



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

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BZA Staff Report

To: Board of Zoning Appeals Members
From: Alex Getchell, AICP, Senior Planner I
Date: December 27, 2016
Re: Case ZB 2016-18 (SE) | 1085 Eastview Drive

REQUESTS:

Case ZB 2016-18 (SE): A request for a Special Exception from the City of Franklin Zoning Ordinance, Article 3, Chapter 21, to allow an auto-oriented use (medium scale) – auto detailing business, in the IBD: Industrial, business development zoning district. The property is located at 1085 Eastview Drive and is within the City of Franklin Extraterritorial “Buffer Zone” Area.

PURPOSE OF STANDARD:

The “IBD”, Industrial: Business Development zoning district is intended to provide locations for small scale manufacturing, construction, production, and assembly uses, as well as other light industrial uses. This district is specifically intended to provide appropriate setbacks and standards for small-scale businesses, entrepreneurial operations, start-up businesses, and similar operations.

CONSIDERATIONS:

Proposed Use | Automobile Detailing Business

1. Petitioner is proposing to start a new automobile detailing business at 1085 Eastview Drive [[Exhibit A: Summary of Business Operations](#)]. Petitioner wishes to occupy approximately 2,460 sq. ft. on the west end of the existing structure, with up to two employees onsite, and have capacity of 4 vehicles stored/detailed at a time, from inside the facility.
2. According to the petitioner’s floor plan [see [Exhibit B](#)], approximately 2,100 sq. ft. will be designated for detailing shop floor area, with the remaining floor area set aside for customer waiting area and storage.
3. The subject property currently has a few legal non-conforming site features, which include:
 - a. Non-conforming gravel parking/interior drive surface;
 - b. Lack of landscaping;
 - c. Non-conforming front setback (existing building is 40’; requirement is 50’)
4. Auto-Oriented Uses, Medium Scale, is defined as “Uses such as auto repair and body work, vehicle detailing/auto accessory sales and installation, oil change/lube shops, and others listed under the heading of Auto-Oriented Uses, Medium Scale by the Land Use Matrix included in this Ordinance. This does not include any uses listed under the headings of auto-oriented uses large or small scale.”
5. An Auto Oriented Use (Medium Scale) is listed as a Special Exception use in the IBD (Industrial: Business Development) and MXR (Mixed-Use: Regional Center) zoning districts.
6. Auto Oriented Use (Medium Scale) is listed as a permitted use in only the MXC (Mixed Use: Community Center) zoning district.

Preliminary Site Plan

7. See the attached proposed site plan [Exhibit C]. The proposed site plan shows the existing structure and existing nonconforming site features (gravel parking/interior drive surfaces), as well as, the proposed employee and customer parking spaces.
8. Petitioner has stated the business will be operated entirely inside the building and petitioner stated cars to be detailed will not be stored outside.

Parking Standards

9. Article 7, Chapter 10 of the Zoning Ordinance states “Any use which is nonconforming in the zoning district in which it is located or is permitted by special exception or variance shall provide parking which is consistent with the use and the standards for the zoning district in which the use is permitted by this Ordinance. In no case shall the number of parking spaces required for non-conforming uses or those permitted by special exception or variance be solely based on the standards for the district in which they are located. The Board of Zoning Appeals shall specify the number of parking spaces for all uses permitted by special exception or variance consistent with the intent of this Chapter.”
10. According to Article 7, Chapter 10, Parking Standards:
 - A minimum of 1 off-street parking space is required for (rounded to the nearest complete space):
 - Every 300 sq. ft. of garage/repair facility floor area;
 - Each employee working on the largest shift; and
 - Each business vehicle stored on-site.
 - Minimum parking stall size is 9' x 18' and must be striped.
 - Each parking space must be paved with asphalt or concrete (legal non-conforming gravel surface).
11. Therefore, according to Article 7.10, the number of off-street parking spaces required for the proposed use are as follows:
 - Garage/Repair facility floor area (2,100 sq. ft.): 7 spaces
 - Employees on largest shift (2): 2 spaces
 - Business vehicles (0): 0 spaces
 - TOTAL SPACES REQUIRED: 9 spaces
 - TOTAL SPACES PROVIDED: 9 spaces (4 interior to building)

Comprehensive Plan

12. The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies this area as Business Development Area. “Business development areas are intended to serve as both the permanent home of small scale businesses and incubators of new local companies. Land uses in business development areas include manufacturing, light industrial operations, contractor’s offices, and products suppliers. In many instances the types of businesses in these areas are those that have both commercial and industrial qualities. The business development areas provide these uses the ability to serve customers in a setting that allows outdoor storage and the operation of heavy equipment and machinery that often are involved.”

