

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-UV3-009 (Amended)
Address: 1330 Sadlier Circle West Drive (approximate address)
Location: Warren Township, Council District #18
Zoning: I-1 (FF) (FW)
Petitioner: Calloway Group LLC, by David Gilman
Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a freestanding building and associated parking with a four-foot south side yard setback and zero-foot front yard setback (10-foot side yard, 30-foot front yard setback required) and deficient landscaping.

ADDENDUM FOR JUNE 20, 2023

Due to an indecisive vote by the Board, this petition was automatically continued from the May 23, 2023, hearing, to the June 20, 2023, hearing.

At the May 23, 2023, hearing, the petitioner withdrew the portion of the request to provide for the operation of a semi-tractor and trailer light maintenance business. Therefore, **Staff is now recommending approval** of the request as amended.

May 23, 2023

RECOMMENDATIONS

Staff **recommends denial of the request as proposed.**

The petitioner has indicated their intent to withdraw the request for a variance of use to provide for the operation of a semi-tractor and trailer light maintenance business. This withdrawal will need to be acknowledged by the Board.

Staff will then **recommend approval of the amended request**, for the proposed variance of development standards to provide for a building with a four-foot south side yard setback and zero-foot front yard setback and deficient landscaping.

SUMMARY OF ISSUES

LAND USE

EXISTING ZONING AND LAND USE

I-1 Undeveloped

(Continued)

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SURROUNDING ZONING AND LAND USE

North -	I-1	Commercial / Warehouse Structure
South -	I-1	Commercial / Warehouse Structure
East -	I-1	Commercial / Warehouse Structure
West -	I-2	Commercial / Warehouse Structure

COMPREHENSIVE PLAN The Comprehensive Plan recommends light industrial uses and designates floodway and 100-year flood plain for portions of the site.

VARIANCE OF USE

- ◇ The Consolidated Zoning and Subdivision Ordinance, specifically as it relates to the I-1 District, was developed to promote light industrial uses within areas where industries can carry on their entire operation within a completely enclosed building in a manner where no nuisance factor is created or emitted outside an enclosed building. Uses within the I-1 District range from warehousing, wholesaling, and industrial schools or training facilities.
- ◇ The proposed use for the operation of a semi-tractor and trailer light maintenance business is not permitted in the flood plain, and if not withdrawn, would need to be continued with notice for an additional variance of use.

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ The subject site is located adjacent to other industrial and commercial uses that have similar reduced setbacks that were granted through a Special Exception request (2010-SE2-003). The subject site was not included in that request.
- ◇ As the subject site is the last remaining undeveloped parcel in the industrial park, the proposed amended request would provide for the subject site to be developed in a similar fashion as the other parcels in the industrial park.
- ◇ The narrowness in width of the site, requires a reduced southside setback to allow for driveway access to the rear of a proposed structure. The concept site plan shows a structure outside of the required setback, and only the driveway to the rear, needing the reduced south setback.
- ◇ Approximately 60 feet of the front yard is within the floodway. The required landscaping in this area, would hinder the flow of any future floodwaters, causing floodwater displacement out of the floodway. Therefore, Staff is agreeable to the request for deficient landscaping.
- ◇ In Staff's opinion, the proposed amended request would be a minor deviation from the Ordinance and is supportable by Staff.

(Continued)

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GENERAL INFORMATION

THOROUGHFARE PLAN	Sadlier Circle West Drive is a private drive and not indicated on the Official Thoroughfare Plan for Marion County, Indiana.
SITE PLAN	File-dated March 17, 2023.
PLAN OF OPERATION	File-dated March 17, 2023.
FINDINGS OF FACT	File-dated March 17, 2023.

ZONING HISTORY

2018-UV1-036; 1414 (1410-tenant) Sadlier Circle West Drive (south of site), requested a variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a fitness center, **granted**.

2010-SE2-003; 1304-1441 Sadlier Circle, West Drive, 1341-1347 and 1504 Sadlier Circle, South Drive, 1311-1438 Sadlier Circle, East Drive (south and east of site), requested a special exception of the Industrial Zoning Ordinance to provide for an industrial park, with internal private streets, with variances of development standards of the Industrial Zoning Ordinance to legally establish: Parking areas for 1304 Sadlier Circle, West Drive occupying 30% of the front yard; Parking areas for 1352-1354 Sadlier Circle, West Drive occupying 90% of the front yard, and with a fence with barbed wire in the front yard; Parking areas for 1402-1430 Sadlier Circle, West Drive occupying 22% of the front yard; Parking areas for 1504 Sadlier Circle, South Drive occupying 25% of the front yard; Parking areas for 1365-1367 Sadlier Circle, South Drive occupying 76% of the front yard, and with vehicle maneuvering in the private street; Parking areas for 1341-1347 Sadlier Circle, South Drive occupying 38% of the front yard, and with vehicle maneuvering in the private street, and with deficient parking space dimensions; Side building setback of 15 feet and parking areas for 1335 Sadlier Circle, East Drive occupying 100% of the front yard, with parking and maneuvering within 10 feet of the interstate; Side building setback of two feet at 1327 Sadlier Circle, East Drive and with parking and maneuvering 10 feet from the interstate; Front building setback of zero feet at 1322-1440 Sadlier Circle, East Drive with parking areas occupying 40% of the front yard; and Deficient parking space dimensions for 1327-1441 Sadlier Circle, West Drive, **granted**.

