



Address: 4700 N Post Rd, Parcel 4002431  
Docket # 24 LSES 06  
Hearing Date: November 19, 2024  
Council District # 2 ~ Rick Wells

Petitioner: AutoZone Development  
Attn: Sarah Cavallo  
123 S Front St, 3<sup>rd</sup> Floor  
Memphis, TN 38103  
901-495-6051  
[Sarah.Cavallo@AutoZone.com](mailto:Sarah.Cavallo@AutoZone.com)

Owner: CAG Property Group  
8709 Santana Ln  
Indianapolis, IN 46278  
[Cory@GrayStoneIndy.com](mailto:Cory@GrayStoneIndy.com)

Agent: Prism Engineering & Design Group, LLC  
Attn: Jason L. Hall, PE  
2309 Watterson Trail, Suite 200  
Louisville, KY 40299  
502-888-3211  
[Jason@Prism-Civil.com](mailto:Jason@Prism-Civil.com)

**Application:**

A Special Exception and Variance of Development Standards of the Zoning Ordinance is requested to provide for the redevelopment of an existing developed property that would allow for construction and operation of an Extra-Large Retail Sales/Service Facility

AutoZone Development, LLC, proposes to construct a 32,500 square foot facility for the sale of automotive parts.

1. Special Exception to allow 32,500 square feet. Chapter 742, Section 07, Table 742-207-1 "Commercial and Industrial Use Limitations" (retail greater than 20,000 square foot not permitted).
2. Variance of Development Standards of Table 744-702-2 "Private Frontage Design Standards", for which relief is being sought:
  - a. Driveway Width ~ 24 feet allowed. Request to allow shared driveway measuring 36 feet to remain. No modifications to the existing driveway are proposed. No new driveway(s) are being proposed.
  - b. Surface Parking Limits ~ The required parking frontage limit of 40% along the front building line will be exceeded. The proposed parking frontage width is 70%.
  - c. Front Building Line ~ 0 feet to 25 feet setbacks are allowed with 60% front building line coverage. The proposed building setback is 95.5 feet at the



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southwestern building corner and 105.4 feet at the northwestern building corner from the front property line.

- i. In addition, relief from the requirement of 60% front building line coverage is requested.

**Analysis:**

6.421 acres

Previously Post Road Recreation Center ~ closed 2020 and has been vacant since Demolition of existing structures

**Opinion:**

It is the opinion of this review that the Petition for Variance of Development Standards does not meet the Findings of Fact requirements.

**Recommendation:**

It is our recommendation that this variance be denied

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Director of Economic Development, Keith Johnson



### Summary of the Subject Property Zoning Standards

<b>Current Zoning Designation:</b>	C4 (underlying C5, CS)
Surrounding Property Zoning	
North:	C5
South:	C4 & SU1
East:	CS
West:	C3 & D7

<b>Comprehensive Plan Land Use Designation:</b>	
Current Land Use:	Vacant ~ Commercial
Compact Context Area:	Metro
Transit-Oriented Designation:	Yes
Relevant Code Sections:	<a href="#">742-07</a> <a href="#">Table 742-207-1</a> <a href="#">Table 744-702-2</a>

#### Previous Petitions:

**1985 LUV 04** ~ Variance of Use to provide for a golf driving range. **Granted.**

**1990 LUV 11** ~ Variance of Use to provide for a go-cart track, miniature golf and batting cage. **Granted.**

**2012 LUV 011** ~ Variance of Use of the Dwelling Districts Zoning Ordinance and Commercial Zoning Ordinance to provide for the indoor and outdoor recreational uses shown on the site plan submitted to the file, including an outdoor mobile zip line. **Granted with Commitments**

**2015 LUV 007** ~ Variance of use of the Dwelling Districts Zoning Ordinance and Commercial Zoning Ordinance to provide for a 920-square foot accessory building for a temporary mechanics shop (to be used for go-cart storage long-term), the reconstruction of an approximately 1,616- square foot mechanics building, related to the existing indoor and outdoor recreational uses. **Granted**

**2020 ZON 025** ~ Rezoning 6.42 acres from DA and C4 districts to the C4 district to provide for C4 commercial uses, including, but not limited to, a reception/banquet hall facility. **Granted**



<b>TABLE 742-104-3 C-4 DISTRICT DIMENSIONAL STANDARDS</b>		
		<b>LOT STANDARDS</b>
Minimum street frontage		50 ft.
		<b>SETBACKS</b>
	<b>METRO</b>	<b>COMPACT</b>
Minimum depth front yard	See Table 744-201-3	10 ft. from existing ROW
Minimum front transitional yard	20 ft.	10 ft.
Minimum width of side yard	0 ft.	0 ft.
Minimum side transitional yard	20 ft.	10 ft.
Minimum depth of rear yard	0 ft.	0 ft.
Minimum rear transitional yard	20 ft.	10 ft.
		<b>BUILDING STANDARDS</b>
	<b>METRO</b>	<b>COMPACT</b>
Maximum height buildings and structures	65 ft.	65 ft.
Maximum height along a transitional yard	18 ft.	25 ft.

This Table is a summary of selected standards; refer to Chapter 744, Article II Lot and Building Dimensions, for additional regulations.

\*In case of a discrepancy with this summary table, the master table in Chapter 744-II governs.



