

BOARD OF ZONING APPEALS DIVISION II

November 12, 2024

Case Number: 2024DV2042

Property Address: 2419 E 62nd Street (approximate address)

Location: Washington Township, Council District #7

Petitioner: CFT NV Developments, LLC, by Ross McArthur

Current Zoning: C-4

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the installation of an additional 10-foot tall drive-thru sign for each drive lane (one sign per drive lane permitted, six-foot tall maximum permitted).

Current Land Use: Commercial

Staff Recommendations: Staff recommends **approval** of this petition.

Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- 2419 East 62nd Street is a recently platted outlot that fronts along 62nd Street. It is located within the Glendale Town Center shopping mall which contains a variety of commercial uses. The subject parcel contains a multi-tenant sign with panels for advertising four (4) businesses; this sign was one of four multitenant signs installed for the mall along both 62nd Street and Keystone Avenue in 2007.
- A variance and zoning permit were recently approved for this property to house a fast-food restaurant with accessory drive-thru, and that restaurant is seeking to place signage on drive-thru order canopies through approval of this variance petition (see proposed elevations within the Exhibits). The scope of work also includes placement of a new multi-tenant monument sign that would replace the existing sign at the property; staff has determined that their proposed sign could be placed by-right without the need for grant of a variance.

- The shared 62nd Street frontage contains two (2) other primary freestanding signs: a multi-tenant pylon sign is approximately 298 feet to the east, and a monument sign for the Buffalo Wild Wings restaurant is approximately 955 feet to the east. The Walgreens sign placed at the southeast corner of the 62nd and Keystone intersection is only around 210 feet from the subject sign but is oriented toward Keystone and is therefore not considered a part of this frontage’s sign allotment. Ordinance rules (744-906-1.C) allows for two (2) monument signs and a pylon sign along a shared frontage over 500 feet in length if each were separated by 300 feet. Because there is a 300-foot separation between the proposed monument sign and its closest neighbor, no variance is needed.
- This property is zoned C-4 (Community-Regional District) to allow for the development of major business groupings and regional-size shopping centers to serve a population ranging from a community or neighborhoods to a major segment of the total metropolitan area. The Comprehensive Plan recommends it to the Village Mixed-Use typology to create compact and walkable gathering places with a wide range of small businesses, housing types and public facilities to either strengthen existing town centers or promote new neighborhood centers.
- Although no variance would be required for the proposed monument sign, only one (1) drive-thru sign is allowed per drive lane and the proposed signage on each drive-thru canopy in addition to menu boards would result in a second drive-thru sign for each lane. Staff notes that the proposed order canopy would be allowed at the height of 10 feet if there was no associated signage. The proposed size of the sign area on the canopies is only 4.25 square feet (which would be substantially smaller than the maximum size of 40 square feet allowed for drive-thru signs) and would exclusively serve to provide information to maximize the efficiency of the drive-thru. Since the proposed signs would provide minimal disruption for surrounding properties, would be limited in scope to helping motorists know where to order and would be placed upon canopies that are otherwise compliant, staff is supportive of this minor deviation from requirements.

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Commercial	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	Zoning	Surrounding Context
North:	C-4	North: Commercial
South:	C-4	South: Commercial
East:	C-4	East: Commercial
West:	C-4	West: Commercial
Thoroughfare Plan		
62 nd Street	Primary Collector	90-foot existing right-of-way and 78-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	

Wellfield Protection Area	No
Site Plan	09/29/2024
Site Plan (Amended)	N/A
Elevations	09/29/2024
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	09/29/2024
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends this site to the Village Mixed-Use typology to create compact and walkable gathering places with a wide range of small businesses, housing types and public facilities to either strengthen existing town centers or promote new neighborhood centers.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves
 (Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2023DV2009, Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a restaurant with a drive through with service units and stacking spaces within the front yard, and without the required screening (service units and stacking spaces not permitted within the front yard, screening from public rights-of-way required), with 24 parking spaces (maximum of 23 parking spaces permitted) and zero percent transparency along the northern façade and beside public pedestrian entries (40% transparency required along facades within 50 feet of a public street and on facades with a public entry), **approved**.

ZONING HISTORY – VICINITY

2007DV1066 ; 6055 N Keystone Avenue (southwest and east of site), variance of development standards of the Sign Regulations to provide for (a) an 18.33-foot tall, 86.5-square foot building entry pole sign with an approximately 300-foot front setback from 62nd Street, being within 220 feet of another freestanding sign (minimum 300-foot separation required); (b) An 18.33-foot tall, 86.5-square foot building entry pole sign with an approximately 400-foot front setback from Keystone Avenue, being the sixth freestanding sign along Keystone Avenue (maximum four freestanding signs permitted along approximately 1,430 feet of street frontage for an integrated center), and resulting in a total sign area of 1,242 square feet for freestanding signs along Keystone Avenue (maximum total sign area of 900 square feet permitted for an integrated center with greater than 1,100 square feet of street frontage), **approved**.

