

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-ZON-109
Address: 5136 Michigan Road (*Approximate Address*)
Location: Washington Township, Council District #8
Petitioner: Paramount Schools of Excellence, Inc., by Timothy Ochs
Request: Rezoning of 10.13 acres from the SU-1 district to the SU-2 district to provide for educational uses.

This petition was automatically continued from the December 14, 2023 hearing, to the January 11, 2024 hearing at the request of a registered neighborhood organization.

It is staff's understanding that a registered neighborhood organization will request a **continuance for cause from the January 11, 2024 hearing to the February 15, 2024 hearing** to allow additional time for discussions to take place. Staff has no objection to this additional continuance request but will be prepared to move forward.

RECOMMENDATIONS

Staff **recommends approval** of the rezoning.

SUMMARY OF ISSUES

LAND USE

- ◇ The 10.13-acre subject site is developed with a large church, associated parking areas, and an accessory structure. It is surrounded by single-family dwellings in each direction, zoned D-2 and D-S, except for a multi-family development to the north, zoned D-6.

REZONING

- ◇ The property has historically been used as a church since 1972, per an historical aerial map depicted in the staff report. The religious use was permitted in 1967 through rezone petition 67-Z-103 that rezoned the property from the D-5 district to the SU-1 district for the construction of a church.
- ◇ The site is zoned SU-1, which is only intended for religious uses where the proposed SU-2 district is only intended for school uses.
- ◇ The Comprehensive Plan recommends rural or estate neighborhood development. The Rural or Estate Neighborhood typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space

(Continued)

STAFF REPORT 2023-ZON-109 (Continued)

Staff Analysis

- ◇ Staff determined that rezoning the site to the SU-2 district would allow for the adaptive reuse of the existing church building into a school and would allow the construction of an additional building on site for more classrooms.
- ◇ Although the rural or estate neighborhood typology does not specifically call out educational uses, it is common to see schools and places of worship mixed in primarily residential neighborhoods. Thus, staff did not find the proposed school use to be out of line with the context of the surrounding area considering that the previous religious use had limited business hours and days when events, gatherings, and the like would take place.
- ◇ For these reasons, staff is recommending approval of the request.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

| | | |
|------|-------|--------|
| SU-1 | Metro | Church |
|------|-------|--------|

SURROUNDING ZONING AND LAND USE

| | | |
|-------|-----------|--|
| North | D-6 / D-S | Residential (Multi-family and Single-family dwellings) |
| South | D-S | Residential (Single-family dwellings) |
| East | D-3 | Residential (Single-family dwellings) |
| West | D-2 | Residential (Single-family dwellings) |

COMPREHENSIVE PLAN

The Comprehensive Plan recommends rural or estate neighborhood development.

THOROUGHFARE PLAN

Michigan Road is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary arterial street, with a 100-foot existing right-of-way and a 102-foot proposed right-of-way.

FLOODWAY / FLOODWAY FRINGE

This site is not located within a floodway or floodway fringe.

WELLFIELD PROTECTION DISTRICT

This site is not located within a wellfield protection district.

SITE PLAN

File-dated November 13, 2023.

ZONING HISTORY – SITE

EXISTING VIOLATIONS

None.

PREVIOUS CASES

67-Z-103; (subject site), Rezoning of approximately 10.126 acres being in D-5 district to Special Use (1) classification to provide for the construction of a church, **approved.**

(Continued)

STAFF REPORT 2023-ZON-109 (Continued)

ZONING HISTORY – VICINITY

2006-SE2-001; 5210 and 5212 Michigan Road (north of site), Special Exception of the Dwelling Districts Zoning Ordinance to provide for the construction of a 10,491 square-foot church building, with 34 off-street parking spaces, and with a four-foot tall, 30-square foot ground sign encroaching into the right-of-way of Michigan Road (minimum fifteen-foot front setback required), **denied**.

93-Z-70; 1836 West 51st Street (west of site), Rezoning of 13.79 acres, being in the D-S district, to the D-2 classification to provide for the development of a single-family residential subdivision, **approved**.

89-SE1-3; 5210 Michigan Road (north of site), Special exception of the Dwelling Districts Zoning Ordinance to provide for religious uses within an existing dwelling structure, with proposed hard surfaced and striped off-street parking areas and a sanitary sewer connection; **granted**.

88-Z-245; 5210 Michigan Road (north of site), Rezoning of approximately 0.5 acre from SU-1 to D-S to comply with a commitment that the zoning of the property would revert to the D-S classification five years after the adoption of rezoning petition 74-Z-150; **approved**.

86-Z-237; 5105 Grandview Drive (southeast of site), Rezoning of 4.62 acres, being in the D-S district, to the D-P classification, to provide for the construction of seven residential structures containing two living units each, **dismissed**.

85-UV1-78; 5210 Michigan Road (north of site), Variance of use to provide for the continued use of a day care center within an existing building; **granted**.