Zoning Ordinance

13. According to Article 2.5: A special exception or variance ceases to be authorized and is expired if the obtaining of an Improvement Location Permit, or the execution of the approval has not been completed within 1 year of the date the variance or special exception is granted. The variance or special exception shall also expire if the approved construction has not been completed and approved by the Planning Director as being consistent with all written commitments or conditions, the requirements of this Ordinance, and all applicable permits within 2 years of the date the approval is granted.
14. According to Article 11.4 (H.), Limitations: Unless otherwise specified by the Board, special exception approvals shall be limited to, and run with the applicant at the location specified in the application. The Board may also limit special exceptions to a specific time period and a specific use. Special Exceptions shall also be invalid if (1) the property conforms with the Ordinance as written, or (2) the special exception approval is terminated (consistent with Section 2.5(L)).

15. According to Article 11.4 (I.), Special Exception Use Expansion: A use authorized as a special exception may not be expanded, extended, or enlarged unless reauthorized by the Board under the procedures set forth in this Article for granting a special exception.

Surrounding Zoning:

North: IBD, Industrial: Business Development

South: IBD, Industrial: Business Development

East: IBD, Industrial: Business Development

West: IG, Industrial: General

Surrounding Land Use:

North: RMS (Reed Manufacturing Services)
Crossroads Recycling Scrap Yard

South: Agriculture crop field

East: Tractor-trailer repair

West: United Pipe & Steel Corp.

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CRITERIA FOR DECISIONS – SPECIAL EXCEPTIONS:

(The petitioner will need to address the Criteria for Decisions in their presentation**)**

In taking action on all special exception and variance requests, the Board of Zoning Appeals shall use the following decision criteria, consistent with the requirements of the Indiana Code. The Board may grant a special exception and a variance from development standards and limitations of this Ordinance if, after a public hearing, it makes findings of facts in writing (consistent with IC 36-7-4-918.5) that:

DECISION CRITERIA – SPECIAL EXCEPTION

1. ***General Welfare: The approval (will or will not) be injurious to the public health, safety, morals, and general welfare of the community.***

Staff Finding:

Staff finds the approval of the special exception will not be injurious to the public health, safety, or general welfare of the community. The proposed site plan, including the legal non-conforming gravel parking and interior drive surface, will provide safe and efficient traffic flow through the site with the proposed parking spaces having parking bumpers to clearly designate parking space vs. interior drive locations. Additionally, the petitioner stated they will keep all vehicles waiting to be worked on inside the facility, thereby eliminating many potential concerns for this type of use and the issues related to vehicles, inoperable or not, being stored outside without required screening. Therefore, approval will not be injurious to the general welfare.

2. ***Development Standards: The requirements and development standards for the requested use as prescribed by the Zoning Ordinance (will or will not) be met.***

Staff Finding:

The proposal will meet the development standards. According to the petitioner, they will bring each customer vehicle inside the facility when it is dropped off; therefore, with five parking spaces provided outside (two for employees and three for customers), adequate parking should always be available outside the facility.

3. ***Ordinance Intent: Granting the special exception (will or will not) be contrary to the general purposes served by the Zoning Ordinance, and (will or will not) permanently injure other property or uses in the same zoning district and vicinity.***

Staff Finding:

According to the district intent, the IBD: Industrial, Business Development district is “intended to provide locations for small scale manufacturing, construction, production, and assembly uses, as well as other light industrial uses. This district is specifically intended to provide appropriate setbacks and standards for small-scale businesses, entrepreneurial operations, start-up businesses, and similar operations.” Staff finds the proposed use, auto-oriented use (Medium Scale), auto detailing, is of similar nature, and even a lesser intensity, to the uses permitted in this district and occurring in adjacent facilities. Therefore, approval of the use at this site will not be contrary to the zoning ordinance, and will not permanently injure other property or uses in the vicinity.

4. *Comprehensive Plan: The proposed use (will or will not) be consistent with the character of the zoning district in which it is located and (will or will not) be consistent with the 2013 Franklin Comprehensive Plan.*

Staff Finding:

Staff further finds that the granting of the special exception will be consistent with both the character of the zoning district and the Comprehensive Plan. The “IBD,” Industrial Business Development district has become a district where auto-related uses are locating, throughout the City, due to the similarities with smaller scale industrial users and fewer potential nuisance issues with adjacent users. Additionally, the area is identified as a Business Development Area in the Comprehensive Plan, which is intended to be an incubator for small commercial/industrial-type businesses.

STAFF RECOMMENDATION – SPECIAL EXCEPTION

Based on the written findings above, staff recommends **approval with the following conditions:**

- a. Special Exception approval for auto-related use (medium scale) shall be specifically limited to automobile detailing and reconditioning services; approval shall not permit automobile repair, body repair/fabrication, nor paint booth facilities.
- b. A minimum of 9 parking spaces (9' x 18' in size) shall be provided onsite; of which, a minimum of 5 spaces shall be exterior to the building as shown on proposed site plan (Exhibit C), with 2 spaces on a paved and striped parking lot surface, and 3 spaces on gravel surface designated by yellow parking bumpers, with the remaining 4 required spaces provided within the building.
- c. Vehicles waiting to be worked-on / picked-up shall be stored inside the facility.
- d. Outdoor storage of vehicles shall be prohibited.

