

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-UV1-014  
**Address:** 7006 Southeastern Avenue (approximate address)  
**Location:** Franklin Township, Council District #18  
**Zoning:** I-1  
**Petitioner:** The Auto Center, by Mitchell A. Ray  
**Request:** Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a personal motor vehicle repair shop within the existing building (not permitted) with outdoor storage of motor vehicles awaiting repair within 70 feet of a protected district without the required screening (outdoor storage not permitted within 500 feet of a protected district, solid screened enclosure required).

This petition was continued for cause at the request of the petitioner, from the July 6, 2023, hearing, to the August 1, 2023, hearing.

### **RECOMMENDATIONS**

Staff **recommends denial** of this petition.

### **SUMMARY OF ISSUES**

#### **LAND USE**

##### EXISTING ZONING AND LAND USE

Metro	I-1	Neighborhood Commercial Uses
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##### SURROUNDING ZONING AND LAND USE

North -	D-A	Single-family dwelling / Agricultural uses
South -	C-3	Undeveloped
East -	C-4	Single-family dwelling
West -	D-A	Single-family dwellings

COMPREHENSIVE PLAN	The Comprehensive Plan recommends village mixed-use
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#### **VARIANCE OF USE**

- ◇ This request would provide for a personal motor vehicle repair shop, or an automobile service or repair use as defined by the Ordinance.
- ◇ An automobile service or repair facility is a permitted C-4 use and are generally considered a medium-intensity commercial use. Such uses often are large traffic generators and are characterized by having primarily indoor operations.

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## **STAFF REPORT 2023-UV1-014 (Continued)**

- ◇ The proposed use would provide outdoor storage of motor vehicles awaiting repair on the adjacent gravel parking area, although the submitted site plan and plan of operation does not indicate this, nor place any limits on how many are to be stored at any given time. This storage area would be within 70 feet of a protected district, where a 500-foot separation would normally be required.
- ◇ The existing gravel parking lot is non-compliant, and unstriped. An additional variance would be needed if it is intended to remain.
- ◇ The plan of operation also does not indicate or limit the number of outdoor vehicles to be stored at any given time. Leading to the possibility of unattended and inoperable vehicles remaining on site for lengthy periods of time. The uncertainty of this could overwhelm the site and significantly negatively impact adjacent property owners if this variance was to be granted.
- ◇ The proposed use would be inconsistent with the Comprehensive Plan recommendation of village mixed use for the site. The village mixed use recommendation is intended for low-intensity neighborhood-based retail commercial and office uses, which serve a predominantly residential market adjacent to or very near the location of the use. These uses generally contain no, or extremely limited outdoor display of merchandise. Automotive uses, including an automobile service or repair facility is not a recommended use in the Village Mixed Use plan recommendation.
- ◇ The proposed use would require extensive outdoor storage of automotive vehicles awaiting repair, which runs counter to the intent of the existing I-1 zoning district, and the Comprehensive Plan recommendation for village mixed use. Staff believes that this request, if approved, would negatively impact the adjoining residential uses to the east.
- ◇ There is no hardship associated with this property that necessitates a grant of this variance. It is currently zoned I-1 and can be utilized for I-1 uses without the benefit of a variance.

## **GENERAL INFORMATION**

### **THOROUGHFARE PLAN**

This portion of Southeastern Avenue is indicated in the Official Thoroughfare Plan as a primary collector, with an 80-foot existing and proposed right-of-way.

This portion of East Troy Avenue is indicated in the Official Thoroughfare Plan as a primary collector, with a 30-foot existing right-of-way and an 80-foot proposed right-of-way.

### **SITE PLAN**

File-dated June 2, 2023.

### **PLAN OF OPERATION**

File-dated June 2, 2023.

### **FINDINGS OF FACT**

File-dated June 2, 2023.

(Continued)

## **STAFF REPORT 2023-UV1-014 (Continued)**

### **ZONING HISTORY**

**2013-HOV-012; 7102 Southeastern Avenue (southeast of site)**, requested a variance of use to legally establish an existing single-family dwelling and to provide for the construction of a 712-square foot detached garage in a C-3 zoning district, **granted**.

**97-HOV-55; 7201 Troy Avenue (east of site)**, requested a variance of use to provide for an above ground pool associated with an existing single-family dwelling in a C-3 zoning district, **granted**.

**87-A2-1; 7016 Southeastern Avenue (east of site)**, requested an Administrative Appeal of the Administrator's denial of an Improvement Location Permit for the outside display and sale of automobiles, **denied**.

**86-Z-94; 7016 Southeastern Avenue (east of site)**, requested the rezoning of 1.8 acres, being in the C-4 district, to the C-5 classification to allow the sale of used cars, **withdrawn**.