## **G. Special Commercial District (C-S)**

### **1. General**

- a. The Special Commercial district (C-S) is established for the following purposes:
  1. To encourage:
    - i. A more creative approach in land planning.
    - ii. Superior site and structural design and development.
    - iii. An efficient and desirable use of open space.
  2. To provide for a use of land with high functional value.
  3. To assure compatibility of land uses, both within the C-S district and with adjacent areas.
  4. To permit special consideration of property with outstanding features, including, but not limited to, historical, architectural or social significance, unusual topography, landscape amenities, and other special land characteristics.
  5. To provide maximum adaptability and flexibility in zoning and development controls to meet the changing and diverse needs of the metropolitan area.
- b. The C-S District is designed to permit, within a single zoning district, multi-use commercial complexes or land use combinations of commercial and noncommercial uses, or single-use commercial projects. The primary objective of this district is to encourage development which achieves a high degree of excellence in planning, design or function, and can be intermixed, grouped or otherwise uniquely located with maximum cohesiveness and compatibility. The district provides flexibility and procedural economy by permitting the broadest range of land use choices within a single district, while maintaining adequate land use controls. The C-S District can include high-rise or low-rise developments, can be applied to large or small land areas appropriately located throughout the metropolitan area, and can be useful in areas of urban renewal or redevelopment.
- c. Development site plans should incorporate and promote environmental considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage and wildlife.



## 2. Permitted Uses

- a. All land uses within the C-S Districts shall be limited to the use or uses specified in the applicable rezoning petition or ordinance redistricting and zoning the particular land to the C-S District. A site and development plan for a proposed C-S District shall be filed with the zoning petition and approved by the Metropolitan Development Commission. The Commission may approve, amend or disapprove the plan and may impose any reasonable conditions upon its approval. If such plan submitted is a preliminary rather than final plan, the Commission's approval shall be conditioned upon the approval, by the Administrator, of a final site and development plan, in total or in phases. Such final plan approval by the Administrator shall be conditioned upon the Administrator's findings that the final

plan is consistent and in substantial conformity with the preliminary plan, as approved by the Metropolitan Development Commission. All development within the C-S Districts shall be subject to any further standards, restrictions or requirements specified in such rezoning petition or ordinance and commitments filed, made or presented in support of such rezoning petition.

- b. All C-S District uses shall:
  1. Be so planned, designed, constructed and maintained as to create a superior land development, in conformity with the Comprehensive Plan of Marion County, Indiana; and
  2. Create and maintain a desirable, efficient and economical use of land with high functional value and compatibility of land uses, within the C-S District and with adjacent uses; and
  3. Provide sufficient and well-designed access, parking and loading areas; and
  4. Provide traffic control and street plan integration with existing and planned public streets and interior access roads; and
  5. Provide adequately for sanitation, drainage and public utilities; and
  6. Allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan for Marion County, Indiana.





### 3. Other Standards

#### a. *Windows/doors/transparency*

1. On the side of each primary building that has a public pedestrian entrance, at least 40% of the wall surface area between 3 feet and 8 feet above grade level and within 50 feet of each side of the entrance shall be of glass or other transparent materials. On any facade or side of a primary building that is located within 50 feet of a local, collector or arterial street, at least 40% of the wall surface area between 3 feet and 8 feet above grade level shall be of glass or other transparent materials.
2. Required ground floor glass or other transparent materials shall allow two-way visibility between 3 feet and 8 feet above grade level.
3. No glass or other transparent materials shall reflect more than 30% of visible light.
4. Replacing windows in an existing building is permitted; however, the replacing window must match the building's original window opening within a tolerance of 2 inches of each opening side.

#### b. *Roof*

1. All roof-mounted mechanical equipment shall be completely and effectively screened from view on all sides of the building with a parapet consistent with the building's design and materials.



**TABLE 742-207-1 Commercial & Industrial Use Limitations**

	C-1	C-3	C-4	C-5	MU-2	MU-3	MU-4
Micro-Retail Sales/Service (under 1,000sf)	P	P	P	P	P	P	P
Small Retail Sales/Service (1,001 to 3,000sf)	P	P	P	P	P	P	P
Medium Retail Sales/Service (3,001 to 8,000sf)	P	P	P	P	S	P	P
Large Retail Sales/Service (8,000 to 20,000sf)		S	P	P		S	P
Extra Large Retail Sales/Service (20,001+ sf)			S	S			S
Small Grocery Store (3,001 to 10,000sf)	P	P	P	P	P	P	P
Medium Grocery Store (10,001 to 30,000sf)	S	P	P	P	S	P	P
Large Grocery Store (30,001 to 50,000sf)			S	S		S	S
Super Market Grocery Store (50,000+ sf)			S	S		S	S
Office–Small (under 10,000sf)	P	P	P	P	P	P	P
Office–Medium (10,001 to 50,000sf)		P	P	P	S	P	P
Office–Large (under 50,001 + sf)			S	P		S	P
Lodging–Bed and Breakfast (under 5 guest rooms)	P	P	P	P	P	P	P
Lodging–Inn (6 to 20 guest rooms)		P	P	P		P	P
Lodging–Small Hotel (21 to 100 guest rooms)			P	P		S	P
Lodging–Large Hotel (101+ guest rooms)				S			P

