

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-CAP-850 / 2023-CVR-850
Address: 8545 South Emerson Avenue (*Approximate Address*)
Location: Franklin Township, Council District #25
Zoning: C-S
Petitioner: Landmark Holdings 8601 LLC, by Tammy Rice
Request: Modification of the approved C-S Statement, related to 2005-ZON-169, to provide for three integrated pylon signs (maximum two integrated pylon signs permitted).

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the erection of a third primary freestanding sign within an integrated center (maximum of two freestanding signs permitted).

RECOMMENDATION

Staff **recommends approval of these requests.**

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation.

LAND USE

- ◇ This subject site is part of an integrated center that runs along Emerson Avenue from Noggle Way north to the Heathwood neighborhood. The integrated center was farmland until 2015 when the grocery at the corner of Emerson Avenue and Noggle Way was built. Development of the integrated center has continued since that time.
- ◇ The I-65 / County Line Road Strategic Plan, a segment of the Indianapolis/Marion County Comprehensive Plan, recommends Interchange Area Mixed-Use for the site. This typology provides for a wide range of uses appropriate to the vicinity of interstate interchanges, including medium- to large-scale regional commercial areas.

(Continued)

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- ◇ The Strategic Plan also makes design recommendations. For signs in the subject area, the plan states that “Signs should be architecturally compatible with and accentuate the buildings and landscaping on the site in terms of colors, materials, and style. . . An excessive number of signs and excessively large signs are discouraged.”

MODIFICATION OF DEVELOPMENT STATEMENT

- ◇ The site was the subject of a 2005 petition (2005-ZON-169) that rezoned the site to the C-S district. The C-S district is intended to provide for adaptability and flexibility within the established zoning controls by allowing a petitioner to submit an individualized list of potential land uses and a site plan for review and approval of the Metropolitan Development Commission. The site plan may fall anywhere in the range of specificity from conceptual to highly detailed. Future development on the site is expected to be substantially in compliance with the approved site plan.
- ◇ The C-S district was established in part to encourage a more creative approach to land planning and superior site and structural design and development. As such, development in C-S districts should be at least to the same level of quality, and ideally a higher level of quality, as other districts that permit the proposed uses.
- ◇ The development statement approved with the 2005 petition committed to a list of development standards including the following statement concerning signs: “The project shall include not more than two integrated commercial center pylon signs on Emerson Avenue.”

VARIANCE

- ◇ This petition includes a variance of development standards to provide for the erection of a third primary freestanding sign within an integrated center where a maximum of two freestanding signs are permitted.
- ◇ The Ordinance seeks to limit the proliferation of signs. Among the ways the Ordinance does this is to limit the number of primary freestanding signs to two and also by requiring separation between primary freestanding signs. A site must have at least 500 feet of street frontage to qualify for a second primary freestanding sign, and the signs must be at least 300 feet apart.

(Continued)

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- ◇ The subject integrated center runs an exceptionally long distance along Emerson Avenue, approximately 1940 feet or more than one-third of a mile. Pylon signs have been erected at the southern point of the center and approximately at its mid-point. The southern, lower sign identifies the grocery and its gas station. The mid-point sign identifies the integrated center and includes spaces for the individual tenants and outlots.
- ◇ The proposed sign would be located in the northern third of the integrated center. It would match the design of the mid-point sign and would identify the center and the individual tenants and outlots. Center signs with spaces for the individual tenants and outlots help reduce the proliferation of signs by aggregating the identification of the businesses in the center.
- ◇ The proposed sign would be 600 feet north of the existing taller pylon sign, meeting the separation standard of the Ordinance.
- ◇ Given the size of the integrated center, the separation distance of the freestanding signs, and the effect of reducing the overall number of signs through their aggregation on one sign, staff recommends approval of this petition. However, staff would be unlikely to recommend approval of any additional primary freestanding signs along this frontage in the future.

GENERAL INFORMATION

EXISTING ZONING, CONTEXT AREA, AND LAND USE

C-S	Metro	Vacant
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SURROUNDING ZONING AND LAND USE

North	C-S	Vacant
South	C-S	Vacant lots
East	C-S	Vacant
West	C-S	Vacant

COMPREHENSIVE LAND USE PLAN The I-65 / County Line Road Strategic Plan (2008) recommends Interchange Area Mixed-Use.

