

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-CZN-844 / 2023-CPL-844
Address: 11805 Brookville Road (*Approximate Address*)
Location: Warren Township, Council District #19
Petitioner: DGOIndianapolisIN05032023, LLC, by Alex Intermill and Tyler Ochs
Requests: Rezoning of 1.55 acres from the SU-1 district to the C-3 district to provide for retail development.

Approval of a Subdivision Plat to be known as RSBR Brookville Road, subdividing 4.30 acres into two lots.

October 26, 2023

This petition was continued from the September 14, 2023 hearing to the October 26, 2023 hearing at the request of remonstrators. No new information has been received as of the writing of this report.

September 14, 2023

RECOMMENDATIONS

Staff recommends **approval of the rezoning** petition.

Staff recommends that the Hearing Examiner **approve** and find that the plat, file-dated September 6, 2023, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provides a bond, as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
2. Subject to the Standards and Specifications of the Department of Public Works, Sanitation Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
4. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
5. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat, prior to recording.
6. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat, prior to recording.
7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat, prior to recording.
8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat, prior to recording.

(Continued)

2023-CZN-844 / 2023-CPL-844 STAFF REPORT (Continued)

9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat, prior to recording.
10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted, prior to recording the final plat.
11. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance are met, prior to the recording of the final plat.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

- ◇ The subject site is a 4.30-acre lot, zoned SU-1, and is undeveloped.
- ◇ This petition would subdivide the property into two lots and rezone one of the lots to the C-3 district to permit a commercial retail development.

REZONING

- ◇ This petition would rezone 1.55 acres of this site from SU-1 district to the C-3 classification.
- ◇ The comprehensive plan recommends community commercial uses, which are typically in freestanding buildings or small shopping centers. Uses may include small-scale shops, grocery stores, drug stores, etcetera. The proposed use would be a general store, which is supported by the comprehensive plan.
- ◇ Potential issues for this site are use of a septic system and fire hydrant access.
- ◇ Public sewer is not available at this site, so a commercial development would require state approval for a septic system. It has not been determined if the site is suitable for a septic system.
- ◇ This site would be subject to the following Indiana Fire Code provisions:

Indiana Fire Code 2014

Section 507.5 - Fire Hydrant Systems

Section 507.5.1 - Where Required

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided.

Exceptions:

(Continued)

2023-CZN-844 / 2023-CPL-844 STAFF REPORT (Continued)

3. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183m)
4. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183m).

PLAT

- ◇ The plat would subdivide the subject site into two lots—Lot One being 1.55 acres and Lot Two being 2.45 acres. The proposed plat meets the standards of the C-3 zoning classifications as proposed in the companion rezoning.

TRAFFIC / STREETS

- ◇ The proposed lots would front on Brookville Road. No new streets are proposed as part of this petition.

SIDEWALKS

- ◇ Sidewalks are required along Brookville Road.

GENERAL INFORMATION

EXISTING ZONING, CONTEXT AREA, AND LAND USE

SU-1	Metro	Undeveloped
------	-------	-------------

SURROUNDING ZONING AND LAND USE

North	SU-9 / PK-1	Undeveloped / Baseball Fields
South	D-A	Agriculture / Undeveloped
East	C-3	Undeveloped
West	SU-1	Undeveloped

COMPREHENSIVE LAND USE PLAN THOROUGHFARE PLAN

Community Commercial
Brookville Road is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Primary Arterial, with a 95-foot existing and proposed right-of-way.

PRELIMINARY PLAT

File-dated September 6, 2023

SITE PLAN

File-dated August 4, 2023

ZONING HISTORY – SITE

2009-ZON-082, rezoning of twelve acres from the SU-9 district to the SU-1 district, **approved**.

87-Z-89, rezoning of 147 acres from the A-2 district to the SU-9 district, **approved**.

ZONING HISTORY – VICINITY

2020-ZON-053, 11815 Brookville Road, rezoning of 4.62 acres from the C-3 district to the C-7 district, **withdrawn**.

(Continued)

2023-CZN-844 / 2023-CPL-844 STAFF REPORT (Continued)

2019-ZON-117, 11815 Brookville Road, rezoning of 4.22 acres from the SU-9 district to the C-3 district, **approved**.

2018-ZON-052, 11815 Brookville Road, rezoning of 4.22 acres from the SU-9 district to the C-7 district, **denied**.

