

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-UV2-010
Address: 4002 Broadway Street (*Approximate Address*)
Location: Washington Township, Council District #7
Zoning: D-5 (TOD)
Petitioner: Eclectic Soul V.O.I.C.E.S. Corporation, by Russell Brown
Request: Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a Transitional Living Quarters for Youth (not permitted).

RECOMMENDATIONS

Staff **recommends approval** of this request, subject to the following commitment:

The Transitional Living Quarters shall be operated in substantial compliance with the Plan of Operation dated August 18, 2023.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

EXISTING ZONING, CONTEXT AREA, AND LAND USE
D-5 Compact Vacant dwelling

SURROUNDING ZONING AND LAND USE

North	D-5	Single-family dwelling
South	D-5	Single-family dwellings
East	D-5	Single-family dwelling
West	D-5	Single-family dwelling

COMPREHENSIVE LAND USE PLAN The Washington Township Comprehensive Plan (2018) recommends Traditional Neighborhood.

(Continued)

STAFF REPORT 2023-UV2-010 (Continued)

- ◇ The subject site was platted in 1904 as a part of the Washington Heights subdivision. It sits on the northwest corner of Broadway Street and 40th Street. Based on historic mapping and the Assessor's property card it appears the building on site was originally constructed as a two-family dwelling in 1920. In recent years, two outside doors have been removed, possibly modifying the building into a one-family dwelling. A garage accessed off the alley dated back to at least the late 1930s, but was demolished in the early 2000s. A two-car parking pad remains.
- ◇ The 2018 Comprehensive Land Use Plan recommends Traditional Neighborhood for the site. This land use typology is intended to provide for a variety of housing options ranging from single-family dwellings to small apartment buildings. It also provides for neighborhood-serving businesses, institutions, and amenities.

VARIANCE OF USE

- ◇ The petition seeks a variance to provide for the operation of a Transitional Living Quarters in the D-5 district. The Ordinance defines a Transitional Living Quarters as a "residential facility providing temporary lodging for families or individuals in immediate need. The facility may also provide limited temporary counseling, referral, mediation and similar human service functions. This definition does not include a group home, daily emergency shelter, diversion center, or residential facilities or shelters for residents who are required to leave during the day for work or other purposes."
- ◇ Transitional Living Quarters are not permitted in the D-5 and other single-family dwelling districts. They are permitted in the multi-family districts and as an accessory use in the Mixed-Use 1 district.
- ◇ The only type of group living permitted in a D-5 district is a group home. Group homes are intended for handicapped persons or persons with developmental disabilities and are licensed by the State.
- ◇ The Plan of Operation submitted with this request indicates that the facility would house up to seven male youths between the ages of 14 and 17. These youth are, or in danger of becoming, homeless as "a result of family situations, economic situations, or other behavioral challenges." Residents would be provided with on-site and off-site educational opportunities, artistic expression, and workforce development training. Mentors or case managers would be onsite at all times. Residents at the facility would not have their own cars.

(Continued)

STAFF REPORT 2023-UV2-010 (Continued)

- ◇ As noted above, the Ordinance limits Transitional Living Quarters to multi-family dwelling districts. Transitional Living Quarters often house more persons and in larger buildings than what is generally found in single-family dwelling neighborhoods. Their occupancy and size are more typical of a multi-family dwelling neighborhood.
- ◇ In this instance, an existing structure that is in scale with the neighborhood would be used. The number of persons on-site would be limited to nine (seven residents plus two staff persons). This is a number that might be commonly found in a two-family dwelling, which is what this structure was originally constructed as.
- ◇ As the proposed use would be conducted in a building that is appropriate to the neighborhood, would house an appropriate number of persons and would operate under the proposed Plan of Operation, staff recommends approval of the petition.

GENERAL INFORMATION

THOROUGHFARE PLAN

Broadway Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Local Street, with a 50-foot existing right-of-way and a 48-foot proposed right-of-way.

40th Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Local Street, with a 50-foot existing right-of-way and a 48-foot proposed right-of-way.

FLOODWAY / FLOODWAY FRINGE

This site is not located within a floodway or floodway fringe.

WELLFIELD PROTECTION DISTRICT

This site is not located within a wellfield protection district.

ZONING HISTORY – SITE

None.

