

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2022-UV2-027 (Amended)
Address: 3445 Washington Boulevard (approximate address)
Location: Center Township, Council District #9
Zoning: D-3
Petitioner: Caitlin M Hannon & Chuck W Brewer, by David Kingen & Emily Duncan
Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a mixed-use development (not permitted), including:
a) A 3,580-square foot dwelling unit on the first and second floor; and
b) 6,410 square feet of office and
c) An 1,810-square foot dwelling unit in the basement with
d) nine off-street parking spaces and four street parking spaces (23 parking spaces required)

RECOMMENDATIONS

Staff **recommends approval** of this request as amended subject to the January 2, 2023 file-dated plan of operation and the three commitments submitted by the petitioner as follows:

1. No addition to or expansion of the building will be permitted.
2. The primary structure shall be preserved and any minor modifications to the exterior of the building shall be residential in appearance.
3. Bike parking shall be installed on site.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

EXISTING ZONING AND LAND USE

D-3	Compact	Residential
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SURROUNDING ZONING AND LAND USE

North	D-3	Residential (Single-family dwelling)
South	SU-1	Religious Use
East	SU-1	Religious Use
West	D-3	Residential (Single-family dwelling)

NEIGHBORHOOD PLAN

The Mapleton-Fall Creek Neighborhood Land Use Plan (2013) recommends office commercial development.

(Continued)

STAFF REPORT 2022-UV2-027 (Continued)

- ◇ The 0.64-acre subject site is improved with a single-family dwelling that was previously converted for commercial use. A previous variance, 90-UV1-16, permitted the construction of an addition to the dwelling for the expansion of a film production studio.
- ◇ The site is surrounded to the north and west by single-family dwellings and to the south and east by a religious use.

VARIANCE OF USE

- ◇ The initial request included a warehouse space on the first floor, a single contractor operating a live workspace in the basement, and a non-illuminated ground sign. After multiple discussions with staff regarding the concerns with the proposal, the petitioner amended the request and removed these items from the proposal.
- ◇ The grant of the amended request would permit two dwelling units in Unit A and Unit C and an office in Unit B with deficient parking.
- ◇ The D-3 The D-3 district provides for low or medium intensity residential development. Land in this district should have good thoroughfare access, be relatively flat in topography, and be afforded pedestrian linkages to community and neighborhood services and facilities (schools, parks, shopping areas, etc.). Recreational facilities developed for the neighborhood complement the treed yards on the individual lots. Predominantly single-family detached dwellings are envisioned with two-family dwellings on corner lots in this district. The D-3 district has a typical density of 2.6 units per gross acre. This district fulfills the low-density residential classification of the Comprehensive General Land Use Plan.
- ◇ Many of the structures on Washington Boulevard in this area have been converted to office-type uses from large single-family dwellings. Providing for an office use at this location would not be out of character with the surrounding area.
- ◇ Additionally, the proposal would not substantially interfere with the Comprehensive Plan since it is recommended for office commercial development.

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ Per Table 744-402-1, an office for business, professional, or government use would require one parking space per 350 square feet where a medical or dental office would require one parking space per 300 square feet. Since the request does not differentiate between which type of office use would be proposed, staff used the more intense parking requirement to assure that the variance would apply if the more intense parking requirement would be needed.
- ◇ As proposed, the 6,410 square foot office would require 21 parking spaces and the two dwelling units would require two additional spaces. The total required parking on site would be 23 spaces where 13 spaces would be proposed. Nine parking spaces would be off-street parking spaces with four being street parking.

(Continued)

STAFF REPORT 2022-UV2-027 (Continued)

- ◇ In Staff's opinion, there are site limitations with providing the total required parking spaces on site.
- ◇ Furthermore, the site falls within ½ mile from the nearest Red Line Transit Station and Purple Line Transit Station, which would allow for a 10% parking reduction. The fact that this site would be served by two bus rapid transit lines gives staff assurance that the reduced parking variance is supportable.

GENERAL INFORMATION

THOROUGHFARE PLAN	Washington Boulevard is classified in the Official Thoroughfare Plan for Marion County, Indiana as a street classification, with a 100-foot existing right-of-way and a 78-foot proposed right-of-way.
OVERLAY	This site is in a Transit-Oriented Development (TOD) overlay, specifically the Bus Rapid Transit Red Line.
OVERLAY	This site is in a Transit-Oriented Development (TOD) overlay, specifically the Bus Rapid Transit Purple Line.
SITE PLAN	File-dated November 10, 2022.
AMENDED SITE PLAN	File-dated January 5, 2023.
FLOOR PLANS	File-dated November 10, 2022.
UPDATED FLOOR PLANS	File-dated January 5, 2023.
PLAN OF OPERATION	File-dated November 10, 2022.
AMENDED PLAN OF OPERATION	File-dated January 5, 2023.
PETITIONER COMMITMENTS	File-dated January 5, 2023.
FINDINGS OF FACT	File-dated November 10, 2022.

ZONING HISTORY – SITE

EXISTING VIOLATIONS

None.

(Continued)

STAFF REPORT 2022-UV2-027 (Continued)

PREVIOUS CASES

2008-DV2-048; 3445 Washington Boulevard (subject site), Variance of Development Standards of the Sign Regulations to provide for a four-foot tall, 26.7-square-foot ground sign (not permitted), for an existing business permitted by petition 90-UV1-016, **granted**.

