

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-UV1-016
Address: 2909 South Meridian Street (approximate address)
Location: Center Township, Council District #16
Zoning: C-4
Petitioner: Mars Realty Trust LLC, by Joshua Pierson
Request: Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an automobile sales facility, including outdoor operations, for up to 40 vehicles (not permitted).

ADDENDUM FOR AUGUST 15, 2023

Due to a lack of quorum, this petition was continued from the August 1, 2023, hearing, and transferred to the August 15, 2023, hearing at the request of the petitioner.

August 1, 2023

RECOMMENDATIONS

Staff **recommends denial** of this petition.

SUMMARY OF ISSUES

LAND USE

EXISTING ZONING AND LAND USE

Compact	C-4	Vacant Commercial Building
---------	-----	----------------------------

SURROUNDING ZONING AND LAND USE

North -	SU-34 / D-2	Fraternal Organization / Multi-family dwelling
South -	C-4	Community Commercial uses
East -	C-4	Undeveloped
West -	D-A	Agriculture uses

COMPREHENSIVE PLAN	The Comprehensive Plan recommends community commercial uses.
--------------------	--

VARIANCE OF USE

- ◇ This request would provide for an automobile sales facility, including outdoor operations, for up to 40 vehicles, a C-5 use, within an area associated with neighborhood commercial and residential development, with D-A, D-5, C-4, and SU-34 zoning. A C-5 use at this location would represent a deviation from the Comprehensive Land Use Plan recommendation of community commercial uses.

(Continued)

STAFF REPORT 2023-UV1-016 (Continued)

- ◇ Retail automobile vehicle sales and other C-5 uses are generally considered a high-intensity commercial use, that often tend to have extensive outdoor display and activity, bright lighting, and noise; characteristics that negatively affect lesser zoned districts. Similar C-5 uses would be go-cart raceways, tractor sales, outdoor flea markets, and newspaper printing and publishing
- ◇ The proposed use would require extensive outdoor storage for 40 automotive vehicles, which runs counter to the intent of the C-4 District. The proposed site plan is inconsistent in showing where these 40 vehicles would be stored. The rear lot area does not indicate specific parking or vehicle storage spaces and is not striped accordingly. It currently consists of gravel and/or broken asphalt, which is not permitted for commercial uses. If approved this lot area would need to be paved, or another variance for gravel or other surface covering materials will be needed.
- ◇ The Comprehensive Plan recommends community commercial typology. “The Community Commercial typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.”
- ◇ The Pattern Book lays out a land use classification system that guides the orderly development of the county, protects the character of neighborhoods and serves as a policy guide for development or redevelopment of a site.

- ◇ The following elements of the Pattern Book apply to this site:

Conditions for All Land Use Types

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.

Conditions for Small-Scale Offices, Retailing, and Personal or Professional Services (defined as commercial uses with minimal outdoor operations, storage, or display on lots of less than 1.5 acres and a height of less than 35 feet).

- **Outdoor display of merchandise should be limited.**
 - **If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.**
 - Should be located along an arterial or collector street.
 - If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
- ◇ The request would not be consistent with the Comprehensive Plan recommendation of community commercial typology and would, in fact, be an inappropriate intensification of the current commercial uses.

(Continued)

STAFF REPORT 2023-UV1-016 (Continued)

- ◇ Furthermore, the Pattern Book clearly indicates the negative impact of outdoor display and recommends that it not be located adjacent to residential uses.
- ◇ Staff would note the absence of any other similar C-5 uses in the area, which is further evidence that this request would be incongruent with the surrounding land uses and would negatively impact the area, particularly the adjoining residential neighborhood to the east, and lesser zoned commercial uses nearby.
- ◇ Staff has concerns that recommending approval of the variance request would encourage the conversions of other lesser zoned parcels in the area to heavy commercial and C-5 uses.
- ◇ There is no hardship associated with this property that necessitates a grant of this variance. It is currently zoned C-4 and can be utilized for C-4 uses without the benefit of a variance. Staff, therefore, recommends denial of this request.

GENERAL INFORMATION

THOROUGHFARE PLAN	This portion of South Meridian Street is indicated in the Official Thoroughfare Plan as a primary arterial, with a 50-foot existing right-of-way and a 78-foot proposed right-of-way.
SITE PLAN	File-dated June 27, 2023.
PLAN OF OPERATION	File-dated July 12, 2023.
FINDINGS OF FACT	File-dated June 27, 2023.

ZONING HISTORY

90-SE1-3; 2909 South Meridian Street (subject site), requested a Special Exception of the Commercial Zoning Ordinance to permit a billiards parlor within 500 feet of a residential zoning district, in C-4, **denied**.

2018-UV1-011; 2856 South Meridian Street (west of site), requested a variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for an in-resident comprehensive mental health facility, providing for housing of up to twenty residents, in three existing on-site homes, life and psychological development programs and therapy through farming and farming-related activities, including the sale of produce, **granted**.

2009-UV1-039; 2949 South Meridian Street (south of site), requested a variance of use of the Commercial Zoning Ordinance to provide for a tattoo parlor without a special exception, within forty (40) feet of a protected district, where a 500-foot separation is required, **granted**.

2007-LNU-040; 2961 South Meridian Street (south of site), requested a Certificate of Legal Non-Conforming Use for the lack of marked parking spaces, and the lack of handicap spaces, **granted**.