2007DV1023 ; 6055 N Keystone Avenue (southwest of site), variance of development standards of the Sign Regulations to provide for the construction of a twelve-foot tall, 48.5-square foot pylon sign along North Keystone Avenue, resulting in a total sign area of 1,155.5 square feet of freestanding signs along North Keystone Avenue (maximum sign area of 900 square feet permitted for an integrated center with greater than 1,100 feet of street frontage), and located within 265 feet of another freestanding sign along North Keystone Avenue (minimum 300-foot separation required), **approved**.

2004DV2012 ; 2620 E 62nd Street (northeast of site), variance of development standards of the Commercial Zoning Ordinance to provide for a dental office with a nine-foot north transitional yard (minimum twenty-foot transitional yard required when abutting a protected district) and a variance of development standards of the Sign Regulations to provide for the location of a ground sign with a three-foot front setback from the existing right-of-way (fifteen-foot front setback required), **approved**.

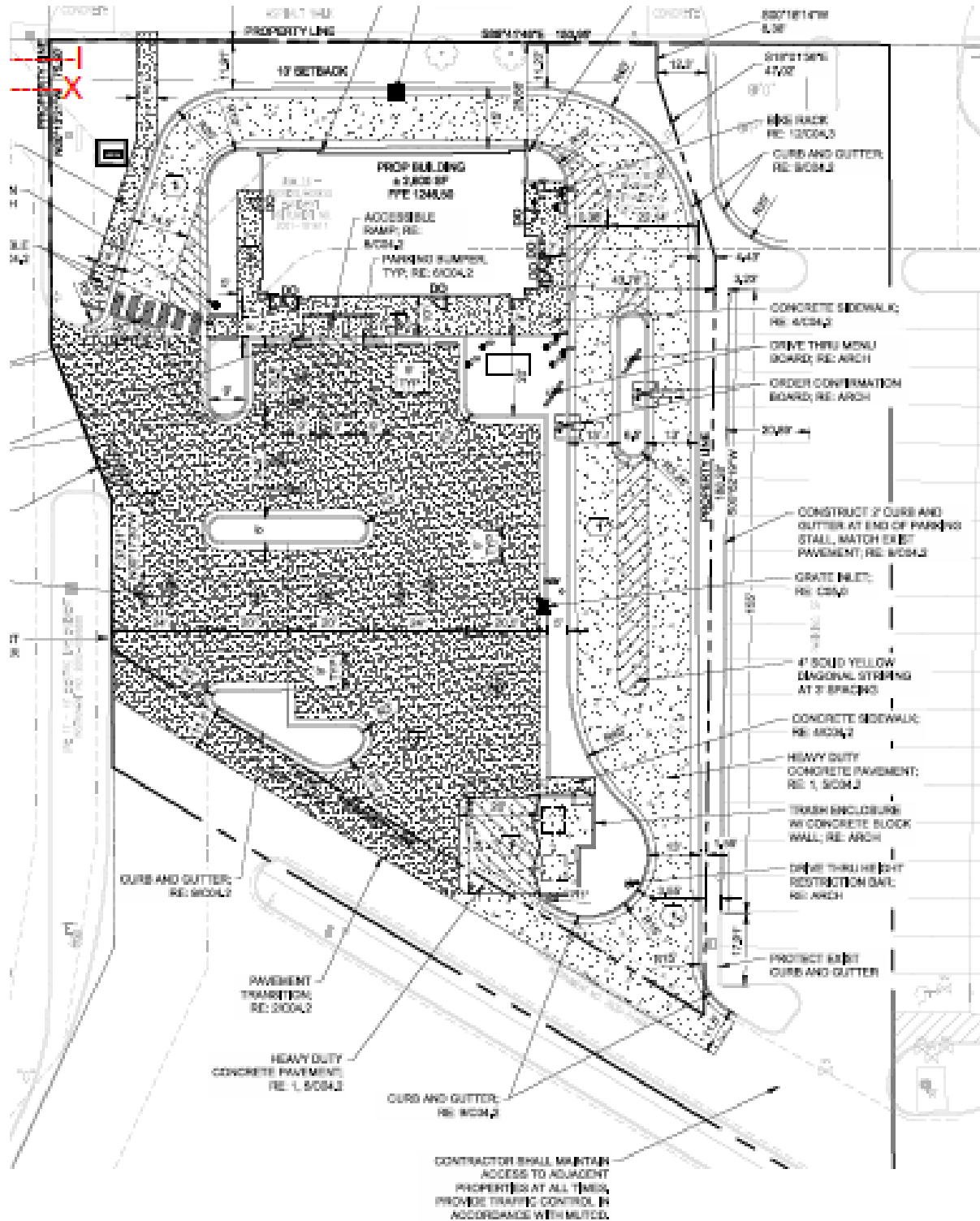
2002DV2012 ; 6191 Keystone Avenue (west of site), variance of development standards of the Sign Regulations to provide for a 25-foot tall pole sign with 36 square feet devoted to an electronic variance message board located 20 feet from a signalized intersection (minimum 125 feet separation required for an electronic variable message board from a signalized intersection), **approved**.

