



Address: 4330 N Post Rd
Parcel: 4001284, 4001287, 4011466
Docket # 24LSE03
Hearing Date: December 17, 2024
Council District # 2 ~ Rick Wells

Petitioner: Jaspen Realty LLC
4330 N Post Rd
Lawrence, IN 46226
317-646-1662
realty@jaspengroup.com

Agent: Russell Brown

Owner: Freedom Academy 1 Inc
4330 N Post Rd
Lawrence, IN 46226
317-698-9360
psleeper@att.net

Application:

The subject site is zoned SU-1 (Religious Use District).

Petitioners are requesting a Special Exception of the Commercial Zoning Ordinance to allow Use from SU-1 (Table 742-101-1: Primary Zoning Districts, Special Use (SU) Districts) to MU-2 (Table 742-101-1: Primary Zoning Districts, Mixed Used Districts).

The Petitioner proposed Mixed-Use (MU-2) Special Exception allows for a complementary Community-Centric Business Model Social Enterprise.

The Special Exception is intended to meet the daily needs for the surrounding neighborhoods, and include, small social spaces that serve as neighborhood gathering places.



Analysis:

1. 3 lots = approximately 6 acres
2. 26,697sqft
3. Any event 100 or more would require a Special Event Application to be filed and security for any event as outlined in the Special Event Ordinance.

Per their updated business plan (12/10/24):

The only events that will be made public are events such as health fairs, job fairs and other community related events which will fall under the umbrella of the Haitian Association of Indiana. Those activities will typically take place during business hours or on weekends during the day. Events in this area will be limited to no more than 200 attendees. Events which include catering or service of alcohol will require the use of a licensed caterer and will require security at a ratio of one security guard for every fifty (50) guests.

4. Adequate parking? No, requires 67 has 59
 - a. Development requirements = C1 standards
 - i. Table 744-402-1
 - b. 57 spaces currently + 2 Handicap
 - i. Requires 1 every 400sqft
 1. $26697/400=66.74$

Per their updated business plan (12/10/24):

Current parking on site is comprised of approximately 67 parking spaces. Restriping of such spaces will occur on an as needed basis as weather permits. Additional on-site parking spaces are included in the planned improvements to be completed in approximately fall of '26. Petitioners will secure additional off-street parking on an as needed basis from Turning Point Family Worship Center and Lawrence Church of God.

5. Dumpster w/ enclosure ~ not on aerial view ~ required
6. FIRE CODE:

The current submittal states that this is going to be Grouped as an A-3. Referencing IFC 2014

903.2.1.3 Group A-3. An automatic sprinkler system

shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The *fire area* exceeds 12,000 square feet (1115m).
2. The *fire area* has an *occupant load* of 300 or more.
3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies

If Jaspén does not want to install an automatic sprinkler system, they will need to file for a Variance from the State.

7. E. Administrator's approval (page 304 Zoning Code)
 - a. The Administrator shall be required to use the standards of Section 742-109.C.2 and those districts noted in Table 742-109-1 applicable to the SU district in question in the review and disposition of such structures and improvements.



Opinion:

It is the opinion of this review that the Petition for Special Exception meets the requirements of the Findings of Fact.

Recommendation:

It is our recommendation that this variance be approved with the following commitments:

1. An event with 100 or more attendees will require a Special Event Application be approved by the City of Lawrence. Security for any event will be provided as outlined in the Special Event Ordinance.
2. An enclosed dumpster area shall be constructed to meet the minimum requirements no later than December 31, 2025.
3. Additional parking spaces will be created to meet the minimum requirements no later than December 31, 2026.
4. A Variance from the State is required as per IFC 2014 903.2.1.3 for an exception to the requirement for an automatic sprinkler system

Keith Johnson, Director of Redevelopment and Economic Development

Previous Petitions:

21-LSE-09 ~ 4330 N Post Rd ~ GRANTED

On August 17, 2021 the Lawrence Board of Zoning Appeals heard your petition for a Special Exception Variance of the SU-1 district to allow for a Charter School, pursuant to Article 3 Section 03.6.

