

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-DV1-038 (Amended)
Address: 901 Shelby Street (*Approximate Address*)
Location: Center Township, Council District #17
Zoning: SU-38 / D-5 (TOD)
Petitioner: Southeast Community Services Inc., by Joseph D. Calderon
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the erection of a 33.6-square foot projecting blade sign, projecting four feet from the surface of the building (projecting blade signs not permitted in Special Use Districts).

RECOMMENDATION

Staff **recommends approval** of this request.

Amended Petition: This petition was amended to reduce the size of the proposed blade sign. Additional notice was not needed, as the request did not increase the deviation from the Ordinance over that of the original notice.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

EXISTING ZONING, CONTEXT AREA, AND LAND USE

| | | |
|------------|---------|----------------------|
| SU-38, D-5 | Compact | Multi-service center |
|------------|---------|----------------------|

SURROUNDING ZONING AND LAND USE

| | | |
|-------|----------|---|
| North | C-5, D-5 | Single-family dwellings, multi-family dwelling building |
| South | C-5, D-5 | Retail buildings, single-family dwellings |
| East | D-5 | Single-family dwelling, two-family dwelling |
| West | C-5, D-5 | Single-family dwellings, retail building, food pantry |

(Continued)

STAFF REPORT 2023-DV1-038 (Continued)

COMPREHENSIVE LAND USE PLAN The Center Township Comprehensive Plan (2018)
recommends Village Mixed-Use.

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ The petitioner requests a variance to allow a projecting sign on a building within a Special Use district. Projecting signs are not permitted in the Special Use districts.
- ◇ Special Use (SU) districts are those zoning districts that permit specific land uses that have characteristics that make them different than the uses found in the more generalized zoning districts such as the dwelling, commercial and industrial districts. There are 26 SU districts, and the land uses they've been established for range widely from hospitals to sewage treatment facilities. The most-commonly found SU districts are the SU-1 that provides for religious uses and the SU-2 that provides for schools.
- ◇ As the most common SU districts are generally found in or adjacent to residential areas, the sign regulations for SU districts were written with the idea that the signs should be modest in size, type and location so as not to be intrusive on the residential area. For example, in commercial districts seven types of primary building signs are permitted, but in the SU districts the only primary building signs permitted are wall, canopy and roof-integral signs. Likewise, in commercial districts the area of a wall sign may be 20% of the size of the front elevation. In a SU district, the area of a wall sign may be only 3% of the size of the front elevation.
- ◇ The subject site is zoned SU-38, which is a district established for Community Centers. The Ordinance defines Community Center as "public or quasi-public facilities used for recreational, social, educational and cultural activities of a neighborhood or community. This definition includes facilities designed for the conduct of sport and leisure time activities and other customary and usual recreational activities such as athletic clubs; auditoriums; assembly halls; community, multi-service, neighborhood, or senior citizens' centers, swimming pools, and game courts."
- ◇ The subject site is located with dwellings to the north, east and south. There is also a commercial structure to the south and a food pantry in a commercial structure to the west.
- ◇ The proposed sign is modest in size and thickness at 44" by 144" and four inches in thickness.

(Continued)

STAFF REPORT 2023-DV1-038 (Continued)

- ◇ The subject building is historic, and the subject site is within 300 feet of a local historic preservation district. Staff consulted with the staff of the Indianapolis Historic Preservation Commission, who advised that, as proposed, the sign would be appropriately located on the building and would be appropriately sized for the building and streetscape. As such, staff is recommending approval of this petition.

GENERAL INFORMATION

THOROUGHFARE PLAN

Shelby Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Primary Arterial, with a 60-foot existing right-of-way and a 56-foot proposed right-of-way.

Pleasant Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Local Street, with a 55-foot existing right-of-way and a 48-foot proposed right-of-way.

Woodlawn Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Local Street, with a 60-foot existing right-of-way and a 48-foot proposed right-of-way.

FLOODWAY / FLOODWAY FRINGE

This site is not located within a floodway or floodway fringe.

WELLFIELD PROTECTION DISTRICT

This site is not located within a wellfield protection district.

ZONING HISTORY – SITE

2001-ZON-827; 1125 Pleasant Avenue, requested the rezoning of 1.63 acres from the D-5 district to the SU-38 district, **approved**.