84-Z-5; 5117 Michigan Road (southeast of site), Rezoning of 0.48 acre from the D-3 to SU-9 to conform the zoning to its current use as a fire station and to correct a mapping error, **approved**.

81-Z-15; 5210 Michigan Road (north of site), Rezoning of approximately 0.5 acre from SU-1 to C-1 to provide for the continued use of a daycare center; **withdrawn**.

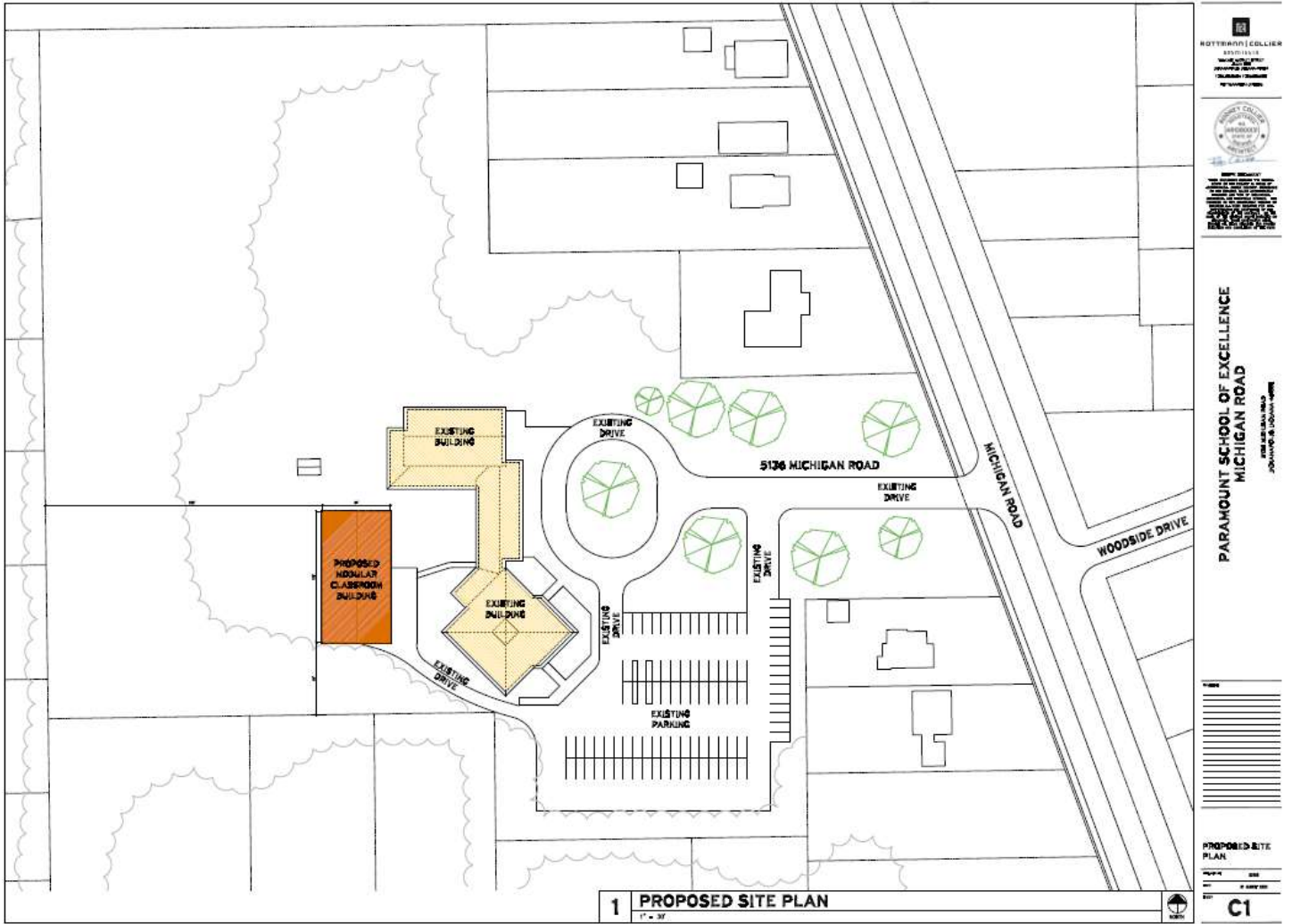
74-Z-150; 5210 Michigan Road (north of site), Rezoning of approximately 0.5 acre from D-S to SU-1 to provide for a daycare center; **approved**.

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2023-ZON-109; Aerial Map (1972)



2023-ZON-109; Site Plan



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PROPOSED SITE PLAN
DATE: 08/15/23
BY: RJC

C1

2023-ZON-109; Photographs



Photo of the Subject Property: 5136 Michigan Road



Photo of the parking area looking south on the site.



Photo of the existing church building looking west on the site.



Photo of the north property boundary and existing drive.



Photo of the rear yard where the proposed building will be located.



Photo of the rear yard and existing accessory structure looking north.



Photo of the rear of the existing building looking north.



Photo of the single-family dwelling southeast of the site.



Photo of the single-family dwelling northeast of the site.