

BOARD OF ZONING APPEALS DIVISION II

November 12th, 2024

Case Number: 2024-DV2-031
Property Address: 2701 N College Ave
Location: Center Township, Council District 8
Petitioner: JBCC Holdings LLC, By David Gilman
Current Zoning: MU-2
Request: Variance of Development Standards to allow a mixed-use development with seven (7) on-street parking spaces and a bicycle rack (8 stalls) for a total of eight (8) spaces provided (11 spaces required).
Current Land Use: Commercial
Staff Recommendations: Staff recommends **approval** of this variance request.
Staff Reviewer: Kiya Mullins, Associate Planner

PETITION HISTORY

This is the third public hearing for this petition.

The first hearing occurred on September 10th, 2024, where this case was continued in order to allow time for staff and the petitioner to speak about the case.

The second hearing occurred on October 8th, 2024 where the case was continued in order to change the legal notice and get a clearer understanding on the variance that is being requested for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this variance request.

PETITION OVERVIEW

- This request would allow for this property to reduce the required number of off-street parking spaces allowing seven (7) on-street parking spaces and an eight (8) stall bike rack instead of the required eleven off street parking spaces.
- The 6,260sqft building is to be converted to have two (2) apartments on the second floor while the first floor will be converted into two (2) office spaces.
- All parking for this mixed-use property will be on the street.
- Bicycle parking on the property allows the Ordinance adjustments for the required off-street parking to go into effect. This adjustment allows “For every five bicycle parking spaces provided in excess of the required bicycle parking spaces (or where no bicycle parking is required), the

minimum number of required off- street parking spaces may be reduced by one, up to a maximum reduction of five off- street parking spaces.” (pg 520) This petitioner is requesting that all the off- street parking into on street parking (reduction of three spaces). While the petitioner will be providing seven (7) off-street parking space and one (1) bike rack.

- Staff recommends **approval** of this petition because there is no space on the property which would allow off street parking unless built directly beside the dwelling to the east of this property. Staff believes with the combination of bike parking and on street parking, there will be enough provided space for the two (2) businesses, anticipated customers, and the two (2) apartments that will be at this location.

GENERAL INFORMATION

Existing Zoning	MU-2	
Existing Land Use	Commercial	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	Zoning	Surrounding Context
North:	C-3	North: Two-Family Dwelling
South:	C-1	South: Multi-Family Residential
East:	C-3	East: Two-Family Dwelling
West:	D-8	West: Exempt/Religious Uses
Thoroughfare Plan		
College Ave	Primary Arterial	62 foot right-of-way existing and 78 foot right-of-way proposed
27 th Street	Local Street	41 foot right-of-way existing and 48 foot right of way proposed
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	Yes	
Site Plan	08/11/2024	
Site Plan (Amended)	08/21/2024	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	08/11/2024	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- City of Indianapolis Consolidated Zoning / Subdivision Ordinance
- Red Line TOD Strategic Plan
- Indy Moves

Pattern Book / Land Use Plan

- According to the Consolidated Zoning Plan personal or commercial services including consumer services or repair of consumer goods, hair and body care salon or service, financial and insurance services (banks and check cashing or validation services), laundromats, printing services and tattoo parlors need to have a minimum off-street vehicle parking space count of five (5) spaces or one (1) per 350 sqft, whichever is greater (pg 515).
- As required by the Consolidated Zoning Plan off street ADA parking spaces shall be provided, in the cause of a location with 0-25 parking spaces the location will need to have at minimum of one (1) ADA reserved space (pg 518)
- Setback requirements in the Consolidated Zoning plan for a MU-2 zoning, includes: (pg 477)
 - Front Yard Setback
 - 5ft-20ft
 - Front Transitional Yard
 - 20 ft
 - Side Transitional Yard/Abutting Alley
 - 15/10ft
 - Rear Transitional Yard/Abutting Alley
 - 15/10ft

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The study area for the Red Line corridor centered around the Central Business District, Meridian and College Avenue corrido, Shelby Street corridor and the Marion County/Johnson County line. The study assessed land use and market characteristics of the region and the proposed corridors in relation to each other using methodology based on research and approaches developed by the Center for Transit Oriented Development (CTOD) (pg 5).
- According to the Red Line plan north of downtown Indianapolis, the strongest stations were located along the College Avenue corridor. Stations in the CBD had the strongest market strength scores while station at Virginia and New Jersey and Meridian and 34th and 28th Street had high TOD readiness scores (pg. 6).

