



Address: 5355 N Post Rd, Parcel 4043009  
Docket # 24 LUV 09  
Hearing Date: December 17, 2024  
Council District # 3 ~ Sherron Freeman

Petitioner: Turista Jackson  
Smarty Pants Daycare Ministry  
2035 N Ritter Ave  
Indianapolis, IN 46218  
317-993-2439  
[info@smartypants-daycare.com](mailto:info@smartypants-daycare.com)

Owner: INC Investments LLC  
9105 E 56<sup>th</sup> St  
Lawrence, IN 46216

**Application:**

Variance of Use of the Fort Harrison Reuse Authority Master Reuse Plan Implementation Strategy to allow for a Daycare to operate in a Light Industrial zone.

**Analysis:**

Smarty Pants Daycare Ministry is requesting authorization to occupy a portion of an existing building. The other half of the building is currently occupied by Trane.

**Opinion:**

It is the opinion of this review that the Petition for Variance of Use meets the Finding of Fact requirements

**Recommendation:**

It is our recommendation that this variance be approved.

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Keith Johnson, Director of Redevelopment and Economic Development

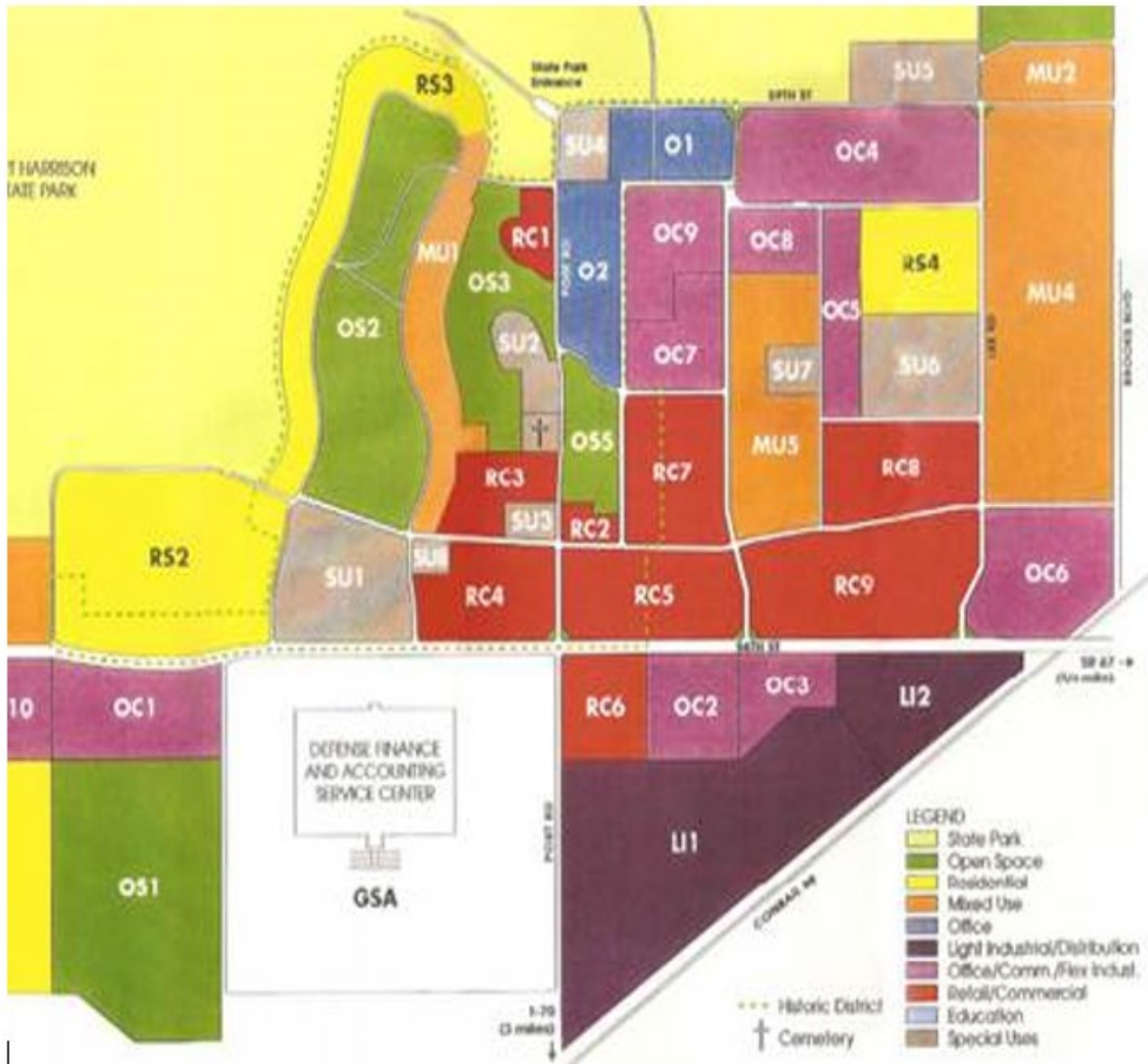


### Summary of the Subject Property Zoning Standards

Current Zoning Designation:	LI1
Surrounding Property Zoning	
North:	RC6
South:	D6
East:	LI1
West:	SU9
Comprehensive Plan Land Use Designation:	Village Mixed Use
Current Land Use:	Commercial
Compact Context Area:	Metro
Transit-Oriented Development Overlay	Yes