Exhibit A

Summary of Business Operations

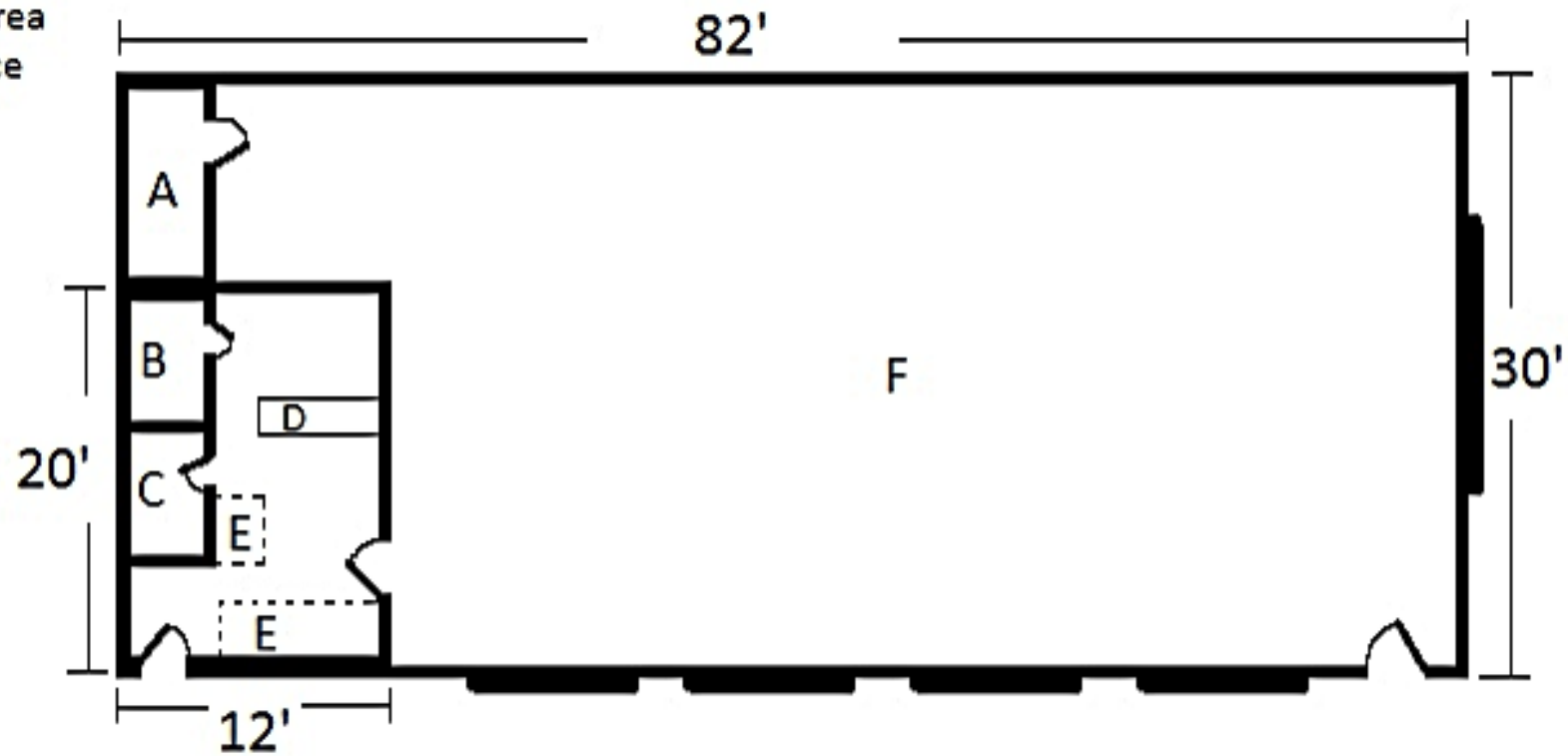
The business which is proposed to be operated at 1085 Eastview Drive, Franklin, Indiana, is an auto detailing business. The business will occupy 3,200 sq. ft. of the building. The building has large garage doors and this business will be operated entirely inside the building.

It is anticipated that the cars to be detailed will not be stored outside. There will be 2 employees that work at the business. The employees will park in spaces at the side of the building. There should be no employee parking on the front of the building.

That the hours of operation proposed would be from 8:00 a.m. to 6:00 p.m. This would be generally a Monday through Saturday operation.

Exhibit B

- A- shop bathroom
- B-
- C- storage
- D- counter
- E- waiting area
- F- shop space



ALL MEASUREMENTS ARE
APPROXIMATE