EXHIBITS

2024DV2042 ; Aerial Map



2024DV2042; Site Plan

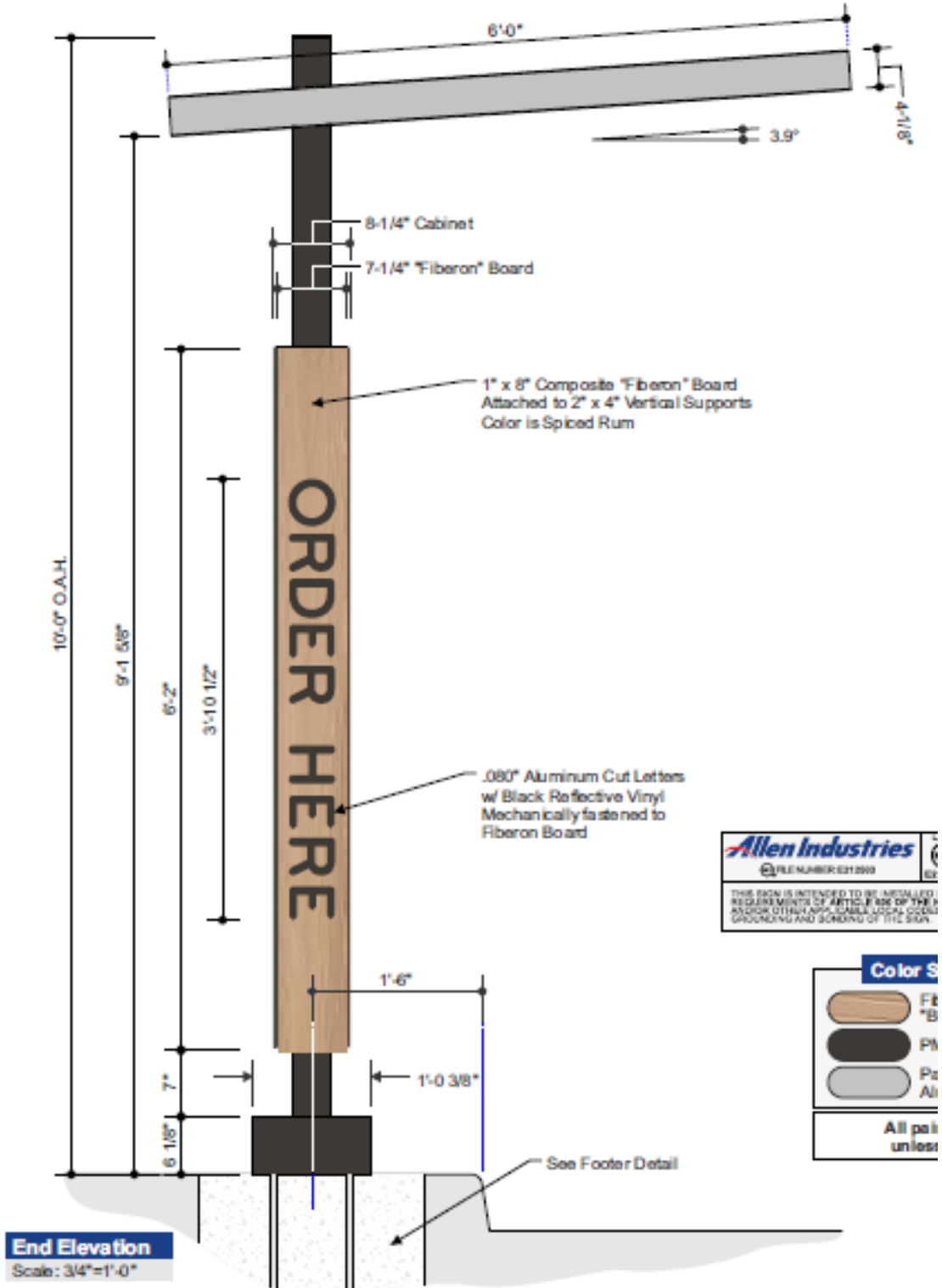


2024DV2042 ; Sign Elevation (Monument)



Front Elevation
 Scale: 3/4"=1'-0"

2024DV2042 ; Sign Elevation (Drive-Thru Canopy)





2024DV2042 ; Findings of Fact

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

This is an existing sign. City code requires sign to come into compliance if any structural changes are being made to the sign.

The new Panda Express on this property would like to add a small panel to the existing sign. The location of the sign will remain in the exact same position maintaining all the original site lines and required setback.

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:

This is an existing sign. All the original site lines and required setbacks will be maintained.

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

This is an existing sign. All the original site lines and required setbacks will be maintained.

2024DV2042 ; Photographs



Photo 1: Existing Sign Viewed from East



Photo 2: Existing Sign Viewed from West

2024DV2042 ; Photographs (continued)



Photo 3: Adjacent Multitenant Sign to East



Photo 4: Adjacent Walgreens Sign to West (oriented to Keystone)

2024DV2042 ; Photographs (continued)



Photo 5: Adjacent Property to Southeast



Photo 6: Adjacent Buffalo Wild Wings Sign (~ 955' to East)