

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-DV3-027
Address: 3719 South East Street (approximate address)
Location: Perry Township, Council District #16
Zoning: C-5
Petitioner: International Brotherhood of Electrical Workers, Local 1393, by John Cross
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 40-foot-tall building addition (maximum 25-foot-tall buildings permitted along transitional yard).

RECOMMENDATIONS

Staff **recommends approval** of the request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

EXISTING ZONING AND LAND USE

C-5	Compact	Commercial
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SURROUNDING ZONING AND LAND USE

North	C-5	Commercial
South	C-5	Commercial
East	D-A	Greenhouse
West	C-5	Commercial

COMPREHENSIVE PLAN	The Comprehensive Plan recommends Traditional Neighborhood development
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- ◇ The subject site consists of two existing commercial buildings and associated parking within an integrated center. The properties nearby on either side of East Street create a corridor containing a mix of community and regional commercial uses.

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ This request would provide for a building addition with a height of 40 feet on a transitional yard. The maximum height along a transitional yard is 25 feet, but that height may be increased one foot for each additional foot from the minimum setback. The minimum transitional yard is 15 feet, and the proposed setback is 20.39 feet, so the maximum height per this exception would be 30 feet. The maximum height for C-5 where not along a transitional yard is 65 feet.

(Continued)

STAFF REPORT 2023-DV3-027 (Continued)

- ◇ The transitional yard requirement is required because of the site to the east, zoned D-A, which is a dwelling district; however, the D-A district also permits agricultural uses. The current use of the property is a greenhouse.
- ◇ Staff would note that the D-A district allows building heights of 35 feet for primary structures (buildings used for agriculture are considered primary uses in the D-A district as well as single-family dwellings). These structures may increase up to 45 feet for every foot greater than the required side setbacks.
- ◇ The proposed addition is only ten feet taller than the height permitted by exception for a C-5 transitional yard, and only five feet taller than the maximum height permitted in the adjacent D-A district. Staff would also note that the existing agricultural use on the abutting property is more commercialized than a typical dwelling district. Therefore, staff would not be opposed to a slightly increased height.

GENERAL INFORMATION

THOROUGHFARE PLAN	East Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary arterial, with a 120-foot existing and proposed right-of-way.
SITE PLAN	File-dated June 13, 2023
ELEVATIONS	File-dated June 13, 2023
BUILDING SECTION	File-dated June 13, 2023
FINDINGS OF FACT	File-dated June 13, 2023

ZONING HISTORY – VICINITY

2020-CPL-818, 3620 South East Street, approval of a Subdivision Plat to be known as Felbram Plaza North Subdivision, dividing 18.43 acres into five lots, with a waiver of sidewalks, **approved**.

2020-CVR-818, 3620 South East Street, variance to provide for the replacement of an existing pole sign with a 36-foot tall, 260-square foot pole sign with a two-foot front setback from East Street, **approved**.

2015-ZON-091, 3604 Madison Avenue, rezoning of three acres from the D-A district to the C-7 classification to provide for truck and trailer repair, **approved**.