90-UV1-16; 3445 Washington Boulevard (subject site), Variance of use of the Dwelling Districts Zoning Ordinance to permit the construction of an addition to a film production studio, **granted**.

85-Z-219; 3601 Washington Boulevard (subject site), Rezoning of approximately 46 acres from the D-3 district to correct a mapping error, **approved**.

ZONING HISTORY – VICINITY

2017-DV3-037; 3434 North Washington Boulevard (west of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a six-foot tall fence within the front yard (maximum 42-inch-tall fence permitted within the front yard.), **granted**.

2010-DV1-053; 418 East 34th Street (south of site), Variance of development standards of Sign Regulations to provide for a 20-foot tall, 148.2-square foot free-standing sign mounted on the rear of an existing scoreboard, with a 3.83-foot setback from East 34th Street, with a 25-foot separation from the D-5 district to the south and being the third sign along the 581.87-foot 34th Street frontage, **granted**.

2009-DV1-008; 418 East 34th Street (southeast of site), Variance of development standards of the Sign Regulations to: a) legally establish two, six-foot tall, 38.5-square foot pylon signs, and b) provide for a 7.67-foot tall, 40.31-square foot pylon sign, within 128.51 feet of another freestanding sign to the west along East 34th Street and within 99.62 feet of another freestanding sign to the north along Central Avenue, being the second sign along 581.87 feet of street frontage on East 34th Street, **granted**.

2009-UV3-015; 3536 Washington Boulevard (northwest of site), Variance of Use of the Dwelling Districts Zoning Ordinance to provide for office uses (not permitted), **granted**.

2008-LNU-005; 3545 Washington Boulevard (north of site), Certificate of Legal Non-Conforming Use for a commercial office use, **granted**.

2008-LNU-001; 3558 Washington Boulevard (northwest of site), Certificate of Legal Non-Conforming Use for an eight (8) dwelling unit residential structure, **granted**.

2006-UV3-027; 3447 Washington Boulevard (north of site), Variance of use of the Dwelling Zoning Ordinance to Ordinance to provide for general office uses in an existing single-family dwelling, **granted**.

2004-DV2-001; 3554 Central Avenue (northeast of site), Variance of the Development Standards of the Dwelling District Ordinance to legally establish a 6.83-foot tall rear yard fence and a 9.67-foot tall side yard fence, with eight-foot and ten-foot posts respectively (maximum six-foot tall fence permitted), **dismissed**.

(Continued)

STAFF REPORT 2022-UV2-027 (Continued)

99-NC-42; 3505 Washington Boulevard (north of site), Certificate of Legal Nonconforming Use to establish an office building, **denied**.

97-HOV-66; 210 East 34th Street (southwest of site), Variance of development standards of the Sign Regulations to provide for the placement of a double-faced illuminated ground sign, being 6.5 by 3 feet and 4 feet in height, for an existing religious use, **granted**.

95-HOV-51; 3550 Washington Boulevard (northwest of site), Variance of development standards of the Dwelling District Zoning Ordinance to permit the construction of an emergency exit door and stairway from the basement of a legally established office being less than one foot from the side lot line (minimum six feet required), **granted**.

93-UV1-47; 3530 Washington Boulevard (northwest of site), Variance of use of the Dwelling Districts Zoning Ordinance to provide for a non-profit children's theater, **withdrawn**.

90-V3-72; 3521 North Washington Boulevard (north of site), Variance of use of the Dwelling District Zoning Ordinance to permit the construction of a single story office building and associated parking area, **withdrawn**.

90-UV3-36; 3521 Washington Boulevard (north of site), Variance of use and development standards of the Dwelling Districts Zoning Ordinance to permit the construction of an office building with parking located within the rear transitional yard and five feet from property line (20 feet required), **denied**.

87-UV1-137; 3558 North Central Avenue (northeast of site), Variance of use of the Dwelling Districts Zoning Ordinance to provide for the use of an existing building for professional offices including an oral surgeon, **granted with conditions**.

86-UV1-25; 131 East 36th Street (northwest of site), Variance of use of the Dwelling District Zoning Ordinance for the construction of a detached garage in a multi-family zoning district, **granted**.

