

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-ZON-075
Address: 516 South Rural Street (Approximate Addresses)
Location: Center Township, Council District #12
Petitioner: James Roger Martin
Request: Rezoning of 0.12 acre from the D-5 district to the C-1 district.

RECOMMENDATIONS

Staff **recommends denial** of this request.

If approved, staff would recommend approval be subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

A 44-foot half right-of-way shall be dedicated along the frontage of Rural Street, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).

SUMMARY OF ISSUES

LAND USE

- ◇ The 0.12-acre subject site is a residential lot developed with a one-story single-family dwelling. The lot is in the Christian Park neighborhood within a residentially developed block that is separated by an alley from a gas station and convenience store, zoned C-3 and C-4, to the north. The site is adjacent to single-family residential dwellings to the west and south, zoned D-5, and senior apartment to the east, zoned D-10.

REZONING

- ◇ The request would rezone this parcel to the C-1 district to provide for office uses. It is understood that the existing single-family dwelling would be converted into office use with parking at the rear of the lot.
- ◇ The site is zoned D-5, which is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situation in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood and Traditional Neighborhood Typologies of the Land Use Pattern Book.

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- ◇ The C-1 district is designed to perform two functions: act as a buffer between uses, and provide for a freestanding area that office uses, compatible office-type uses, such as medical and dental facilities, education services, and certain public and semipublic uses may be developed with the assurance that retail and other heavier commercial uses with incompatible characteristics will not impede or disrupt.
- ◇ Lastly, the Comprehensive Plan recommends traditional neighborhood development for this site. The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.

Department of Public Works

- ◇ The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 44-foot half right-of-way along Rural Street. This dedication would also be consistent with the Marion County Thoroughfare Plan.

Staff Analysis

- ◇ Although the C-1 district works as a buffer between less intense and more intense uses, staff determined that the proposed office use at this specific location would not be appropriate since there are no other commercial districts within the residential block south of the alley.
- ◇ Staff would note that a separation is already built in with the alley and topography change between the residential and commercial property to the north, but the commercial property is missing the required landscape buffer from the residential district to the south.
- ◇ Approval of the conversion of residential dwellings for commercial use would be detrimental to the surrounding residents since it could lead to the destabilization of the neighborhood, encourage similar intrusion of commercial into the neighborhood and would further reduce the housing stock that it is desperately needed.
- ◇ The proposal would not be consistent with the traditional neighborhood typology because where small-scale offices are proposed they are required to be located at intersections and should be limited to areas and parcels with adequate space for required screening and buffering, which this site would not meet these conditions.
- ◇ For these reasons, staff is recommending denial of the request.

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GENERAL INFORMATION

EXISTING ZONING AND LAND USE

D-5	Compact	Residential (Single-family Dwelling)
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SURROUNDING ZONING AND LAND USE

North	C-3 / C-4	Fuel Station
South	D-5	Residential (Single-family Dwelling)
East	D-10	Residential (Senior Apartments)
West	D-5	Residential (Single-family Dwelling)

COMPREHENSIVE PLAN

The Comprehensive Plan recommends traditional neighborhood development.

THOROUGHFARE PLAN

Rural Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary arterial street, with a 56.6-foot existing right-of-way and an 88-foot proposed right-of-way.

TRANSIT-ORIENTED DEVELOPMENT

This site is not located within the Transit-Oriented Development Overlay.

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.

ZONING HISTORY – SITE

EXISTING VIOLATIONS: None.

PREVIOUS CASES: None.

