

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-MOD-001  
**Address:** 6340 Rockville Road (*Approximate Address*)  
**Location:** Wayne Township, Council District #15  
**Zoning:** C-4  
**Petitioner:** Shiloh Holdings, LLC, by Joseph D. Calderon  
**Request:** Modification of Commitments related to 2004-VAR-844 to terminate all commitments associated with Lots 5 and 6.

A valid Automatic Continuance was received from a registered neighborhood organization, the Rockville Road, High School Road, Girls School Road Neighborhood Association, continuing this petition from the February 9, 2023 hearing to the March 9, 2023 hearing.

### **RECOMMENDATION**

Staff has **no recommendation** for this request.

### **SUMMARY OF ISSUES**

The following issues were considered in formulating the recommendation:

#### **LAND USE**

- ◇ Historic aerial photography indicates that the subject site was undeveloped until the late 1950s/early 1960s when a commercial building was erected on the site. That building stood until the mid-1990s when an oil-change facility was constructed on the site. That building stood until 2014/2015 when it was demolished. Since that time only the parking lot associated with the oil change facility remains on the site. The parking lot appears to be used for truck parking.
- ◇ The 2018 Comprehensive Land Use Plan recommends Community Commercial for the site. This typology envisions low-intensity commercial and office uses that serve the nearby neighborhoods.
- ◇ The site has been the subject of two recent land use petitions. In 2022 the site and parcels to the north and west were part of a companion petition that would have rezoned 0.09 acre from the C-S district to the C-4 district and provided for variances of development

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## **STAFF REPORT 2023-MOD-001 (Continued)**

standards for a car wash with stacking spaces in the front yard and without an exclusive bypass aisle. In 2018, the site and parcels to the north and west were the subject of a rezoning request that would have rezoned two acres from the C-S and C-4 districts to the C-S district to provide for MU-1 and C-3 uses. Both petitions were withdrawn.

### **MODIFICATION OF COMMITMENTS**

- ◇ This site was part of a companion rezoning and variance petition filed in 2004. That petition included both the subject site and four parcels to the north and west. The 2004 petition rezoned the north portion of that subject site and included commitments for the entire site. The purpose of the 2004 zoning petition was to provide for an office and retail center on the northern portion of that site with direct access to Rockville Road through the subject site of this petition. The 2004 petition was approved with 14 commitments. The 2004 commitments, location map and site plan can be found below.
- ◇ This petition would eliminate all 14 commitments associated with the 2004 petition for the current subject site only. The site would continue to be zoned C-4 and any redevelopment would have to meet the development standards associated with the C-4 zoning district. The commitments would continue to apply to the other parcels subject to the 2004 petition.
- ◇ There is no indication in the record that the 2004 commitments were the result of a negotiation between the petitioner and staff. Instead, they were a product of negotiations between the petitioner and the neighborhood organization without staff's involvement. As such, staff has no recommendation on the commitment's modification. However, staff would note that the neighborhood's recommendation in the original petition was based on all the commitments that were submitted and on the reasonable assumption that the site would be developed in accordance with those commitments.

### **GENERAL INFORMATION**

#### **EXISTING ZONING, CONTEXT AREA, AND LAND USE**

C-4	Metro	Parking lot
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#### **SURROUNDING ZONING AND LAND USE**

North	C-S	Undeveloped land
South	C-4	Commercial center
East	C-4	Billboard, gas station
West	C-4	Vacant commercial lot

(Continued)

## **STAFF REPORT 2023-MOD-001 (Continued)**

COMPREHENSIVE LAND USE PLAN	The Wayne Township Comprehensive Land Use Plan (2018) recommends Community Commercial.
THOROUGHFARE PLAN	Rockville Road is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Primary Arterial with an existing right of way ranging from 125 feet to 133 feet and a 112-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.

### **ZONING HISTORY – SITE**

**2022-CZN-832 / 2022-CVR-832; 6340 & 6380 Rockville Road**, requested the rezoning of 0.09 acre from the C-S district to the C-4 district and variances of development standards to provide for a car wash with stacking spaces in the front yard and without an exclusive bypass aisle, **withdrawn**.

**2018-ZON-086; 6340 & 6380 Rockville Road**, requested the rezoning of two acres from the C-S and C-4 districts to the C-S district to provide for MU-1 and C-3 uses, **withdrawn**.

**2004-ZON-844 / 2004-VAR-844; 6340 Rockville Road**, requested rezoning of 1.26 acres from the C-4 District to the C-S classification to provide for commercial development with C-1, C-2 and some C-3 permitted uses and variances of development standards to provide for a reduced north transitional yard, a dumpster located in front of the building line and without a loading dock, **approved**.

### **ZONING HISTORY – VICINITY**

**2018-UV3-031; 6345 Rockville Road (south of site)**, requested a variance of use to provide for a security courier and delivery service in a C-4 district, **approved**.

**2011-UV3-005; 6345 Rockville Road (south of site)**, requested a variance of use to provide for a tattoo parlor within 500 feet of a Protected District, **denied**.

