

Department of Metropolitan Development Division of Planning Current Planning

BOARD OF ZONING APPEALS DIVISION I

November 7, 2024

Case Number: 2024-DV1-036

Address: 8144 East Southport Road (approximate address)

Location: Franklin Township, Council District #25

Zoning: C-4

Petitioner: DRGSF Surplus LLC, by Mistie Nigh

Request: Variance of Development Standards of the Consolidated Zoning and

Subdivision Ordinance to provide for the installation of a second drive-thru

sign (one sign permitted per lane).

Current Land Use: Commercial multi-Tenant

Staff Recommendation: Staff recommends approval of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

PETITION OVERVIEW

- ♦ The Indianapolis Zoning Ordinance places limits on the number of secondary freestanding signage that can be placed within commercial areas to limit the visual clutter and confusion that could be caused by duplicate signage.
- The first drive-thru sign (see sign A in Elevations) serves as a pre-menu board showing a selection of available products. The second drive-thru sign (sign B in Elevations) servers as an order point and would not display menu items but would solely be utilized to show customer orders in progress and confirm their accuracy. However, since that sign would be used exclusively by customers utilizing the drive-thru unit and would utilize static digital display, it would be classified as a second drive-thru sign and require the requested variance.
- Staff notes that the proposed pre-menu board sign is approximately nine (9) square feet in size and is small enough that it would typically be allowed if it adjoined the order board sign as an additional panel. The modest distance between the two signs would be one car length or approximately eight (8) feet and would provide nearly the same exposure and views as if the pre-menu sign were attached or integral to the order board. Since the proposed two drive-thru signs would be limited in scope to providing a menu and verifying accurate orders with minimal disruption for surrounding properties, staff is supportive of the variance request.



GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Commercial multi-Tenant	
Comprehensive Plan	Community Commercial	
Surrounding Context	Zoning	Surrounding Context
North:	C-4	Integrated Commercial Center
South:	D-A	Single-Family dwelling
East:	C-4	Commercial restaurant
West:	C-4	Commercial office
Thoroughfare Plan		
East Southport Road	Primary Arterial	90-foot existing and proposed right-of-way.
Context Area	Metro area	
Floodway / Floodway Fringe	No	
Overlay	N/A	
Wellfield Protection Area	No	
Site Plan	September 19, 2024	
Elevations	September 19, 2024	
Landscape Plan	N/A	
Findings of Fact	September 19, 2024	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

• The Comprehensive Plan recommends Community Commercial uses for the site.

Pattern Book / Land Use Plan

The Marion County Land Use Plan Pattern Book recommends the Community Commercial typology
that 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 smallscale shops, personal services, professional and business services, grocery stores, drug stores,
restaurants, and public gathering spaces.

Red Line / Blue Line / Purple Line TOD Strategic Plan

• Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.



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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

2023-DV1-008; **8144** East Southport Road (subject site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the development of an out lot, including: The erection of a third freestanding sign along Southport Road, being 260 feet from an existing freestanding sign to the east (maximum of two freestanding signs permitted per frontage, 300-foot separation required); 51 parking spaces provided at 162-square feet each (maximum 43 parking spaces permitted, minimum 180 square feet required); and a drive through with stacking spaces within the front yard of Southport Road (not permitted) and no exclusive bypass aisle (required), **granted.**

2020-DV2-012; **8120 East Southport Road (west of site),** requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 139-foot setback and a double-loaded and single-loaded row of parking along Southport Road (maximum 85-foot front setback and one double-loaded row permitted), **granted.**

2014-CZN-824A; **8120 East Southport Road** (includes subject site), Rezoning of 28.15 acres from the D-A district to the C-4 classification to provide for an approximately 98,500 square foot grocery store, a fueling station and integrated commercial center, **approved.**

2014-CVR-824; **8120** East Southport Road (includes subject site), requested a variance of development standards of the Commercial Zoning Ordinance to provide for a grocery store, a gasoline station and commercial retail development, with outdoor seating and dining, with 500 square feet of outdoor storage on the fueling station parcel, and with 665 parking spaces, **granted.**

2014-CZN-824B; **8120 East Southport Road** (west of site), Rezoning of 5.9 acres from the D-A district to the C-3 classification to provide for an integrated commercial center, **approved**.

2014-CZN-824C; **8120 East Southport Road** (north of site), requested the rezoning of 12.5 acres from the D-A district to the C-S classification to provide for an integrated commercial center, **approved**.