2001-HOV-051; 7401 Brookville Road (east of site), requests a Variance of Development Standards of the Industrial Zoning Ordinance to legally establish two buildings located in Lincoln Center East Industrial park; 1335 Sadlier Drive with a rear setback of 25 feet, 1504 Sadlier Drive with a rear setback of 10 feet, 1352 and 1354 Sadlier Drive with a rear setback of 24 feet, 1311 Sadlier Drive with parking and maneuvering areas occupying more than ten percent of the total area of the required front yard, and six parking and maneuvering areas located zero to ten feet from a federal interstate highway, in I-1-S, **granted**.

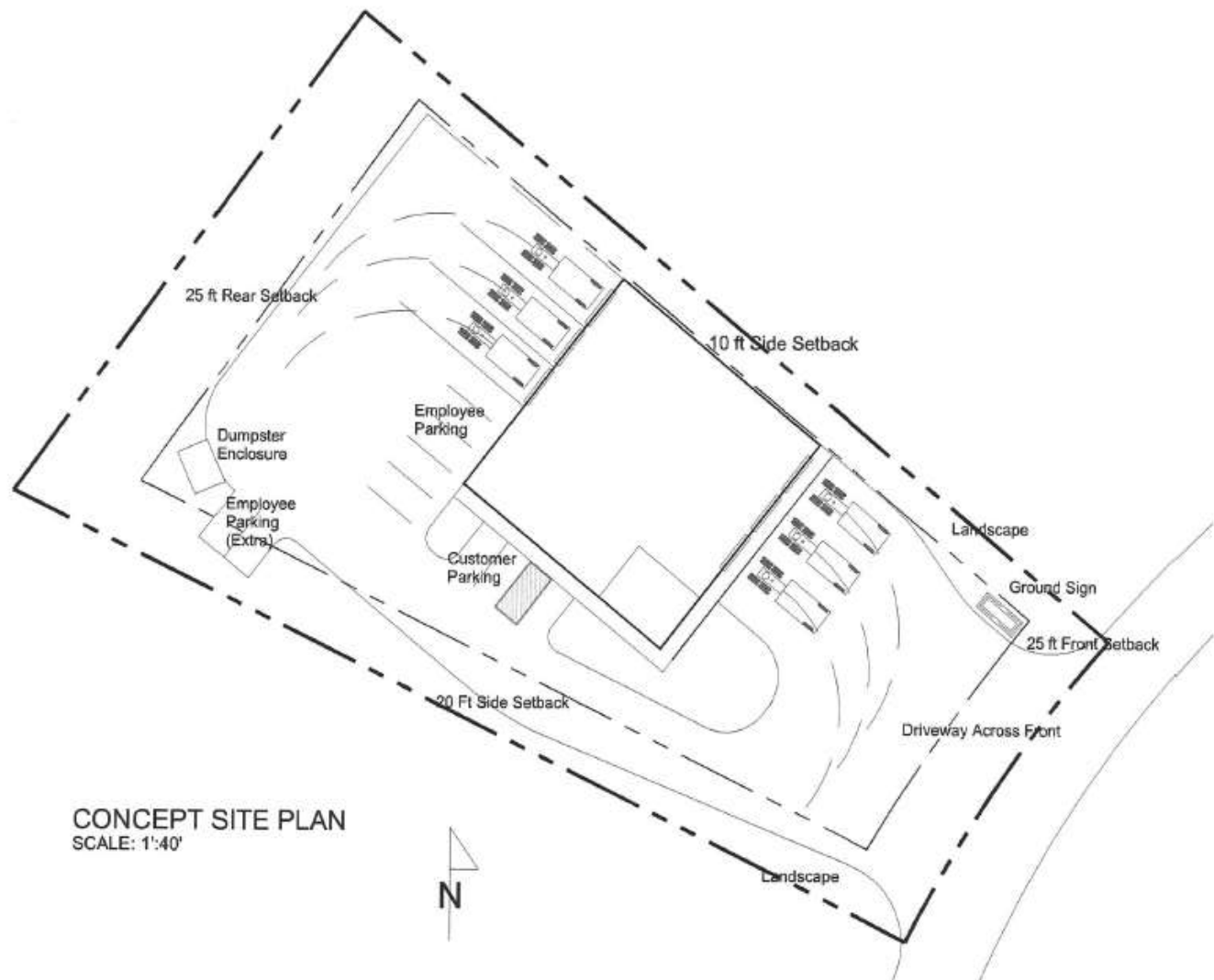
99-UV2-20; 1311 Sadlier Circle East Drive (east of site), requested a Variance of Use and Development Standards of the Industrial Zoning Ordinance to provide for an automotive repair facility in an existing building with 13,000 square feet of outdoor storage, in I-1-S, **granted**.

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2023-UV3-009: Location Map



2023-UV3-009: Site Plan



2023-UV3-009: Plan of Operation

PLAN OF OPERATION

Petitioner proposes to use the site for a semi-tractor and trailer maintenance facility. The maintenance activities will be limited to the following:

Services:

- *Tire Changes for truck and trailers
- *Air Brake system preventive maintenance
- *Wheel and Trailer Alignment
- *Air Filter Replacement
- *Wiper Blades Replacement
- *Interior Truck Accessories

All work will be done within the enclosed building and there will be not outdoor operations.

The business will operate normal business hours Monday to Friday 7am to 6pm and Saturday 7am to 3pm Closed on Sundays.

2023-UV3-009: Photographs



View of subject site, looking west.



Adjacent use to the south of site.



Adjacent use to the east of site.



Adjacent uses to the north of site, looking northwest