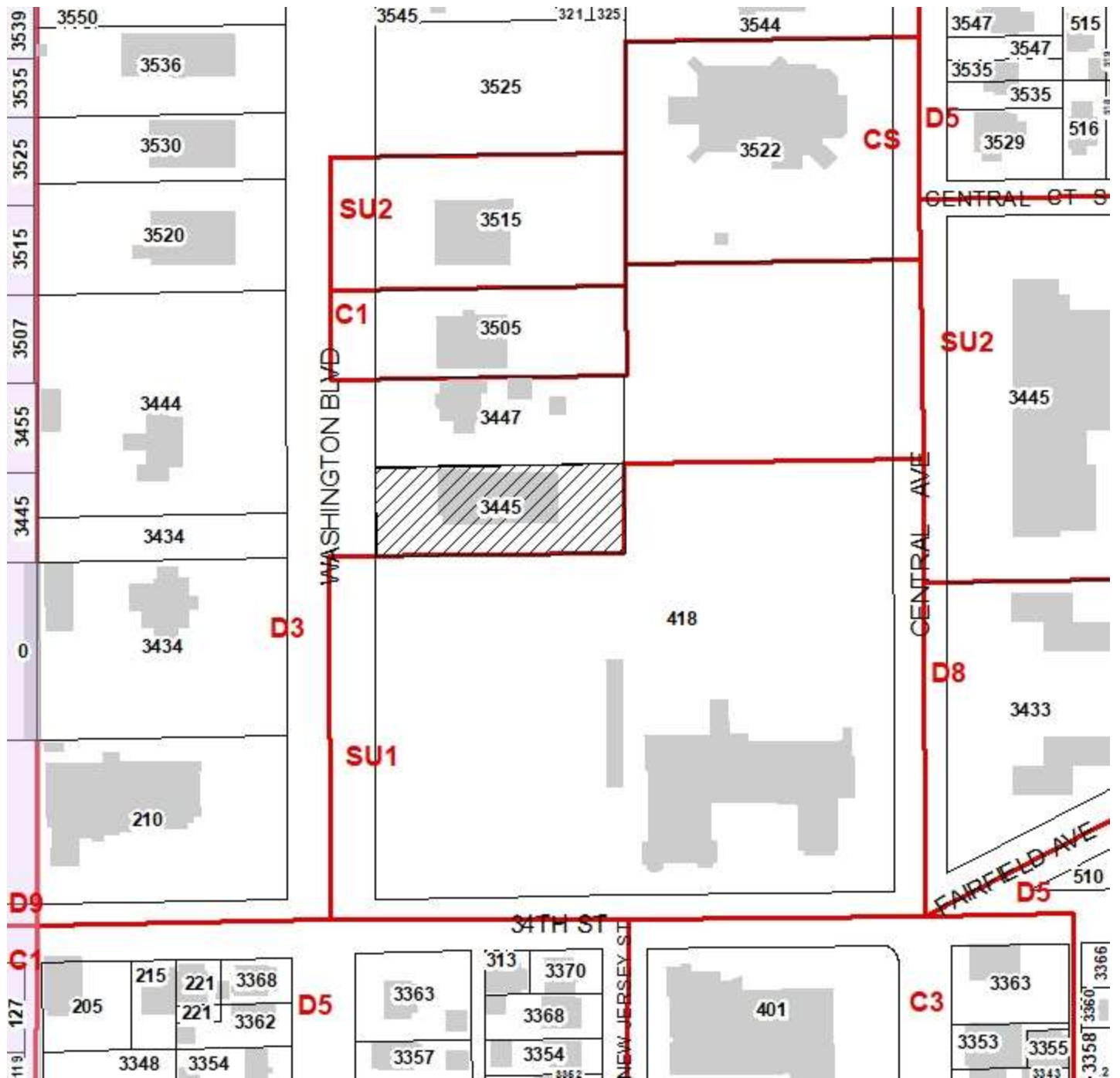
85-UV2-96; 3530 Washington Boulevard (northwest of site), Variance of use of the Dwelling Districts Zoning Ordinance to provide for the use of an existing building as a church, **granted**.

84-UV2-30; 3532 & 3538 Washington Boulevard (northwest of site), Variance of use of the Dwelling District Zoning Ordinance to provide for the erection of a commercial building to be used as an audio production studio, **granted**.

78-UV2-87; 3444 Washington Boulevard (west of site), Variance of use and development standards to permit general office uses in an existing building, previously granted for International Fraternity Headquarters, with sign, **granted**.

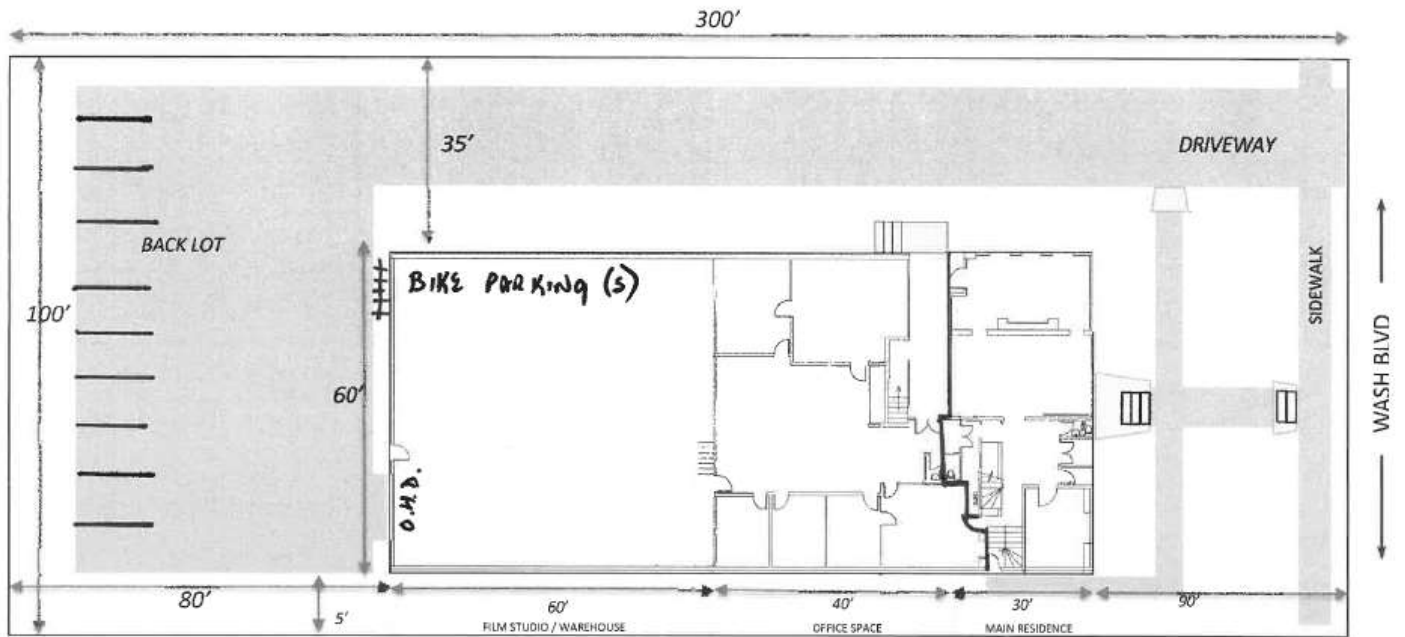
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2022-UV2-027; Location Map

