

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2022-UV1-035 (Amended)
Address: 6234 East Hanna Avenue (approximate address)
Location: Franklin Township, Council District #18
Zoning: I-3
Petitioner: Exotic Metal Treatment, by Brian E. Moench
Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation a metal treatment facility (not permitted) and a building addition with a 38-foot front transitional yard along Hanna Avenue, an expanded parking area with a 25-foot transitional yard along Hanna Avenue (150-foot transitional yard required) and an expanded parking area with a 12-foot front yard setback from the proposed right-of-way of Churchman By-Pass (60-foot front setback from proposed right-of-way required), deficient landscaping and a waiver of sidewalk installation requirements along Churchman By-Pass (installation of sidewalks required).

ADDENDUM FOR FEBRUARY 7, 2023

This petition was continued from the January 3, 2023 hearing, to the February 7, 2023 hearing of Division I of the Board of Zoning Appeals, at the request of the petitioner, in order to submit amended plans for review. On January 10, 2023, an amended plan was submitted, which is available further below in this report. This amended plan included a waiver of the sidewalk requirements along Churchman By-Pass, which Staff does not support. The amended site plan also shifted all new parking to the north side of the building, and providing landscaping along the southern lot line. However, Staff would note that Hanna Avenue requires the installation of 19 trees, and Churchman By-Pass requires nine trees. Thirteen trees are provided between the two frontages, leaving a deficiency of 15 trees. Given this lack of required trees, as well as the berm requested below, Staff continues to **recommend denial** of this request.

ADDENDUM FOR JANUARY 3, 2023

This petition was continued from the December 6, 2022 hearing to the January 3, 2023 hearing of Division I of the Board of Zoning Appeals. No new information has been provided, therefore, Staff continues to **recommend denial** of the request.

ADDENDUM FOR DECEMBER 6, 2022

The petitioner has requested that this petition be continued from the December 6, 2022, hearing of Division I to the January 3, 2022, hearing of Division I. This would require a vote by the Board.

(Continued)

STAFF REPORT 2022-UV1-035 (Continued)

ADDENDUM FOR NOVEMBER 1, 2022

This petition was continued from the November 1, 2022, hearing of Division I to the December 6, 2022, hearing of Division I, due to lack of quorum.

RECOMMENDATIONS

Staff **recommends denial** of this request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

EXISTING ZONING AND LAND USE

| | | |
|-----|-------|------------------|
| I-3 | Metro | Heavy Industrial |
|-----|-------|------------------|

SURROUNDING ZONING AND LAND USE

| | | |
|-------|---------------|-----------------------------|
| North | Freeway / I-3 | Interstate 465 / Industrial |
| South | D-4 | Single-family dwellings |
| East | I-3 | Industrial |
| West | Freeway / I-3 | Interstate 465 / Industrial |

LAND USE PLAN

The Marion County Land Use Plan (2019) recommends Light Industrial development.

- ◇ The subject site is 2.63 acre located in the Poplar Grove neighborhood in Franklin Township. The subject site has two frontages on Churchman Bypass and Hanna Avenue. Interstate 465 is located to the west of the subject site. The property consists of an industrial structure, used for heavy manufacturing. The surrounding neighborhood is mostly residential to the south and industrial uses to the north and west, across I-465.
- ◇ The subject site is zoned I-3 (Medium Industrial District). The I-3 district is an intermediate district for industries that present moderate risks to the general public. Wherever practical, this district should be away from protected districts and buffered by intervening lighter industrial districts. Where this district abuts protected districts, setbacks are large, and enclosure of activities and storage is required.

VARIANCE OF USE AND DEVELOPMENT STANDARDS

- ◇ The request would provide for the operation a metal treatment facility and a building addition with a 38-foot front transitional yard along Hanna Avenue, an expanded parking area with a 25-foot transitional yard along Hanna Avenue and an expanded parking area with a 12-foot front yard setback from the proposed right-of-way of Churchman By-Pass.

