

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2022-UV3-037
Address: 1410 East Epler Avenue (approximate address)
Location: Perry Township, Council District #24
Zoning: C-1 / C-3 (TOD)
Petitioner: Indianapolis Insulators Union Local #18, by Michael Rabinowitch
Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a commercial building to be used as a union insulators training facility, with a front setback of 35 feet (maximum 10-foot setback required along Pedestrian / Urban Frontages) and a required front building line of 56% (80% front building line required).

February 21, 2023

This petition was automatically continued from the January 17, 2023 hearing to the February 21, 2023 hearing by a remonstrator.

The petitioner has submitted an amended site plan, shown in the exhibits below.

January 17, 2023

RECOMMENDATIONS

Staff recommends **approval** of these requests, subject to the following commitment being reduced to writing on the BZA's Exhibit "A" forms at least three days prior to the hearing:

That a landscape plan and green factor be subject to Administrator's Approval, prior to the issuance of an Improvement Location Permit

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

EXISTING ZONING AND LAND USE

C-1 / C-3	Metro	Undeveloped
-----------	-------	-------------

SURROUNDING ZONING AND LAND USE

North	C-1	Undeveloped
South	D-1	Single-family residential
East	C-3	Commercial
West	C-1	Union Hall

(Continued)

STAFF REPORT 2022-UV3-037 (Continued)

LAND USE PLAN

The 2019 Marion County Land Use Plan recommends community commercial development.

- ◇ This site is zoned C-1 and is undeveloped. A small portion of the site along the east property line is zoned C-3. This site is in the Transit Oriented-Development overlay district. It is two parcels west of Madison Avenue Red Line route.
- ◇ The adjacent site to the west is also owned by the petitioner and is developed with a union hall and related parking. The subject site's proposed development is an expansion for a vocational training facility. East of site is a commercial corridor. South of site is a residential development. North and west of site are schools and special use.

VARIANCE OF USE

- ◇ This request would provide for a union insulators training facility (vocational training) in the C-1 / C-3 district. The use would be located entirely within the C-1 zoning. This use is permitted in C-4 or greater commercial districts or industrial districts.
- ◇ This use would be directly related to the existing union hall on the adjacent site to the west, which is a permitted C-1 use. Furthermore, school uses are existing nearby to the north and west. Staff believes that a training facility is related to school uses and the existing use; therefore, staff is not opposed to the variance of use.
- ◇ The training facility use would be contained within the proposed building, which would be consistent with the surrounding commercial uses.

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ This request would provide for an increased front setback. The proposed front setback is 35 feet. The Transit Oriented Development overlay has a maximum setback of ten feet. The surrounding sites generally have setbacks greater than ten feet. The proposed 35-foot setback is more consistent with the neighborhood context, and would allow for increased frontage landscaping. Therefore, staff is not opposed to the increased front setback.
- ◇ This request would provide for a front building line that is 56 percent of the lot width where 80 percent is required. The intent of this requirement is to have the widest part of the building on the lot frontage. This lot is an irregular shape, so the lot width is larger closer to the street, and narrower towards the rear. The proposed building is rectangular, so there is some practical difficulty in meeting this standard; therefore, staff is not opposed to the reduced percentage for the front building line.
- ◇ Staff is requesting that approval of the variances of development standards be subject to a commitment for administrative approval of the landscape plan and green factor requirement.
- ◇ Staff would note that all other standards for the C-1 district TOD Overlay would apply, including entry features and transparency as described in Section 744-702 of the zoning ordinance.

(Continued)

STAFF REPORT 2022-UV3-037 (Continued)

GENERAL INFORMATION

THOROUGHFARE PLAN	Epler Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Primary Collector, with a 50-foot existing right-of-way and an 80-foot proposed right-of-way.
SECONDARY ZONING DISTRICT	Transit Oriented Development Overlay (TOD)
SITE PLAN	File-dated December 1, 2022.
SITE PLAN (AMENDED)	File-dated February 14, 2023.
PLAN OF OPERATION	File-dated December 1, 2022.
FINDINGS OF FACT	File-dated December 1, 2022.

