

BOARD OF ZONING APPEALS DIVISION I

January 7, 2025

Case Number: 2024-DV1-049
Address: 3830 Meadows Drive (approximate address)
Location: Washington Township, Council District #8
Zoning: D-P / C-4 / D-5 (TOD) (W-5)
Petitioner: Health & Hospital Corporation of Marion County, by Chad Butler
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a medical laboratory with a 28 percent front building line along Meadows Drive (80 percent required), one public entry on the east façade (three required) and a loading/service area within the front yard of Rural Street (not permitted) with a parking area providing a 9.-7-foot front yard setback from Meadows Drive (not permitted, 50-foot setback required).

Current Land Use: Undeveloped

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 subject site is currently undeveloped, to provide for the construction of a medical laboratory. The subject site is on a selected segment along the Purple Line bus rapid transit system. Therefore, the property is also located within the Transit Oriented Development Overlay district, which is more restrictive on automotive uses. The surrounding neighborhood consists of previously developed commercial uses.
- ◇ The Transit Oriented Development Secondary District is established on all lots, wholly or partially, within 1,000' from centerline of a Bus Rapid Transit (BRT) Line. The intent of the Transit Oriented Development (TOD) Secondary District is to coordinate more compact, walkable, and urban development patterns with public investment in the transit system. These development patterns ensure that walking and biking are viable options for short trips and transit is a priority for longer trips. Development patterns and site designs that prioritize automobile travel undermine these public and private investments. This district follows the policies and principles of the comprehensive plan, the transit-oriented development strategic plans, and the Livability Principles in this code, and has the following specific design objectives:

- Place a wide range of housing types within walking distance of commercial centers and transit stops or stations, and at a critical mass that supports these places.
- Create connections through many different modes of transportation between neighborhoods and places for commercial services and employment.
- Provide a concentration of many different and small-scale uses with a fine-grained pattern that integrates and transitions well with the neighborhoods they support.
- Ensure human-scale design that prioritizes relationships of sites and buildings to the streetscapes.

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ For the request to provide for a 28 percent front building line along Meadows Drive where an 80 percent building line is required, and one public entry on the east façade where three are required, Staff does recommend approval.
- ◇ The *front building line* percentage is defined as the percentage of the lot frontage which must be occupied by at least a portion of the front building (740-201.B).
- ◇ The subject site is bordered on all four sides by throughfares, providing a practical difficulty in meeting the standards that were created primary for parcels with a singular frontage. The required 80 percent building line and public entries are being provided along East 38th Street, being the proposed primary access for pedestrians in the area and the primary frontage throughfare.
- ◇ The request for a reduction of front building line and entrances along Meadows Drive would be minor deviations in Staff's opinion, as the intent of the Ordinance is being met, without any reduction in pedestrian access to the primary entrance off of East 38th Street.
- ◇ For the request of a parking area providing a 9.-7-foot front yard setback from Meadows Drive where a 50-foot setback is required, Staff does recommend approval.
- ◇ For the request to provide a surface parking area within the minimum 50-foot front yard setback, in Staff's opinion, there is a practical difficulty in developing the site due to the multiple frontages around the site, which create access and circulation issues if the parking lot was required to meet the 50-foot site setback for this proposed development. Since there is no direct access from East 38th Street or Meadows Drive, and the parking lot as designed, either to the side or rear of the proposed buildings, does meet the intent of the 50-foot setback in Staff's opinion. Therefore, Staff does recommend approval of the request for a surface parking area within the minimum 50-foot front yard setback.
- ◇ For the request of a loading/service area within the front yard of Rural Street, Staff does recommend approval.
- ◇ The subject site is bordered on all four sides by throughfares, providing a practical difficulty in meeting the standards that require the loading/service area to be in a side or rear yard, where none exist. Rural Street in this instance does act as a service drive, as it is adjacent to other parking

areas and a rear service entrance. With the primary public entries being provided along East 38th Street, the proposed loading/service area would be screened appropriately and would not have any negative impact on any adjacent properties.