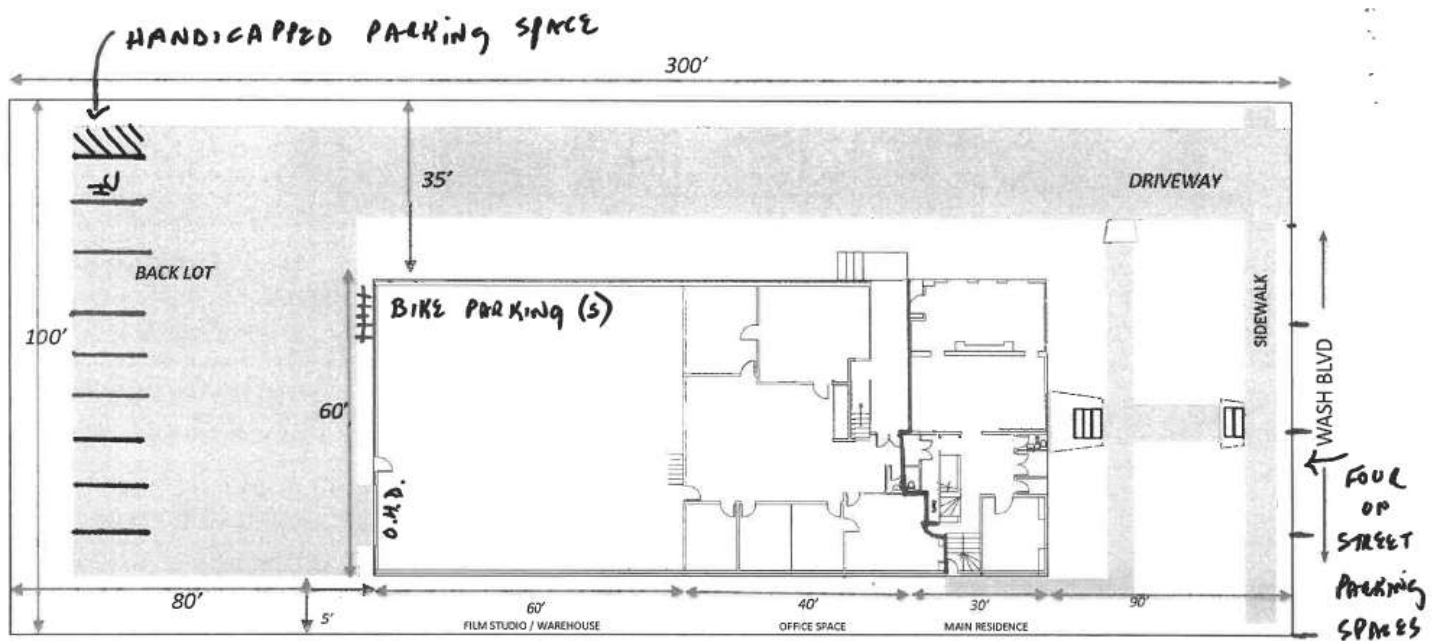


An aerial photograph overlaid with a cadastral map. The map shows several rectangular land parcels outlined in red. Various numbers are printed on or near the parcels, such as 3561, 3550, 3545, 3525, 3515, 3505, 3447, 3445, 3434, 3433, 3435, 3434, 3433, 3432, 3431, 3430, 3429, 3428, 3427, 3426, 3425, 3424, 3423, 3422, 3421, 3420, 3419, 3418, 3417, 3416, 3415, 3414, 3413, 3412, 3411, 3410, 3409, 3408, 3407, 3406, 3405, 3404, 3403, 3402, 3401, 3400, 3399, 3398, 3397, 3396, 3395, 3394, 3393, 3392, 3391, 3390, 3389, 3388, 3387, 3386, 3385, 3384, 3383, 3382, 3381, 3380, 3379, 3378, 3377, 3376, 3375, 3374, 3373, 3372, 3371, 3370, 3369, 3368, 3367, 3366, 3365, 3364, 3363, 3362, 3361, 3360, 3359, 3358, 3357, 3356, 3355, 3354, 3353, 3352, 3351, 3350, 3349, 3348, 3347, 3346, 3345, 3344, 3343, 3342, 3341, 3340, 3339, 3338, 3337, 3336, 3335, 3334, 3333, 3332, 3331, 3330, 3329, 3328, 3327, 3326, 3325, 3324, 3323, 3322, 3321, 3320, 3319, 3318, 3317, 3316, 3315, 3314, 3313, 3312, 3311, 3310, 3309, 3308, 3307, 3306, 3305, 3304, 3303, 3302, 3301, 3300, 3299, 3298, 3297, 3296, 3295, 3294, 3293, 3292, 3291, 3290, 3289, 3288, 3287, 3286, 3285, 3284, 3283, 3282, 3281, 3280, 3279, 3278, 3277, 3276, 3275, 3274, 3273, 3272, 3271, 3270, 3269, 3268, 3267, 3266, 3265, 3264, 3263, 3262, 3261, 3260, 3259, 3258, 3257, 3256, 3255, 3254, 3253, 3252, 3251, 3250, 3249, 3248, 3247, 3246, 3245, 3244, 3243, 3242, 3241, 3240, 3239, 3238, 3237, 3236, 3235, 3234, 3233, 3232, 3231, 3230, 3229, 3228, 3227, 3226, 3225, 3224, 3223, 3222, 3221, 3220, 3219, 3218, 3217, 3216, 3215, 3214, 3213, 3212, 3211, 3210, 3209, 3208, 3207, 3206, 3205, 3204, 3203, 3202, 3201, 3200, 3199, 3198, 3197, 3196, 3195, 3194, 3193, 3192, 3191, 3190, 3189, 3188, 3187, 3186, 3185, 3184, 3183, 3182, 3181, 3180, 3179, 3178, 3177, 3176, 3175, 3174, 3173, 3172, 3171, 3170, 3169, 3168, 3167, 3166, 3165, 3164, 3163, 3162, 3161, 3160, 3159, 3158, 3157, 3156, 3155, 3154, 3153, 3152, 3151, 3150, 3149, 3148, 3147, 3146, 3145, 3144, 3143, 3142, 3141, 3140, 3139, 3138, 3137, 3136, 3135, 3134, 3133, 3132, 3131, 3130, 3129, 3128, 3127, 