ZONING HISTORY – SITE

2005-ZON-105, rezoning of 3.22 acres from to the SU-34 district, **approved**.

2015-ZON-046, rezoning of 5.34 acres to the C-1 district, **approved**.

ZONING HISTORY – VICINITY

2006-ZON-060, 5350 Madison Avenue, rezoning of 0.75 acre to the C-5 district, **approved**.

2006-APP-118, 5410 Madison Avenue, modification of commitments 88-Z-56 to delete restrictions on use and outdoor storage, **withdrawn**.

88-Z-56, 5410 Madison Avenue, rezoning of 0.75 acre to the C-5 district, **approved**.

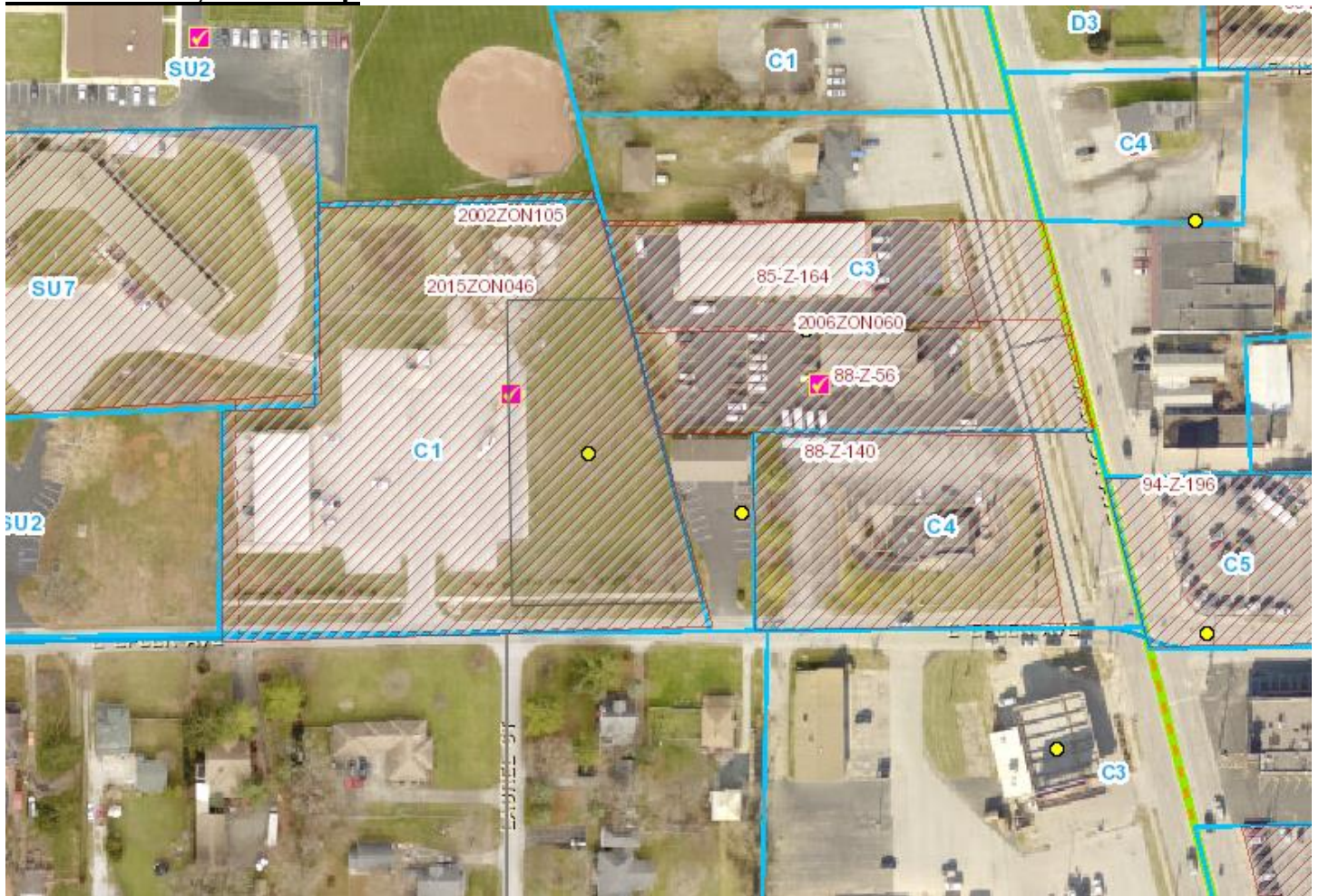
88-Z-140, 5452 Madison Avenue, rezoning of 1 acre to the C-4 district, **approved**.

