



BOARD OF ZONING APPEALS DIVISION I

September 3, 2024

Case Number: 2024-UV1-014

Property Address: 6301 Lafayette Road (approximate address)

Location: Pike Township, Council District #1

Petitioner: Robinson Rental Solutions LLC

Current Zoning: D-4

Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a childcare facility (not permitted) with 27 parking spaces located within the right-of-way, including maneuverability (not permitted) and 34 spaces provided (maximum 22 spaces permitted).

Current Land Use: Commercial

Staff Recommendations: Staff has no recommendation for this petition

Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

- The petitioner is requesting a continuance to the October 1, 2024 BZA Division I hearing to allow for changes to the proposed site plan.



STAFF RECOMMENDATION

- Staff **recommends denial** of this petition

PETITION OVERVIEW

- This petition would provide for the operation of a childcare facility (not permitted) with 27 parking spaces located within the right-of-way, including maneuverability (not permitted) and 34 spaces provided (maximum 22 spaces permitted).
- The subject site is zoned D-4 and is located at the triangular intersection of Lafayette Road and Shanghai Road. The proposed use of a childcare facility is not permitted as a primary use in any dwelling district.
- Staff has numerous concerns about the proposed use and proposed site plan for this petition. First, the proposed site plan shows parking and maneuverability being located within the public right-of-way which Staff sees as a serious safety concern, both for clients of the business who would be accessing the site and unloading children, and for drivers of vehicles passing by the site along Lafayette Road or Shanghai Road. Likewise, the two roads that bound the site are listed as a primary arterial and a primary collector which regularly carry high speed traffic including semi-trucks, heightening Staffs' concerns.
- Additionally, Staff sees the estimated scale of the business of approximately 70 children on site per the plan of operation to be entirely too large and intense for a site of this size, especially given the dangerous situation of ingress and egress of the site. Staff members from the Department of Public Works echoed these worries when reviewing this proposal.
- Further, Staff sees the proposed use and scale of the proposed operation as wholly inappropriate given the Comprehensive Plan recommendation of Rural or Estate Neighborhood and the surrounding context of D-4 and D-3 zoning. Staff strongly suggests the petitioner find a site more appropriate for a use of this scope and scale.
- Finally, Staff would note that the Findings of Fact do not list an unnecessary hardship about the property itself that disallows the petitioner to meet the standards of the Ordinance. For all of these reasons, Staff recommends denial of the request in its entirety.

GENERAL INFORMATION

Existing Zoning	D-4
Existing Land Use	Commercial
Comprehensive Plan	Rural or Estate Neighborhood

Surrounding Context	Zoning	Surrounding Context
North:	D-4	North: Single-family residential
South:	D-3	South: Single-family residential
East:	D-3	East: Single-family residential
West:	PK-1	West: Parks and Recreation
Thoroughfare Plan		
Lafayette Road	Primary Arterial	85 feet of right-of-way existing and 80 feet proposed
Shanghai Road	Primary Collector	45 feet of right-of-way existing and 80 feet proposed
Context Area	Metro	
Floodway / Floodway Fringe Overlay	No	
Wellfield Protection Area	No	
Site Plan	6/26/24	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	6/26/24	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Marion County Land Use Plan pattern Book recommends the Rural or Estate Neighborhood living typology for this site.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

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

ZONING HISTORY – SITE

90-Z-98

96-UV2-115

ZONING HISTORY – VICINITY

2010UV1027; 6317 Shanghai Road (east of site), Variance of use of the Dwelling Districts Zoning Ordinance to provide for a landscape business, with the outdoor storage of vehicles, **granted subject to commitments.**

97-Z-99; (north of site),

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Department of Metropolitan Development
Division of Planning
Current Planning

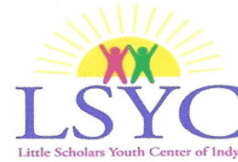
EXHIBITS

HOLD FOR AERIAL

Little Scholars Youth Center (LSYC)

Also known as Little Scholars Youth Services

Operational Plan 2024



Summary: To convert an existing art studio & gallery into a licensed childcare program. Property A (6301 Lafayette) is parallel to Property B (6305 Lafayette) located in a rural neighborhood. Both properties are fenced in, and you do not have direct access to Property B without going through Property A or by entering through the side gate. There is paved asphalt parking on the front and the side of Property A. The properties are on .46 acreage in Pike township. It has adequate yard space for an outdoor playground. Operation hours will be Monday through Friday from 7am-5:30pm.

Customers: We will provide high-quality childcare, preschool and school-age services to families who have children aged from infancy (8wks to 13yrs) of age. We are expanding our program from the Eagledale neighborhood to the Crooked Creek neighborhood and have been in business since 2009. In Pike township, there are 2,623 children using CCDF vouchers and 61% of the providers offer high quality childcare services on the Paths to Quality rating system (level 3 or 4). The property is near an interstate and that will bring families from different areas who may work in the surrounding areas.

Workforce: We will hire Early Childhood Educators (ECE) Teaching positions and support staff (kitchen help and transportation services). We estimate 7 full-time and 3 part-time staff members based on an enrollment of 70 students- Property A (45 students) and Property B (25 students). The nearest bus stop for commuting is about a 17-minute walk (Intech Blvd & Network Way) and parking is available on site.

Operations Timeline:

- | | |
|------------------|--|
| April-June 2024 | File variance of use, clean out properties, complete maintenance repairs, fresh paint interior and exterior, complete landscaping and new signage for curb appeal. |
| July-September | Complete classroom set-up, recruiting new staff members, complete licensing inspections and host our grand opening. |
| October-December | Professional development training, enrolling new families and connecting with community partners. |

Statistics for CCDF eligible families: <https://brighterfuturesindiana.org/data-center>



**Department of Metropolitan Development
Division of Planning
Current Planning**

Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA**

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

A childcare program benefits a community by supporting working families, create job opportunities, fosters connections among families and other organizations in the area and promotes long-term economics benefits by providing a high quality childcare that contributes to the overall well-bieng of children.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE

The operation of the childcare program will be Monday through Friday during business hours. We have ample parking spaces to accomodate traffic for drop-offs and pick-ups which will be managed effectively.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE

The property was used as an art studio/gallery by the previous owner. The variance is necessary to operate both of these properties as a licensed or registered childcare program.

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 properties (6301 & 6305) were purchased as combined parcels for business use. If we are not able to operate a licensed childcare program it would cause a financial hardship and we will be forced to sale the property as the previous variance was for an art studio which has expired. With the increased shortage of childcare seats, we hope to fill that need in the community by operating both properties for childcare use.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE

The properties has existed as a commerical propoerty for many years and the structure blends into the neighborhood. The properties are fenced in and there is a parking lot in the front and side of the property for at least 15 parking spots.

DECISION

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

Adopted this _____ day of _____, 20 ____