THOROUGHFARE PLAN Emerson Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Primary arterial, with a 140-foot existing right-of-way and a 119-foot proposed right-of-way.

(Continued)

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FLOODWAY / FLOODWAY FRINGE	The site is not located within a floodway or floodway fringe.
WELLFIELD PROTECTION DISTRICT	The site is not located within a wellfield protection district.

ZONING HISTORY – SITE

2005-ZON-169; 8601 & 8651 South Emerson Avenue, requested the rezoning of 58 acres from the D-A district to the C-S district to provide for commercial uses, hospital and hospital related uses, and multi-family dwellings as permitted by the C-4, HD-1, and D-7 districts, **approved**.

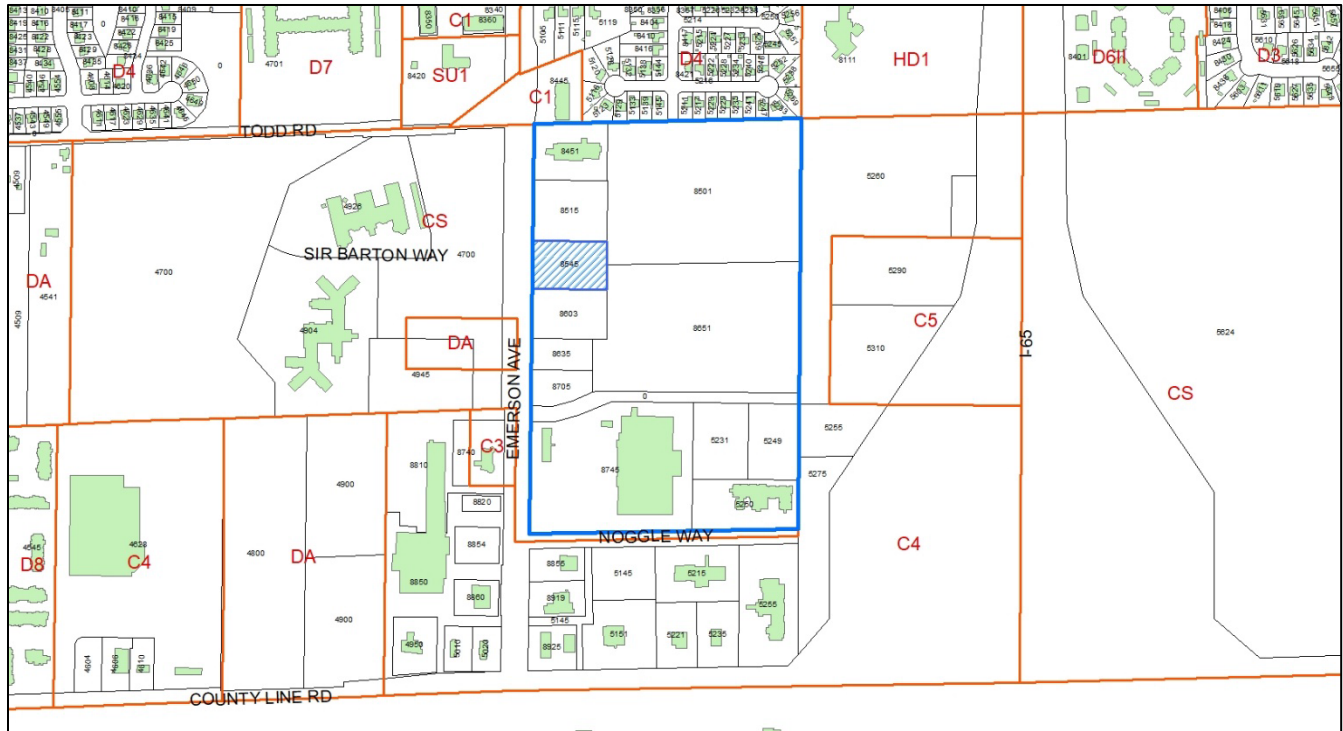
2003-ZON-153; 8601 South Emerson Avenue, requested the rezoning of 56.5 acres from the D-A district to the C-4 district, **withdrawn**.