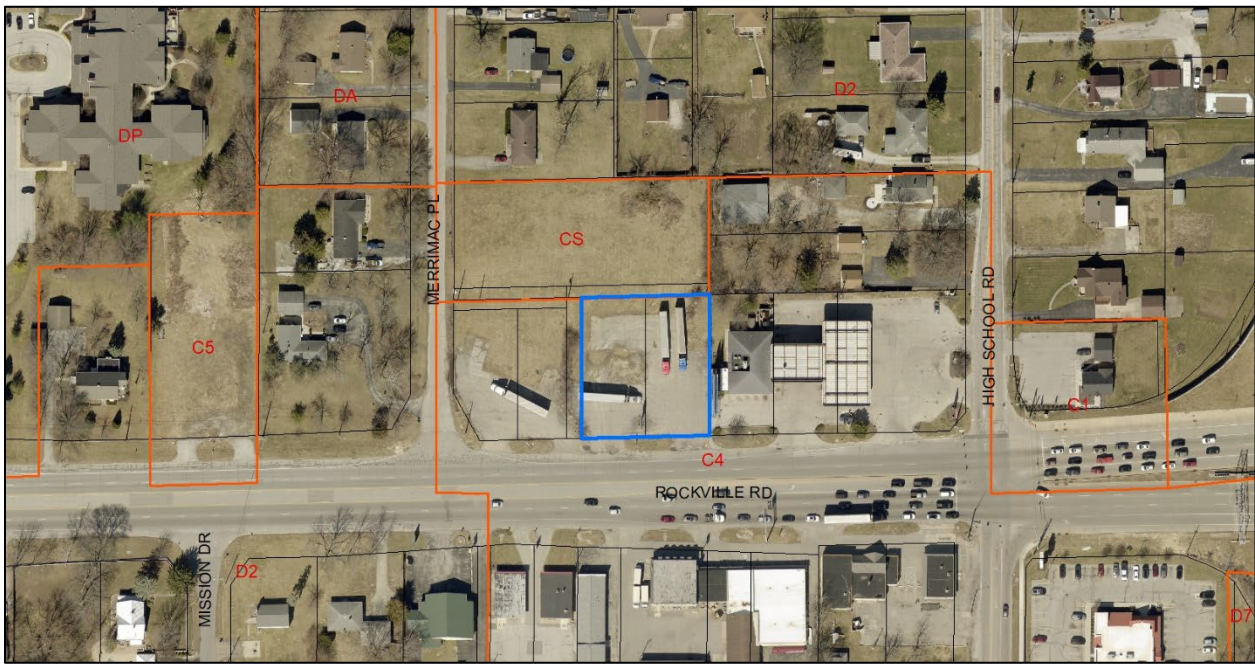
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**STAFF REPORT 2023-MOD-001, Location**



**STAFF REPORT 2023-MOD-001, Aerial photograph (2022)**



**STAFF REPORT 2023-MOD-001, Commitments from 2004-VAR-844**

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**ATTACHMENT "C"**

**METROPOLITAN DEVELOPMENT**

Petitioner commits to the following:

1. To construct a one story commercial building that shall not exceed thirty (30) feet in height.
2. To prepare a Drainage Plan for approval by the City of Indianapolis, Department of Public Works, City of Indianapolis that demonstrates on site retention of water on the site. Such drainage plan shall be shown to a representative(s) of the Merrimac Place residents and of the Rockville, High School & Girls School Roads Neighborhood Association, Inc. for review and comment at least twenty (20) days prior to submission to the city.
3. To prepare a Landscape Plan for Administrator's Approval by the City of Indianapolis, Department of Metropolitan Development that demonstrates significant on site landscaping, with special attention to the area to the west of the proposed commercial building facing the residential area to the west. Such landscape plan shall attempt to shield any lights from exiting autos onto residential properties to the west. Such landscape plan shall be shown to a representative(s) of the Merrimac Place residents and of the Rockville, High School & Girls School Roads Neighborhood Association, Inc. for the review and comment at least ten (10) days prior to submission to the city.
4. To construct a commercial building constructed of brick material with a pitched roof and shingles, with elevation subject to Administrator's Approval.
5. To restrict all tenants to hours of operation of not earlier than six (6) am and not later than eleven (11) pm
6. To work with the property owner to the north to install appropriate screening utilizing a wooden fence. Such fence shall be no greater than six (6) feet in height.
7. To control light spillage by placing shields on all exterior lights so as to prohibit light from projecting onto any adjoining properties.
8. To construct the north wall of the commercial building of brick material with the only openings to be for emergency access doors and windows.
9. To prohibit signage along Merrimac Place.
10. To construct the dumpster enclosure with masonry material with the exterior to match the façade of the commercial building and with wooden gates oriented to the west.
11. To restrict all wall signs to the south façade of the commercial building only.
12. To prohibit the use of any drive-thru facility on the property.
13. To restrict outdoor seating to benches to allow patrons of the particular facility offering food or beverage to sit outdoors.



2004-ZON-844 / 2004-VAR-844

6340 Rockville Road

BRANDT ST

MISSION DR

WALTON ST

ROCKVILLE RD

MARKET ST

HIGH SCHOOL RD

1-465 013 RAMP D

500 Feet

September 14, 2004

Produced By: The GIS Section

Data Source: The City of Indianapolis  
Geographic Information Systems

IndyGIS  
Indianapolis Metropolitan Area

This map does not represent a legal document, it is intended to serve as an aid in graphic representation only. Information shown on this map is not warranted for accuracy or merchantability.

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## STAFF REPORT 2023-MOD-001, Photographs



Looking northeast across the subject site.



Looking east along Rockville Road at the neighbor to the east.





Looking west along Rockville Road from the site.



Looking southeast across Rockville Road at the neighbors to the south.