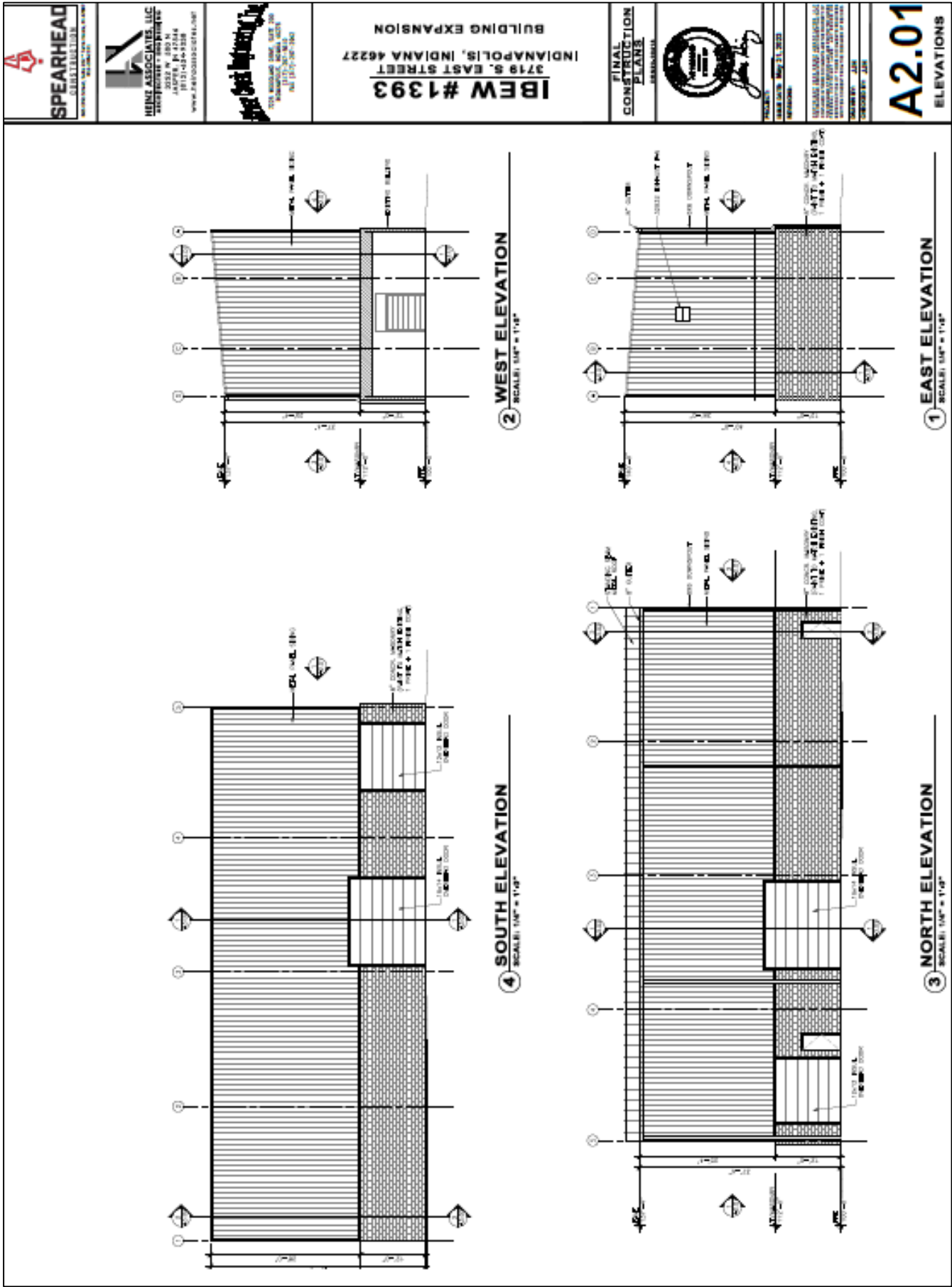
2013-ZON-053, 3800 South East Street, rezoning of 4.82 acres from the D-4 and C-5 districts to the C-5 classification to provide for automobile-related uses, **approved**.

95-Z-189, 3715 South East Street, rezoning of 2.008 acres from the C-3 district to the C-4 classification to provide for sale of automobile parts and accessories, **approved**.