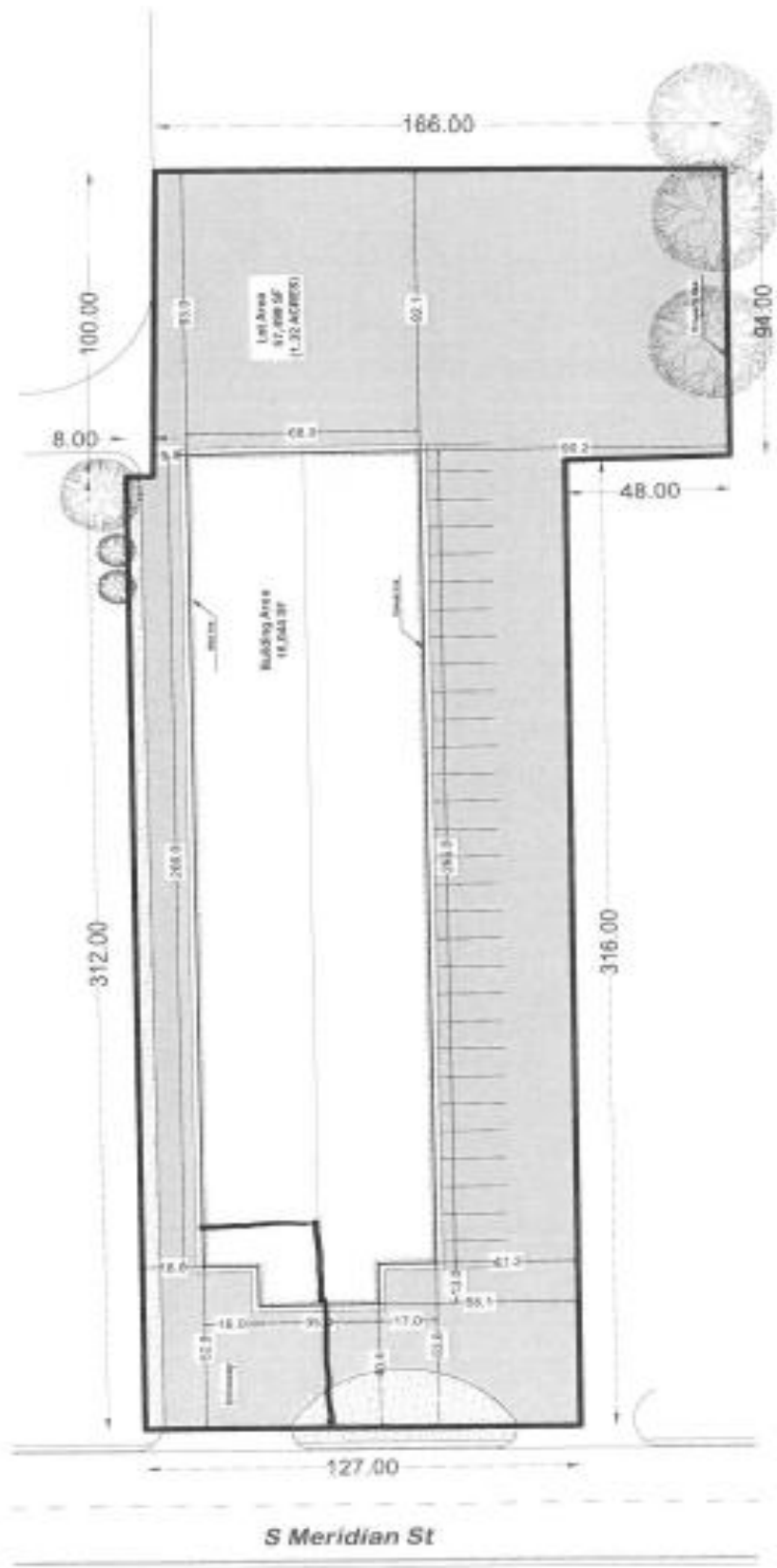
2004-SE2-006; 2949 South Meridian Street (south of site), requested a Special Exception of the Commercial Zoning Ordinance to legally establish six amusement machines, in C-4, **granted**.

STAFF REPORT 2023-UV1-016 (Continued)

2023-UV1-016: Location Map



2023-UV1-016: Site Plan



Joshua Pierson
Meridian St Motors
2909 S Meridian St
Indianapolis, In 46225

Plan of Operation

Meridian St Motors will have a workforce of 3-4 employees. All employees will work onsite at the location and will commute to work by personal vehicle. We will provide an employee parking area. To keep our employees safe, we will be fencing the perimeter of the property and we will have cameras and an alarm system.

Our clients/customers will be families and single people looking to purchase a used vehicle. They will travel to our location and purchase in person. We will have customer parking that includes handicap spaces for those that need it. To protect them we will have fencing and security equipment.

Meridian St Motors will sell used vehicles and process the paperwork that goes along with the sale of the vehicles. Outside of the property is where the vehicles will be stored and shown to customers, and our alarm and camera security system will help maintain safety and security for the business, employees and the customers.

The materials we used are little to none. We will 2-3 times a week use soap to wash cars, so they are clean for the customers. But we don't use chemicals or hazardous materials for the sale of these vehicles.

Meridian St Motors will receive new inventory from the auction 1-2 times per week. During business hours of 9-5 pm. Most of the vehicles will be driven from the auction to the site.

Lastly, as far as waste we plan to have an enclosed dumpster for any trash or debris from prepping cars for sale and customers that may leave any behind. Currently, we see no need for recycling at this location.

2023-UV1-016: Photographs



subject site looking east



subject site looking northeast



subject site proposed storage area, looking east



Adjacent multi-family dwellings to the northeast of proposed storage area.



Adjacent commercial use to the south of site, looking east.



Adjacent commercial uses to the south of site.



Adjacent agricultural use to the west of site, looking north.



Adjacent fraternal organization use to the north of site, looking east.