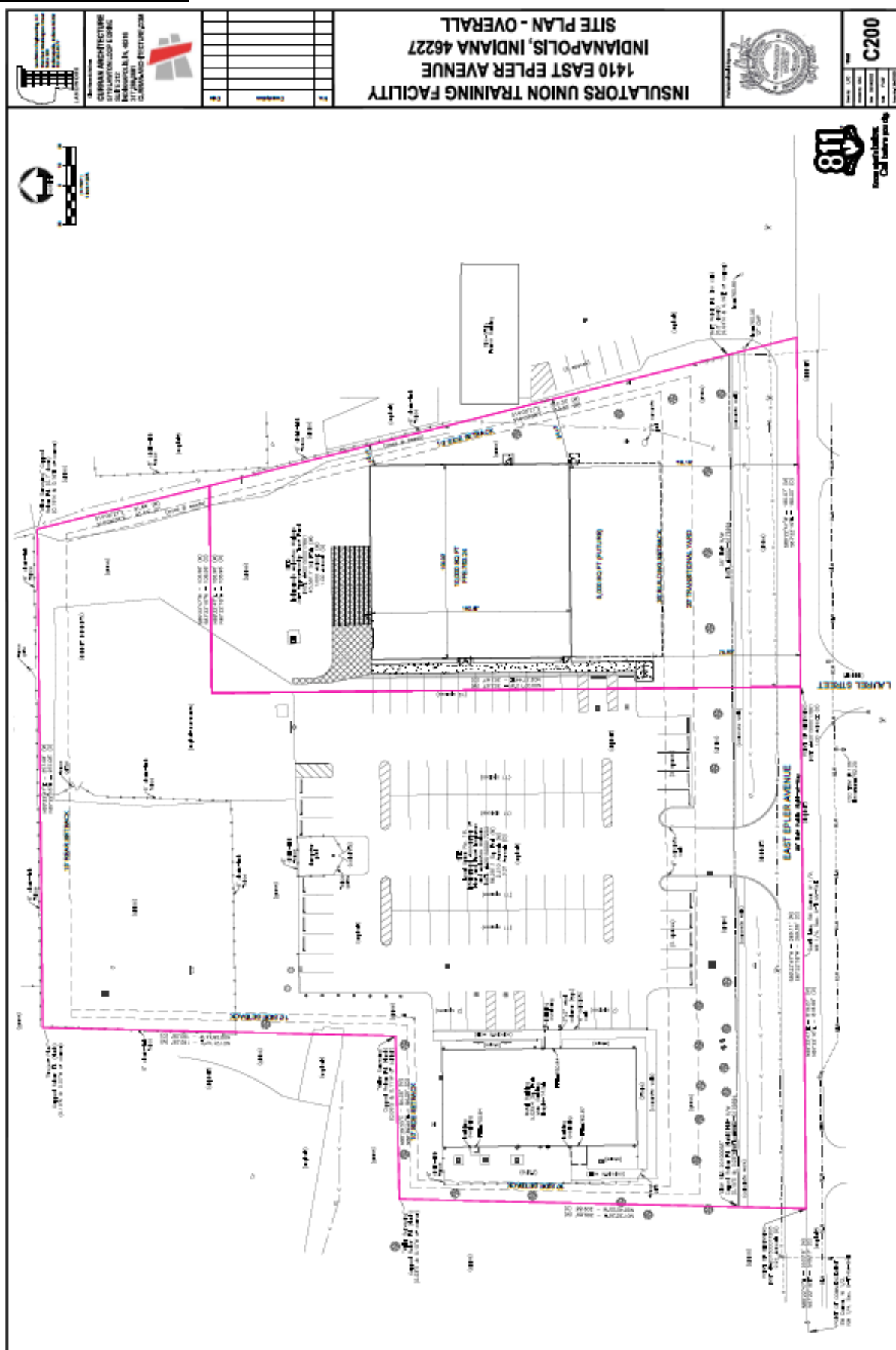
87-UV2-63, 1416 East Epler Avenue, variance to provide for an ambulance service sub-station, **approved**.