2010-ZON-059, 2600 Kitley Road and other locations, rezoning of 173.70 acres (in various locations) to the PK-1 district for park use, **approved**.

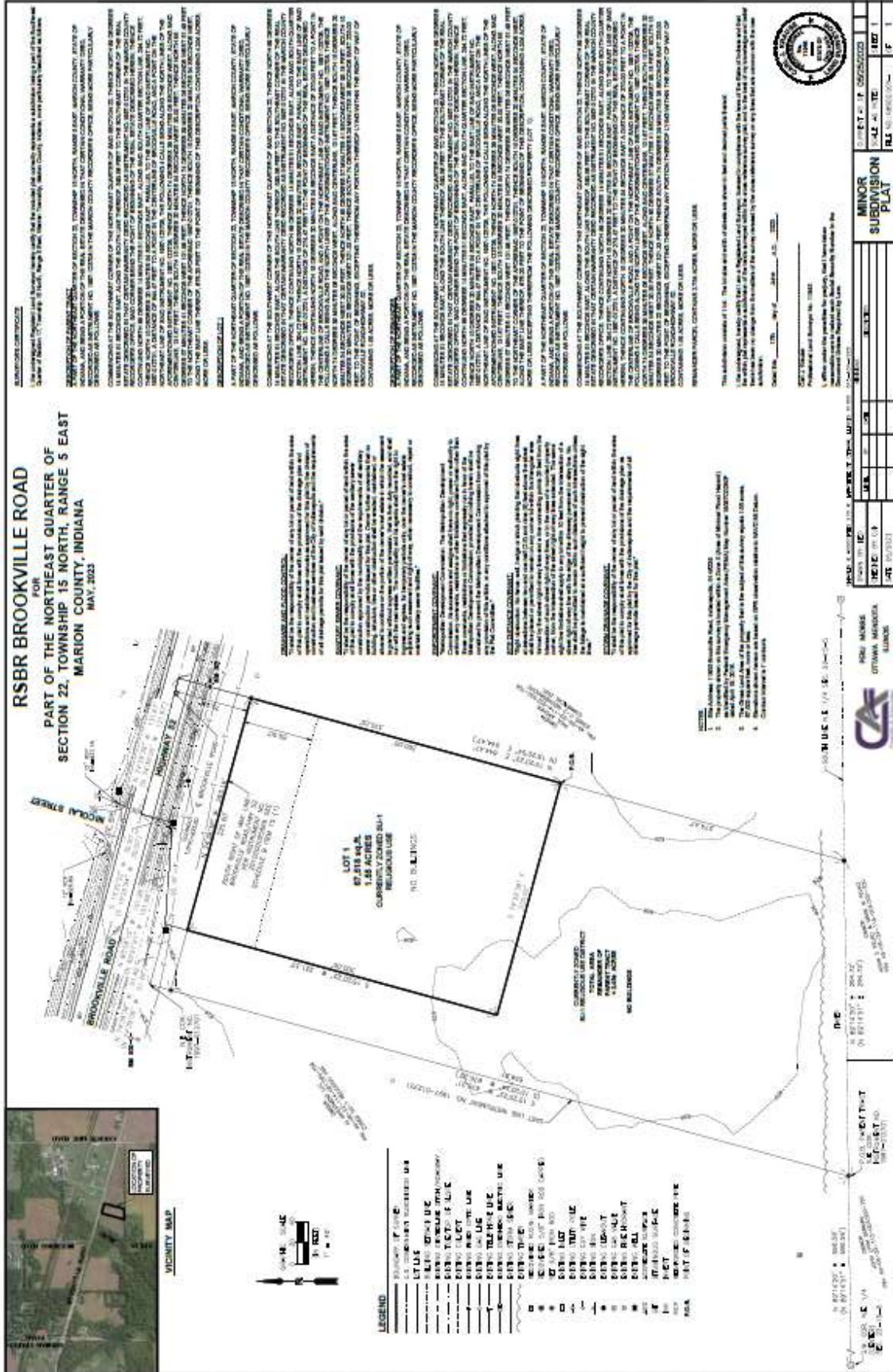
2010-ZON-027, 11850 Brookville Road and other locations, rezoning of 355.42 acres to the PK-1 district for park use, **approved**.