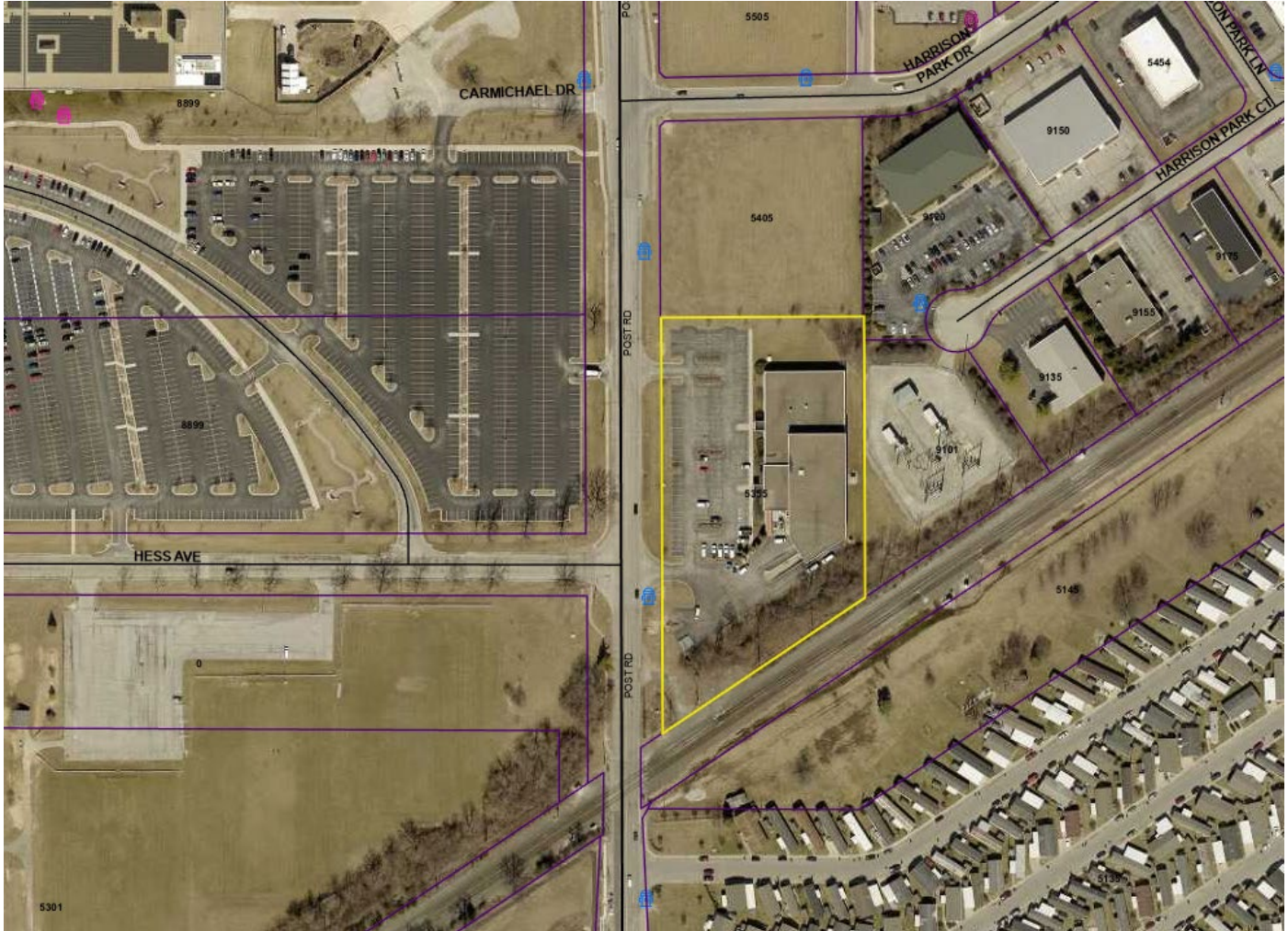
**Zoning Base Map:**



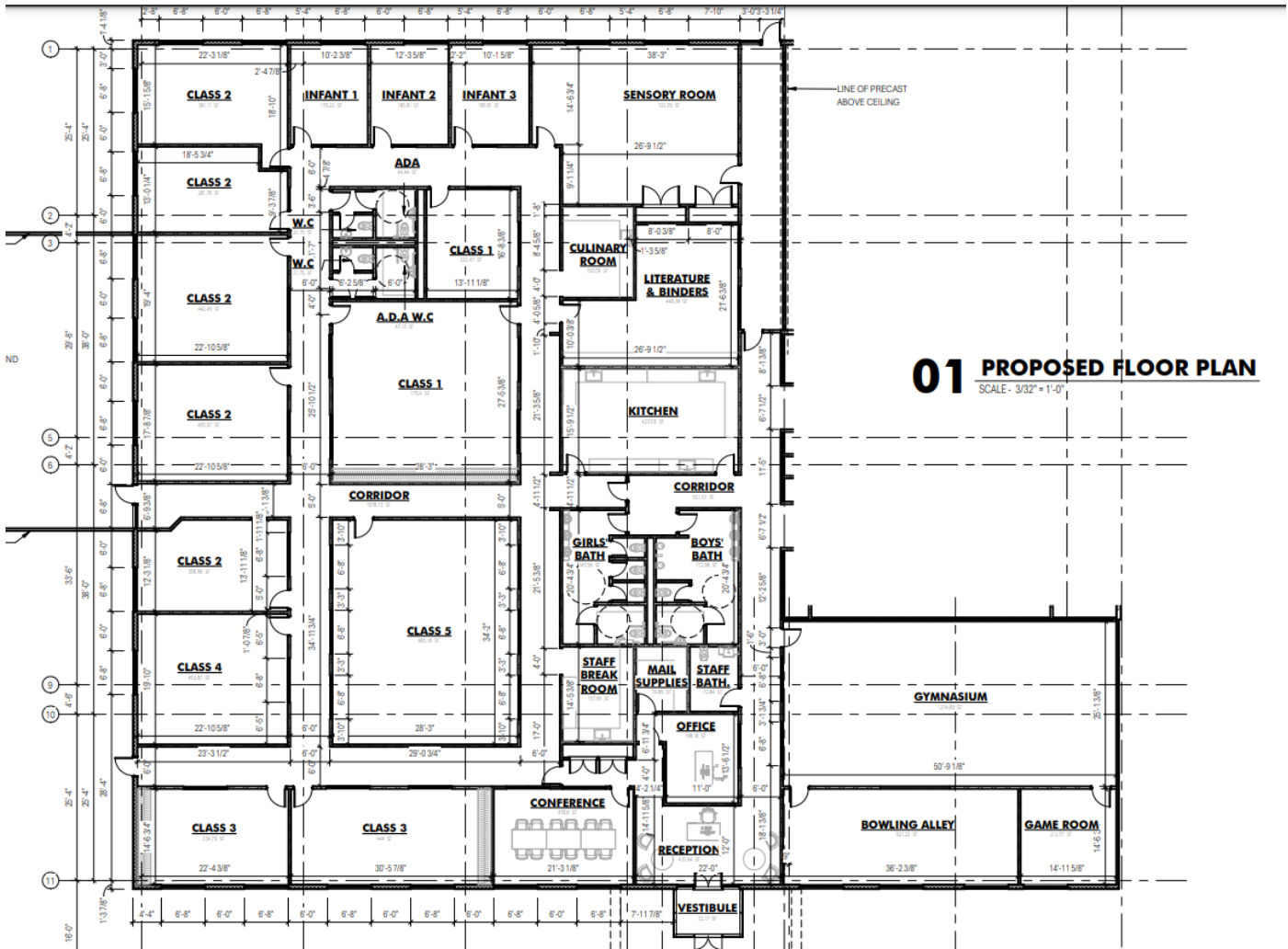


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**Aerial:**







**01 PROPOSED FLOOR PLAN**  
SCALE - 3/32" = 1'-0"



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## **Proposed Use of 5355 N Post Road, Indianapolis, IN for Daycare Facility**

The proposed use of the property located at 5355 N Post Road is to establish **Smarty Pants Learning Academy**, a daycare facility that will serve children in the local community. The property, which is currently classified as industrial, will be repurposed to function as a fully compliant childcare center, adhering to all relevant safety and zoning regulations to ensure the welfare of the children and staff.