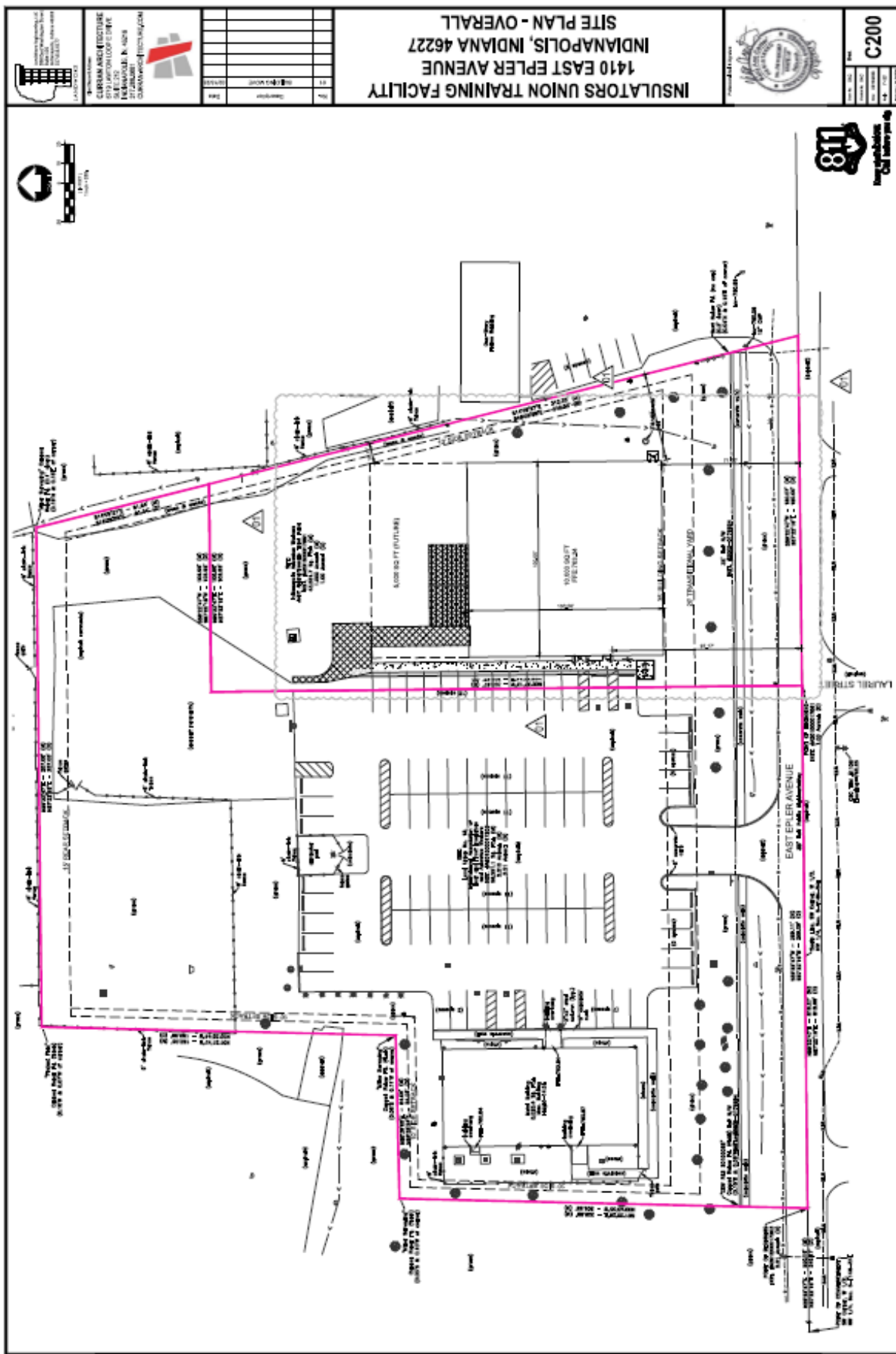
85-Z-164, 5350 Madison Avenue, rezoning of 0.75 acre to the C-3 district, **approved**.