(Continued)

STAFF REPORT 2022-UV1-035 (Continued)

- ◇ The proposed use for a metal treatment facility would be categorized as *Heavy Manufacturing*. Heavy Manufacturing is defined as creation or production of a non-edible item that includes some transformation by way of heating, chilling, adding a liquid, adding a coating, or chemical or biochemical reaction or alteration. This use may also involve packaging, repackaging, assembling, or mechanical reshaping. This definition includes the manufacturing of bicycles, motorcycles, and parts; boats; ceramic and clay products; computers and computer equipment; electric lighting and wiring equipment; cosmetics, perfumes; glass or glass products; leather tanning and curing; major household appliances; construction machinery and equipment; processing of forest products; detergents and soaps; and engines and turbines.
- ◇ Heavy Manufacturing is only permitted in the I-3 district by grant of Special Exception by the Board of Zoning Appeals and is permitted by right in the I-4 district. The proposed use would not be permitted by Special Exception since the existing structure and proposed additions result in deficient transitional yard requirements, and landscaping. All dimensional standards of the Ordinance must be met to apply for a Special Exception. Staff is not opposed to the use, however, would like the use to be buffered from the residential (protected district) south of the subject site.
- ◇ Table 744-201-6 stipulates that the required front transitional yard in the Metro Context Area is 150 feet. The transitional yard requirement applies to the south lot line on Hanna Avenue, which is considered a front yard. The proposed front transitional yard would be 38 feet, with an additional parking area being 25 feet from the south lot line. Staff is opposed to the request for decreased transitional yard, where there is no buffer between the existing residential to the south.
- ◇ Table 744-201-6 also states that the required front yard in the Metro Context Area is 60 feet from proposed right of way. The proposed front setback from Churchman Bypass is 12 feet from the proposed right of way. Staff is opposed to this request, where the proposed parking could be situated elsewhere on the subject site, thus, no practical difficulty.
- ◇ Lastly, the proposed additions and use would result in deficient landscaping. A landscape plan has not been provided, displaying the required landscaping, as per 744-500 (Landscaping and Screening). Staff is not supportive of deficient landscaping, where additional landscaping could be used to buffer the heavy industrial use from the residential to the south. Staff suggested that a berm be placed along Hanna Avenue and the required landscaping be accomplished along Churchman Bypass.
- ◇ 744-302.F states sidewalks shall be provided along the entire frontage of all abutting eligible public streets. Sidewalks are required to be placed along Churchman Bypass and Hanna Avenue. The existing site plan displays sidewalks located partially on Hanna Avenue. Sidewalks are required along both frontages, Churchman Bypass and Hanna Avenue. If sidewalks are not to be added, this petition should be continued for New Notice to be sent to all surrounding property owners to add the request.

(Continued)

STAFF REPORT 2022-UV1-035 (Continued)

◇ Staff recommends denial, based on lack of practical difficulty and hardship of these requests.

GENERAL INFORMATION

THOROUGHFARE PLAN

Hanna Avenue 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 50-foot proposed right-of-way.

Churchman By-Pass is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary collector, with a 100-foot existing right-of-way and a 90-foot proposed right-of-way.

I-465 is classified in the Official Thoroughfare Plan for Marion County, Indiana as a freeway, with a 201-foot existing right-of-way.

SITE PLAN PLAN OF OPERATION FINDINGS OF FACT

File-dated August 29, 2022.
File-dated November 29, 2022.
File-dated November 21, 2022

ZONING HISTORY – SITE

EXISTING VIOLATIONS: None.
PREVIOUS CASES: None.