ZONING HISTORY – VICINITY

85-Z-182; 4801 East Ralston Road (west of site), requested the rezoning of 61.8 acres from the A-2 district to the C-S district to provide for hospital uses, **approved**.

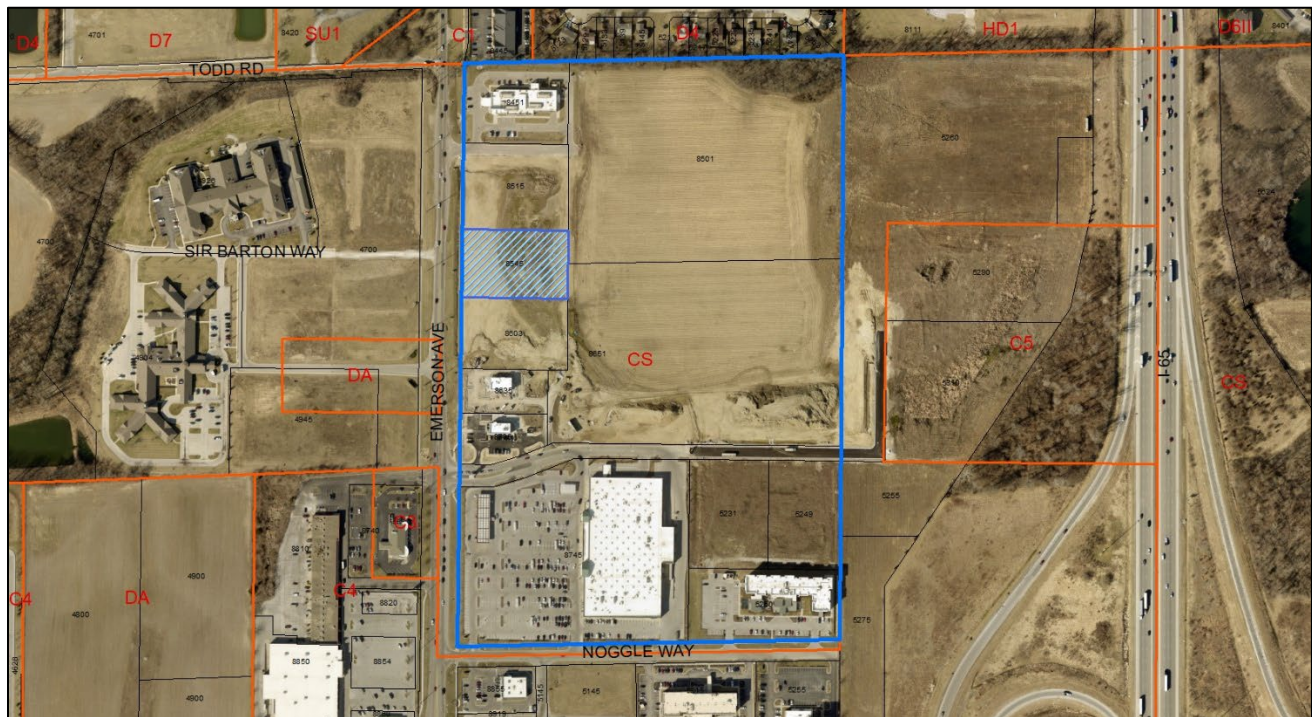
klh

STAFF REPORT 2023-CAP-850 / 2023-CVR-850, Location



Subject is within the hatched area. The blue outline is the extents of 2005-ZON-169.

STAFF REPORT 2023-CAP-850 / 2023-CVR-850, Aerial photograph (2022)



STAFF REPORT 2023-CAP-850 / 2023-CVR-850, Sign Elevation

QTY: (1)

SB-1

scale: 3/8" = 1'

CLAYBROOKE commons
Indianapolis, Indiana

PYLON SIGN

D/F ILLUMINATED MULTI-TENANT
ANGLE / TUBE FRAME CONSTRUCTION
ALUMINUM .090 CLADDING
SECTIONAL FRAMES / MP FINISH

OUTER / INNER COVER

ALUMINUM 2" FRAMING
ALUMINUM .090 CLADDING

CLAYBROOKE COMMONS

ALUMINUM .090 ROUTED FACES
CLEAR 1" PUSH THRU ACRYLIC
APPLIED TRANS WHITE 2ND SURFACE
AVL SAMSUNG LED ILLUMINATION

TENANT SIGNS






ALUMINUM EXTRUDED FRAMING
AVL SAMSUNG LED ILLUMINATION
WHITE 3/16" LEXAN FACES
MP PAINTED FINISH
3" SEPARATION BARS - SATIN SILVER