**P = Permitted**

**S = Special Exception**



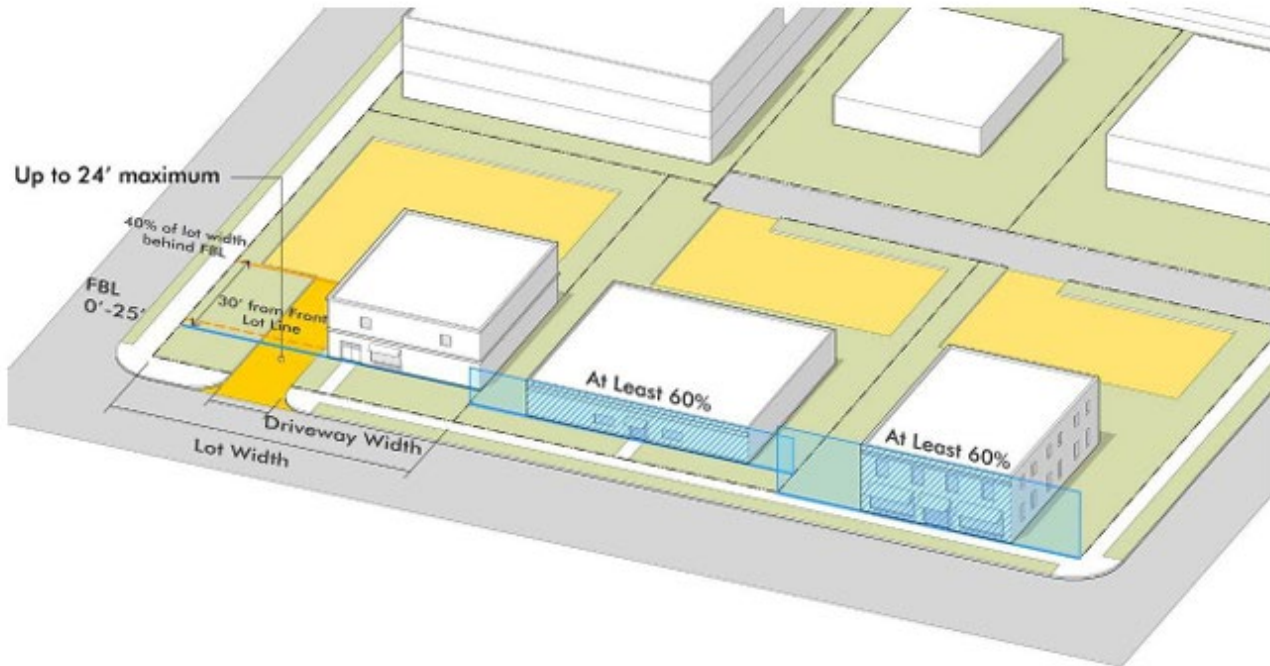


**TABLE 744-702-3: PRIVATE FRONTAGE DESIGN STANDARDS**

FRONTAGE TYPE ➤	PEDESTRIAN / URBAN	CONNECTOR	BUFFER / SUBURBAN
▼ 'FRONTAGE ELEMENT			
<b>FRONTAGE DESIGN</b>			
<i>Driveway Spacing &amp; Widths (in front of FBL OR within 30' from front lot line)</i>	up to 16' maximum Any lot abutting an alley shall get access off the alley and shall not create new driveways from the street, except for lots with over 200' of street frontage.	up to 24' maximum	up to 36' maximum
<i>Surface Parking Limits</i>	Prohibited – behind building only and setback minimum 50'	25' setback; AND 40% maximum of lot width behind FBL	10' setback
<i>Structured Parking Limits</i>	10% maximum of street wall; or 3 <sup>rd</sup> story or above; all other behind buildings	30% maximum of street wall; or 2 <sup>nd</sup> story or above; all other behind liner building	10' setback
<i>Landscape [See Section 744, Article V. for standards and specifications.]</i>	1 street tree per 35' of frontage	1 street tree per 35' of frontage	1 street tree per 35' of frontage; Plus 1 frontage landscape tree per every 35'
<b>BUILDING PLACEMENT &amp; FORM</b>			
<i>Front Building Line (FBL)</i>	0' – 10'	0' – 25'	0' -26' – shall meet Connector Facade design standards Greater than 26' may meet Buffer / Suburban Facade design standards
<i>Required FBL (minimum)</i>	80%	60%	40%
<b>BUILDING SCALE &amp; DESIGN</b>			
<i>Primary Entry Feature</i>	1 per 50'	1 per 100'	1 per building
<i>First Story Transparency</i>	60% - 90%	40% - 90%	25% - 90% OR 60% - 90% within 30' of Primary Entry
<i>Upper Story Transparency</i>	20% - 50%	15% - 40%	15% - 40%
<i>Wall Plane Limits</i>	50' linear feet; and 600 sf	100' linear feet; and 1,000 sf	150' linear feet; and 2,000 sf
<i>Blank Wall Limits</i>	30 linear feet; and 300 sf	50 linear feet; and 500 sf	100 linear feet; and 1,000 sf



**Figure 744.701.05 Connector: Frontage Design & Building Placement & Form**





### E. Building Placement & Form.

1. *Required Front Building Line.* All buildings shall establish a front building line within the range of the front lot line specified in Table 744-702-2. The required front building line shall extend for the minimum percentage along the frontage specified in the table.
2. *Courtyards, Plazas and Patios.* Courtyards, plazas and patios along the frontage may count to the required front building line provided:
  - a. It is limited to no more than 50 feet or 50% of the lot frontage, whichever is greater;
  - b. There are defining features at the extension of the required front building line, such as decorative walls or fences, landscape features and other human scale details; and
  - c. All building facades fronting the open space meet the standards otherwise applicable along the streetscape.







