

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-DV3-001
Address: 5505 and 5855 Brookville Road (approximate address)
Location: Warren Township, Council District #12
Zoning: I-4
Petitioner: AOZI Brookville Building I, LLC, by Joseph D. Calderon
Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the redevelopment of an industrial site and building expansion resulting in, collectively, multiple double-loaded and single-loaded rows of parking within the front yards of Irvington Avenue, Brookville Avenue and Arlington Avenue (parking in front of a building limited to one double-loaded row in Industrial Districts); and to provide for loading areas within the front yard of Brookville Road (not permitted), with 9-foot by 18-foot employee parking spaces (180-square foot parking spaces required) and deficient landscaping.

RECOMMENDATIONS

Staff **recommends denial** of this petition as proposed.

Staff would **recommend approval** of this petition if the petitioner would agree to the following commitments:

The variance grant shall be subject to an amended site plan, to be submitted for Administrator's Approval, prior to the issuance of an Improvement Location Permit. At a minimum, the amended site plan shall provide a vehicle access connector from the employee parking lot and accessing the proposed curb cut entrance/exit from Brookville Road.

The variance grant shall be subject to an amended landscaping plan, to be submitted for Administrator's Approval, prior to issuance of an Improvement Location Permit. At a minimum, the amended landscaping plan shall be similar to the landscaping plan file-dated February 14, 2023, and provide a planting schedule for the specific plants to be planted. Landscaping shall be installed in accordance with the approved plan no later than one year after approval and maintained thereafter.

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SUMMARY OF ISSUES

LAND USE

EXISTING ZONING AND LAND USE

Compact I-4 Warehouse

SURROUNDING ZONING AND LAND USE

North -	SU-1/ D-5/ C-3/ C-4/ C-5/ C-7	Church / Single-family dwellings / Commercial Retail / Heavy Commercial
South -	I-4	Railroad yard
East -	C-3 / I-3	Gas Station / Warehouse
West -	D-5/D-8/C-5	Single-family dwellings / Neighborhood commercial

COMPREHENSIVE PLAN The Comprehensive plan recommends Heavy Industrial for the site, with an overlay district for Industrial Reserve.

- ◇ The subject site is zoned I-4 and was previously developed with an industrial automotive foundry complex. The foundry complex has since been demolished and the site was originally proposed to be developed with several warehouses and associated parking.
- ◇ A prior petition (2021-DV2-042) requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an industrial development with multiple double-loaded rows of parking in the front yard of Irvington Avenue and to provide for loading areas in the front yard of Brookville Road. That petition was granted, with the original development anticipated to accommodate several warehouse uses.
- ◇ The original development has since been amended from containing several warehouses to one large warehouse, with associated parking. The current request reflects the amended development.

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ The proposed site plan and landscape plan, indicates the employee parking area would be to the east of the warehouse building, with access limited to Arlington Avenue only. Staff is concerned with that amount of traffic generated for a single entrance and exit, especially during a shift change, that negative impacts will be imposed on adjacent properties. DPW and IMPD have both indicated that they would not support a traffic signal, either permanent or operating only during shift changes, at this location due to its proximity to the Brookville Road and Arlington Avenue signalized interchange, and for other traffic safety reasons.