ZONING HISTORY – VICINITY

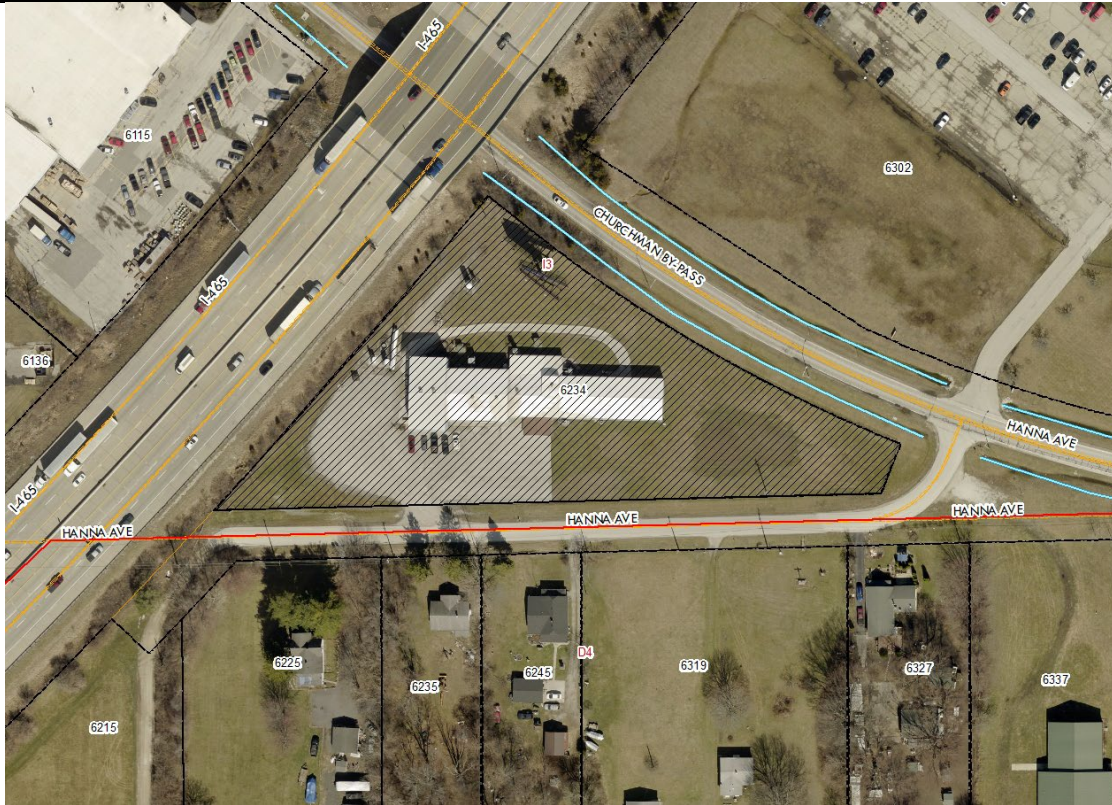
2018-SE3-003; 6337 East Hanna Avenue, requested a Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for a religious use in an existing building, with off-street parking, **approved**.

GLH

(Continued)

STAFF REPORT 2022-UV1-035 (Continued)

2022-UV1-035; Aerial Map



2022-UV1-035; Aerial (1979)