FOUNDATION

(1) STEEL 12" SQUARE TUBE POLE
SET IN A CONCRETE FOUNDATION
(2) DEDICATED 20 AMP CIRCUITS REQUIRED

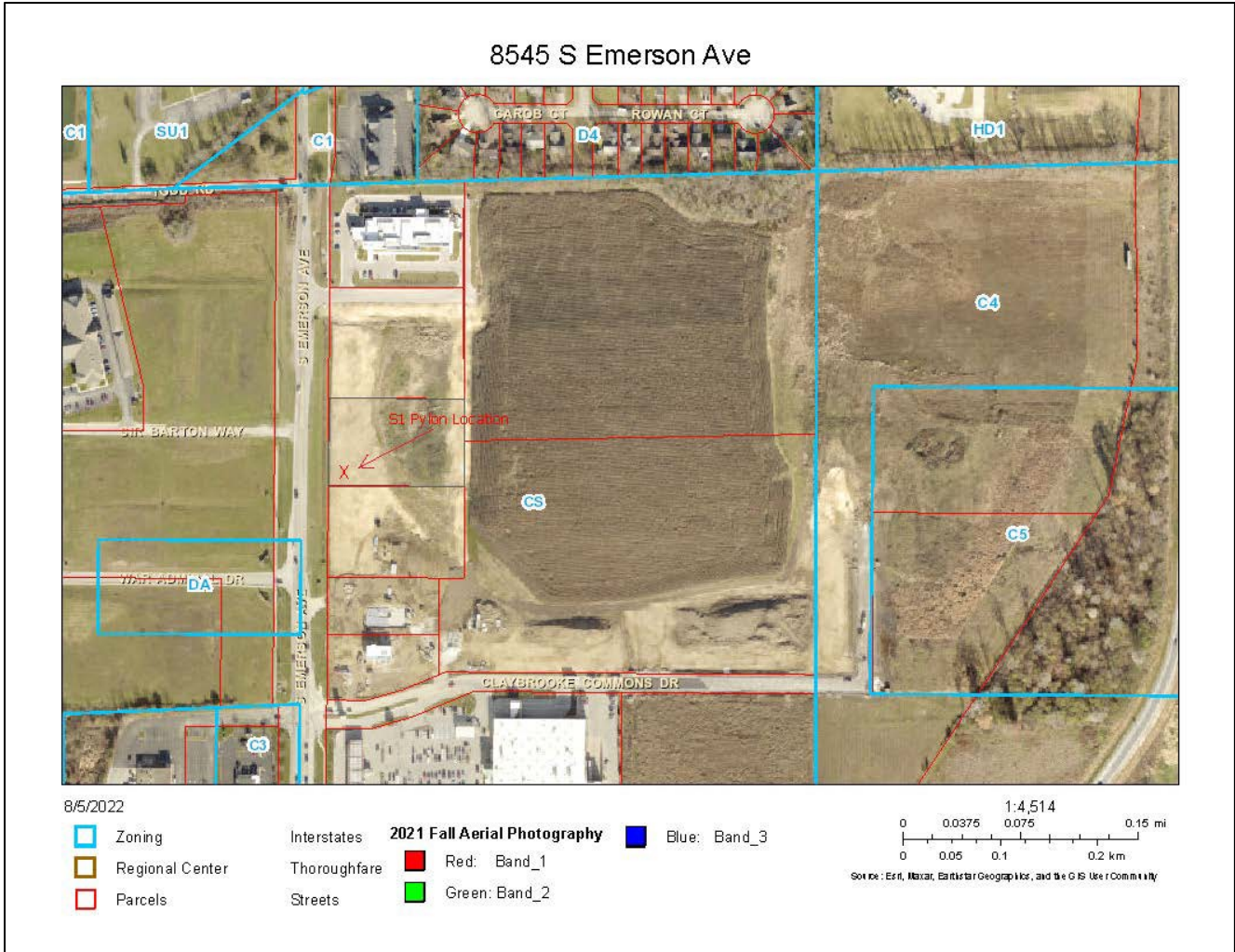
STONE BASE

BY OTHERS

	PMS 484
	PMS Cool Gray 8C
	PMS 468
	PMS Cool Gray 10C
	MP27916 Pale Bronze Metallic - Satin