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- ◇ Therefore, a secondary exit and entrance is needed for the employee parking lot. DPW and Staff has proposed an internal connection from the employee parking lot, to the internal driveway that uses the existing entrance/exit on Brookville Road, which would help provide relief from the employee parking lot for both entering and exiting, especially during shift changes. The petitioner has not yet agreed to this recommendation. Staff, along with DPW and IMPD, feels strongly that this access is needed, and therefore will recommend denial of the petition in its entirety if it is not included in the site plan.
- ◇ Therefore, if approved, Staff is requesting approval be subject to an amended site plan, to be submitted for Administrator's Approval, prior to the issuance of an Improvement Location Permit. That at a minimum, the amended site plan shall provide a vehicle access connector from the employee parking lot and accessing the proposed curb cut entrance/exit from Brookville Road.
- ◇ The Consolidated Zoning and Subdivision Ordinance limits parking areas in the front yard to one double-loaded row of parking, to help limit the impact of excessive parking on adjacent uses, and limit the visual impact created by a large area of parking.
- ◇ The proposed parking areas in the front yard of Brookville Road and Arlington Avenue would provide multiple double-loaded and single-loaded rows of parking and would be similar to the parking areas that existed with the previous use. The parking area as proposed in the front yard of Irvington Avenue was previously approved with petition 2021-DV2-042. Additional landscaping above Ordinance requirements along the Brookville Road and Arlington Avenue frontages are proposed and would help mitigate any negative impact on the adjacent residential protected district. The deficient landscaping would primarily be located within the delivery vehicle parking lot, located immediately to the east of the warehouse structure. The employee parking would provide Ordinance complaint landscaping with approximately 62 shade trees for the parking lot interior landscaped area, where 57 would be required. However, none of the proposed landscaping has been identified with a planting schedule.
- ◇ Therefore, if approved, Staff is requesting approval be subject to a commitment for a landscape plan to be submitted for Administrator's Approval prior to issuance of an Improvement Location Permit. At a minimum, the proposed landscaping shall be similar to the landscaping plan file-dated February 14, 2023, and provide a planting schedule for the specific plants to be planted. Landscaping shall be installed in accordance with the approved plan no later than one year after approval and maintained thereafter.
- ◇ The Consolidated Zoning and Subdivision Ordinance prohibits loading areas to be in front of the primary building. This is due primarily to traffic conflicts created by activities along public streets and their poor aesthetic qualities.
- ◇ The site is currently developed with a large warehouse, and a portion of the frontage containing loading docks fronting on Brookville Avenue was previously approved with petition 2021-DV2-042. The current petition, if granted, will approved additional loading docks fronting on Brookville Road due to an unplanned expansion of the primary warehouse. These expanded loading docks will also be screened with a previously agreed upon four-foot mounding and evergreen trees along Brookville Avenue.

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- ◇ The grant of the petition would allow for deficient parking spaces measuring 9 feet by 18 feet, with the reduced sized parking spaces designated for employee parking.
- ◇ Sec. 744-404.D.2 of the Ordinance notes that parking space measurements for all other uses other than residential shall be not less than nine feet in width nor less than 18 feet in length and at least 180 square feet in total area.
- ◇ Since the deficient sized parking spaces would be designated specifically for employees, who would be on site by choice, and not for customers who would be required to be on site for services provided, then Staff has no objection to this reduction and would find it a minor deviation from the Ordinance.

GENERAL INFORMATION

THOROUGHFARE PLAN

This section of Brookville Road east of Ritter Avenue is classified in the Official Thoroughfare Plan as a primary arterial, with a 34-foot existing half right-of-way, and a 44-foot proposed half right-of-way.

This section of Brookville Road west of Ritter Avenue is classified in the Official Thoroughfare Plan as a primary collector, with a 34-foot to 38-foot existing half right-of-way and a 44-foot proposed half right-of-way.

This section of Arlington Avenue is classified in the Official Thoroughfare Plan as a primary arterial, with a 55-foot existing half right-of-way and a 59.5-foot proposed half right-of-way.

This section of English Avenue is classified in the Official Thoroughfare Plan as a primary arterial, with a 40-foot existing and proposed half right-of-way.

This section of Irvington Avenue is classified in the Official Thoroughfare Plan as a local street, with a 25-foot existing and proposed half right-of-way.

SITE PLAN

File-dated December 14, 2022.

LANDSCAPE PLAN

File-dated February 14, 2023

FINDINGS OF FACT

File-dated December 14, 2022

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ZONING HISTORY

2021-DV2-042; 5505 and 5565 Brookville Road (subject site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an industrial development with multiple double-loaded rows of parking in the front yard of Irvington Avenue and to provide for loading areas in the front yard of Brookville Road, **granted**.

2006-ZON-814/2006-VAR-814; 5560 and 5630 Brookville Road (north of site), requested the rezoning of 0.344 acre from the D-5 District, to the C-5 classification, to provide for general commercial uses, **approved**; requested a variance of development standards of the Commercial Zoning Ordinance to provide for a patio outdoor seating area with a 38-foot front setback from the centerline of Brookville Road, to provide for a zero-foot east side transitional yard, without landscaping in the required front yard, and to provide for parking spaces with deficient maneuvering area, **granted**.