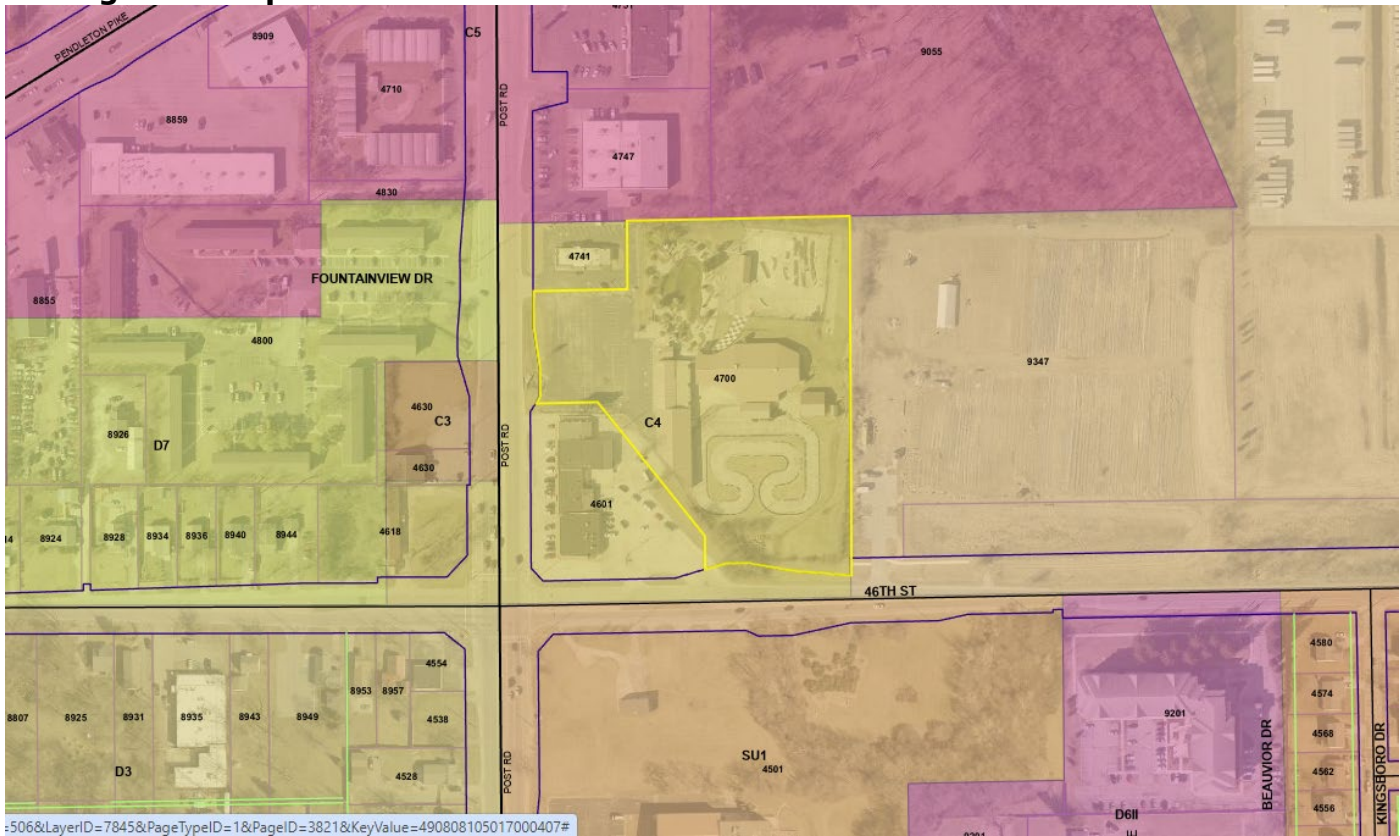
City of  
**Lawrence**  
Indiana

**Aerial:**





**Zoning Base Map:**





### Site Plan:

#### GENERAL NOTES

- PROPERTY LINE AND CURB-TO-CURB MONUMENTS SHALL NOT BE DISTURBED BY CONSTRUCTION. IF DISTURBED, THEY SHALL BE RESET TO THEIR ORIGINAL LOCATION AT THE CONTRACTOR'S EXPENSE BY A REGISTERED LAND SURVEYOR.
- PROTECT EXISTING UTILITIES AND ALL PAVING AREAS. NOTIFY AGENCIES OF ANY UNDESIRABLE AREAS.
- ALL BUILDING OPERATIONS SHALL BE IN ACCORDANCE WITH THE CITY OF LAWRENCE ORDINANCES. ONLY CONTRACTOR SHALL USE THE ARCHITECTURAL AND ENGINEERING PLANS FOR EXISTING BUILDINGS.
- ALL TREE REMOVALS ARE RESTRICTED TO THE FACE OF CURB OR EDGE OF PAVING UNLESS OTHERWISE NOTED.
- ALL SPECIALS, CURB AND GUTTER, STREET PAVING, CURB CUTS, SIDEWALK APPROXIMATIONS, DRIVEWAYS, ETC. CONSTRUCTED OUTSIDE THE PROPERTY LINE AS THE BULK AREA SHALL CONFORM TO ALL MUNICIPAL AND/OR STATE OPERATIONS AND REGULATIONS.
- ALL UTILITIES SHALL BE LOCATED TO THE CENTER OF SETBACK OR TO THE SATISFACTION OF THE CITY OR STATE SURVEYOR.
- THE CONTRACTOR SHALL PROVIDE A SCHEDULED RECORD OF ALL CONSTRUCTION INCLUDING UNDERGROUND UTILITIES TO AGENCIES AT THE END OF CONSTRUCTION.
- CONTRACTOR SHALL PROVIDE FULL ACCELERATED TOPOGRAHY SURVEY OF THE SITE CONDUCTED BY A LAND SURVEYOR LICENSED IN THE STATE OF INDIANA.

**BULK AREA REQUIREMENTS**

ITEM	REQUIREMENTS	PROVIDED
MINIMUM LOT AREA	---	5.535 AC.
MINIMUM BIFURCIOUS SURFACE	---	---
MINIMUM LOT FRONTAGE	50 FT.	191.0 FT.
MINIMUM FRONT SETBACK (BUILDING)	25 FT.	95.5 FT.
MINIMUM BUILDING FRONTAGE	60 FT.	238 FT.
MINIMUM SIDE SETBACK (BUILDING)	---	---
MINIMUM REAR SETBACK (BUILDING)	30 FT.	124.4 FT.
MINIMUM BUILDING HEIGHT	65 FT.	23 FT.
MINIMUM PARKING SETBACK	25 FT.	25 FT.
MINIMUM PARKING FRONTAGE	400 (78 FT.)	708 (136 FT.)