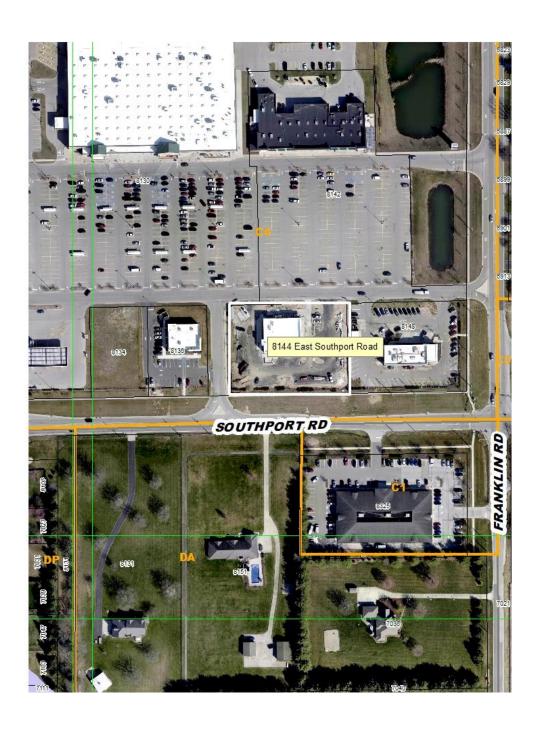
2014-CZN-824D; **8120 East Southport Road** (west of site), Rezoning of 6.7 acres from the D-A district to the C-S classification to provide for an integrated commercial center, **approved**.

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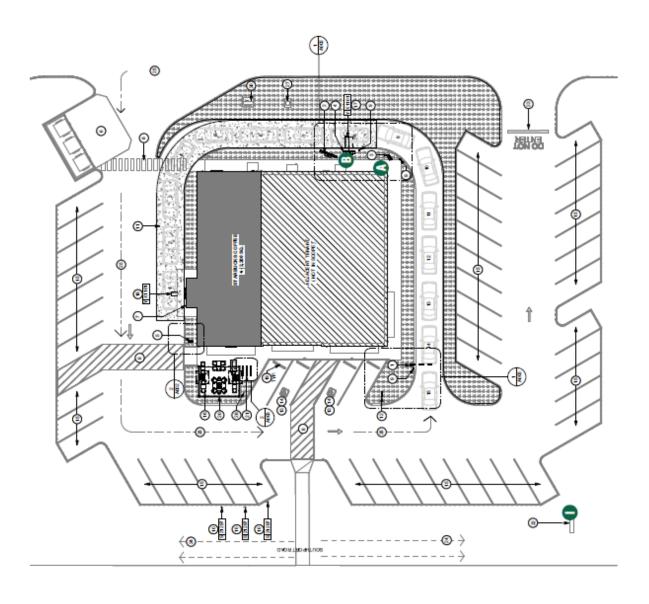
EXHIBITS

Location Map





Site Plan





Elevations

Sign A

DT PRE-MENU



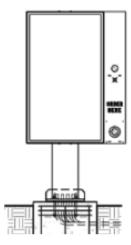


Sign B

ORDER POINT

Qty. 1







use of the property because:

make a quick and more efficient decision.

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Findings of Fact

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		
The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:		
This sign is a digital order screen only. Long drive thru lines can cause traffic issues and potentially traffic incidents as well, within reason		
a digital order screen helps to raise efficiency in the drive thru process to help minimize these potential hazards making it a positive impact		
for the community.		
The Pre-Menu board is also a great asset in a drive thru for customer that do not need a full menu and just need to get thru the drive thru		
quickly.		
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 digital order screen cannot be seen from the back of it and can only be seen by the customer ordering, therefor, signage will not affect the use and		
value of the areas adjacent to the property.		
The Pre-Menu is also only single sided so it will not be seen by only drive thru customers.		
The strict application of the terms of the zoning ordinance will result in practical difficulties in the		

The digital order screen and the pre-menu board serve an important purpose as part of the drive thru process. It is imperative that customers in the drive thru are served as quickly and efficiently as possible to maximize business, ensure a positive customer experience and to prevent long drive thru lines. The digital order screen is also beneficial to customers that may have hearing impairments as they are able to see their order on the screen and correct any issues before it is prepared rather than relying solely on a speaker post. This maximize business for Starbucks and provides a good customer experience for everyone. The Pre-Menu board is also a benefit to customer who do not need to see the entire menu. They can quickly see specials and



Photographs



Photo of subject property integrated center, looking northwest.



Photo of subject property tenant bay, looking north.





Photo of first drive-thru pre-menu sign, looking west

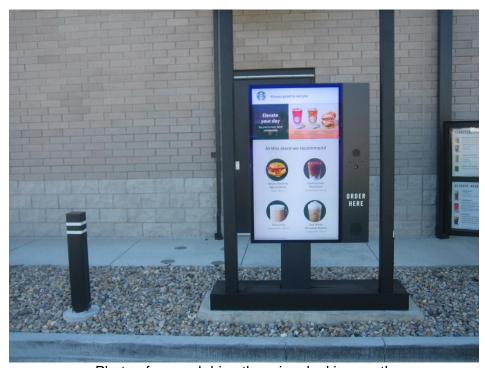


Photo of second drive-thru sign, looking south





Photo of adjacent commercial restaurant to the east



Photo of adjacent commercial office to the west, looking northwest