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)

- Indy Moves plans state that it is needed to adjust parking regulations and management of vehicle storage. The parking requirements incorporated in zoning codes are one of the most important determinants of which buildings get built, how they get built, and the transportation choices of those who inhabit them. Zoning ordinances dictate how many parking spaces a certain type of development must have, thereby inducing travel demand (by making it easier to drive) or reducing travel demand (by making it more difficult and encouraging walking, biking, and transit use as alternatives). Zoning codes can also encourage development patterns that are compact and walkable or spread out and difficult to connect without a car. Indy's recent zoning code update re-evaluated parking requirements and introduced parking maximums in some places, and the City should continue to consider further changes to avoid over parking in an era in which parking demand could drop dramatically (pg .

ZONING HISTORY

ZONING HISTORY – SITE

- 2023-ZON-092
 - Rezoning of 0.15 acre from the C-3 district to the MU-2 district to provide for mixed-use development. **Approved.**

ZONING HISTORY – SURROUNDING

- 2017-CZN-840: 717 E 27th St (Southeast of Site)
 - Rezoning of 0.06 acre from the C-1 district to the D-8 classification. **Scheduled for CCC.**
- 2019-ZON-032: 2637 N College Ave (South of Site)
 - Rezoning of 0.32 acre from the C-1 district to the D-8 classification. **Approved.**
- 2019-ZON-100: 725 E 27th St (East of Site)
 - Rezoning of 0.5 acre from the SU-1 district to the D-8 district. **Approved.**
- 2019-CPL-845: 2636 N College Ave (Southwest of Site)
 - Approval of a Subdivision Plat to be known as Re-plat of Lots Six and Seven in Losey's College Avenue Addition, dividing 0.32 acre into seven lots. **Approved.**
- 2019-CVR-845: 2636 N College Ave (Southwest of Site)
 - Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for four lots with 48% open space (55% required) and to provide for a three-foot south side setback on Lot Seven for the single-family attached dwelling, attached garage and trash container area (four-foot side setback required). **Approved.**
- 2021-CVR-813: 721 E 27th St (Southeast of Site)
 - Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the conversion of a building into a two-family dwelling (only originally constructed two-family dwellings permitted) and to legally establish and provide for 3.25-foot, four-foot, 6.5-foot and 10-foot rear setbacks for the two-family dwellings and proposed garages (15-foot rear setbacks required). **Approved.**