**PARKING INFORMATION**

ITEM	REQUIREMENTS	PROVIDED
MINIMUM PARKING	---	73,700 SF
PARKING REQUIRED - MINIMUM	1 SP. PER 200 SF + 33 SPACES OF GROSS FLOOR AREA	93 SPACES
PARKING REQUIRED - MAXIMUM	1 SP. PER 200 SF + 143 SPACES OF GROSS FLOOR AREA	176 SPACES
MIN. PARKING DIM.	9 FT. X 20 FT.	9 FT. X 20 FT.
MIN. DRIVEWAY WIDTH	24 FT.	36 FT. (E.C. SHARED ACCESS)
ACCESSIBLE SPACES	4 SPACES	4 SPACES
BIKEWAY SPACES	10 SPACES	10 SPACES
LOADING SPACES	2 SPACES	2 SPACES (11' X 50')

#### VICINITY MAP

NE To Scale

#### LEGEND

LINE LEGEND

- Solid line: EXISTING BOUNDARY
- Dashed line: PROPOSED BOUNDARY
- Thin solid line: EXISTING BUILDING (TYP)
- Thin dashed line: PROPOSED BUILDING
- Thick solid line: EXISTING DRIVEWAY
- Thick dashed line: PROPOSED DRIVEWAY
- Thin solid line with dots: EXISTING UTILITY
- Thin dashed line with dots: PROPOSED UTILITY
- Thin solid line with dashes: EXISTING EASEMENT
- Thin dashed line with dashes: PROPOSED EASEMENT
- Thin solid line with triangles: EXISTING MONUMENT
- Thin dashed line with triangles: PROPOSED MONUMENT
- Thin solid line with circles: EXISTING CURB
- Thin dashed line with circles: PROPOSED CURB
- Thin solid line with squares: EXISTING GUTTER
- Thin dashed line with squares: PROPOSED GUTTER
- Thin solid line with diamonds: EXISTING SIDEWALK
- Thin dashed line with diamonds: PROPOSED SIDEWALK
- Thin solid line with stars: EXISTING PAVEMENT
- Thin dashed line with stars: PROPOSED PAVEMENT
- Thin solid line with crosses: EXISTING TREE
- Thin dashed line with crosses: PROPOSED TREE
- Thin solid line with triangles: EXISTING SIGN
- Thin dashed line with triangles: PROPOSED SIGN
- Thin solid line with squares: EXISTING FENCE
- Thin dashed line with squares: PROPOSED FENCE
- Thin solid line with circles: EXISTING DRIVEWAY
- Thin dashed line with circles: PROPOSED DRIVEWAY
- Thin solid line with diamonds: EXISTING SIDEWALK
- Thin dashed line with diamonds: PROPOSED SIDEWALK
- Thin solid line with stars: EXISTING PAVEMENT
- Thin dashed line with stars: PROPOSED PAVEMENT
- Thin solid line with crosses: EXISTING TREE
- Thin dashed line with crosses: PROPOSED TREE
- Thin solid line with triangles: EXISTING SIGN
- Thin dashed line with triangles: PROPOSED SIGN
- Thin solid line with squares: EXISTING FENCE
- Thin dashed line with squares: PROPOSED FENCE

#### SYMBOL LEGEND

- Circle with cross: UNDERGROUND UTILITY
- Circle with dot: EXISTING UTILITY
- Circle with triangle: EXISTING MONUMENT
- Circle with square: EXISTING CURB
- Circle with diamond: EXISTING GUTTER
- Circle with star: EXISTING PAVEMENT
- Circle with cross: EXISTING TREE
- Circle with triangle: EXISTING SIGN
- Circle with square: EXISTING FENCE
- Circle with diamond: EXISTING DRIVEWAY
- Circle with star: EXISTING SIDEWALK

#### SITE DEMOLITION NOTES

- ALL EXISTING STRUCTURES AND UTILITIES TO BE DEMOLISHED.
- ALL EXISTING UTILITIES SERVICE LINES TO BE REMOVED.
- EXISTING SIDEWALK ACCESS TO N. POST ROAD TO REMAIN.

GRAPHIC SCALE IN FEET

09/09/24
DP1.0





**Elevation:**

**FRONT WALL**

**REAR WALL**

**LEFT WALL**

**RIGHT WALL**

**CE-1**  
Color Elevation  
4700 N. POST RD  
AutoZone Store #0672  
Lawrence, IN

**AutoZone**

DATE: FEB. 05, 2024  
REVISION DATE

**ELEVATION KEY NOTES**

- 1 TWO PILE COMPRESSION TRIM
- 2 PAINTED SMOOTH FACE BLOCK
- 3 WALL MOUNTED LIGHT FIXTURE
- 4 PIPE GUARD WITH RED SLEEVE
- 5 SFS: EXTERIOR INSULATED FINISH - PAINT DRWGSS SHWD CURE
- 6 PAINT SHED DOOR RED & METAL FRAMES BLACK
- 7 DO NOT PAINT QUINCEWOOD DOOR - PAINT W/OLIVE BLACK
- 8 CONTROL JOINT
- 9 ALUMINUM STORE FRONT - RED KYMAR FINISH
- 10 SLATS AND ALUMINUM DOORS - CLEAR ANODIZED FINISH
- 11 SIGNAGE TO BE UNDER SEPARATE REVIEW
- 12 SCUPPERS AND DOWNPOUTS, PAINTED TO MATCH BACKGROUND WALL COLOR. ADJACENT 4" X 8" W. OVERLAP SCUPPER. FURNISH 2" ABOVE ROOF
- 13 FULL WINDOW WITH BLACK OPAQUE GLAZING
- 14 ROOF LINE BEYOND
- 15 4 FT. WIDE STONE VENEER PLASTER W/ 4" PROJECTION - SEE COLOR SCHEME DETAIL THIS SHEET
- 16 RED STANDING SEAM AWNING (TYP.)
- 17 1/2" TALL 4" RED STANDING SEAMER W/ PROJECTION. PAINTED CONCRETE CAP - ENVIRONMENTAL STONEWORKS - COLOR/TONE/RESISTE
- 18 DECORATIVE POINTE CORNICE - SEE COLOR SCHEME BELOW
- 19 FLAT CANOPY
- 20 PARAPET BEYOND
- 21 HAND UNITS SCREENED BEYOND PARAPET WALL