### **Specific Modifications and Compliance with Ordinances, Standards, and Regulations**

#### **1. Zoning Variance:**

The request is to modify the zoning designation for the building to allow for its use as a daycare facility. We seek a variance to allow the property, currently zoned for industrial use, to operate as an educational and childcare establishment. This request aligns with the needs of the community and repurposes the building for a beneficial and low-impact use.

#### **2. Fire Safety Compliance:**

The building will be equipped with a state-of-the-art sprinkler system, meeting or exceeding the fire safety requirements mandated by the Indiana Fire Prevention and Building Safety Commission. This ensures the safety of all occupants in case of an emergency, further enhancing the suitability of the building for daycare use.

#### **3. Traffic and Safety Measures:**

To address concerns related to vehicular traffic and the proximity of the building to industrial activities, we will install barriers around the perimeter of the facility. These barriers will prevent trucks or other large vehicles from entering the premises, ensuring the safety of the children and staff. Additionally, traffic control measures, including proper signage, will be implemented to ensure safe drop-off and pick-up zones.

#### **4. Fenced Playground Area:**

A designated fenced-in playground area will be constructed on the property, complying with state childcare licensing requirements. This area will be secure, child-friendly, and designed for safe outdoor activities. The fence will provide a clear demarcation between the children's play area and any nearby industrial activities or vehicular traffic, ensuring maximum safety.

#### **5. Soundproofing and Air Quality:**

Given the industrial nature of the surrounding area, measures will be taken to soundproof the building to minimize noise disturbances. Additionally, we will install air filtration systems to ensure a healthy indoor environment, protecting the children from any potential pollutants associated with nearby industrial activities.

#### **6. Landscaping and Aesthetic Improvements:**

The exterior of the building will undergo aesthetic improvements, including landscaping, to create a more welcoming and child-friendly environment. This will include green spaces, clear walkways, and visually appealing elements that align with the purpose of a daycare facility.



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### **Justification for Use**

The repurposing of this industrial building into a daycare facility will provide a much-needed service to the community by offering a safe, secure, and educational environment for children. The modifications we propose, such as the installation of barriers, a fenced-in playground, and enhanced safety features, ensure that the property will meet all safety standards while contributing positively to the local area.

Our team is committed to working closely with local authorities to meet or exceed all regulatory requirements, ensuring that this transition benefits both the community and the families we will serve.

By granting this zoning variance, you will allow us to create a safe, nurturing, and educational environment for children, while effectively utilizing a building that would otherwise remain industrial. This project will bring value to the community and ensure the long-term viability and positive impact of Smarty Pants Learning Academy in the neighborhood.

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**Findings of Fact (as provided by applicant):**

**1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:**

a. **\*\*Promotes Child Development\*\***: Establishing a daycare will provide a safe and nurturing environment for children, fostering their social, emotional, and cognitive development, which is vital for the community's future.

b. **\*\*Safe Environment\*\***: The facility will be renovated to meet all safety regulations and standards, ensuring a secure space for children. This includes child-proofing, proper fencing, and access to outdoor play areas.

c. **\*\*Community Support\*\***: There is a growing need for quality childcare services in the area, which will support working families. This can lead to increased economic stability and community engagement.

d. **\*\*Enhanced Property Value\*\***: Transitioning from an industrial use to a daycare can enhance the overall aesthetic and economic appeal of the neighborhood, potentially increasing property values and attracting more families to the area.

e. **\*\*Environmental Improvements\*\***: The renovation of an existing building reduces the need for new construction, promoting sustainable practices. The site can be upgraded with green features, contributing positively to the environment.

f. **\*\*Engagement with Local Families\*\***: The daycare will provide opportunities for community engagement through events, activities, and partnerships with local organizations, fostering a sense of belonging and support among residents.

In summary, the proposed day care aligns with the community's needs, enhances safety, and contributes positively to the local economy and environment.



**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. **Compatible Use**: The daycare facility will be a community-oriented establishment that aligns with nearby residential and commercial uses, fostering a family-friendly atmosphere that can enhance neighborhood cohesion.

b. **Increased Foot Traffic**: The daycare is likely to attract parents and caregivers, contributing positively to local businesses and increasing foot traffic in the area, which can benefit nearby shops and services.

c. **Improved Aesthetics**: The renovation of the former industrial building will improve the visual appeal of the property, positively impacting the overall aesthetic of the neighborhood and potentially increasing property values.

d. **Community Benefits**: By providing a critical service to families, the daycare can strengthen the community's appeal, making it more attractive to prospective residents and businesses.

e. **Noise Mitigation**: The operational hours and activities of the daycare can be structured to minimize noise and disruptions, ensuring that the surrounding properties are not adversely affected.

f. **Safety Enhancements**: Upgrades to the property will likely include enhanced lighting and landscaping, contributing to increased safety and security for the surrounding area.

