

Case # 2011-COA-487 (ONS) 2011-VHP-021	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date DEC. 7, 2011
1415 N. Pennsylvania Street OLD NORTHSIDE		NEW CASE
Applicant: LEWIS KINKEAD mailing address: 8121 Westfield Blvd Indianapolis, IN 46240 Owner: Pinebrook Properties, LP mailing address: 8121 Westfield Blvd Indianapolis, IN 46240		Center Township Council District: 9 Jackie Nytes
COMBINED CASE		
IHPC COA: 2011-COA-487 (ONS) <ul style="list-style-type: none"> • Site improvements • Variances of Use 		
Variance: 2011-VHP-021	Variance of use to allow 30 apartments on a C-4 zoned site	
STAFF RECOMMENDATION: Approval with stipulations		
STAFF COMMENTS		

Background of the Property

The site includes a parking lot and a structure originally built in 1959 as the Drake Motel. In 1982, the property was granted a variance of use from the BZA to be used as a residential and rehabilitation center with services provided for up to 80 federal and county probationers. In 1997, the BZA granted a modification to expand the number of residents to 160 temporarily and was to expire in 1999, two years after the opening of Marion County Jail II. However, it continued operating past its expiration date as the Riverside Community Corrections facility until December 2010. It has been vacant since then and was recently purchased by Pinebrook Properties, LP

Plans to Re-Use the Property – Affordable Housing Tax Credits

The new owners are wishing to convert the building for use as affordable housing. However, the site is zoned C-4 and would require a rezoning or a variance of use for residential uses to be permitted. The owners have chosen to seek a variance of use rather than a re-zoning because it can be done significantly quicker than a re-zoning. This is important because they are applying for affordable housing tax credits and the HUD application requires proof that the site is zoned properly for the proposed housing.

The owner is applying to HUD to create 30 apartments. The tentative plans show 22 apartments on the second and third floors and 8 apartments on the first floor. Since the majority of the first floor is not presently enclosed (most of the second and third floors are raised on columns to allow parking below,) the owners plan to enclose the first ground floor. They are aware IHPC approval will be needed to do this.

Variance Request

The applicant is requesting a variance of use to permit 30 apartment units in the C-4 commercial zoning district. While it would be preferable to present the re-use plans along with the variance request, in this case the project depends on first obtaining the tax credits. Developers are understandably reluctant to devote too much time and money on design development until they know the project can go forward. In this case, the HUD application was due November 1, 2011, but the tax credit awards will not be known until February 23, 2012.

Even though we do not know exactly what will be proposed, staff believes there is no risk in granting a variance of use to permit residential use of this property. If this project does not occur, the variance will be in place for this owner or a

subsequent owner to develop another residential project, which would be the most ideal reuse of the property given the residential nature of the surrounding area. Regarding the number of units, this site can easily handle 30 units without a parking variance. Also, any future construction or alteration of the building will need IHPC approval first.

Site Improvements

The applicant is proposing to improve the existing parking lot and site including:

1. New fencing-the applicant is proposing a 6 foot tall steel picket fence around the property with electronically operated gates. The applicant will need to provide staff with an image of what the fence design will look like along with a final site plan.
2. Resurfacing-the existing parking lot is to be rearranged and restriped. 30 parking spaces are shown. Staff believes the arrangement of the parking spaces works well with a 20 foot wide aisle and a one-way entrance/exit.
3. Landscaping- New shade trees and landscape beds are proposed. Staff is stipulating that the final site plan show a landscape and plant schedule identifying the specific planting materials proposed. Staff believes cleaning up the overgrowth on the site and planting new trees and other landscaping materials will be a significant improvement.
4. Dumpster and dumpster enclosure- The applicant will need to relocate the proposed dumpster and enclosure. The applicant was under the impression that Talbott St was vacated and could locate these items in the area shown on the plan. However, staff cannot find evidence that this ever took place. Therefore, these items will need to be relocated to an on-site location and will need to be included on the final site plan when it is submitted for final approval.
5. Sidewalk installation/alterations- the same issue exists with the sidewalks shown within the right-of-way of Talbott Street. Those sidewalks will need to be eliminated from the site plan. Staff however has no concerns with the proposed layout of the sidewalks shown for the rest of the site on the site plan.