FRONT WALL, REAR WALL, LEFT WALL, RIGHT WALL, SIGNAGE TO BE UNDER SEPARATE REVIEW.

FRONT WALL, REAR WALL, LEFT WALL, RIGHT WALL, SIGNAGE TO BE UNDER SEPARATE REVIEW.

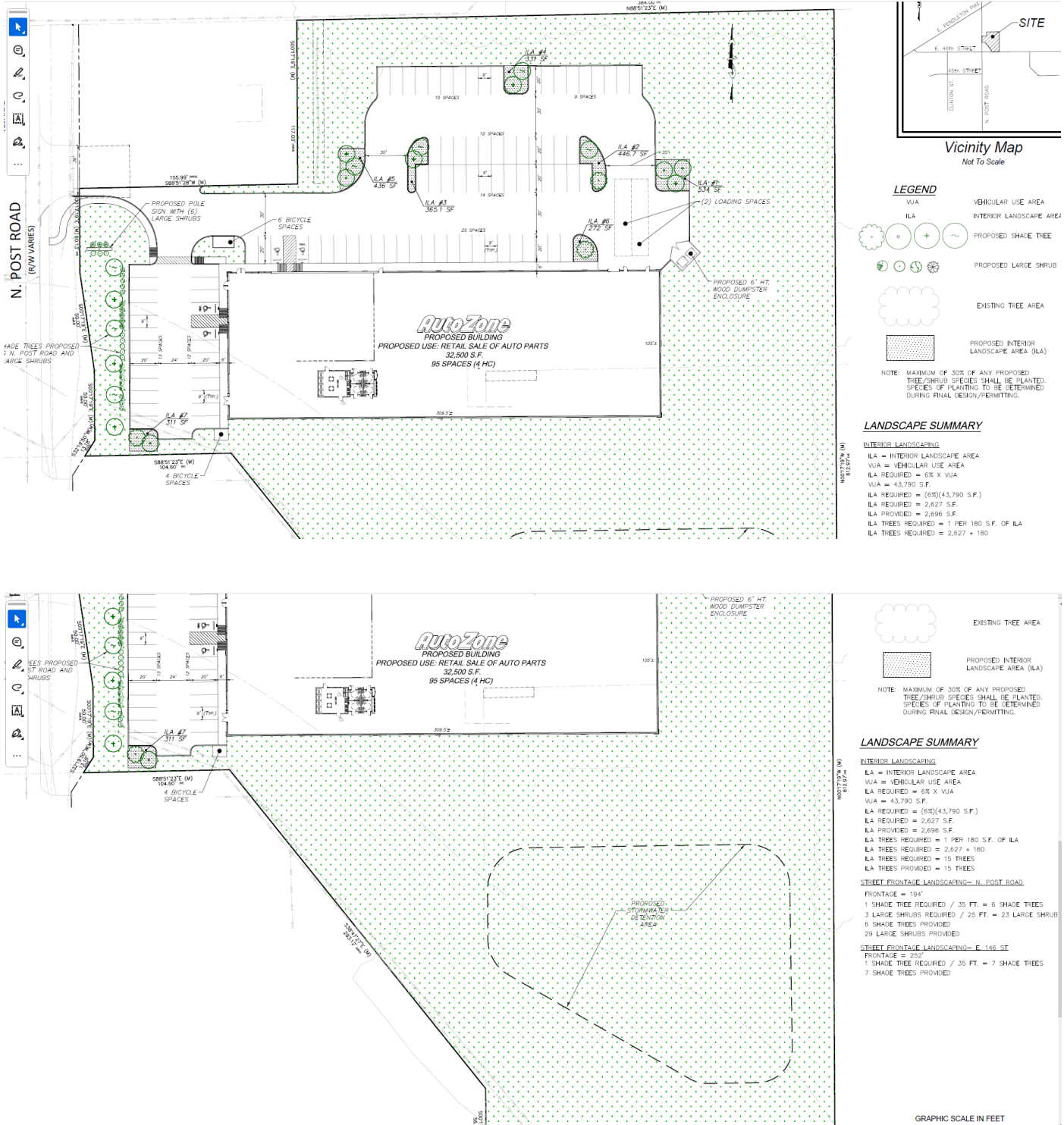
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**Landscape Plan:**



- LEGEND**
- VEHICULAR USE AREA
  - INTERIOR LANDSCAPE AREA
  - PROPOSED SHADE TREE
  - PROPOSED LARGE SHRUB
  - EXISTING TREE AREA
  - PROPOSED INTERIOR LANDSCAPE AREA (ILA)
- NOTE: MAXIMUM OF 30% OF ANY PROPOSED TREE/SHRUB SPECIES SHALL BE PLANTED. SPECIES OF PLANTING TO BE DETERMINED DURING FINAL DESIGN/PERMITTING.