3126, 3125, 3124, 3123, 3122, 3121, 3120, 3119, 3118, 3117, 3116, 3115, 3114, 3113, 3112, 3111, 3110, 3109, 3108, 3107, 3106, 3105, 3104, 3103, 3102, 3101, 3100, 3099, 3098, 3097, 3096, 3095, 3094, 3093, 3092, 3091, 3090, 3089, 3088, 3087, 3086, 3085, 3084, 3083, 3082, 3081, 3080, 3079, 3078, 3077, 3076, 3075, 3074, 3073, 3072, 3071, 3070, 3069, 3068, 3067, 3066, 3065, 3064, 3063, 3062, 3061, 3060, 3059, 3058, 3057, 3056, 3055, 3054, 3053, 3052, 3051, 3050, 3049, 3048, 3047, 3046, 3045, 3044, 3043, 3042, 3041, 3040, 3039, 3038, 3037, 3036, 3035, 3034, 3033, 3032, 3031, 3030, 3029, 3028, 3027, 3026, 3025, 3024, 3023, 3022, 3021, 3020, 3019, 3018, 3017, 3016, 3015, 3014, 3013, 3012, 3011, 3010, 3009, 3008, 3007, 3006, 3005, 3004, 3003, 3002, 3001, 3000, 2999, 2998, 2997, 2996, 2995, 2994, 2993, 2992, 2991, 2990, 2989, 2988, 2987, 2986, 2985, 2984, 2983, 2982, 2981, 2980, 2979, 2978, 2977, 2976, 2975, 2974, 2973, 2972, 2971, 2970, 2969, 2968, 2967, 2966, 2965, 2964, 2963, 2962, 2961, 2960, 2959, 2958, 2957, 2956, 2955, 2954, 2953, 2952, 2951, 2950, 2949, 2948, 2947, 2946, 2945, 2944, 2943, 2942, 2941, 2940, 2939, 2938, 2937, 2936, 2935, 2934, 2933, 2932, 2931, 2930, 2929, 2928, 2927, 2926, 2925, 2924, 2923, 2922, 2921, 2920, 2919, 2918, 2917, 2916, 2915, 2914, 2913, 2912, 2911, 2910, 2909, 2908, 2907, 2906, 2905, 2904, 2903, 2902, 2901, 2900, 2899, 2898, 2897, 2896, 2895, 2894, 2893, 2892, 2891, 2890, 2889, 2888, 2887, 2886, 2885, 2884, 2883, 2882, 2881, 2880, 2879, 2878, 2877, 2876, 2875, 2874, 2873, 2872, 2871, 2870, 2869, 2868, 2867, 2866, 2865, 2864, 2863, 2862, 2861, 2860, 2859, 2858, 2857, 2856, 2855, 2854, 2853, 2852, 2851, 2850, 2849, 2848, 2847, 2846, 2845, 2844, 2843, 2842, 2841, 2840, 2839, 2838, 2837, 2836, 2835, 2834, 2833, 2832, 2831, 2830, 2829, 2828, 2827, 2826, 2825, 2824, 2823, 2822, 2821, 2820, 2819, 2818, 2817, 2816, 2815, 2814, 2813, 2812, 2811, 2810, 2809, 2808, 2807, 2806, 2805, 2804, 2803, 2802, 2801, 2800, 2799, 2798, 2797, 2796, 2795, 2794, 2793, 2792, 2791, 2790, 2789, 2788, 2787, 2786, 2785, 2784, 2783, 2782, 2781, 2780, 2779, 2778, 2777, 2776, 2775, 2774, 2773, 2772, 277