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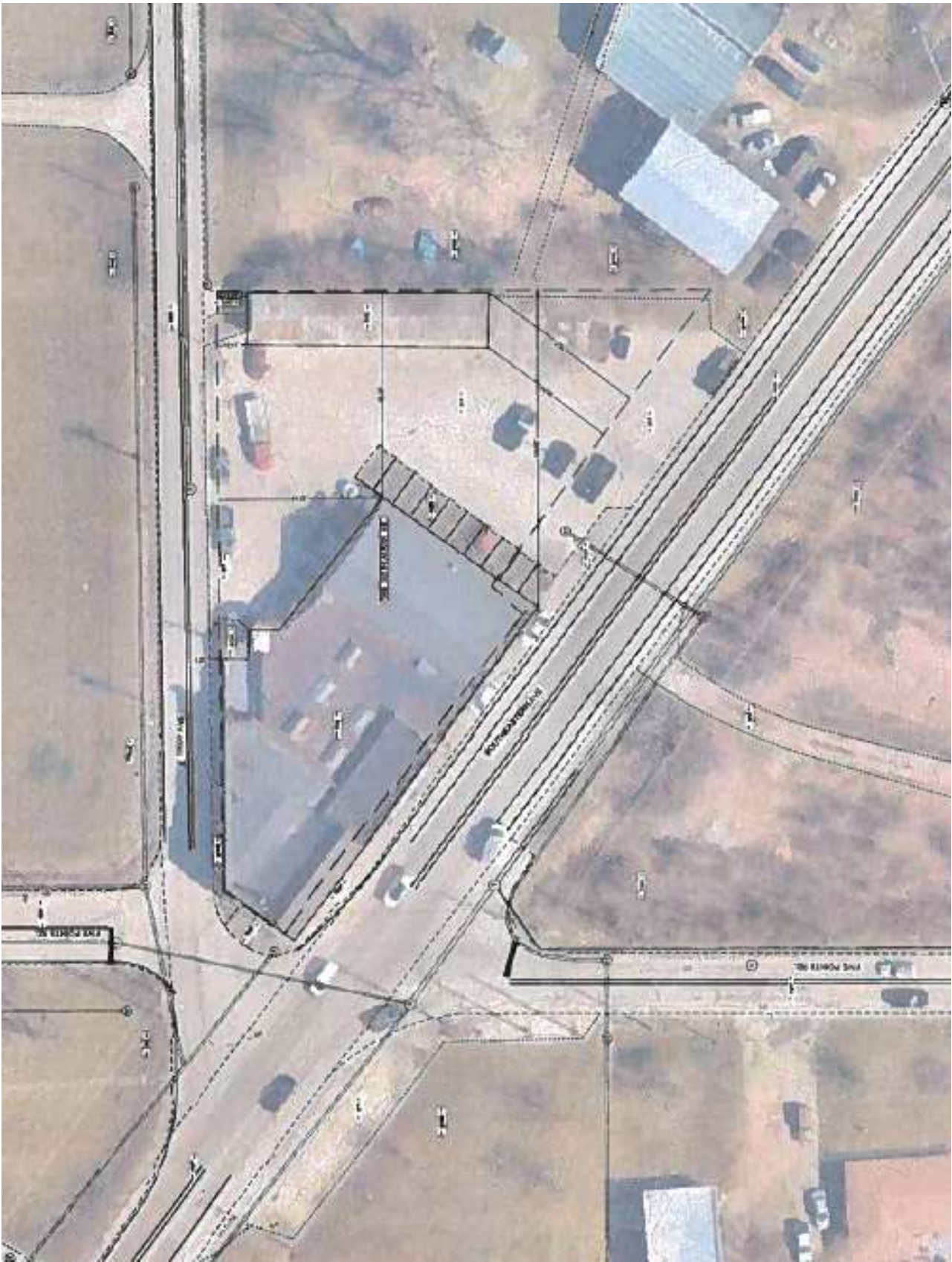
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**STAFF REPORT 2023-UV1-014 (Continued)**

**2023-UV1-014: Location Map**



**2023-UV1-014: Site Plan**



## **The Auto Center Plan of Operations**

The Auto Center is headquartered in the historical H.A. Waterman Co building located at 7006 Southeastern Avenue, Indianapolis, Indiana. It provides local residences a convenient location for their personal auto repair and service needs. It is The Auto Center's goal to provide convenient, affordable, and excellent customer service to its clientele. It has been successful in meeting its goals as evidenced by its perfect rating on Google Reviews and Facebook Rating.

### **Services Provided:**

The Auto Center provides personal service and repairs such as:

- A/C Installation & Repair;
- Engine Diagnostic & Repair;
- Battery Replacement;
- Brakes;
- Electrical Repair;
- Oil Change;
- Wheel and Tire Alignment; and
- Other routine services and repairs.

The Auto Center does not perform any vehicle body work.

### **Workforce:**

The Auto Center currently employs five mechanics who operate on 5-10 customer vehicles per day. The Auto Center is open for business Monday through Friday between the hours of 7:30 a.m. and 5:00 p.m.

### **Customers:**

While open to all non-commercial customers, The Auto Center provides most of its services to residents in Franklin Township and Warren Township. Customers typically drop off their personal vehicles in the Auto Center's secure parking lot which has been upgraded to include asphalt parking spaces and ADA compliant parking spaces.

### **Materials Used and Services Conducted:**

Auto repairs shops have historically been considered as having loud operations. However, The Auto Center is proud to use all electric tools which effectively silences their operation to surrounding landowners. The Auto Center does not generate any hazardous material or waste, other than motor oil, which is retained in drums and recycled off site every month.

**2023-UV1-014: Photographs**



Subject site looking north



subject site looking north.



Subject site, looking southwest



subject site looking southeast



Adjacent single family residential to the east of site, looking north.



Adjacent single family residential and agricultural use to the north of site.