Old Northside Preservation Plan

The plan contains a conceptual plan that shows the existing structure remaining. The plan also states that the existing commercial and apartment buildings uses on the east side of Pennsylvania Street should continue. Since the applicant is asking for a variance in this case, both commercial and residential use will be permitted.

STAFF RECOMMENDED MOTION

Case #2011-COA-487 (ONS):

To approve a Certificate of Appropriateness for a variance of use and for site improvements as per submitted documentation and subject to the following stipulation:

1. A final site and landscape plan showing the changes mentioned in the staff report must be submitted to IHPC staff for final approval. *Approved: _____ Date: _____*
2. The office space, community room and fitness room are not be used by anyone other than apartment tenants and staff of the subject apartment building.

NOTE 1: This Certificate of Appropriateness does not approve any modifications, additions, alterations or other general changes to the exterior of the building. Any such work will require a different Certificate of Appropriateness prior to commencement of work.

NOTE 2: Stipulation #1 must be satisfied prior to the issuance of any building permits.

Variance Request 2011-VHP-021:

To approve a variance of use to allow a maximum of thirty (30) apartment units on a C-4 zoned site subject to the condition that the office space, community room and fitness room are not be used by anyone other than:

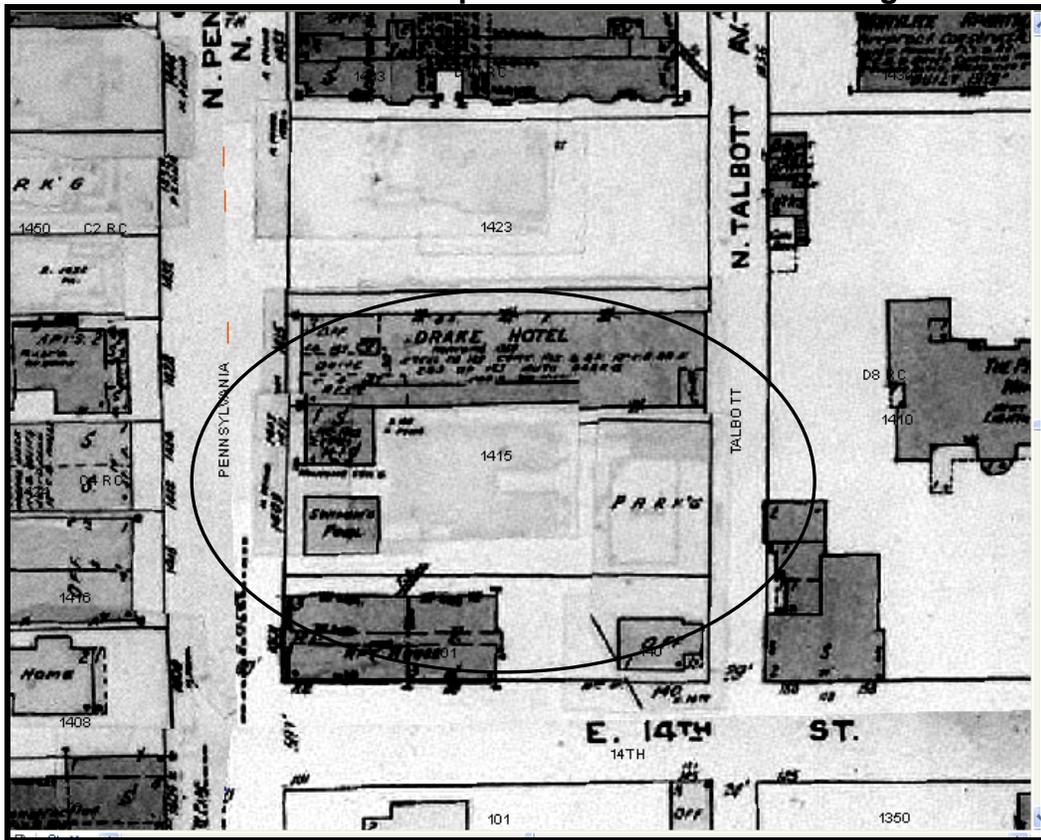
1. Apartment tenants and their guests, and
2. Management and staff of this apartment building.