2022-UV2-027; Site Plan



2022-UV2-027; Amended Site Plan



3445 WASHINGTON BLVD
LOT OVERVIEW

PARKING PLAN

NORTH
12/31/22

2022-UV2-027; Plan of Operation

3445 Washington Boulevard

Plan of Operation

Organization: Charles Brewer

Address: 3445 Washington Boulevard

Use: A. Single family residential
B. Office with Warehouse space
C. Office for contractor

Employees: B. Not more than 5 persons
C. Self-employed person (1)

Parking: A. Four (4) parking spaces
B. Five (5) parking spaces
C. One (1) parking space

Hours of Operation: B. 7:00 am - 6:00 pm Monday thru Friday
C. 6:00 am – 7:00 pm Monday thru Saturday

Trash: No commercial dumpsters on the site

Sign: Four-foot x Six-foot (4'x6') non illuminated ground sign in the front yard,
at least twenty feet from the west property line; with no more than two non-
residential tenants identified

Security / Safety: Easy emergency exit routes
Video camera surveillance
Secured gate that will require a personal code to enter the secured parking
area
Secured door that will require a personal code to enter the
Building

2022-UV2-027; Amended Plan of Operation

3445 Washington Boulevard

Plan of Operation

Organization: Charles Brewer

Address: 3445 Washington Boulevard

Use: A. Single family dwelling unit
B. Office use
C. Single family dwelling unit

Employees: B. Not more than 5 persons

Parking: A. Four (4) parking spaces
B. Five (5) parking spaces (including one handicapped parking space.
C. One (1) parking space
D. Four (4) on street parking spaces

Hours of Operation: B. 7:00 am - 6:00 pm Monday thru Friday

Trash: No commercial dumpsters needed and thus none on the site

Sign: No free-standing sign

Safety: Easy emergency exit routes for lower level (see photos)
Video camera surveillance
Secured gate that will require a personal code to enter the secured parking area
Secured door that will require a personal code to enter the Building

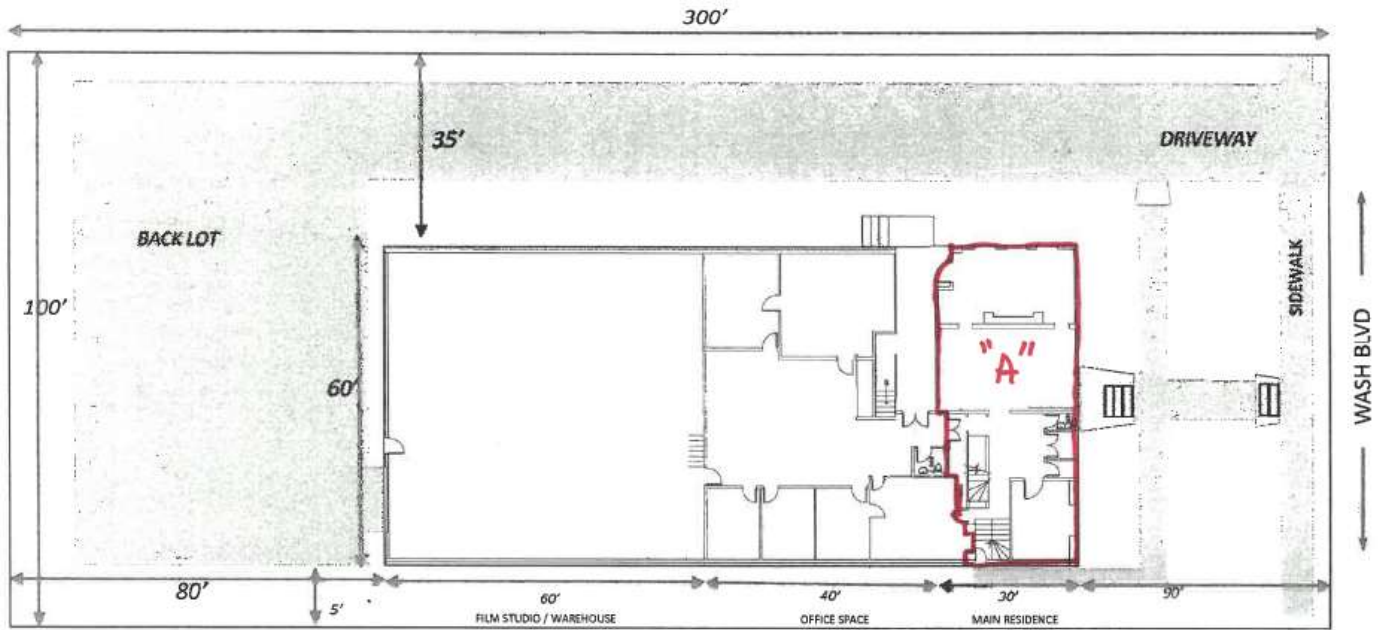
2022-UV2-027; Petitioner Commitments

ATTACHMENT “D”:

Petitioner commits to the following:

1. No addition to or expansion of the building will be permitted
2. The primary structure shall be preserved and any minor modifications to the exterior of the building shall be residential in appearance.
3. Bike parking shall be installed on the site.