99-UV3-45; 1121 Pleasant Street, requested variances of use and development standards to provide for a modular office building, **approved**.

(Continued)

STAFF REPORT 2023-DV1-038 (Continued)

ZONING HISTORY – VICINITY

2011-ZON-076; 1116 Woodlawn Avenue (southwest of site), requested the rezoning of 0.05 acre from the C-5 district to the D-5 district, **approved**.

2011-DV2-004; 924 Shelby Avenue (west of site), requested a variance of development standards to provide for parking in the right-of-way and clear sight triangle, **approved**.

2008-DV2-002; 924 Shelby Street (west of site), requested a variance of development standards to provide for deficient setbacks and landscaping, automobile display within the right-of-way, parking in the right-of-way, no handicapped parking and a trash enclosure in the front yard, **denied**.

2002-UV1-024; 904 Shelby Street (west of site), requested a variance of use to provide for a multi-family dwelling in a commercial district, **approved**.

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STAFF REPORT 2023-DV1-038, Location



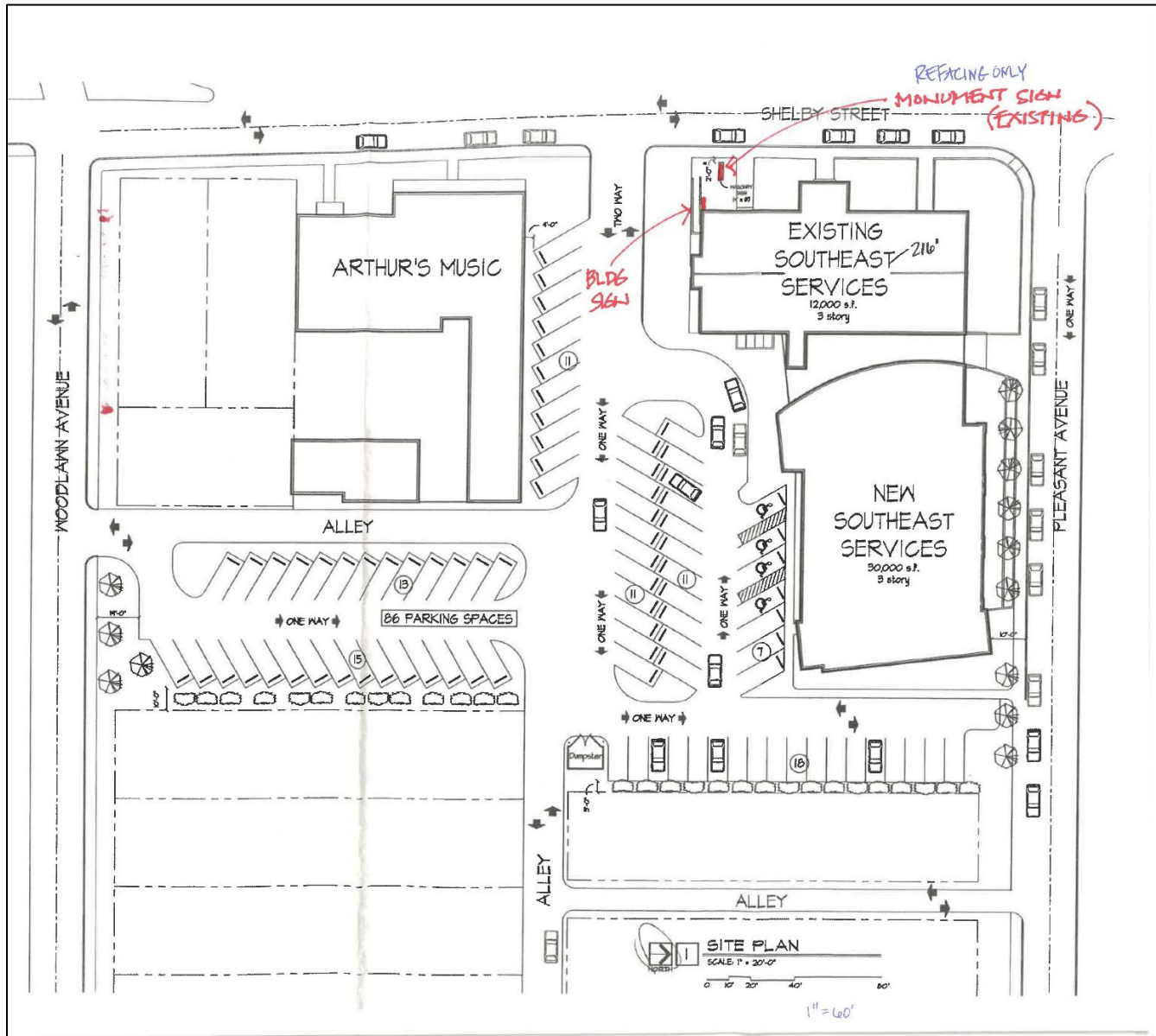
STAFF REPORT 2023-DV1-038, Aerial photograph (2022)