GENERAL INFORMATION

Existing Zoning	D-P / C-4 / D-5		
Existing Land Use	Undeveloped		
Comprehensive Plan	Village Mixed Use		
Surrounding Context	Zoning	Surrounding Context	
	North:	D-P	Fitness Center and Health Clinic
	South:	C-3 / C-4	Commercial Retail
	East:	C-4	Commercial Office and Retail
	West:	C-1 / C-4	Commercial Office and Retail
Thoroughfare Plan			
	East 38 th Street	Primary Arterial	90-foot existing and proposed right-of-way.
	Meadows Drive	Primary Collector	78 foot existing and proposed right-of-way
Context Area	Compact area		
Floodway / Floodway Fringe	No		
Overlay	N/A		
Wellfield Protection Area	5 year		
Site Plan	December 10, 2024		
Elevations	N/A		
Landscape Plan	N/A		
Findings of Fact	December 10, 2024		

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Village Mixed Uses for the site.

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends the Village Mixed-Use typology which creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.

Red Line / Blue Line / Purple Line TOD Strategic Plan



- This site falls within the Purple Line Bus Rapid Transit Oriented Development (TOD) overlay. The TOD overlay is intended for areas within walking distance of a transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.

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)

- Not Applicable to the Site.

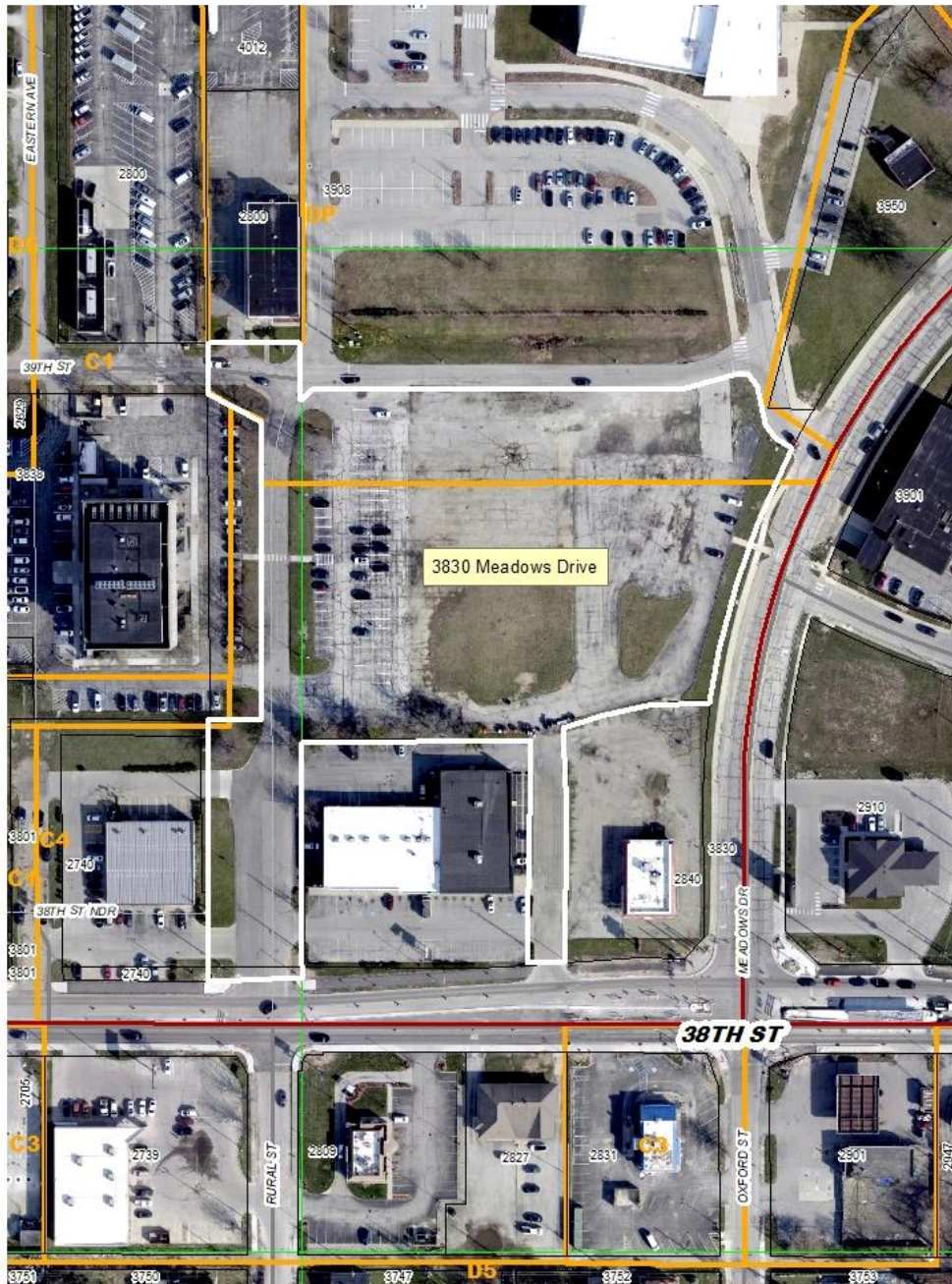
ZONING HISTORY

None

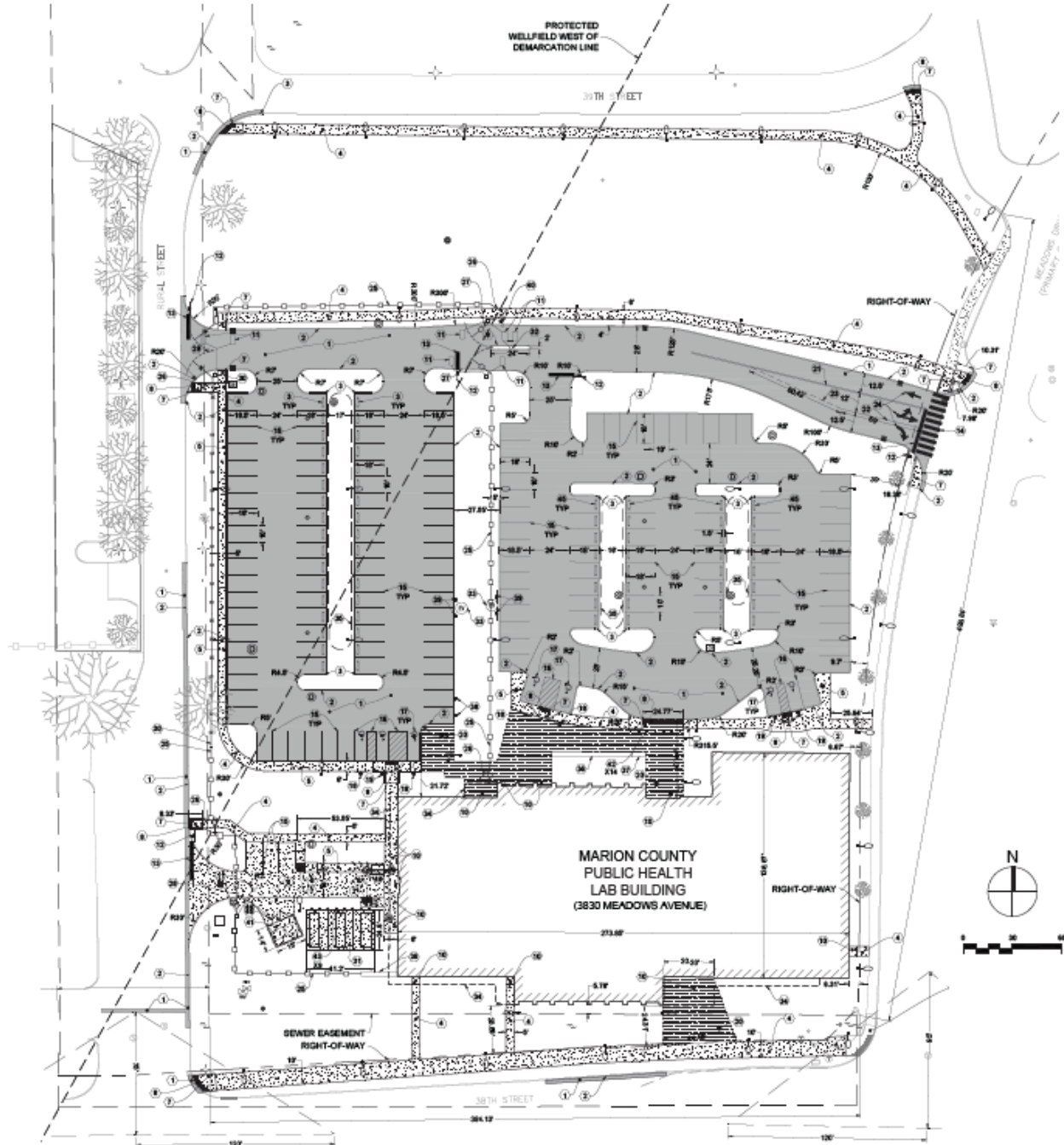
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EXHIBITS