**LANDSCAPE SUMMARY**

**INTERIOR LANDSCAPING**

ILA = INTERIOR LANDSCAPE AREA  
VUA = VEHICULAR USE AREA  
ILA REQUIRED = 6% X VUA  
VUA = 43,790 S.F.  
ILA REQUIRED = (6%)(43,790 S.F.)  
ILA REQUIRED = 2,627 S.F.  
ILA PROVIDED = 2,696 S.F.  
ILA TREES REQUIRED = 1 PER 180 S.F. OF ILA  
ILA TREES REQUIRED = 2,627 ÷ 180

- EXISTING TREE AREA
- PROPOSED INTERIOR LANDSCAPE AREA (ILA)
- NOTE: MAXIMUM OF 30% OF ANY PROPOSED TREE/SHRUB SPECIES SHALL BE PLANTED. SPECIES OF PLANTING TO BE DETERMINED DURING FINAL DESIGN/PERMITTING.

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ILA REQUIRED = (6%)(43,790 S.F.)  
ILA REQUIRED = 2,627 S.F.  
ILA PROVIDED = 2,696 S.F.  
ILA TREES REQUIRED = 1 PER 180 S.F. OF ILA  
ILA TREES REQUIRED = 2,627 ÷ 180  
ILA TREES PROVIDED = 15 TREES  
ILA TREES PROVIDED = 15 TREES

**STREET FRONTAGE LANDSCAPING- N. POST ROAD**

FRONTAGE = 194'  
1 SHADE TREE REQUIRED / 35 FT. = 6 SHADE TREES  
3 LARGE SHRUBS REQUIRED / 25 FT. = 23 LARGE SHRUBS  
6 SHADE TREES PROVIDED  
29 LARGE SHRUBS PROVIDED

**STREET FRONTAGE LANDSCAPING- E. 146 ST**

FRONTAGE = 252'  
1 SHADE TREE REQUIRED / 35 FT. = 7 SHADE TREES  
7 SHADE TREES PROVIDED

GRAPHIC SCALE IN FEET



**Findings of Fact ~ Special Exception (as provided by applicant):**

**PETITION FOR SPECIAL EXCEPTION  
FINDINGS OF FACT**

1. The proposed use meets the definition of that use because
  - a. Retail sales facilities are permitted within the Transit-Oriented District overlay for building floor areas up 20,000 square feet.
  - b. The proposed use is consistent and compatible with existing uses in the area.
2. The proposed use will not injure or adversely affect the adjacent area or property values in that area because
  - a. The proposed use is consistent with the Comprehensive Plan Proposed Base Land Use designations for this site – “Heavy Commercial” and “Office Commercial”.
  - b. Retail sales facilities are permitted in C-4 zones and within the Transit-Oriented District overlay for building floor areas up 20,000 square feet.
  - c. The proposed use is consistent with existing uses in the area.
  - d. The total floor area that exists at the subject site currently totals approximately 26,606 square feet. Therefore, the current floor area on the property exceeds the special exception threshold of 20,000 square feet in the current conditions.
  - e. The existing use of “Outdoor Recreation and Entertainment” is not permitted in the C-4 zoning district. Therefore, the proposed use is less intense and will not adversely affect the adjacent area or property values.
3. The grant will not materially and substantially interfere with the lawful use and enjoyment of adjoining properties because
  - a. The proposed use is consistent with the Comprehensive Plan Proposed Base Land Use designations for this site – “Heavy Commercial” and “Office Commercial”.
  - b. The existing use of “Outdoor Recreation and Entertainment” is not permitted in the C-4 zoning district. Therefore, the proposed use is less intense and will not materially or substantially interfere with the use and enjoyment of adjoining properties.
  - c. The total floor area that exists at the subject site currently totals approximately 26,660 square feet. Therefore, the current floor area on the property exceeds the special exception threshold of 20,000 square feet in the current conditions.
4. The proposed use will be compatible with the character of the district, land use authorized therein and the Comprehensive Plan for Marion County because
  - a. The proposed use is consistent with the Comprehensive Plan Proposed Base Land Use designations for this site – “Heavy Commercial” and “Office Commercial”.
  - b. The existing use of “Outdoor Recreation and Entertainment” is not permitted in the C-4 zoning district. The proposed use is permitted in a C-4 zoning district and is a less intense use than the existing use.



5. The proposed use conforms to the development standards applicable to the zoning district in which it is located because
- a. The proposed use conforms to the development standards applicable to the zoning district, including the following:
    - i. Minimum street frontage
    - ii. Minimum front yard setback
    - iii. Minimum side and rear yard setbacks
    - iv. Maximum building height
    - v. Off-street required parking spaces
    - vi. Bicycle parking spaces
    - vii. ADA parking requirements
    - viii. Loading space requirements
    - ix. Exterior lighting
    - x. Sidewalks
    - xi. Landscaping and Screening
  - b. For the Transit-Oriented Development overlay district requirements, the proposed development does not conform to the following overlay district development standards shown in Chapter 744, Table 744-702-3 "Private Frontage Design Standards", for which relief (by variance petition) is also being sought:
    - i. Driveway Width – 24 feet allowed. Variance approval requested to allow existing shared driveway width of 36 feet to remain. No new driveways are proposed.
    - ii. Surface Parking Limits – The required parking setback of 25 feet will be met, however, the parking frontage limit of 40% along the front building line will be exceeded due to the existing geometry of the lot. The proposed parking frontage width is 70%, therefore, relief is being sought for exceeding the allowable parking frontage.
    - iii. Front Building Line – 0 feet to 25 feet setback allowed with 60% front building line. Variance approval is being sought to allow the proposed building to be setback between 95.5 feet and 105.4 feet from the front property line. In addition, relief from the requirement of 60% front building line is being sought in conjunction with the related variance requests.
6. The proposed use conforms to all provisions of the Zoning Ordinance development standards applicable to the zoning district in which it is located because
- a. The proposed use conforms to the Chapter 744 development standards applicable to the zoning district, including the following:
    - i. Minimum street frontage
    - ii. Minimum front yard setback
    - iii. Minimum side and rear yard setbacks
    - iv. Maximum building height
    - v. Off-street required parking spaces
    - vi. Bicycle parking spaces
    - vii. ADA parking requirements
    - viii. Loading space requirements