2004-ZON-157; 5550 Brookville Road (north of site), requested the rezoning of 0.55 acre from D-5 and C-1 to C-5, **granted**.

2003-UV1-032; 5502-5536 Brookville Road (north of site), requested a variance of use and development standards of the Commercial Zoning Ordinance to legally establish a concrete contractor's office and to provide for a 4,000-square foot accessory storage facility with a three-foot west front yard setback from the existing right-of-way of Shimer Avenue, **granted**.

2002-ZON-134; 5536 Brookville Road (north of site), requested the rezoning of 0.78 acres, being in the C-1, C-5 and D-5 Districts, to C-5 classification to provide for a truck repair facility and storage, **approved**.

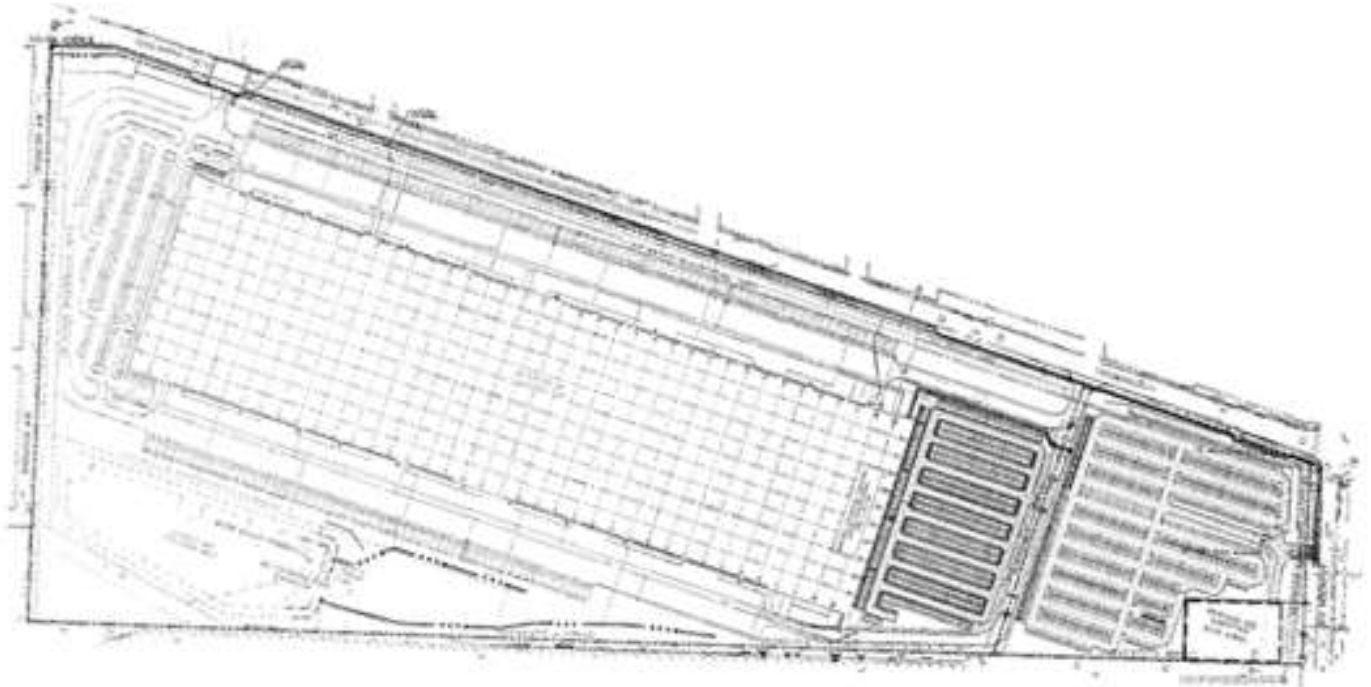
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2023-DV3-001: Location Map