2022-UV2-027; Floor Plans



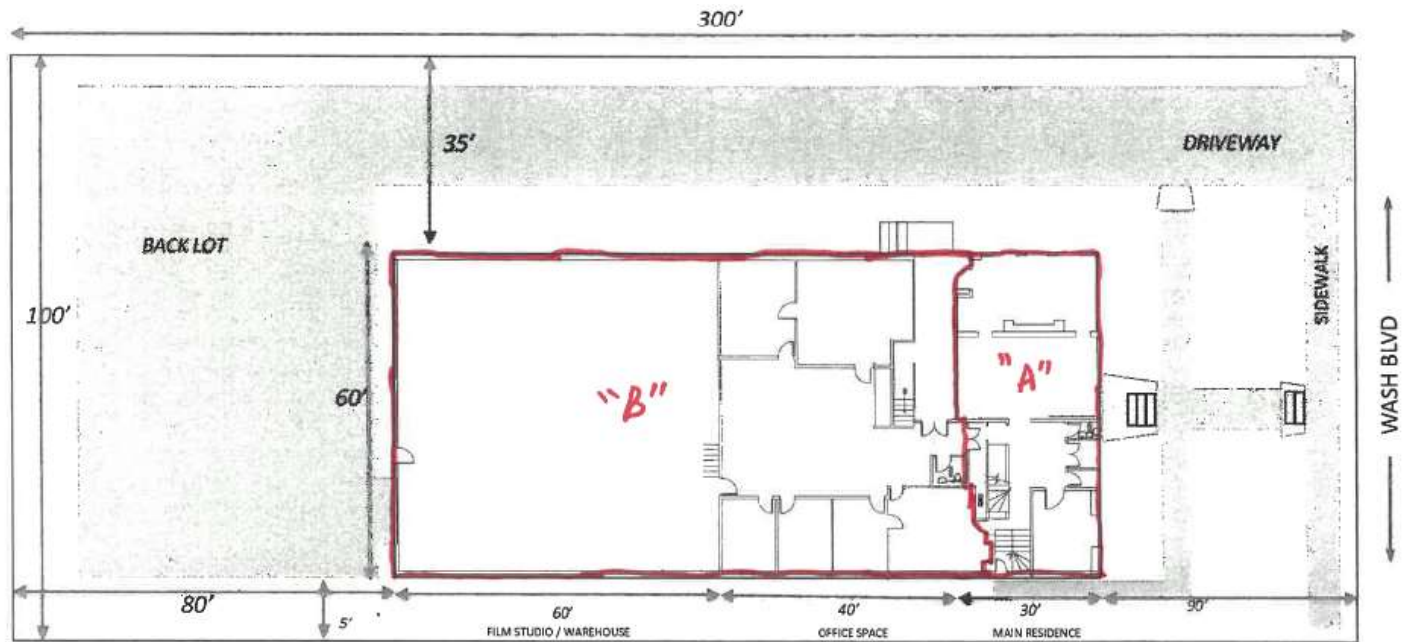
3445 WASHINGTON BLVD
LOT OVERVIEW

Upper level

NORTH ↓

12/31/22

2022-UV2-027; Floor Plans (Continued)

