

**BOARD OF ZONING APPEALS DIVISION I**

**October 15, 2024**

**Case Number:** 2024-UV1-009 (Amended)  
**Address:** 1307 South High School Road (approximate address)  
**Location:** Wayne Township, Council District #17  
**Zoning:** C-4 (TOD)  
**Petitioner:** Sohumi Hotels Indy West LLC, by Russell Brown  
**Request:** Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 122-unit hotel (not permitted), with one primary entry (four required), and 111 parking spaces (122 parking spaces required), and a chain link fence within the front yard of Washington Street (not permitted).

**Current Land Use:** Vacant parking lot.

**Staff Reviewer:** Robert Uhlenhake, Senior Planner

**PETITION HISTORY**

This petition was previously automatically continued at the request of the petitioner, from the July 2, 2024, hearing, to the August 6, 2024, hearing, and continued for cause at the request of the petitioner from the August 6, 2024, hearing, to the September 3, 2024, hearing. At the September 3, 2024, hearing, the petitioner continued and transferred this petition to the September 17, 2024, BZA3 Board. A registered neighborhood organization automatically continued this petition from the September 17, 2024, hearing, to the October 15, 2024, hearing.

The petitioner **has submitted a request to withdraw this petition** at the October 15, 2024, hearing. The withdrawal will require the Board's acknowledgment.

**STAFF RECOMMENDATION**

Staff recommends **approval** of this petition as amended.

**PETITION OVERVIEW**

- ◇ The request would provide for the construction of a 122-unit hotel, with one primary entry, and 111 parking spaces, and a chain link fence within the front yard of Washington Street.
- ◇ The proposed use is permitted in the existing C-4 district, but this site is also located in the Transit Oriented Development secondary or overlay district (TOD), which limits the scale of the proposed use. The TOD does allow for lodging uses up to 100 guest rooms in the C-4 district. Lodging uses that are larger than 100 units are not permitted within the C-4 district in the TOD, thus a variance of use is required to allow for the proposed use based on the hotel size.

- ◇ Hotels are limited in size within the TOD as larger uses tend to have a higher volume of automobile traffic, instead of customers that access the existing transit infrastructure.
- ◇ Although this site is still designated as in the TOD. The proposed Blue Line route has been amended in that it will now access the airport via Holt Road and the I-70 Interstate, instead of this portion of West Washington Street. The TOD layer has not been amended to reflect this recent change, so the variance of use is still required.
- ◇ Staff also feels that the due to its proximity to the airport, the proposed hotel use would not be a large traffic generator in that some customers may arrive at the site from the airport via shuttle, taxi or even the existing regular bus line. In addition, it would be occupying an out lot location for a commercial retail site that has remained under-developed, reducing a portion of its large empty parking lot. In Staff's opinion, this request would be a minor deviation and consistent with the adjacent commercial properties.
- ◇ In addition, the petition is requesting a reduced amount of parking spaces form the required 120, to 111 spaces. This reduction will also encourage the reduction of onsite vehicular traffic due to the reduced amount of parking spaces. Again, encouraging users to access available shuttle, taxi or the existing regular bus line if arriving from the airport. In Staff's opinion, this request would be a minor deviation.
- ◇ The request for one primary entry, where four entries are required is due to the site location being adjacent to an Indiana Department of Transportation (INDOT) interstate exit right of way for the I-465 Interstate that does not allow for any curb cuts or entrances along this portion of West Washington Street. The site does have a primary easement that allows for access to South High School Road through the adjacent commercial retail parking lot. Two additional access entries to South High School are also available via the adjacent parking lot.
- ◇ Staff feels that this limitation by INDOT is a practical difficulty in that any use on this site would be limited in the number of primary entry's due to the INDOT requirement. Therefore, in Staff's opinion, this request would be a minor deviation.
- ◇ The request for a chain link fence in the front yard, is another requirement imposed by INDOT to limit any pedestrian traffic from accessing the adjacent I-465 interchange. As it is on the joint property line placed there by INDOT, any removal would need to be with INDOT's permission. In Staff's opinion, this request would be a minor deviation.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	C-4	
<b>Existing Land Use</b>	Parking lot	
<b>Comprehensive Plan Overlay</b>	Community Commercial Blue Line TOD	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
North:	C-4	Commercial shopping center
South:	C-S	Motel

	East: C-4	I-465 Interstate interchange
	West: C-4	Automotive repair and Commercial Bank
<b>Thoroughfare Plan</b>		
South High School Road	Primary Collector	100-foot existing and proposed right-of-way.
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan - Amended</b>	August 13, 2024	
<b>Elevations</b>	N/A	
<b>Commitments</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact - Original</b>	May 27, 2024	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- The Comprehensive Plan recommends Community Commercial uses for the site.

### Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends the Community Commercial typology which provides for low intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.

### Red Line / Blue Line / Purple Line TOD Strategic Plan

- The Transit-Oriented Development (TOD) overlay is intended for areas within walking distance of a rapid transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.
- Modified Uses
  - Small-Scale Offices, Retailing, and Personal or Professional Services - Development should be supportive of pedestrian activity (e.g., compact, connected to a pedestrian system, no more than one third of the frontage used for parking.)
  - Large-Scale Offices, Retailing, and Personal or Professional Services - Development should be supportive of pedestrian activity (e.g., compact, connected to a pedestrian system, no more than one third of the frontage used for parking.)
  - Large-Scale Schools, Places of Worship, Community- Serving Institutions/Infrastructure, and Other Places of Assembly - Development should be supportive of pedestrian activity (e.g., compact, connected to a pedestrian system, no more than one third of the frontage used for parking.)
  - Small-Scale Parks - Bollards or other vehicular barriers should be present.