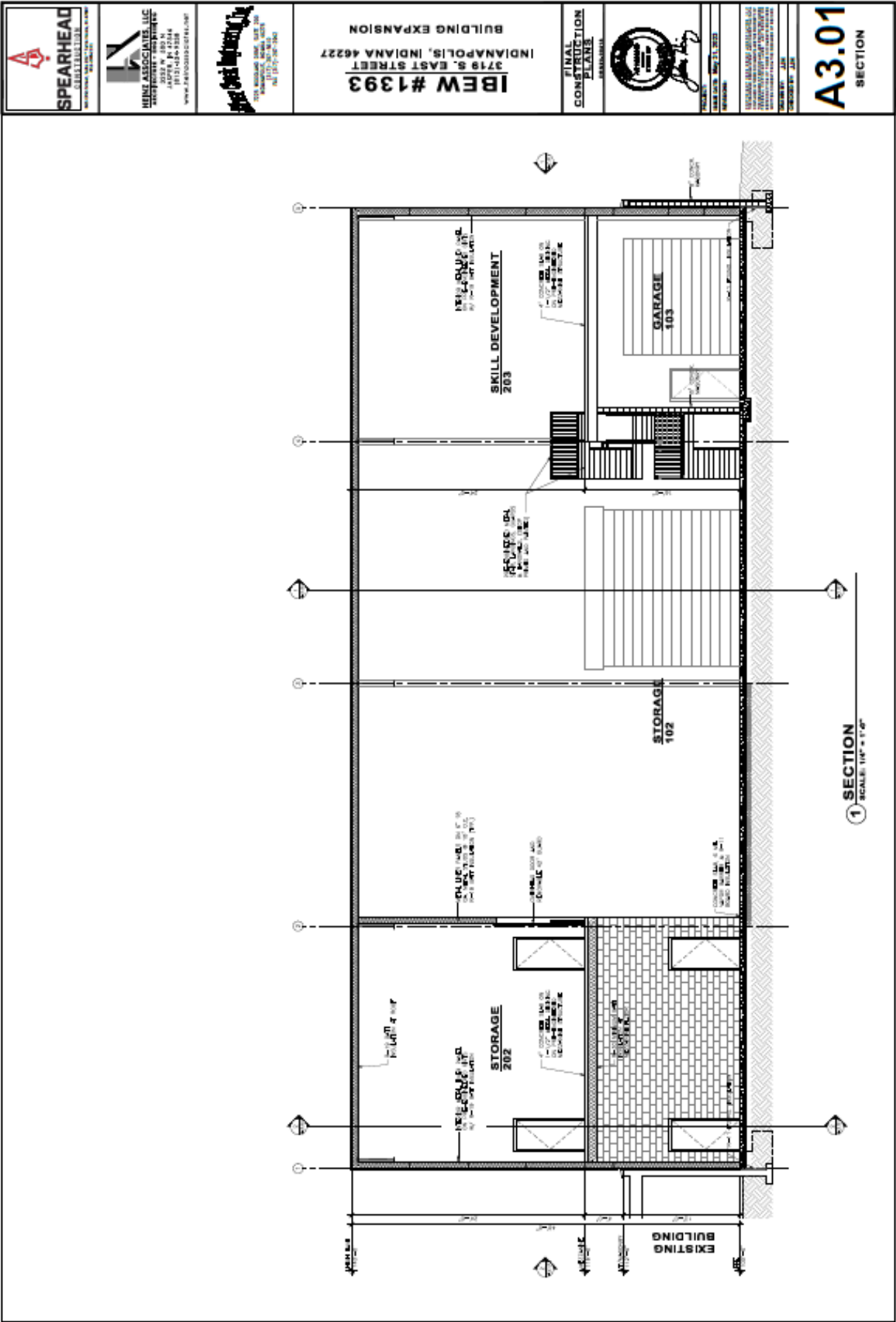
94-Z-128, 3715 South East Street, rezoning of 2.288 acres from the D-A district to the C-3 classification to provide for a restaurant, **approved**.

AR

An aerial photograph of an industrial area. A cyan-colored boundary outlines a specific plot of land. Within this boundary, there is a red star symbol. The area contains several buildings, including a large white warehouse-like structure and a smaller building with a grey roof. A parking lot with several cars is visible. The surrounding area includes other industrial buildings and a road labeled 'EAST ST' and 'NATIONAL AVE'. Address numbers like 3645, 3719, 3721, 468, and 502 are visible. The text 'DA' is also present on the right side.



2023-DV3-027 Building Section



2023-DV3-027; Photographs



Subject site front yard and north building, looking north



Subject site front yard, looking east



South side yard and west of site, looking west



Proposed addition location viewed from south side yard, looking northwest



Proposed addition location in rear yard, looking north



Rear transitional yard. D-A property shown right, looking north.