City of  
**Lawrence**

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Indiana

- ix. Exterior lighting
- x. Sidewalks
- xi. Landscaping and Screening

- b. For the Transit-Oriented Development overlay district requirements, the proposed development does not conform to the following overlay district development standards shown in Chapter 744, Table 744-702-3 "Private Frontage Design Standards", for which relief (by variance petition) is also being sought:
- i. Driveway Width – 24 feet allowed. Variance approval requested to allow existing shared driveway width of 36 feet to remain. No new driveways are proposed.
  - ii. Surface Parking Limits – The required parking setback of 25 feet will be met, however, the parking frontage limit of 40% along the front building line will be exceeded due to the existing geometry of the lot. The proposed parking frontage width is 70%, therefore, relief is being sought for exceeding the allowable parking frontage.
  - iii. Front Building Line – 0 feet to 25 feet setback allowed with 60% front building line. Variance approval is being sought to allow the proposed building to be setback between 95.5 feet and 105.4 feet from the front property line. In addition, relief from the requirement of 60% front building line is being sought in conjunction with the related variance requests.
- c. With regard to Chapter 740, the proposed use conforms to the general requirements of zoning district. The proposed use is categorized as "Retail Sales and Service" and "Extra-large retail sales and service" with floor area greater than 20,000 square feet.
7. The proposed use conforms to all of the use specific standards for that use, including and Special Exception standards for that use because
- a. The proposed use is not a use listed in Table 743-208-1 for "Uses Prohibited In Non-SU Districts".
  - b. Retail sales is a permitted use per Table 743-1 – "Use Table".
  - c. Per Table 743-1, retail sales facilities are subject to Article III – Use Specific Standards. The proposed use conforms to the use specific standards, where applicable.





**Findings of Fact ~ Development Standards (as provided by applicant):**

VARIANCE OF DEVELOPMENT STANDARDS  
FINDINGS OF FACT

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS AND GENERAL WELFARE OF THE COMMUNITY BECAUSE:
  - a. The proposed use is consistent with the Comprehensive Plan Proposed Base Land Use designations for this site – “Heavy Commercial” and “Office Commercial”.
  - b. Retail sales facilities are permitted in C-4 zones and within the Transit-Oriented District overlay district.
  - c. The proposed use is consistent with existing uses in the area.
  - d. The existing use of “Outdoor Recreation and Entertainment” is not permitted in the C-4 zoning district. Therefore, the proposed use is less intense and will not adversely affect the community.
  - e. The proposed development conforms to the development standards applicable to the C-4 zoning district, including the following:
    - i. Minimum street frontage
    - ii. Minimum front yard setback
    - iii. Minimum side and rear yard setbacks
    - iv. Maximum building height
    - v. Off-street required parking spaces
    - vi. Bicycle parking spaces
    - vii. ADA parking requirements
    - viii. Loading space requirements
    - ix. Exterior lighting
    - x. Sidewalks
    - xi. Landscaping and Screening
  - f. The proposed development does not conform to the following Transit-Oriented Development overlay district design standards shown in Chapter 744, Table 744-702-3 “Private Frontage Design Standards”, for which relief is being sought:
    - i. Driveway Width – 24 feet allowed. Variance approval requested to allow the existing shared driveway width of 36 feet to remain. No modifications to the existing driveway are proposed and no new driveways are proposed.
    - ii. Surface Parking Limits – The required parking frontage limit of 40% along the front building line will be exceeded. The proposed parking frontage width is 70%, therefore, relief is being sought for exceeding the allowable parking frontage. Due to the irregular geometry of the lot, the proposed parking distribution is necessary to provide adequate parking along the western



**façade of the proposed building for the public entrances on that side of the building.**

- iii. **Front Building Line – 0 feet to 25 feet setback is allowed with 60% front building line coverage required. Variance approval is being sought to allow the proposed building to be setback 95.5 feet at the southwestern building corner and 105.4 feet at the northwestern building corner, from the front property line, with parking located between the building and the street, as noted above. In addition, relief from the requirement of 60% front building line coverage, so that adequate and convenient parking can be provided along the western façade of the building for the public entrances on that side of the building.**

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

- a. **The proposed use is consistent with the Comprehensive Plan Proposed Base Land Use designations for this site – “Heavy Commercial” and “Office Commercial”.**
- b. **The existing use of “Outdoor Recreation and Entertainment” is not permitted in the C-4 zoning district. Therefore, the proposed use, which is permitted in a C-4 zoning district is less intense and will not materially or substantially interfere with the use or value of adjoining properties.**

3. **THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WILL RESULT IN PRACTICAL DIFFICULTIES IN THE USE OF THE PROPERTY BECAUSE**

**Due to the geometry of the lot, without relief from the ordinance requirements, adequate parking cannot be provided along the western façade of the building to serve the public entrances. If the building is pulled forward to the maximum setback of 25 feet, the majority of the parking spaces would be located northeast of the building and would not be located near either of the public entrances. The public entrance along the southern end of the west facade will be without any parking, which will require customers to park on the north side of the building and walk a minimum of 125 feet to the southern entrance door from the nearest parking space, with some spaces located in excess of 300 feet from the entrance door.**