2023-DV1-038; Sign Elevations



2023-DV1-038; Site Plan



2023-DV1-038; Findings of Fact

Petition Number _____

**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 proposed sign will not interfere with vehicular or pedestrian view corridors on Shelby Street.

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:

there is adequate separation of the proposed projecting sign, and the zoning along Shelby Street is Commercial (C-5) both north and south of the Subject Property, which would permit such a sign.

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

the Subject Property is located in an older urban area where projecting signs are appropriate, and some of the existing uses in the building on the Subject Property are commercial in nature, which the ordinance contemplates as being appropriate for projecting signs.

DECISION

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

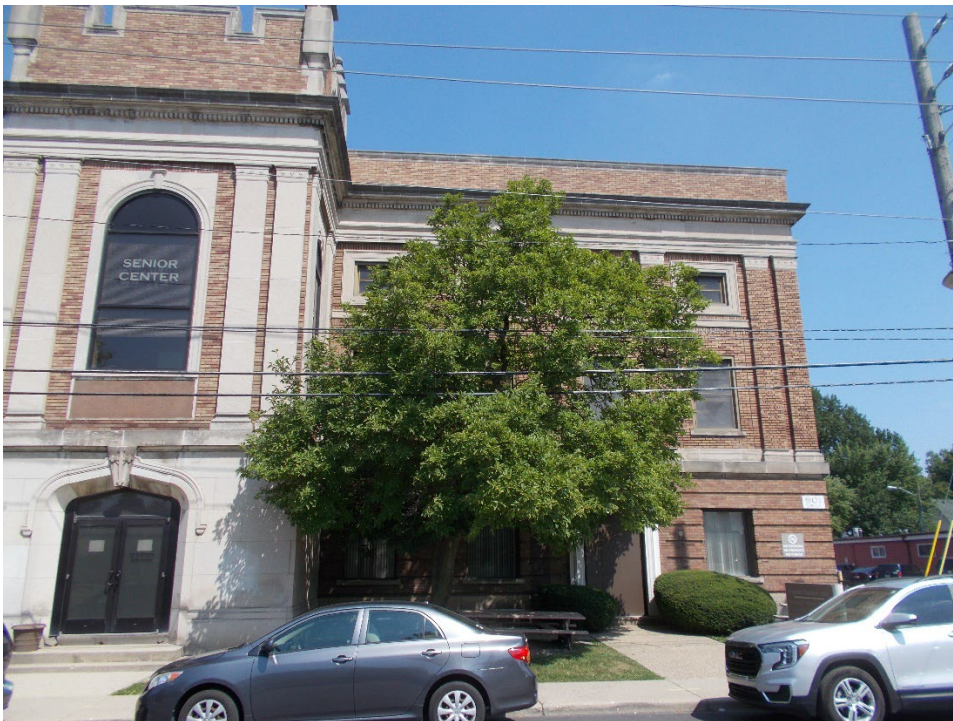
Adopted this _____ day of _____, 20 ____

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

2023-DV1-038; Photographs



Looking southeast across Shelby Street at the subject site.



Looking east at site from Shelby Street. The sign would be located on the upper right portion of the building. The existing monument sign can be seen behind the vehicle to the right.



Looking north along the Shelby Street frontage of the subject site. The projecting sign is proposed for the near corner of the building.



Looking southeast at the neighbor to the south.



Looking north at a neighbor to the west.



Looking north along Shelby Street at the neighbors to the west.



Looking west across Shelby Street from the subject site at the neighbors to the west.



Looking north on Shelby Street from the northwest corner of the subject site.