Location Map



Site Plan





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

Section 744-508-B
-Rural St service area

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

The proposed building has a service area located on the western side of the building. If Rural St is to be considered a front lot line, the proposed service area would be located in the front yard of Rural St, and therefore would not meet requirement section 744-508.B of service areas prohibited from being in the front yard.

The site is a corner lot, with 38th St corridor and Meadows Dr being the intended street frontages of the building. 38th St and Meadows Dr are both within a public right-of-way. 39th St is within a private drive, owned by neighboring property (YMCA). N Rural St is within a private drive, owned by applicant. The intention of the site layout is that the parking lot is behind 38th St frontage and behind Meadows setback line.

This variance is not injurious to public health, safety, morals, and general welfare of the community because the design of the parking lot allows for safe vehicle and pedestrian movements. Meadows Dr is heavily trafficked by individuals walking and driving to the Avondale Meadows Academy and Avondale Meadows YMCA. The proposed parking lot driveways and walks allow for more clearly identified intersections and area of crossings, provides long sight lines, and provides safe driving and walking conditions. The parking layout is designed to minimize paths of travel and maximize safety.

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 use or value of the area adjacent to the property include in the variance of Meadows Dr side and Rural St sides will not be affected in an adverse manner because these adjacent properties also consist of driveways and parking lots located in the front of their buildings. The proposed landscaping plan for the site includes vegetation to visually screen service area and parking lot. Existing vegetation that could remain was kept in place to further screen areas.

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

The zoning ordinance requiring the parking lot setback along Meadows Dr will result in practical difficulties because there is a minimum parking count required for the building's services and size. Enforcing the 50' minimum offset would eliminate 23 parking stalls. The lots were sized to properly service the projected visitor count, and a reduction in parking would negatively impact vital records department servicing individuals seeking death/birth certificates and medical records.

The zoning ordinance requiring the service area to not be along Rural St will result in practical difficulties because 38th St and Meadows Dr are identified as a frontage. The building's operations and service requires a service area. The north side of the building is utilized for on site visitor and employee parking, and a service area on the north side of the building would negatively impact the safety of pedestrians and operations utilizing the same space.