AR

2023-CZN-844 / 2023-CPL-844 Aerial Map

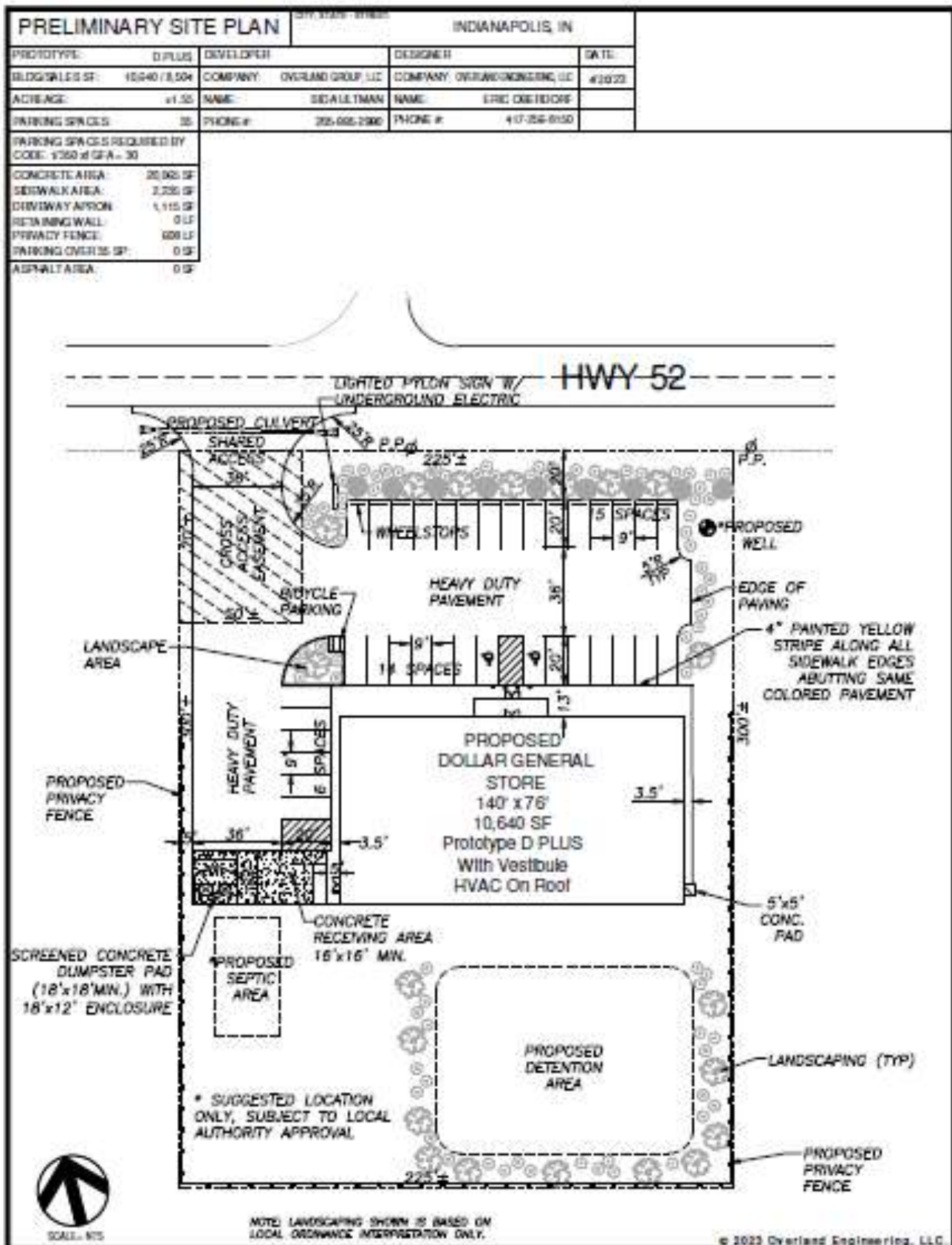


2023-CZN-844 / 2023-CPL-844 Preliminary Plat



2023-CZN-844 / 2023-CPL-844 Preliminary Site Plan*

*Not reviewed for compliance



2023-CZN-844 / 2023-CPL-844 Site Photos



Subject site viewed from intersection of Brookville Road and Sorrel Street, looking south



East of site, looking south



North of site- baseball fields and community center