### 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

**2019-DV1-028; 12159 South High School Road (west of site)**, requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 13-foot front setback and zero-foot side setback for a freestanding sign within approximately 80 feet and 100 feet of existing freestanding signs, **granted**.

**2014-DV3-048; 1225 South High School Road (north of site)**, requested a variance of development standards of the Sign Regulations to increase the height of an existing 32-foot tall, 144-square foot freestanding sign to 40 feet, within approximately 80 feet and 195 feet of existing freestanding signs, **granted**.

**2008-DV2-063; 1220 South High School Road (northwest of site)**, requests a variance of development standards of the Sign Regulations to legally establish a 6.083-foot tall, 33.33-square foot pylon sign, containing a 24-square foot electronic variable message sign component being 72 percent of the total sign area, within approximately 155 feet of a protected district, **granted**.

**2008-DV2-064; 1155 South High School Road (north of site)**, requests a variance of development standards of the Sign Regulations to legally establish a 6.083-foot tall, 33.33-square foot pylon sign, containing a 24-square foot electronic variable message sign component being 72 percent of the total sign area, within approximately 60 feet of a protected district, **granted**.

**95-V1-110; 6240 West Washington Street (west of site)**, requests a variance of development standards of the Sign Regulations to provide for the installment of illuminated awnings signs, exceeding the front, side, and rear façade restrictions, and illumination within 600 feet of a protected district, **granted**.

**86-V1-78; 1259 South High School Road (west of site)**, requests a variance of development standards of the Sign Regulations relative to the number of integrated center signs to allow for the replacement of an existing sign with a new sign in the same location at equal or less total square footage, **granted**.

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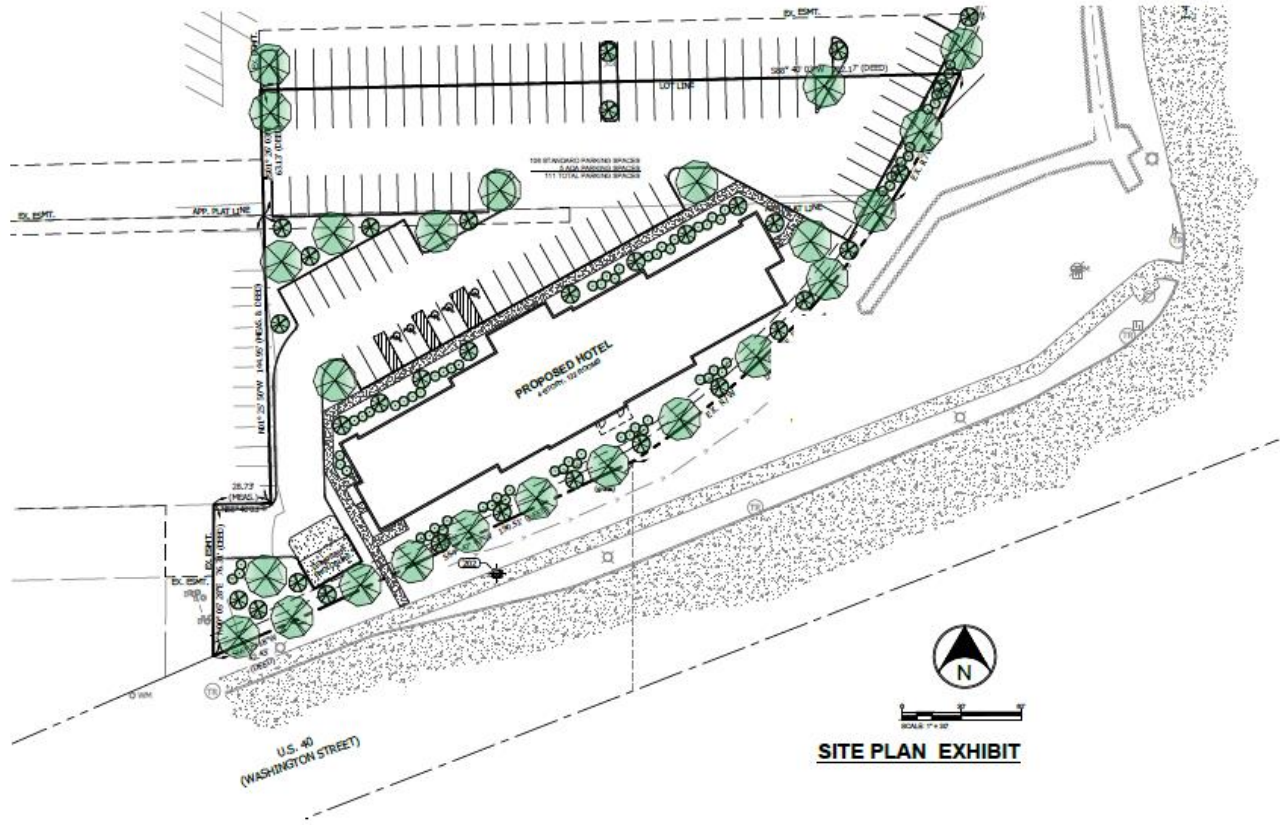


**EXHIBITS**

**Location Map**



**Site Plan – Amended 8-13-2024**





**Photographs**



Subject site West Washington Street frontage, looking east.



Subject site, looking south towards West Washington Street.



Subject site, proposed parking lot area, looking east



Subject site primary entry from South High School Road via an easement through the adjacent commercial retail parking lot, looking west.





Adjacent commercial retail intergaged center, looking north.



Adjacent commercial retail, looking west.



Adjacent commercial motel, pre-dating the TOD, looking south.



Adjacent I-465 interstate interchange, looking east.