Summary of the Subject Property Zoning Standards

| | |
|--|-----------------------------|
| Current Zoning Designation: | D3, D7, SU1 (Religious Use) |
| Requested Use: | MU2 |
| Surrounding Property Zoning | |
| North: | D7 |
| South: | D8 & C3 |
| East: | DA & C3 |
| West: | D3 |
| Comprehensive Plan Land Use Designation: | Residential |
| Current Land Use: | Charter School |
| Compact Context Area: | Metro |
| Transit Oriented Overlay Area: | Yes |



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Zoning Code:



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Article III, Section 03.B



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Section 742-109.C.2



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Aerial:



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Zoning Base Map:



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Site Plan:



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Elevation:



Kiskeya Cultural Complex

Plan of Operation

4330 N. Post Road

In support of a Variance Request for the property with a common street address of 4330 N. Post Road (the "Property"), the petitioners, provide the following Plan of Operation for this property.

Petitioners are the contract purchasers of the Property, purchasing the property via installment sales contract. The proposed reuse of this former religious and day care space, previously utilized as part of the Reset Center, will to provide office space for use by the Petitioners and other non-profit (e.g. the Haitian Association of Indiana), religious organizations, and start up organizations as well as co-working space, available for utilization through membership in Kiskeya (similar to locations like Co-Hatch, Big Car Collective, etc.). The facility will retain a studio available for dance instruction or music classes, and a small fitness room eligible for use by Kiskeya co-working members. The planned utilization of the Property will retain the former sanctuary space with no structural changes occurring the building. The former sanctuary space will be available for utilization by tenants, members of Kiskeya or other community organizations with advance notice to on-site management. This space referred to as "Ballroom" on the floor plan. Kiskeya hosted social networking gatherings to drive membership will not go past 8pm on any given day including weekends. Lease holders or Co-working Member hosted gatherings will not go past 9pm on any given day including weekends. Any cultural events in partnership with the Haitian Association of Indiana will not go past 9pm on any given day including weekends. The only events that will be made public are events such as health fairs, job fairs and other community related events which will fall under the umbrella of the Haitian Association of Indiana. Those activities will typically take place during business hours or on weekends during the day. Events in this area will be limited to no more than 200 attendees. Events which include catering or service of alcohol will require the use of a licensed caterer and will require security at a ratio of one security guard for every fifty (50) guests.

Typical hours of operation for most office tenants will be typical weekday office hours. Religious and community organizations may have limited weekend hours. Dance instruction or music classes may operate during evening hours. Members of the co-working space may have limited building access beyond typical office hours, but will be limited within the building only to areas designated for co-working members. Any events occurring outside of these typical hours of operation will require advance notice and approval to on-site management, but will not go outside the hours included above.

Kiskeya will not hold outdoor events or allow tenants or visitors to have programming in the open area west of the existing building.

Petitioners have begun interior construction updates to the site to prepare the site for leasing and full utilization by potential tenants and co-working membership. These changes do not include structural changes to the building, which is currently, as comprised, approved by the Indiana Department of Homeland Security as an Indoor Event Venue/Hall.

The attached Project Timeline (Attachment B hereto) provides planned improvements for the site, upon approval of the variance petition. Upon installation, the development may, at a later date, included a commercial community kitchen would be utilized to facilitate quick and efficient production of food and sale for food-focused businesses and organizations.



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Conceptual landscape improvements for the area nearest the building's front façade are provided as Attachment C hereto. Improvements shall be made in substantial conformance with these conceptual plans. Current parking on site is comprised of approximately 67 parking spaces. Restriping of such spaces will occur on an as needed basis as weather permits. Additional on-site parking spaces are included in the planned improvements to be completed in approximately fall of '26. Petitioners will secure additional off-street parking on an as needed basis from Turning Point Family Worship Center and Lawrence Church of God.

Trash pickup will continue to be delivered via a commercial dumpster located on site. Frequency of required pick-up will increase based on occupant and tenant need.



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Findings of Fact (as provided by applicant):



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