ZONING HISTORY – VICINITY

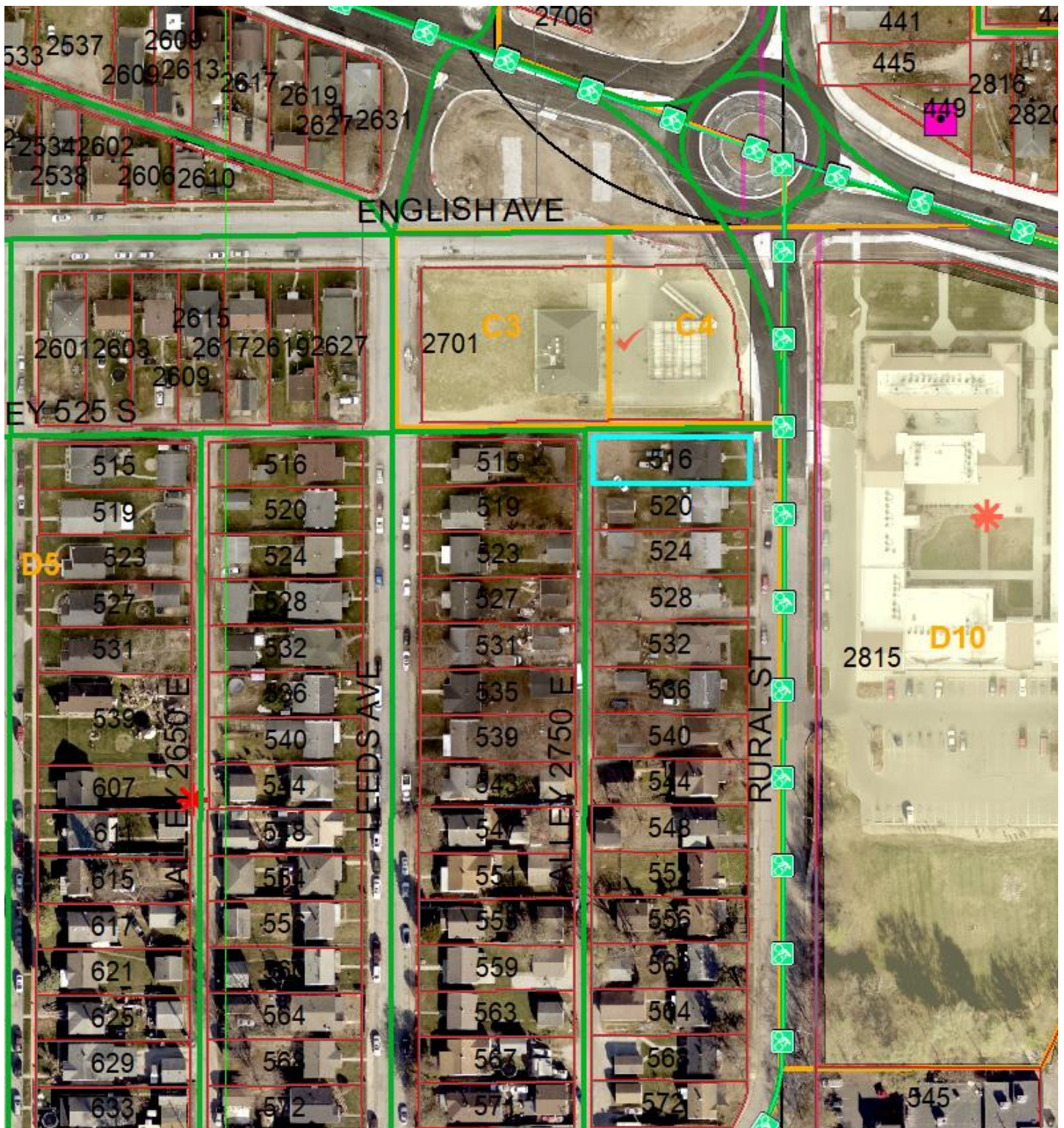
2015-ZON-069; 2815 English Avenue (east of site), Rezoning of 4.18 acres, from the D-5 and C-4 districts to the D-10 classification to provide for multi-family uses, **approved**.

84-Z-132; 2707 English Avenue (north of site), Rezoning of 0.87 acre, being in the C-3 and C-4 districts, to the C-5 classification, to provide for the continued use for the coordination of liquidation of debtor estates and to provide for incidental vehicle sales, **withdrawn**.

83-Z-212; 2715 English Avenue (north of site), Rezoning of 0.39 acres, being in the C-4 district, to the C-5 classification, to provide for auto sales, **withdrawn**.

83-Z-211; 2701 English Avenue (north of site), Rezoning of 0.51 acres, being in the D-5 district, to the C-3 classification, to provide for retail and office uses, **approved**.

2023-ZON-075; Location Map



2023-ZON-075; Photographs



Photo of the Subject Property: 516 South Rural Street



Photo of the adjacent alley looking east and rear yard of the subject site.



Photo of the adjacent alley looking west and the gas station north of the subject site.



Photo of the gas station at the intersection.



Photo of the single-family dwellings south of the subject site.



Photo of the senior apartments east of the site.