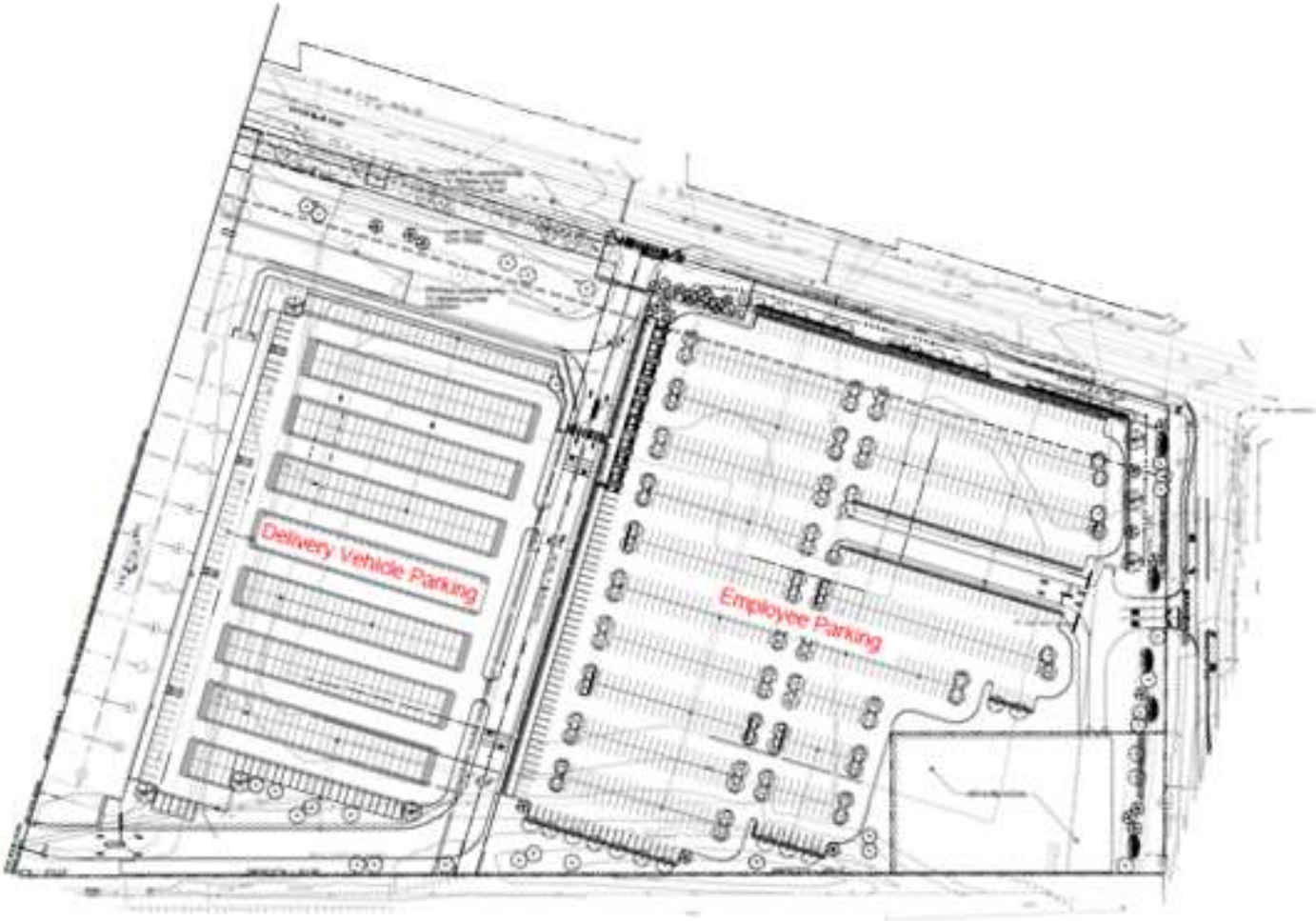
2023-DV3-001: Site Plan overall



2023-DV3-001: Site Plan delivery vehicle and employee parking areas



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2023-DV3-001: Photographs



View of subject site existing warehouse with loading docks facing Brookville Avenue, with previously approved mounding and evergreen landscaping.



View of subject site Brookville Road frontage, proposed location of delivery vehicle parking area, looking south.



View of subject site Brookville Road frontage, proposed employee parking area, looking south



View of subject site Arlington Avenue frontage, and proposed employee parking lot entrance/exit area, looking west



View of existing commercial uses, adjacent to subject site along the eastside of Arlington Avenue looking east.



View of existing commercial uses, adjacent to subject site along the northside of Brookville Road looking north.