Staff Reviewer: Meg Purnsley



Above: Map of site and surrounding sites

Below: 1956 Sanborn map of the site and surrounding sites





Above: Google street view of the subject property (building and parking area).

Below: View of front elevation





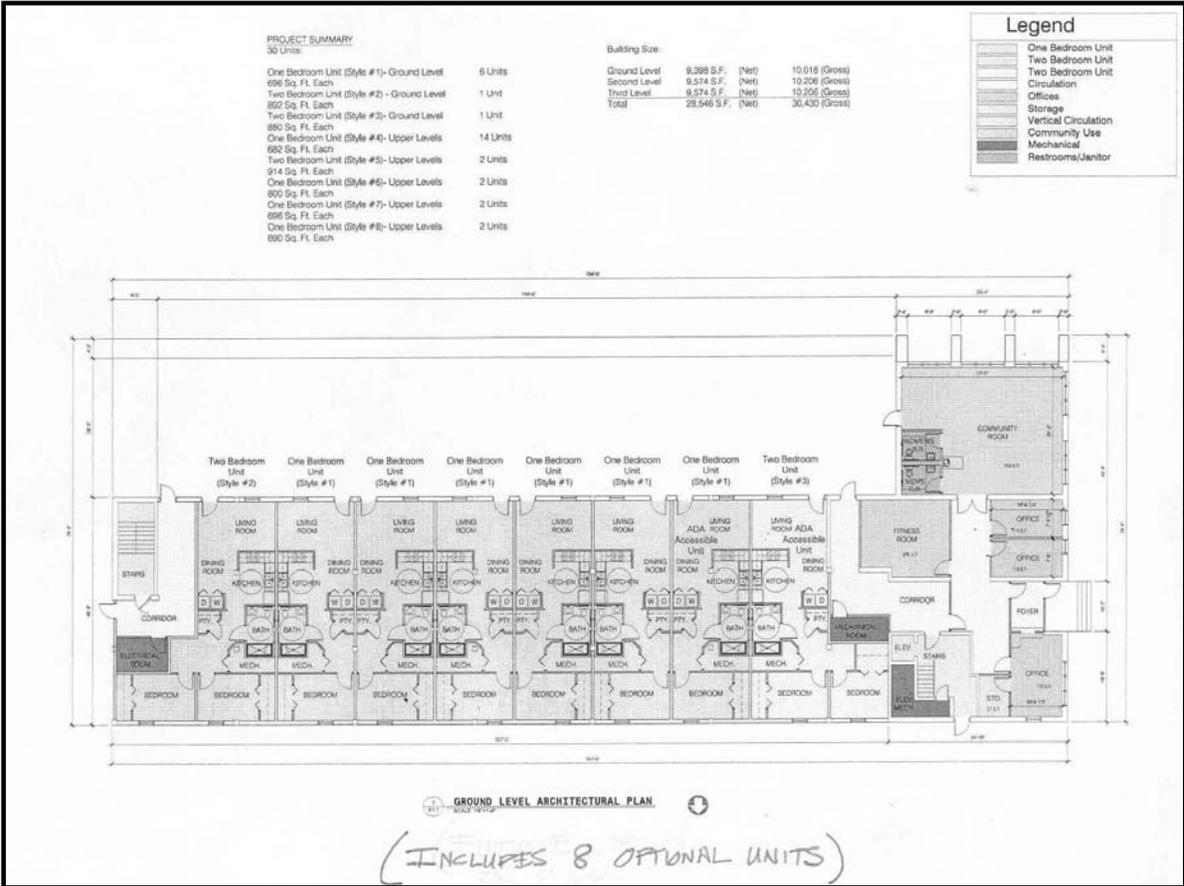
Above: View of North elevation

Below: View of rear of building and south side of site with parking area





These floor plans are for reference only. Additional IHPC approval is required to build out the ground floor as shown on these plans.



