

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-UV2-006
Address: 2320 Duke Street (approximate address)
Location: Washington Township, Council District #9
Zoning: I-1 (W-1)
Petitioner: Sweezy & Sweezy Properties LLC, by David Kingen
Request: Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the use of a rubber press, a Heavy Manufacturing operation (not permitted).

RECOMMENDATIONS

Staff **recommends approval** of this petition, subject to the following commitment:

The variance grant shall be subject to substantial compliance with the submitted site plan, and plan of operation, both file-dated April 7, 2023.

SUMMARY OF ISSUES

LAND USE

EXISTING ZONING AND LAND USE

I-1	Mechanical Contractor
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SURROUNDING ZONING AND LAND USE

North -	I-1	Single-family dwellings / Industrial
South -	I-2	Research lab
East -	C-3	Commercial
West -	I-1	Single-family dwellings / Industrial

COMPREHENSIVE PLAN	The Comprehensive Plan recommends Light Industrial uses for the site.
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- ◇ The subject site was granted a previous variance of use (97-UV1-63), to provide for the operation of a mechanical contractor, within an existing building.

VARIANCE OF USE

- ◇ This petition proposes to provide for the use of a single rubber press, a Heavy Manufacturing operation inside the existing building, currently used by a mechanical contractor.
- ◇ The press itself would be considered a medium manufacturing use, but with the addition of the heat, it is classified as a heavy manufacturing operation.

(Continued)

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- ◇ The proposed use is not consistent with the Comprehensive Plan, which proposes light industrial use for the site. The proposed use is an I-3 or I-4 use, which is considered compatible with medium and heavy industrial uses, but not normally with light industrial uses. The area near the site is a mixture of industrially zoned residences, industrial uses, and commercial uses.
- ◇ The proposed use would be compatible with the surrounding area and would not interfere with the implementation of the Plan, provided that it is limited in such a way as to not hinder the use and enjoyment of the surrounding residential properties. Therefore, Staff is recommending approval subject to the submitted site plan, which limits the use to one press to be located inside the building. In addition, Staff is recommending approval subject to the plan of operation, which limits the use as a small facility with normal operating hours.
- ◇ Therefore, in Staff's opinion, the proposed variance of use would represent a minor deviation from the Ordinance.

GENERAL INFORMATION

THOROUGHFARE PLAN	This portion of Duke Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 48-foot existing and proposed right-of-way.
SITE PLAN	File-dated April 7, 2023
PLAN OF OPERATIONS	File-dated April 7, 2023
FINDINGS OF FACT	File-dated April 7, 2023

ZONING HISTORY

2018-UV2-003; 2307 Duke Street (south of site), requested a variance of use of the Consolidated Zoning and Subdivision Ordinance to legally establish a dwelling unit associated with an office and research lab, **granted**.

2017-UV1-009; 2302 East 44th Street (south of site), requested a variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance, to provide for automobile repair and outdoor storage of vehicles, with parking in the front yard of 44th Street, and parking and maneuvering within the right-of-way of 44th Street, **granted**.

2008-UV1-029; 2220 East 44th Street (southwest of site), requested a variance of use of the Industrial Zoning Ordinance to provide for a meeting place and assembly hall for a social club, within a 3,000-square foot tenant space in an existing industrial building, **granted with conditions**.

2004-DV2-003; 2207 Duke Street (west of site), requested a variance of development standards of the Industrial Zoning Ordinance to legally establish a 3,072-square foot machine shop and to provide for a 1,200-square foot addition with a five-foot east side yard setback, **granted**.

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2002-ZON-846/2002-VAR-846; 2114 Clay Street and 4630, 4380, and 4390 North Keystone Avenue (south of site), requested the rezoning of 0.9 acre from C-5 (W-1) to C-4 (W-1), to provide for regional commercial uses, **approved**; and requested a variance of development standards of the Commercial Zoning Ordinance to provide for eight off-street parking spaces associated with a proposed restaurant, with zero handicap parking spaces, and with required drive-through stacking spaces located within the access drive, **granted**.

97-UV1-63; 2320 East Duke Street (subject site), requested a variance of use of the Industrial Zoning Ordinance to provide for the operation of a mechanical contractor, within an existing building, **granted**.

96-UV3-27, 2207 Duke Street (west of site), requested a variance of development standards of the Industrial Zoning Ordinance to provide for an expansion to an existing structure with a three-foot side yard setback along the west property line and parking within the required front yard, **approved**.

93-HOV-99; 2207-13 Duke Street (west of site), requested a Variance of Development Standards of the Industrial Zoning Ordinance to provide for a building addition with a side yard setback of five feet, **granted**.