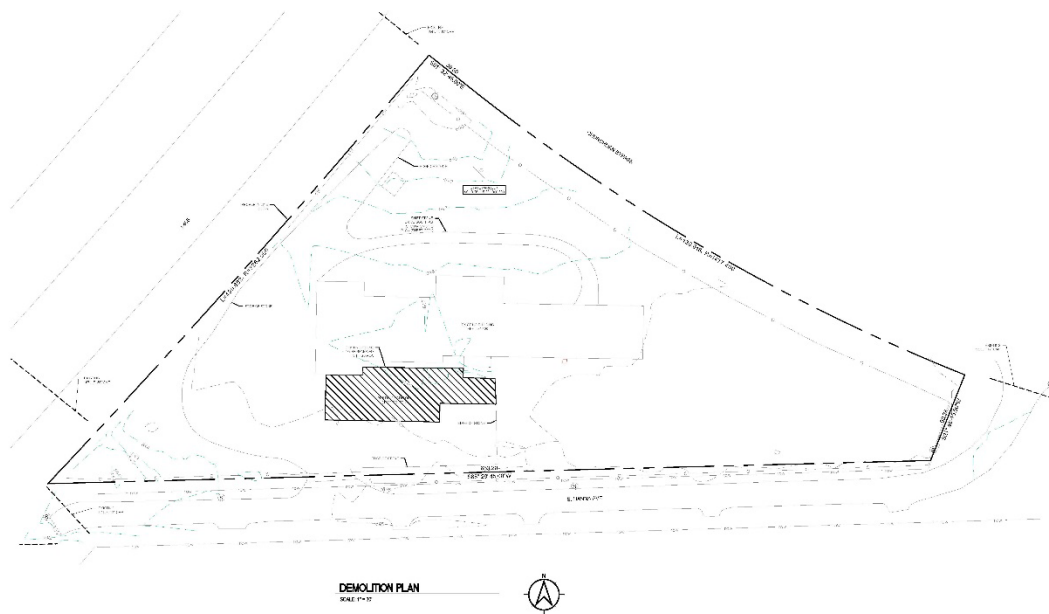




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2231190 - *Journal of the American Statistical Association*, 2000, vol. 95, no. 453, 2000, 22 pp., 11 illus., 1 color illus., 12 refs., 24 figs., 2 tables. (Journal of the American Statistical Association)



2022-UV1-035; Demolition Plan

[illegible]

|  <p>Moench Engineering 4000 Quaker Court Road Fort Worth, Texas 76116 (817) 342-1100 (Fax)</p> | | | | | | | | | | | | | |
|---|---|------------|-------------|------|---|-----------------------------|------------|---|---|------------|---|---|------------|
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| <p>Exotic Metal Treatment 6234 Hanna Ave. Indianapolis, Indiana 46203</p> | | | | | | | | | | | | | |
| <p>EXISTING CONDITIONS/DEMOLITION PLAN</p> | | | | | | | | | | | | | |
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| <p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>ISSUED FOR PERMIT SUBMITTAL</td> <td>11/11/2011</td> </tr> <tr> <td>2</td> <td>REVISED TO REFLECT COMMENTS FROM THE CITY OF INDIANAPOLIS</td> <td>11/11/2011</td> </tr> <tr> <td>3</td> <td>REVISED TO REFLECT COMMENTS FROM THE CITY OF INDIANAPOLIS</td> <td>11/11/2011</td> </tr> </tbody> </table> | | NO. | DESCRIPTION | DATE | 1 | ISSUED FOR PERMIT SUBMITTAL | 11/11/2011 | 2 | REVISED TO REFLECT COMMENTS FROM THE CITY OF INDIANAPOLIS | 11/11/2011 | 3 | REVISED TO REFLECT COMMENTS FROM THE CITY OF INDIANAPOLIS | 11/11/2011 |
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| <p>DESIGNED BY: DM</p> <p>DRAWN BY: DM</p> <p>CHECKED BY: DM</p> <p>DATE: 11/11/2011</p> <p>OVER SHEETS: 1</p> | <p>D101</p> | | | | | | | | | | | | |



PLAN OF OPERATION

Exotic Metal Treating, Inc.
6234 East Hanna Avenue
Indianapolis, IN 46203

Exotic Metal Treating, Inc (EMTI) is a heat treat service supplier established in 1973 in Beech Grove, IN. This location was quickly outgrown and the current location was purchased and permitted to build and operate the heat treating facility at its present location in 1978. In the year 2000, the facility applied for and was approved for an expansion of the heat treat business. EMTI is a specialized service provider providing heat treat services primarily for the aerospace and power generation industries as well as the US Department of Defense. Facility equipment includes five electrically heated vacuum furnaces and four natural gas fired pit furnaces. The services performed are to enhance the metallurgical and or engineering properties of the metal as required by the customer. Services provided include:

- Annealing
- Stress relieving
- Hardening and tempering of air hardening steels
- Solution heat treating
- Precipitation age heat treating
- Furnace brazing

NOTE: EMTI **does not perform any component manufacturing operations.** We do not form, bend, fabricate, weld, extrude, forge, cast, or machine any of the components received. Individual parts are received from the customer, placed into the furnace for the operation required and then returned to the customer for further manufacturing completion. The customer provides for shipping, dropping parts off then picking up when completed.