Petition Number _____

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PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

Table 744-404-1
- Meadows limitations to parking in front of building

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

The proposed parking lot exceeds 1 single-loaded for of parking, exceeding the limitations identified in section 744-404-1 requires parking in front of a building limited to 1 row of parking.
The site is a corner lot, with 38th St corridor and Meadows Dr being the intended street frontages of the building. 38th St and Meadows Dr are both within a public right-of-way. 39th St is within a private drive, owned by neighboring property (YMCA). N Rural St is within a private drive, owned by applicant. The intention of the site layout is that the parking lot is behind 38th St frontage and behind Meadows setback line. There is no proposed modifications to the existing street parking.
This variance is not injurious to public health, safety, morals, and general welfare of the community because the building's frontage setback line are establish along 38th St and Meadows Dr. Proposed parking lots are set back behind these frontage setback lines. There is no proposed modifications to the existing street parking.

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 use or value of the area adjacent to the property include in the variance of Meadows Dr side and Rural St sides will not be affected in an adverse manner because these adjacent properties also consist of driveways and parking lots located in the front of their buildings. The proposed landscaping plan for the site includes vegetation to visually screen service area and parking lot. Existing vegetation that could remain was kept in place to further screen areas. There is no proposed modifications to the existing street parking.

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

The zoning ordinance requiring the parking lot setback along Meadows Dr will result in practical difficulties because there is a minimum parking count required for the building's services and size. Enforcing the 50' minimum offset would eliminate 23 parking stalls. The lots were sized to properly service the projected visitor count, and a reduction in parking would negatively impact vital records department servicing individuals seeking death/birth certificates and medical records. There is no proposed modifications to the existing street parking.

DECISION



Petition Number [redacted]

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division [redacted]
OF MARION COUNTY, INDIANA**

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

Table 744-702-3
- Meadows surface parking limits (50' offset)

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

The Meadows Dr side of the site does not meet minimum surface parking offset 50' not met per Table 744-702-3 Private Frontage Design Standards, and a variance is required.
All proposed parking is located behind the established front setback line along Meadows Dr and no proposed parking is in the front yard. However, the 50' minimum setback requirement is not met; the parking ranges from 9.75' to 30.0' offset from Meadows Dr right-of-way.
The site is a corner lot, with 38th St corridor and Meadows Dr being the intended street frontages of the building. 38th St and Meadows Dr are both within a public right-of-way. 39th St is within a private drive, owned by neighboring property (YMCA). N Rural St is within a private drive, owned by applicant. The intention of the site layout is that the parking lot is behind 38th St frontage and behind Meadows setback line.
This variance is not injurious to public health, safety, morals, and general welfare of the community because the design of the parking lot allows for safe vehicle and pedestrian movements. Meadows Dr is heavily trafficked by individuals walking and driving to the Avondale Meadows Academy and Avondale Meadows YMCA. The proposed parking lot driveways and walks allow for more clearly identified intersections and area of crossings, provides long sight lines, and provides safe driving and walking conditions. The parking layout is designed to minimize paths of travel and maximize safety.

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 use or value of the area adjacent to the property include in the variance of Meadows Dr side and Rural St sides will not be affected in an adverse manner because these adjacent properties also consist of driveways and parking lots located in the front of their buildings. The proposed landscaping plan for the site includes vegetation to visually screen service area and parking lot. Existing vegetation that could remain was kept in place to further screen areas.

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

The zoning ordinance requiring the parking lot setback along Meadows Dr will result in practical difficulties because there is a minimum parking count required for the building's services and size. Enforcing the 50' minimum offset would eliminate 23 parking stalls. The lots were sized to property service the projected visitor count, and a reduction in parking would negatively impact vital records department servicing individuals seeking death/birth certificates and medical records.
The zoning ordinance requiring the service area to not be along Rural St will result in practical difficulties because 38th St and Meadows Dr are identified as a frontage. The building's operations and service requires a service area. The north side of the building is utilized for on site visitor and employee parking, and a service area on the north side of the building would negatively impact the safety of pedestrians and operations utilizing the same space.

DECISION

Photographs



Photo of subject site, looking north.



Photo of subject site Meadows Drive frontage, looking north



Photo of subject site, looking south.



Photo of subject site, looking east.