## STAFF REPORT

# Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2022-CZN-871 / 2022-CPL-871

Address: 4901 West 56<sup>th</sup> Street (*Approximate Addresses*)

Location: Pike Township, Council District #8

Petitioner: Dove Asset Partners, by Elizabeth Bentz Williams

Request: Rezoning of 14.53 acres from the SU-5 district to the C-S district to

provide for a mini-warehouse (self-storage) facility with outdoor storage of vehicles and recreational vehicles and wireless/radio communication

towers.

Approval of a Subdivision Plat to be known as AAA Development and

Consulting, LLC Minor Plat, dividing 14.53 acres into two lots.

This petition was continued from the February 23, 2023 hearing to the March 9, 2023 hearing, from the February 9, 2023 hearing to the February 23, 2023 hearing, and from the January 12, 2023 hearing to the February 9, 2023 hearing. This petition was automatically continued from the December 15, 2022 hearing, to the January 12, 2023 hearing.

Amended site plans were submitted with changes as requested by the neighborhood group. Exhibits below.

# **February 9, 2023**

## **RECOMMENDATIONS**

Staff recommends **approval of the rezoning** petition with the following commitments:

1. The landscape plan must include a vegetative buffer between the proposed retention pond and the nursing home east of site, subject to administrative approval.

Staff recommends that the Hearing Examiner **approve** and find that the plat, file-dated January 4, 2033, 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.
- 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 currently zoned SU-5 and developed with wireless/radio towers and equipment. There is a one-story block building on northern portion of the site to be removed.
- This petition would rezone this property to the C-S district and subdivide the property into two lots to provide for a mini-warehouse facility (self-storage) in addition to the existing communication facilities.

## **REZONING**

- ♦ This petition would rezone this site from the SU-5 district to the C-S district to permit communication facilities and mini-warehouses (self-storage), including outdoor storage of vehicles and recreational vehicles. The current zoning of SU-5 would only permit radio receiving or broadcasting towers and accessory buildings. The comprehensive plan recommends suburban neighborhood uses.
- ♦ The C-S district is designed to permit, within a single zoning district, commercial and noncommercial uses. C-S districts are limited to uses specified by a rezoning petition and subject to site and development plans approved by the Metropolitan Development Commission.
- Radio towers and similar facilities are permitted in several districts as accessory uses or structures. Mini warehouses are permitted in industrial districts or heavy commercial districts. Staff believes the C-S district is appropriate as no other districts would allow both proposed uses as primary uses.

- The suburban neighborhood recommendation is a living typology; however, staff believes that the existing radio and cell towers on site limits the marketability for residential development. This site has single-family residential on the west and commercial uses on the east. The west side of the property would remain the radio and cell tower use, while the east would be developed for storage. Landscaping and retention areas are shown on the south and east property boundaries. Staff believes this pattern of development would provide an adequate buffer between uses.
- ♦ Staff recommends approval of the C-S zoning subject to the development plan and substantial compliance with the site plan.

## **PLAT**

The plat would subdivide the subject site into two lots. Lot One would contain the existing radio/wireless towers. Lot Two would be developed with mini-warehouses and outdoor storage for vehicles and recreational vehicles.

## TRAFFIC / STREETS

♦ The subject site has frontage on 56<sup>th</sup> Street to the north. Each lot would have its own access from 56<sup>th</sup> Street. No new streets are proposed.

#### **SIDEWALKS**

♦ Sidewalks are required along the 56<sup>th</sup> Street frontage.

## **GENERAL INFORMATION**

EXISTING ZONING, CONTEXT AREA, AND LAND USE

SU-5 Metro Radio/wireless towers

SURROUNDING ZONING AND LAND USE

North MU-1 / C-S Commercial/ Assisted Living Residential

South D-P Multi-family Residential
East C-1 / C-3 Commercial / Nursing Home
West D-3 Single-family Residential

COMPREHENSIVE LAND USE PLAN Suburban Neighborhood

THOROUGHFARE PLAN 56<sup>th</sup> Street is classified in the Official Thoroughfare

Plan for Marion County, Indiana as a Primary Arterial, with a 117-foot existing and proposed right-of-way.

SITE PLAN File-dated January 15, 2023

SITE PLAN (AMENDED) File-dated March 1, 2023

LANDSCAPE PLAN File-dated January 15, 2023

LANDSCAPE PLAN (AMENDED) File-dated March 1, 2023

LIGHTING PLAN File-dated January 15, 2023

LIGHTING PLAN (AMENDED) File-dated March 1, 2023

SURVEY/ PRELIMINARY PLAT File-dated January 4, 2023

DEVELOPMENT PLAN (C-S) File-dated March 1, 2023

COMMITMENTS File-dated March 1, 2023

# **ZONING HISTORY – SITE**

None

## **ZONING HISTORY – VICINITY**

**2020-DV3-032A, 5766 & 5932 Lafayette Road and 6166 West 62<sup>nd</sup> Street,** variance to provide for 39-foot to 47-foot-tall wood and metal poles for small cell wireless communications facilities, with associated equipment and antennas within the right-of-way, **approved**.

**2020-DV3-032B, 5928 & 6003 Terrytown Road, and various addresses,** variance to provide for 39-foot to 47-foot-tall wood and metal poles for small cell wireless communications facilities, with associated equipment and antennas within the right-of-way, **denied**.

**2013-ZON-019, 5404 Georgetown Road,** rezoning of 6.95 acres from the C-3 district to the C-1 district to provide for a nursing home, **approved**.