ZONING HISTORY – VICINITY

2022-DV1-057A; 4001 North Park Avenue (west of site), requested a variance of development standards to legally establish deficient side and rear setbacks, **approved.**

(Continued)

STAFF REPORT 2023-UV2-010 (Continued)

2022-DV1-057B; 4001 North Park Avenue (west of site), requested a variance of development standards to provide for street access to an existing detached garage, **denied**.

klh

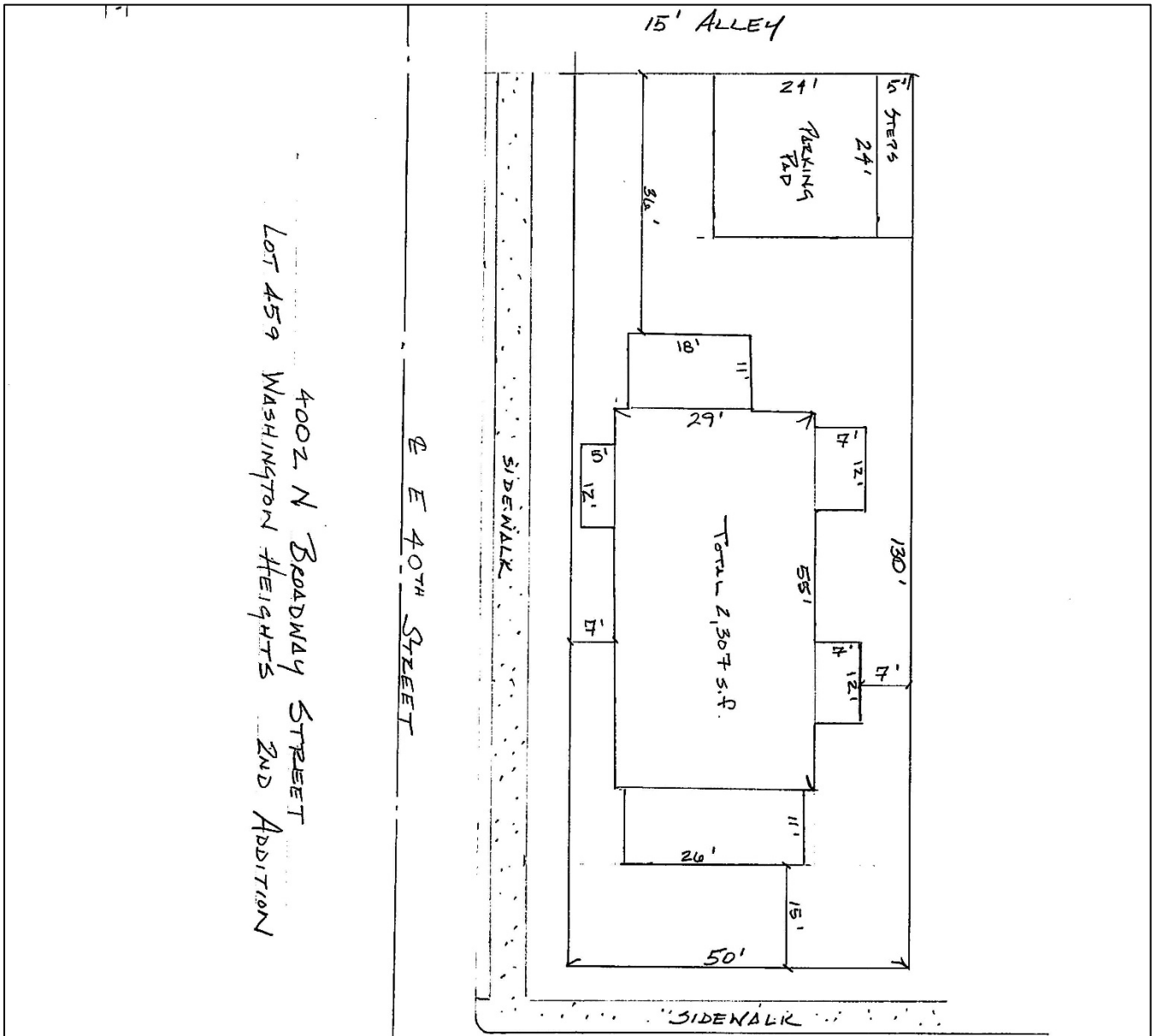
STAFF REPORT 2023-UV2-010, Location



STAFF REPORT 2023-UV2-010, Aerial photograph (2022)



2023-UV2-010; Site Plan



2023-UV2-010; Plan of Operation

PLAN OF OPERATION

4002 N BROADWAY STREET

SUBJECT PROPERTY: The subject property consists of a .15+/- acres which is located at 4002 N. Broadway Street (the "Site").

