

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2022-UV3-039
Address: 1751 South Meridian Street (approximate address)
Location: Center Township, Council District #16
Zoning: C-1
Petitioner: Derick Williams, by Hannah Able
Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an event center and eating establishment, with a parking area maintaining a zero-foot transitional yard along the alley and a two-foot north transitional yard (eight-foot transitional yard along alley and 10-foot side transitional yard required), a trash enclosure and an outdoor patio with a five-foot transitional yard along Caven Steet (10-foot front transitional yards required).

ADDENDUM FOR FEBRUARY 21, 2023

This petition was continued for cause by the petitioner from the January 17, 2023 hearing, to the February 21, 2023 hearing.

January 17, 2023

RECOMMENDATIONS

Staff **recommends denial** of this petition.

SUMMARY OF ISSUES

LAND USE

EXISTING ZONING AND LAND USE

Compact	C-1	Commercial
---------	-----	------------

SURROUNDING ZONING AND LAND USE

North -	D-8	Two-Family Dwelling
South -	D-8	Two-Family Dwelling
East -	D-5	Undeveloped
West -	D-8	Undeveloped

COMPREHENSIVE PLAN	The Comprehensive Plan recommends Village Mixed Use for the site.
--------------------	---

(Continued)

STAFF REPORT 2022-UV3-039 (Continued)

VARIANCE OF USE

- ◇ The proposed use would include an 1,800-square foot facility as an event center and eating establishment.
- ◇ The maximum capacity outlined in the original Plan of Operation would be 50 guests, with one to two staff members. Food and beverage service would be provided by groups, renters, or outside caterers.
- ◇ Event centers or indoor spectator venue uses are permitted in the C-4 district and are generally considered a high-intensity regional commercial use due to the amount of parking they require. The site is currently zoned C-1, or office commercial, which tends to typically serve the surrounding neighborhoods.
- ◇ Staff is concerned that adequate off-street parking provisions would not be provided due to the amount of parking needed for the proposed use. The submitted site plan indicates the subject site has two parking spaces available on site. The plan of operation indicates valet parking would be available but provides no details or information as to the location or operation of the valet parking.
- ◇ In addition to the two staff members and 50 possible attendees, parking would need to be provided for any outside catering service, including food trucks if used.
- ◇ The strict application of the terms of the zoning ordinance does not constitute an unusual and unnecessary hardship for the property, since the site is zoned C-1 and could be used for any number of uses permitted, by right, in the C-1 zoning classification without the need for a use variance. Any practical difficulty is self-imposed by the desire to use the site as an event center.

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ The purpose of the transitional yard setback requirement is to provide a buffer between land uses, when one land use is more intense and more impactful. Without the required transitional yard setbacks, the impact of the proposed use upon the less intense uses, such as the residential neighborhood uses to the east, west and north would be detrimental and injurious to the overall community.
- ◇ As requested, the reduced transitional yard setbacks would place an undue hardship on the surrounding protected residential uses.

(Continued)

STAFF REPORT 2022-UV3-039 (Continued)

GENERAL INFORMATION

THOROUGHFARE PLAN	<p>This portion of South Meridian Street is indicated as a primary arterial on the Official Thoroughfare Plan, with a 50-foot existing right-of-way and a 78-foot proposed right-of-way.</p> <p>This portion of Caven Street is indicated as a local street on the Official Thoroughfare Plan, with a 38-foot existing right-of-way and a 48-foot proposed right-of-way.</p>
SITE PLAN	File-dated December 14, 2022
PLAN OF OPERATION	File-dated December 14, 2022
FINDINGS OF FACT	File-dated December 14, 2022

ZONING HISTORY

2022-DV2-046; 14 East Caven Street (east of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a multi-unit house on a 30-foot wide, 3,000-square foot lot, encroaching into the clear sight triangles of Caven Street and the intersecting alley, and the intersecting alleys along the rear and western lot lines, **ongoing**.

2021-ZON-097; 1747 South Meridian Street (north of site), requested a Rezoning of 0.09 acre from the C-1 district to the D-8 district, **approved**.

2018-HOV-057; 21 East Caven Street (east of site), requested a Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling, with a 15-foot front setback and with seven and nine feet between dwellings, **approved**.

2004-UV2-001; 13 East Caven Street and 14, 18, and 22 Adler Street (south of site), requested a Variance of use of the Dwelling Districts Zoning Ordinance to provide for a parking lot for a popcorn production, distribution, and retail outlet, **granted**.