EMTI's Quality system is AS9100D third party accredited and maintains third party Heat Treat accreditation through PRI – Nadcap (formerly National Aerospace Defense Contractor Accreditation Program).

EMTI works as a sub-tier to prime contractors who flow down work through fabrication shops who in turn subcontract special process heat treating to EMTI as a prime approved special processor. A copy of our Prime Contractor Approval list is attached as Attachment 'A'. Please note that these approvals do not represent high volume work.

Much of our work stems from US Department of Defense contracts to the prime contractors. During the onset of the Covid19 pandemic, EMTI was identified by the US DoD through the Department of Homeland Security - Cybersecurity & Infrastructure Security Agency as part of Essential Critical Infrastructure providing support services to the defense manufacturing industry. (Attachment 'B').

ISSUES IDENTIFIED IN THE PLAN OF OPERATION

1. **WORK HOURS:** The facility works three shifts starting Monday 7:00AM and closing Saturday 7:00AM. There is occasional internal maintenance work performed on the weekends, but this is not standard operation. All work is performed onsite.
 - Total number of employees, including management, is 14 employees spread over the three shifts. Employees drive and park in the employee parking lot with a maximum of 10 cars in the lot at one time for minimum duration that occurs during first/second shift change. Two employees on first shift are undergoing apprentice training and will move to second or third shift upon training completion and certification.
 - All parking is within the facility and there is no on street parking.
 - The facility is surrounded by a perimeter wire fence with gate and has a monitored security alarm system. There is also an entrance alarm when persons enter the building and windows have security bars.
2. **CLIENTS and CUSTOMERS:** The nature of the business does not cater to walk-in off the street clientele. Our customers deliver parts to be processed to our loading door, are unloaded and they leave – there is no need for delivery parking. Shipments are received from customer via customer vehicle, FedEx or UPS, or by common carrier. Typical receiving/shipping hours are 8:00AM to 5:00PM although FedEx/UPS may run later in the afternoon.
 - On rare occasions, the facility may have an occasional visitor or auditor visit the facility, and use the employee parking area.
 - Due to stringent processing approval requirements by the prime contractors as noted in attachment 'A', our customer base is nationwide.
 - A customer list is provided in Attachment 'C'. Please note that the attached list may seem long, volume of work is not consistent nor high volume.
3. **PROCESSES CONDUCTED ON SITE:** As noted in paragraph 1, EMTI performs heat treat and furnace brazing operations only – no fabrication operations. Heat treat operations include:
 - Annealing
 - Stress relieving
 - Hardening and tempering of air hardening steels
 - Solution heat treating
 - Precipitation age heat treating
 - Furnace Brazing

No oil quench or water quench operations are performed. There are no processes performed offsite. Processes performed are to prepare the material for further fabrication by the customer or to metallurgically enhance the material to meet design strength requirements. No other operations are performed and parts are return shipped in the same shape and form as received. The heat treatment entails heating the metal to a material specific temperature and time to obtain the desired metal metallurgical condition. Any alteration of part shape by the heat treat process creates an issue for the customer for further fabrication and is considered a nonconformance on our part.

Heat treatments are performed in a vacuum atmosphere in a vacuum furnace or a protective atmosphere utilizing a retort and pit furnace when the surface condition of the material must be preserved – no heat treat scale or alteration of metal surface chemistry is permitted. Depending upon material machine stock thickness, treatments may also be performed in an open air atmosphere as specified by the customer which results in a tight surface scale which is removed by the customer through subsequent machine operations.