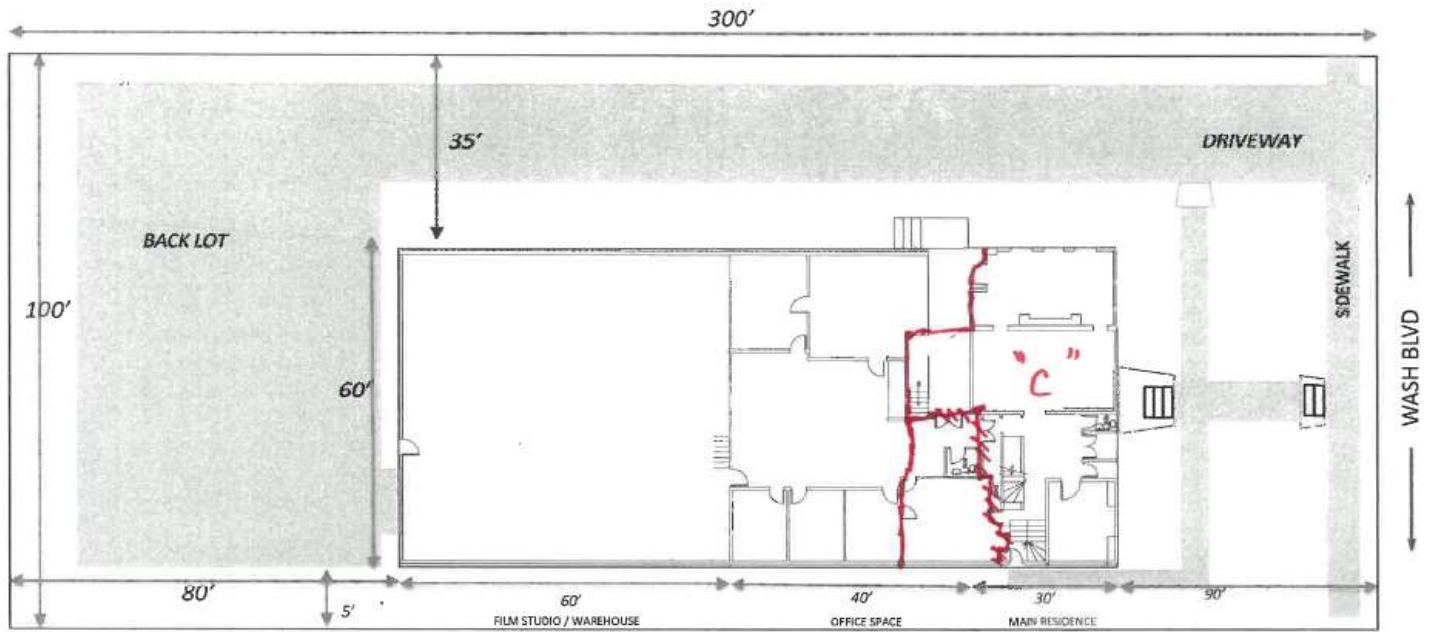


3445 WASHINGTON BLVD
LOT OVERVIEW

main level

NORTH ↓
12/31/22

2022-UV2-027; Floor Plans (Continued)



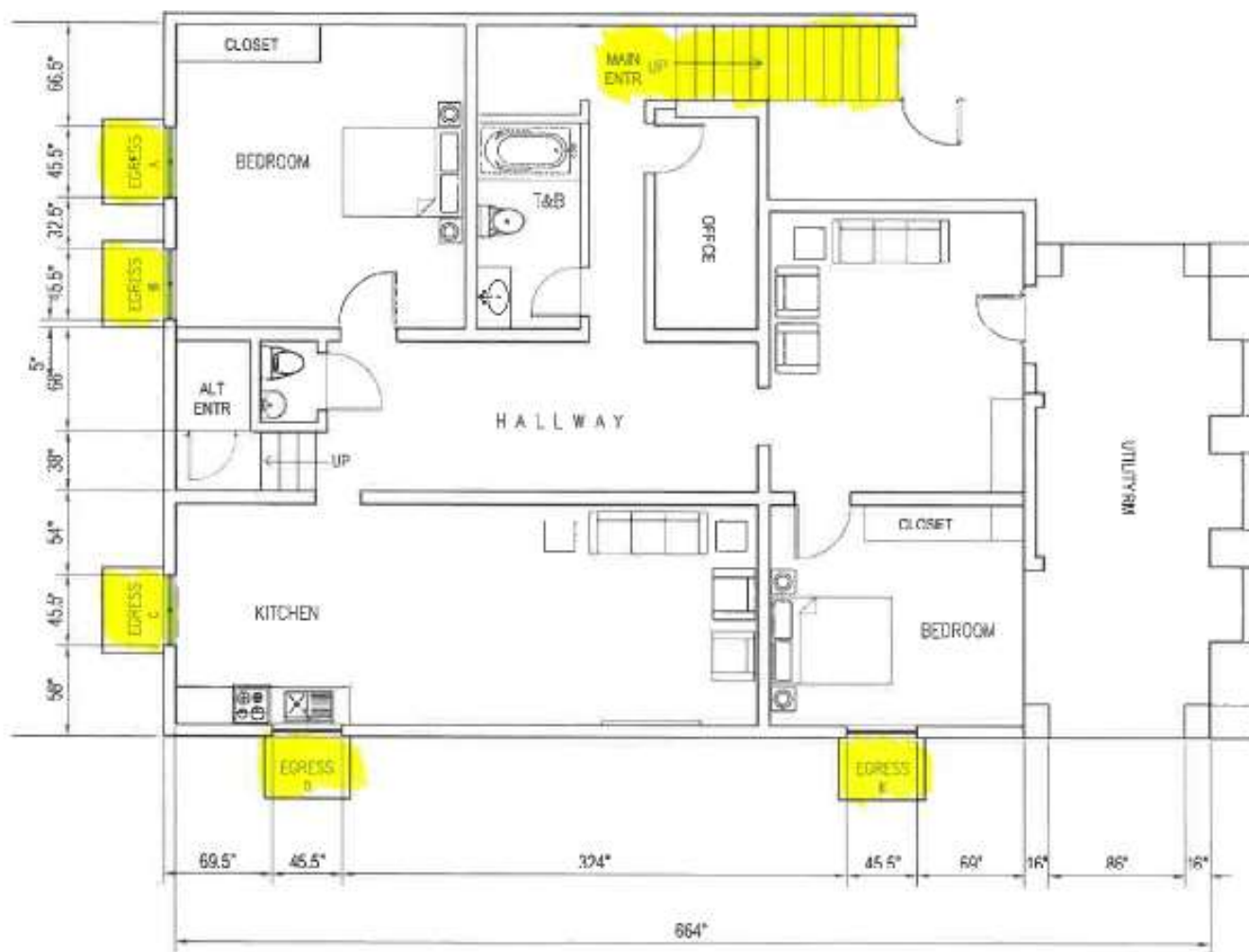
3445 WASHINGTON BLVD
LOT OVERVIEW

Lower Level

NORTH ↓

12/31/22

2022-UV2-027; Floor Plans (Continued)



 **BASEMENT PLAN**



Egress A



Egress B



Egress C



Egress D



Egress E

2022-UV2-027; Photographs



Photo of the Subject Property: 3445 Washington Boulevard



Photo of the Subject Property: 3445 Washington Boulevard



Photo of the south setback and driveway.



Photo of the rear parking area.



Photo of the football field south of the site.



Photo of the single-family dwelling west of the site.



Photo of the single-family dwelling north of the site.



Photo of the C-1 and SU-2 districts north of the site.