PROJECT SUMMARY
30 Units:

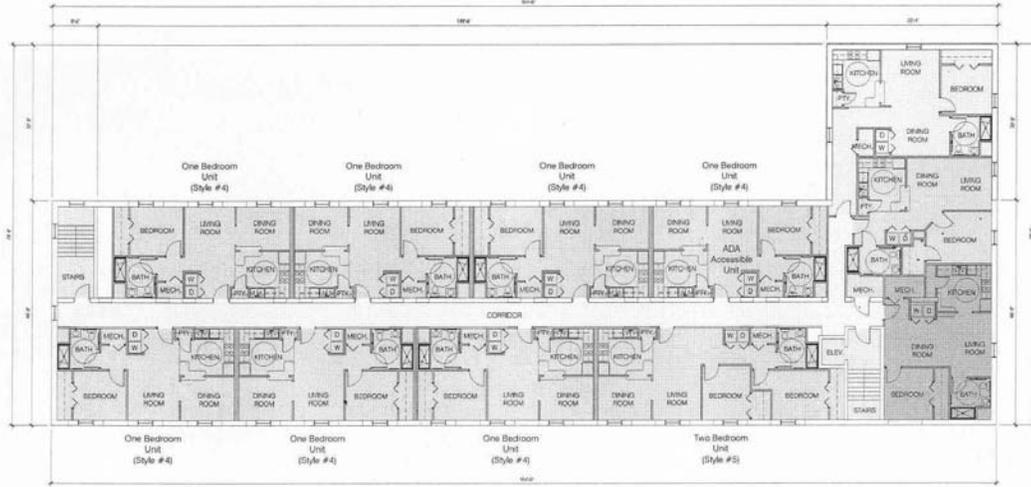
One Bedroom Unit (Style #1) - Ground Level	6 Units
696 Sq. Ft. Each	
Two Bedroom Unit (Style #2) - Ground Level	1 Unit
882 Sq. Ft. Each	
Two Bedroom Unit (Style #3) - Ground Level	1 Unit
890 Sq. Ft. Each	
One Bedroom Unit (Style #4) - Upper Levels	14 Units
682 Sq. Ft. Each	
Two Bedroom Unit (Style #5) - Upper Levels	2 Units
914 Sq. Ft. Each	
One Bedroom Unit (Style #6) - Upper Levels	2 Units
800 Sq. Ft. Each	
One Bedroom Unit (Style #7) - Upper Levels	2 Units
696 Sq. Ft. Each	
One Bedroom Unit (Style #8) - Upper Levels	2 Units
690 Sq. Ft. Each	

Building Size:

Ground Level	9,398 S.F. (Net)	10,018 (Gross)
Second Level	9,574 S.F. (Net)	10,209 (Gross)
Third Level	9,574 S.F. (Net)	10,209 (Gross)
Total	28,546 S.F. (Net)	30,430 (Gross)

Legend

[Pattern]	One Bedroom Unit
[Pattern]	Two Bedroom Unit
[Pattern]	One Bedroom Unit
[Pattern]	One Bedroom Unit
[Pattern]	One Bedroom Unit
[Pattern]	Circulation
[Pattern]	Offices
[Pattern]	Storage
[Pattern]	Vertical Circulation
[Pattern]	Community Use
[Pattern]	Mechanical
[Pattern]	Restrooms/Janitor



SECOND & THIRD LEVEL ARCHITECTURAL PLAN

Petition Number 2011-VAP-121

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division HPE
OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE
The use for which the variance is requested will result in a constructive use for apartments for neighborhood residents.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE
The other adjacent properties are apartments unit as well.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE
The property is currently zoned C-4 with a use variance for work release. The present requested variance will the property in question to be utilized as apartments which is more consistent with the existing properties surrounding subject property.

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE
The application will allow the property to meet the same residential status as other properties surrounding property.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE
The property is currently located in an area zoned commercial, however most of the property owners are zoned residential which is more consistent with the comprehensive regional plan.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____