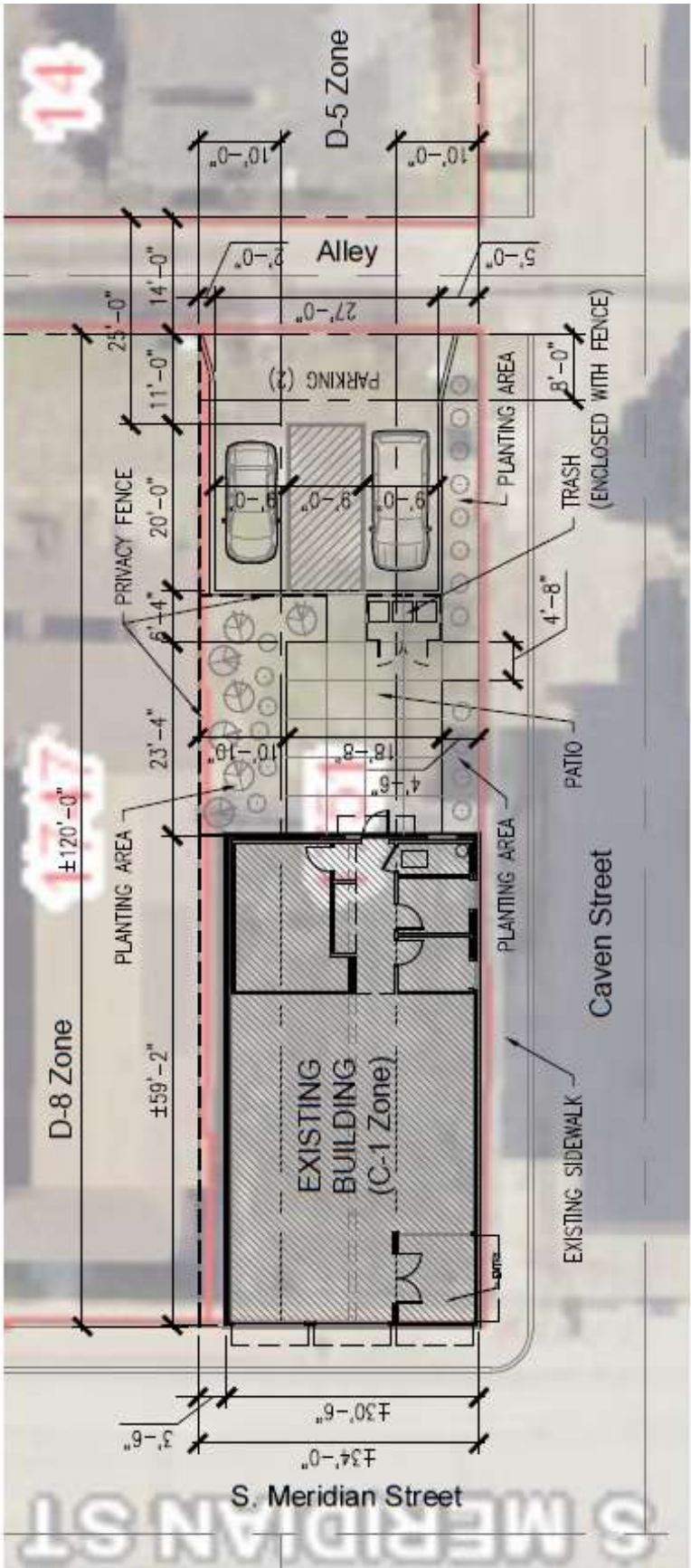
2003-ZON-035; 1805, 1807, 1817, 1821, and 1827 South Meridian Street (south of site), requested Rezoning 0.66 acre from D-8 and C-1 to the C-S classification to legally establish a popcorn production, distribution, and retail outlet, **approved**.

2001-UV3-033; 1741 South Meridian Street (north of site), requested a Variance of use of the Dwelling Districts Zoning Ordinance to legally establish a contractor's warehouse and a variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a 1,943-square foot commercial warehouse, with a 6.5-foot setback from Meridian Street, a zero-foot side setback from the south property line and a two-foot side setback from the north property line and a two-foot aggregate side setback; and a garage with a two-foot rear setback and a nine-foot aggregate side setback, **granted**.

STAFF REPORT 2022-UV3-039 (Continued)

2022-UV3-039; Location Map





2022-UV3-039; Plan of Operation

Plan of Operation

1751 S. Meridian Street

The proposed use of the existing building will be as a small event center and banquet hall for less than 50 occupants. The space will include a flexible open space, a prep/support room for use by visiting caterers and other support services, and restrooms. The plan for the space is to rent it out for small events including weddings, birthdays, showers, community meetings, and training workshops. The owner would also like to use the space for shared community events such as markets, pop-up shops, and pop-up restaurants.

The proposed exterior patio is supplemental to the interior and would not have a separate event or group. The proposed parking will provide an accessible space for visitors as well as a space for catering services as needed. Valet parking will be provided for events as needed.

Trash will be enclosed at the rear in rolling bins or dumpster to be collected along the alley.

Staff would include one or two employees to supervise events. Any food and beverage service staff would be provided by the groups or individuals renting the space. Any alcohol served on the premises for events will require either temporary permits and/or an appropriately licensed caterer per state laws.

2022-UV3-039; Photographs



Subject site looking east.



Subject site rear, looking west.



Adjacent residential uses to the north, looking east.



Adjacent residential uses to the south, looking east.