STAFF REPORT 2023-CAP-850 / 2023-CVR-850, Site Plan



STAFF REPORT 2023-CAP-850 / 2023-CVR-850, Variance Findings of Fact

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA**

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

the pylon sign is compliant with code and will help alleviate confusion for traffic to identify what tenants are located within the commercial use property

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The pylon sign will not create any additional need for multi-modal access, such as parking and loading areas, transit provisions and bicycle facilities

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

The zoning ordinance allows 2 freestanding signs per integrated center. This center--Claybrooke Commons-- is a rather large integrated center and the 2 allowed signs are in front of the anchor store of Kroger. There are many outlots within this integrated center that do not have an option for a freestanding sign unless a variance is filed and board approves. This proposed pylon sign will give an opportunity for many new businesses to advertise their location as this will be along a very bust street. Without this pylon sign many people would be slowing down on this busy street, possibly causing accidents, to look to see where business are within the integrated center.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____

_____	_____
_____	_____
_____	_____

STAFF REPORT 2023-CAP-850 / 2023-CVR-850, Photographs



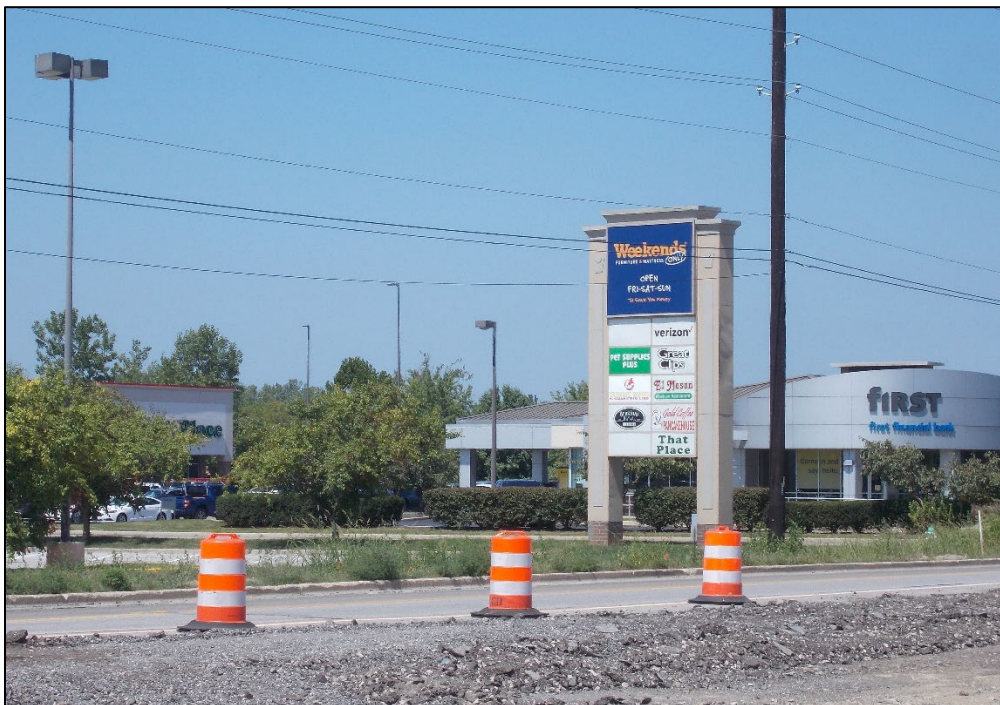
Looking north along Emerson Avenue. The proposed pylon sign would be located approximately in the right middle-ground of the photo.



Looking south along Emerson Avenue to the existing taller pylon sign.



Looking north along Emerson Avenue. The shorter existing pylon sign is in the right foreground. The taller existing pylon sign is mostly hidden by trees in the middle of the photograph.



Looking northwest across Emerson Avenue at a freestanding sign for the neighbor to the west.



Looking west across Emerson Avenue at monument signs across from the proposed pylon sign.