No operations are performed outside although some equipment or customer parts may be temporarily placed outside as unloaded until room is made indoors for storage. **The main reason for building this addition is to provide more indoor storage for customer parts and EMTI equipment to alleviate the need for outside placement.**

Property security is provided by a perimeter fence and main access gate. The access gate is closed during second shift at approximately 7:00PM and reopened when first shift arrives. The large 16ft wide by 17ft tall front loading door has a security gate that covers the opening when door must be open during off-hour shifts. The main loading door and adjacent access door has a trip alarm warning of anyone entering the building. During closed business hours, the building is protected by a monitored security alarm system. A security camera system is in place but will be upgraded upon addition completion.

4. MATERIALS USED:

- Retorts used in pit furnaces for containing a protective atmosphere are 309 stainless steel and are repaired when needed. At end of service life they are sold as scrap to J. Solotken & Company for recycling.
- Process shielding gases: Protective atmosphere gases are provided from cryogenic storage tanks for Argon, Nitrogen and Hydrogen where the gas is drawn from the tank and introduced into the retort displacing all oxygen from the retort. EMTI owns the tanks with installation and tank maintenance service provided by Air Products, our gas supplier, meeting safety code requirements. These tanks are equipped with telemetry and monitored by Air Products when refill is needed.
 - Argon and Nitrogen are stored in cryogenic tanks at subzero temperatures as a liquid and can pose a risk if liquid escapes. These tanks are equipped with redundant pressure relief systems to prevent over pressurization and to safely vent gas in case working pressures are exceeded. These tanks are protected by balusters.

- Hydrogen tank is located to the northwest corner of the property and is protected by a second perimeter fence as well as balusters. Installation and service is provided by Air Products meeting safety code requirements. In addition to the pressure relief safeties, gas flow from this tank can be remotely shut off from inside the building to isolate the tank. The installation has a clean safety record with no issues.
 - All process gas storage capacities fall below the minimum reporting requirements set by the Indiana Department of Environmental Management (IDEM).
 - Natural gas. The four pit furnaces are fueled by natural gas through forced air tangential burners and does not produce odors from combustion. Emissions from combustion during operations fall well below reporting requirements set by IDEM. These furnaces have safeties in place for natural gas over/under pressure as well as blower forced air pressure or loss of electric power. Natural gas flow is automatically shut off if set parameters are exceeded and must be manually reset.
5. SHIPPING AND RECEIVING. The customer handles all shipping for their parts – parts and materials are returned in the same manner as received. Local customers use their own vans or trucks for delivery. Shipments are also received from FedEx and UPS as well as via commercial carrier semi-truck/trailer. Typical delivery hours are from 8:00AM to 5:00PM Monday through Friday. Frequency of deliveries varies greatly. Shipments are received at the large loading door at building west end and are unloaded by hand, by forklift or by hoist. All loading/unloading is performed within the facility fenced property.
6. WASTE: The heat treat process does not produce waste as noted. No oil or water quench operations are performed negating any waste disposal for these operations. Metal furnace equipment is recycled through J. Solotken. Trash pickup is provided by Rays Trash service.

2022-UV1-035: Photographs



Photos of subject site from east lot line.

(Continued)

2022-UV1-035: Photographs



Photo of industrial property to the northeast.



Photo of residential to the south lot line of Hanna Avenue.

(Continued)

2022-UV1-035; Photographs



Photos of residential south of subject site along Hanna Avenue.

(Continued)

2022-UV1-035; Photographs



Photo of east lot line, near Hanna Avenue and Churchman Bypass intersection.



Photo of west lot line, nearest I-465.

(Continued)

2022-UV1-035; Photographs



Photos of subject site from south lot line.

(Continued)

2022-UV1-035; Photographs



Photo of residential at south lot line.



Photo looking west on Hanna Avenue.

(Continued)

2022-UV1-035; Photographs



Photo looking west on Hanna Avenue.



Photo of the Subject Property: 6234 East Hanna Avenue