EXHIBITS

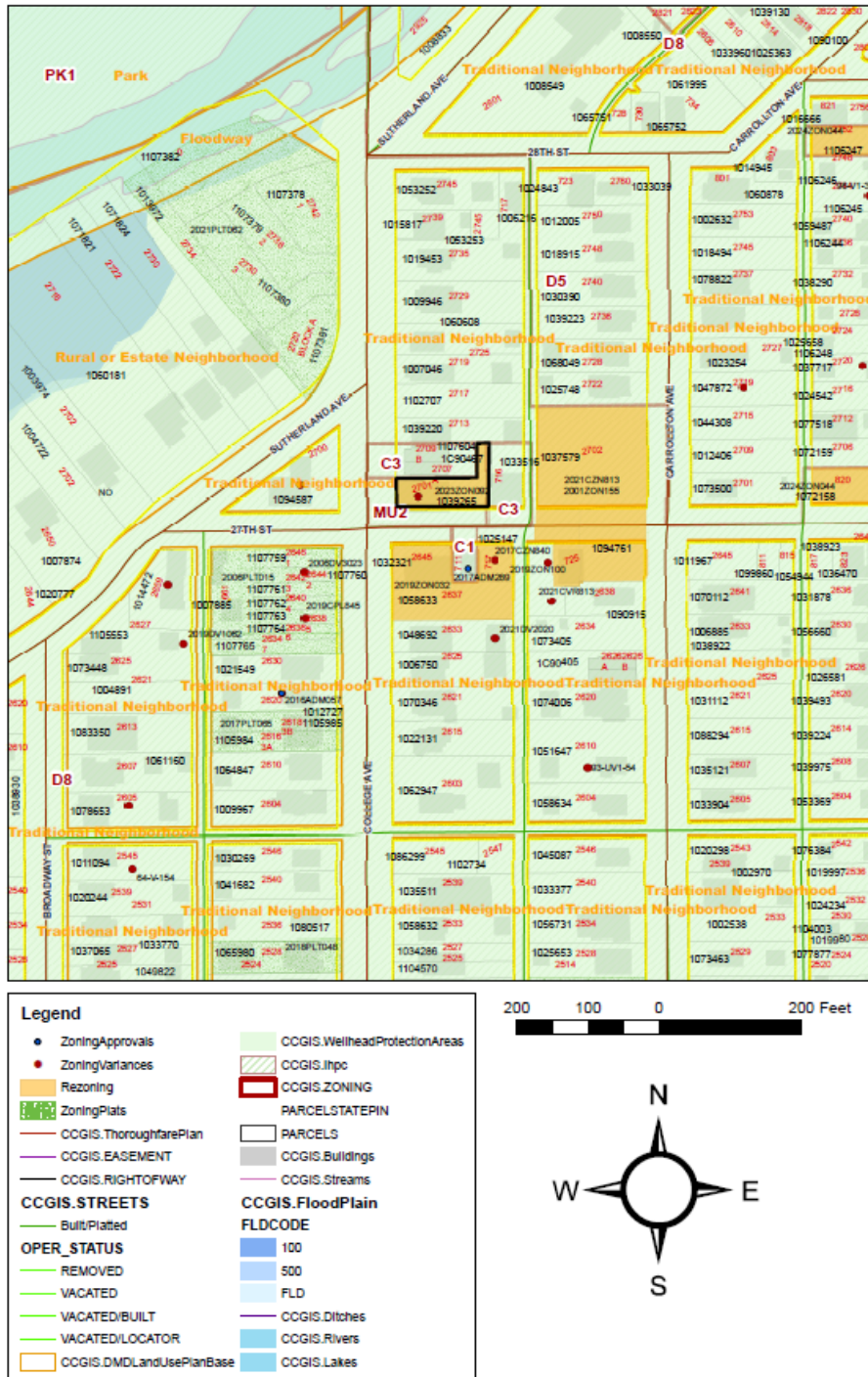


Exhibit 1: Area map around 2701 N College Ave

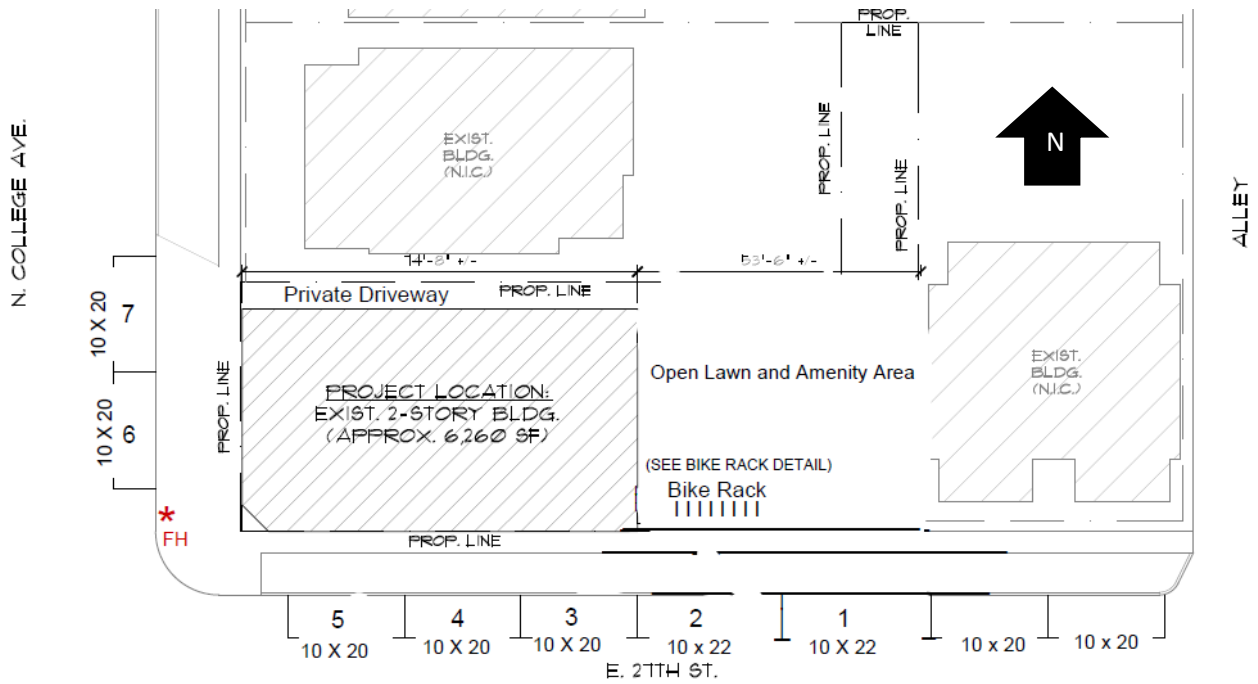
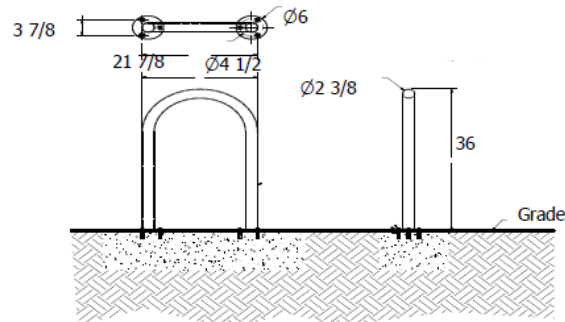


Exhibit 2: Site Plan of 2701 N College Ave

Bike Rack Typical of 8



- Embedment details are for reference illustration only. Minimum foundation sizes depend on local soil conditions, weather conditions and engineering requirements.
- Bike rack is provided as shown with parts listed below. Concrete foundation and/or installation not provided by Reliance Foundry.
- This drawing is not drawn to scale. Dimensions provided herein are for reference only. Please consult Reliance Foundry sales professionals if any dimension is critical

Exhibit 3: Bike Rack Detail



Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

The site has available parking along E 27th Street and College Avenue. The on-street parking will be adequate for the proposed low intensity uses. There are numerous examples across the City where only on-street parking is utilized.

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:

The adjacent uses utilize both street and off-street parking. The subject parcel has 7-8 parking spaces that are along its frontage. The sites open space area could be an amenity area for the residents and a buffer yard for the residence to the east.

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

The existing building was constructed in the late 1800s and has historically depended on street parking. The low intensity uses proposed for the building do not require the amount of parking required by the ordinance.

Exhibit 3: Findings of Fact submitted by the petitioner for 2701 N College Ave



Exhibit 4: Front of 2701 N College Ave.



Exhibit 5: Back of 2701 N College Ave, where planned bike rack will be built if approved by the BZA.