9
Zoning: D-5
Petitioner: IGS Holdings LLC, by Mark Young
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a quadplex on each lot, with a 2.8-foot south side yard setback at 2806 Washington Boulevard (five-foot side yard setbacks required) and a five-foot corner side yard setback at 2802 Washington Boulevard and 2.5-foot north side yard setback, with the building encroaching within the clear sight triangle of the intersection of Washington Boulevard and 28th Street (eight-foot corner side yard setback required, encroachment within clear sight triangles prohibited).

RECOMMENDATIONS

Staff **recommends approval** of this request.

SUMMARY OF ISSUES

LAND USE

EXISTING ZONING AND LAND USE

D-5	Undeveloped
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SURROUNDING ZONING AND LAND USE

North - D-5	Single-family dwelling
South - PK-1	Park
East - C-1	Parking lot for commercial office
West - D-5	Single-family dwellings

COMPREHENSIVE PLAN

The Comprehensive Plan recommends 8-15 dwelling units per acre for the site.

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ Setbacks are required to keep a minimum distance between property improvements and help reduce drainage overflows onto adjacent properties. Additionally, setbacks provide the required space needed to construct and maintain structures on a property without requiring access through adjacent properties. A setback of less than three feet from the property line requires additional fire-rating.

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- ◇ For the five-foot corner side setback request, the existing right-of-way along this portion of East 28th Street is 49 feet, which encroaches into the subject site corner side yard approximately seven feet from the sidewalk. Therefore, the proposed dwelling would have a corner side setback of 12 feet from the sidewalk and would meet the intent of the corner side setback. Staff believes that the requested reduced corner setback would have no impact on the streetscape or the surrounding property owners and would represent a minor deviation from the Ordinance.
- ◇ The proposed 2.5-foot north side yard setback at 2802 Washington Boulevard and the 2.8-foot south side yard setback at 2806 Washington Boulevard would be between the two proposed quadplex's. Therefore, Staff believes the combined 5.3-foot separation between the two quadplex's would have no negative impact on adjacent properties and would be sufficient for maintenance and upkeep. The request would represent a minor deviation from the Ordinance.
- ◇ The Ordinance states "no obstructions shall be erected, placed, planted or allowed to grow in such a manner as to materially impede visibility between the heights of 2.5 feet and 8 feet above grade level of the adjoining right-of-way within a Clear Sight Triangular Area." The clear sight triangular area is formed by the right-of-way centerline and the centerline of the driveway or adjacent right-of-way and the line connecting the two end points. The clear-sight triangle requirement is to provide for sight visibility for motorists at an intersection. Reduction in visibility at intersections would increase the possibility of motorists or pedestrian accidents.
- ◇ The proposed encroachment into the clear sight triangle is to allow for the proposed quadplex's to have front setbacks similar to other dwellings within the same block, as recommended by the Housing Infill Guidelines. The clear sight triangle at this northwest corner would be irrelevant, as Washington Boulevard is one way north, and there would be no vehicles traveling south and turning west onto East 28th Street that would need the sight lines. Vehicles traveling east on 28th Street and turning left or north onto Washington Boulevard would have sufficient site lines as the traffic stop bar for east bound traffic would provide for an approximate car length of clear site viewing of oncoming traffic and pedestrians. Therefore, Staff believes that the requested encroachment into the clear site triangle would represent a minor deviation from the Ordinance.

GENERAL INFORMATION

THOROUGHFARE PLAN

This portion of Washington Boulevard is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary arterial, with a 60-foot existing and proposed right-of-way.

This portion of East 28th Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 49-foot existing and proposed right-of-way.

SITE PLAN

File-dated August 9, 2023.

FINDINGS OF FACT

File-dated August 9, 2023.