Use: Currently, the parcel carries a D5 Zoning and has been utilized for various purposes over the years by previous owners.

The proposal includes a variance of use to allow for a Transitional Living Quarters for youth in the property. The site will be utilized as a short term (period not to exceed 90 days) home for up to seven (7) males between ages 14 and 17 called "Blossom House". Blossom House will provide a transitional housing arrangement for youth who are, or may become unhoused as a result of family situations, economic situations or other behavioral challenges. Blossom House will provide on-site access to cognitive behavior programming, on-site and remote educational opportunities, artistic expression, and workforce development training opportunities as well as support groups and counseling opportunities. Two (2) on-site mentors and/or case managers will be present around the clock for Blossom House. On an as needed basis a Registered Nurse will visit the site for medical assessments and wellness needs. Any resident visits with family or other visits will occur at offsite location, not at Blossom House.

Site Plan: The use will require internal reconfiguration only. Proposed internal layout is included as part of this application. No additional exterior hard surfacing will be required. The staffing levels and low visitor traffic required for the use will not require significant traffic to the site so no additional off-street parking will be proposed or required for the use.

Vehicle and Pedestrian Plan: The site has off street parking for two spaces which represents the largest shift of employees who will be onsite for a full shift. Any additional visitors or staff to Blossom House have on-street parking ability on Broadway Street immediately adjacent to the Site. Residents at Blossom House will not have private vehicles during their residency.

Hours and Details of Operation: Residents will reside onsite during their stay at Blossom House, so residents may be on site twenty-four hours. When residents are onsite, onsite mentors and/or case managers shall also be onsite with the presence of two mentors/case managers required when Blossom House is at full occupancy. Any additional supportive services requiring visitors to the site for other services will visit during traditional working hours.

2023-UV2-010; Findings of Fact

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

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

The proposed use will provide a stabilizing environment for youth who may be in various stages of housing crisis. The proposed use will provide round the clock care and support for the residents, including needed educational, mental health, and mentoring services to allow for the residents to transition into a stable housing situation. There currently exists a gap in similar short term living arrangements, so this home will fill a need in the Indianapolis community

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 proposed use will not require changes to the exterior of the property and the site will be appropriately and adequately staffed round the clock. The community based nature of the property is an important component to the success of the residents and will allow for limited impact on nearby properties. The necessary on-site staffing will not create negative impacts on surrounding properties or nearby streets.

3. The need for the variance arises from some condition peculiar to the property involved and the condition is not due to the general condition of the neighborhood because:

The location, while located on a hard corner in an area of the City with mixed use opportunities nearby does not permit this residentially based program to occur in a residential district. The corner lot with an appropriately sized home to support seven residents in a community where residents will feel welcomed and comfortable is not widely available in the Indianapolis community.

4. The strict application of the terms of the zoning ordinance constitutes an unusual and unnecessary hardship if applied to the property for which the variance is sought because:

The use classification as included in the zoning ordinance appears to contemplate facilities with adult residents which are larger in scale. The intentionality of serving only a small number youth residents in a purely residential setting is not contemplated in the zoning ordinance. The ability to provide the needed short term services to these residents without significant changes to the residential appearance of the property provides future returns to residential uses if needed.

5. The grant does not interfere substantially with the Comprehensive Plan because:

The Comprehensive Plan contemplates traditional neighborhood. The provision of group living is contemplated in various other service types in traditional neighborhood residential areas. The limited modifications required for the property to be utilized for this youth serving program will allow the appearance and use to be in line with the development patterns of many uses contemplated to occur in a traditional neighborhood.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____

2023-UV2-010; Photographs



Looking northwest across intersection of Broadway and 40th streets at the subject site.



Looking west at the subject site from Broadway Street.



Looking west at the neighbor to the north.



Looking north from the site along Broadway Street.



Looking east across Broadway Street at the neighbors to the east.



Looking east along 40th Street.



Looking north across 40th Street at the east end of the site.



Looking north across 40th Street at the subject site.



Looking south at the neighbor to the south.



Looking southwest from the subject site along 40th Street at the neighbors to the southwest.



Looking northeast across the back of the site and at the neighbors to the north.



Looking north along the alley. The white car is on the subject site.



Looking west across the alley at the neighbor to the west.