In summary, the proposed daycare is expected to bring positive contributions to the neighborhood while maintaining the character and value of adjacent properties.

**3. The need for the variance arises from some condition peculiar to the property involved and the condition is not due to the general condition of the neighborhood because:**

a. **Historical Use**: The property was previously used as an industrial site, which presents unique challenges for conversion to a daycare. Its layout, zoning, and structure require specific adaptations that are not common in residential or commercial properties in the area.





b. **\*\*Site Configuration\*\***: The size and configuration of the property, including existing structures and their proximity to residential areas, create specific limitations that necessitate a variance for appropriate use as a daycare.

c. **\*\*Lack of Suitable Alternatives\*\***: There are limited locations within the vicinity that can accommodate a daycare, especially considering safety and access needs. This property uniquely meets the requirements for establishing a childcare facility.

d. **\*\*Existing Infrastructure\*\***: The property already has infrastructure that can be efficiently adapted for daycare use, such as sprinklers, utilities, exits and easy ways to add exits with the amount of windows on the building and parking, which is not a characteristic shared by other nearby properties.

e. **\*\*Zoning Changes\*\***: The area has evolved from its industrial roots, but existing zoning regulations have not fully adapted to the current community needs, thus creating a discrepancy between the property's potential use and current zoning classifications.

In summary, the need for the variance is driven by specific characteristics and historical uses of the property, rather than broader neighborhood conditions, allowing for the establishment of a much-needed daycare facility.

**4. The strict application of the terms of the zoning ordinance constitutes an unusual or unnecessary hardship if applied to the property for which the variance is sought because:**

a. **\*\*Shared Facility\*\***: The property will be shared with Trane, an established HVAC business, which has implemented safety measures to ensure a secure environment for children. This collaboration will create a unique opportunity for the daycare to operate in a monitored and safe setting.

b. **\*\*Community Demand\*\***: There is a well-documented need for childcare services in the area, particularly as surrounding businesses, including autism schools and the Department of Social Services, support the initiative. This daycare will enhance service delivery and create a network of resources for children and families.

c. **\*\*Collaborative Support\*\***: The partnership with neighboring organizations like autism schools and social services ensures that the daycare will not only meet childcare needs but also provide specialized support and programs for children with diverse needs, fostering a community-focused approach.

d. **\*\*Underutilization of the Property\*\***: If the property must strictly adhere to its current industrial zoning, it will remain underutilized, missing an opportunity to serve the community.



The daycare represents a productive use of the space that benefits both the property owner and the local community.

e. **\*\*Economic and Social Impact\*\***: Establishing a daycare in this location will contribute to the local economy and address the childcare shortage, allowing parents to work and engage more fully in the community. The inability to adapt this property for such a crucial service would be a hardship for families in the area.

In summary, strict adherence to the zoning ordinance would impose an unnecessary hardship by preventing the establishment of a much-needed daycare that promotes safety, community collaboration, and the well-being of local children.

**5. The grant does not interfere substantially with the comprehensive plan because:**

a. **\*\*Alignment with Community Needs\*\***: The comprehensive plan emphasizes the importance of providing essential services to residents, including accessible childcare. The establishment of a daycare directly addresses this need, contributing to the plan's goal of fostering family-friendly environments.

b. **\*\*Revitalization of Underutilized Properties\*\***: The plan encourages the redevelopment and adaptive reuse of existing buildings, particularly those that are underutilized. Converting the former industrial site into a daycare aligns with this objective, promoting sustainable growth and community development.

c. **\*\*Support for Local Businesses\*\***: The daycare will enhance the local economy by attracting families and increasing foot traffic, supporting nearby businesses. This aligns with the plan's vision of fostering economic vitality within the community.

d. **\*\*Collaborative Community Services\*\***: The grant supports the integration of services by enabling collaboration with local organizations, such as autism schools and the Department of Social Services. This partnership fosters a holistic approach to child development and community support, aligning with the comprehensive plan's objectives.

e. **\*\*Promoting Safe Environments\*\***: The daycare's safety measures and shared facility arrangement with Trane reinforce the comprehensive plan's emphasis on creating safe, vibrant spaces for community engagement and child development.

In summary, granting this variance is consistent with the comprehensive plan's goals, enhancing community well-being, supporting local families, and revitalizing the property in a manner that aligns with the broader vision for the area.