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ZONING HISTORY

2016-UV2-005; 2801 North Talbott Street and 2802 North Delaware Street (west of site), requested a Variance of use and development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of two, four-story multi-family buildings, containing 47 total units and 32 parking spaces, **approved.**

2013-HOV-045; 2902 Washington Boulevard (north of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of an 816-square foot single-family dwelling, with 10 and 12-foot front setbacks, from 29th Street and Washington Boulevard, respectively, with the proposed front porch being within the clear-sight triangle of Washington Boulevard and 29th Street, and creating an open space of 53.9%, **approved.**

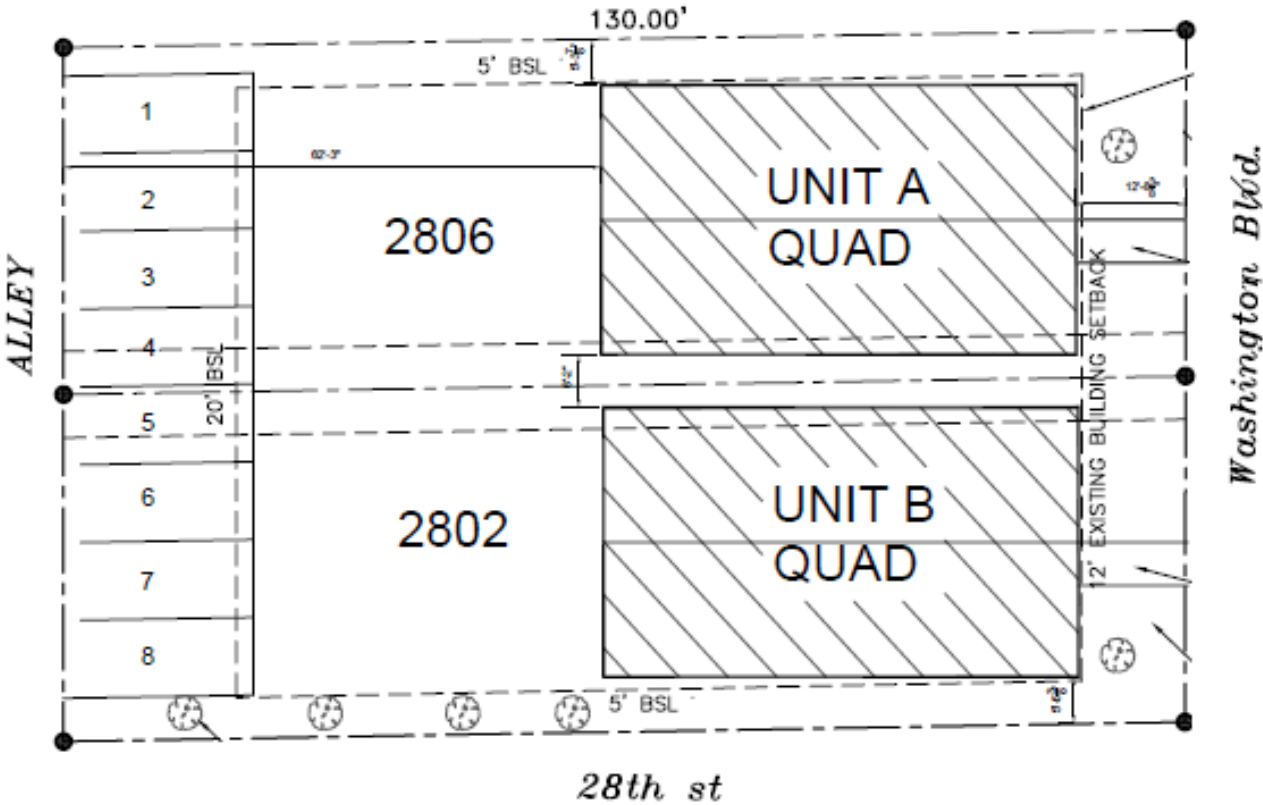
2006-ZON-823 / 2006-VAR-823; 300 East Fall Creek Parkway North Drive (south of site), requested a rezoning of 2.69 acres, from the PK-1 district, to the C-1 classification to provide for an off-street parking lot, and a variance of development standards of the Commercial Zoning Ordinance to provide for a family restaurant use, with a 576-square foot outdoor seating area, with six parking spaces with a 1.2-foot setback along Fall Creek Parkway North Drive, and to provide for two parking spaces with a 4.1-foot setback along Washington Boulevard, **approved.**

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2023-DV3-031; Location Map



2023-DV3-031; Site Plan



2023-DV3-031; Photographs



Front of 2802 Washington Boulevard subject site, looking west.



Front of 2806 Washington Boulevard subject site, looking west.



Adjacent property to the north, looking west.



Adjacent properties to the west, looking east.



Adjacent property to the east.



Adjacent Park property to the south.