

STAFF REPORT

Department of Metropolitan Development
Division of Planning
Current Planning Section

Case Number: 2023-CZN-817 / 2023-CVR-817
Address: 5959 East 38th Street and 3700, 3742 and 3790 North Alington Avenue
(Approximate Address)
Location: Warren Township, Council District #13
Petitioner: Horizon Bank, by Joseph D. Calderon
Requests: Rezoning of 5.8 acres from the MU-2 (FW) (FF) (TOD) and C-4 (FW) (FF) (TOD) district to the MU-2 (FW) (FF) (TOD) district to provide for a mixed-use development.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for:

- a) Building heights of 50 feet for multi-family structures (maximum 35 feet permitted),
- b) A drive-through service unit located on the side of a proposed bank and not accessed by an alley (required to be located behind building and be accessed by an alley),
- c) Improvements located within the 60-foot Stream Protection Corridor of Pogues Run (not permitted),
- d) With deficient interior parking lot landscaping (not permitted),
- e) With parking located in front of proposed buildings with a zero-foot setback (parking prohibited in front of buildings, 50-foot setback required),
- f) With portions of proposed buildings located behind the required Front Building Line (0'-10' building line required).

A timely automatic continuance was filed by a registered neighborhood organization **continuing this petition from the April 27, 2023 hearing, to the May 25, 2023 hearing**. This would require acknowledgement from the Hearing Examiner.

kb