AR

2022-UV3-037; Aerial Map







Indianapolis Insulators Union Local #18 Training Facility

PLAN OF OPERATION

Facility Description

Indianapolis Insulators Union Local #18 ("Local #18) plans to construct a 10,000 square foot building to be used to train its apprentices in the skilled trade of insulation solutions.

Description of Business

Local #18 will be using the facility to train its apprentices in the skilled trade of Union Insulators. Local #18 provides insulation solutions for all types of mechanical systems, but their training facility will specifically have mock piping systems and duct work used for training purposes.

Hours of Operation

Trainings are held on Saturdays from 8:00 A.M. to 4:30 P.M. Meetings are held once or twice per week, starting at 4:30 P.M. and running until 7:00 P.M. at the latest. The current schedule may be adjusted to allow for trainings any time Monday through Friday from 7:00 A.M. to 3:30 P.M. Trainings occur four to five times every month.

Occupancy

Trainings will have 50 people or less. Meetings will have 10 to 20 people.

2022-UV3-037; Findings of Fact

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA**

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE

Training operations will be contained inside the proposed building, which will be on land that Petitioner already owns and has a continuous presence. The building will not disrupt the commercial-residential character of the surrounding area where a number of large buildings and businesses already exist.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE

The petitioner's training facility will be largely self-contained and not disturb the businesses and residences in the surrounding area. Ample on-site parking and the low frequency of trainings (4-5 times per month) will not cause traffic congestion in the area. Because training occurs inside, the facility will not cause noise pollution. Additionally, the volume of occupants will not exceed that of existing businesses and schools in the surrounding area.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE

The property is particularly well-suited for the training facility because it is just across the parking lot from their already existing union hall. The large vacant lot and adjoining parking area provides space and parking accommodations for a training facility such as this one.

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE

The proposed use is consistent with the intensity of uses otherwise permitted in the C-1 zoning classification. The parcel has remained empty despite substantial development in the surrounding area, and a self-contained training facility does not substantially diverge from the character of the surrounding schools and businesses.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE

There are a number of schools in the surrounding area. Although this is a training center, the heavy presence of education facilities establishes that a self-contained training facility will not disturb the commercial-residential nature of the area. Additionally, the fact that the union already has a meeting hall there establishes that the union's presence will not disrupt the surrounding community.

2022-UV3-037; Photographs



Subject site viewed from Epler Avenue, facing north



Subject site viewed from parking lot, facing east



Subject site viewed from parking lot, facing east



West of site, adjacent union hall. Site curb cut shown left.



Subject site street frontage and south of site, facing southeast



Subject site frontage and east of site, facing east



South of site



Southwest of site