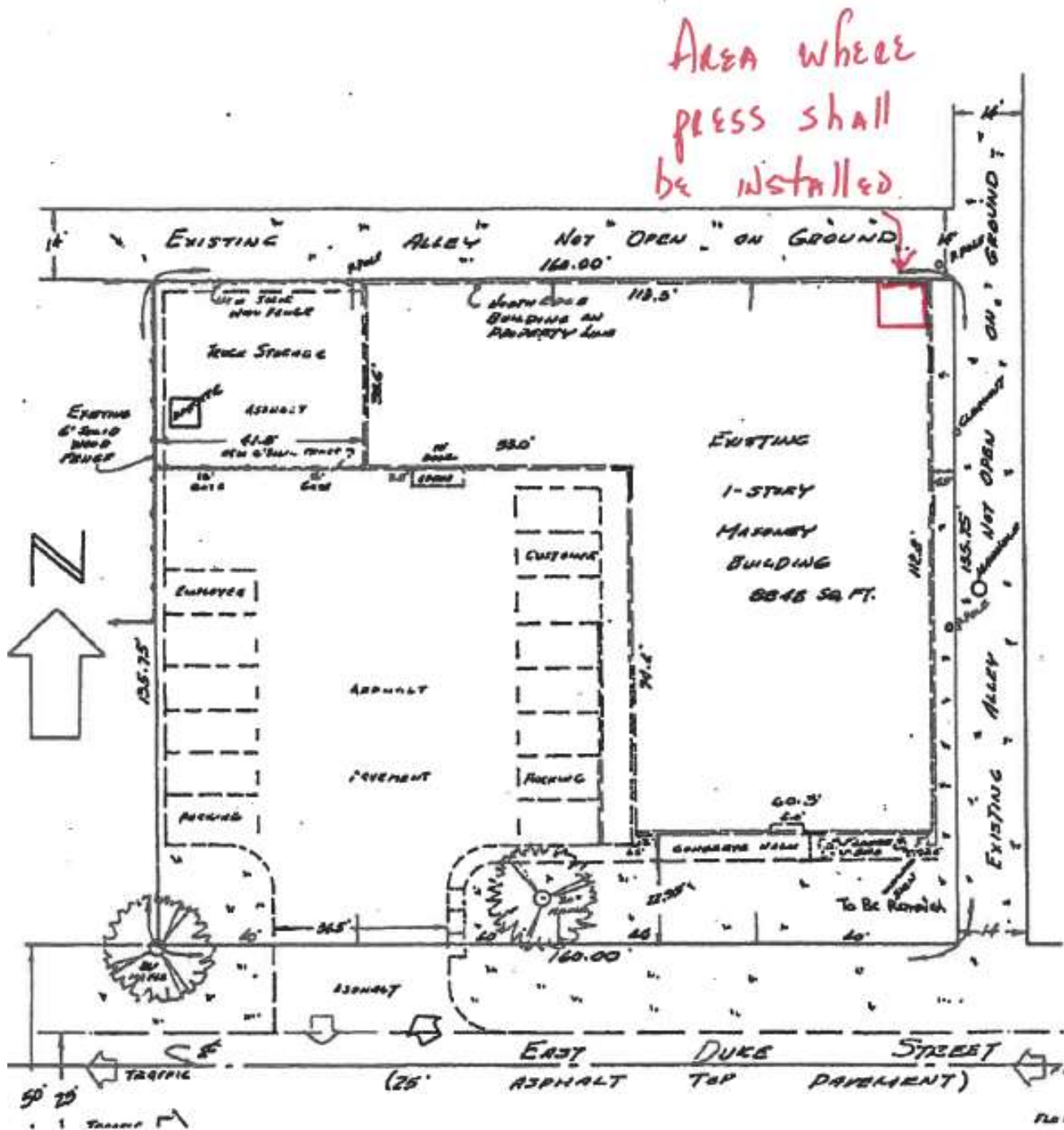
89-V1-105; 2202 East 44th Street (southwest of site), requested a Variance of Development Standards of the Industrial Zoning Ordinance to permit two building additions, with maneuvering area for each of three new loading docks, in I-2-U, **granted**.

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2023-UV2-006; Location Map





PLAN OF OPERATION

Employees: Eight (8)

Noise No outside noise on the site.

Maintenance: No exterior maintenance performed

Hours of Operation: 8 am to 6 pm Monday thru Saturday

Signs/ Promotions: No temporary signs, no banners, no streamers on the site

Visitors/ clients Three to four visiting clients per year

Lighting: Any exterior lighting shall be affixed to the building.

Litter/ weeds: Shall be picked and removed from the site within twenty-four (24) hours

Waste: Picked up by private service on a regular basis

Security: Alarms and cameras on interior and exterior

Deliveries/ Pickups: Most by van , with 3/4 semi per week

Primary customers: Fire Departments. Vehicle towing and recovery companies

2023-UV2-006; Photographs



Subject site looking northeast.



Subject site looking northwest.



Adjacent research lab to the south.



Adjacent commercial to the east, looking north.



Adjacent industrial zoned single-family dwelling, looking north.



Adjacent industrial zoned single-family dwellings to the north.