**2006-ZON-838, 2006-VAR-838, & 2006-APP-838, 4900 West 56**<sup>th</sup> **Street,** rezoning of 0.830 acre from the C-S district to the C-S district to provide for C-3 uses and the sale of auto-parts and accessories, and variances to provide for a 2.78-foot west side setback, for parking with a zero-foot south front setback from the right-of-way of 56<sup>th</sup> Street, for parking with a six-foot east front setback along a portion of the right-of-way of Eden Village Drive, and for parking with a zero-foot north side yard setback, **denied.** 

**95-Z-201**, **4900 West 56**<sup>th</sup> **Street**, rezoning of 4.292 acres from the C-S district to the C-S district to permit C-3 uses, mini warehouses, and uses permitted per 89-Z-158, **approved**.

**90-P-11**, **approval** of a subdivision to be known as Deer Creek Section Three.

**89-Z-158, 4900 West 56<sup>th</sup> Street,** rezoning of 7 acres from the SU-3 district to the C-S district to provide for multiple commercial uses, **approved.** 

**89-P-90, approval** of a subdivision to be known as the Gardens at Eagle Creek North, Section Three.

**88-Z-264, 5150 West 56<sup>th</sup> Street,** rezoning of 39.41 acres from the A-2, D-6II and SU-43 district to the D-P district, **approved.** 

88-P-09, approval of a subdivision to be known as Deer Creek Section Two.

**87-Z-207, 5440 Georgetown Road,** rezoning of 7.5 acres from the D-P district to the C-3 district, **approved.** 

**87-Z-173**, **5101 West 56**<sup>th</sup> **Street**, rezoning of 20 acres from the A-2 district to the D-3 district, **approved**.

**87-Z-106, 5101 West 56<sup>th</sup> Street,** rezoning of 48.89 acres from the A-2 district to the D-7 district, **approved.** 

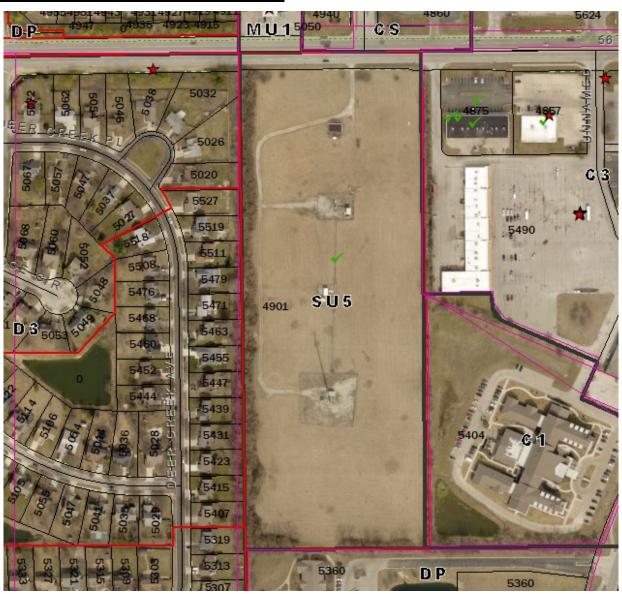
87-P-131, approval of a subdivision to be known as Deer Creek Section One.

**85-Z-168**, **4910 West 52**<sup>nd</sup> **Street**, rezoning of 7.88 acres from the D-P district to the D-P district to allow for additional housing units, **approved**.

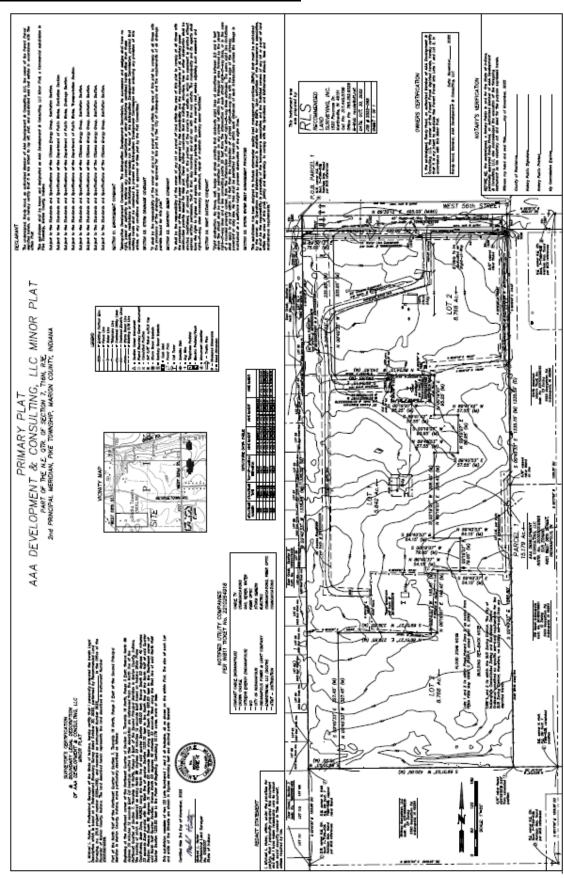
83-Z-152, 4559 West 56<sup>th</sup> Street, rezoning of 15.70 acres from the D-P district to the C-3 district, approved.

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# 2022-CZN-871 / 2022-CPL-871 Aerial Map



## 2022-CZN-871 / 2022-CPL-871 Preliminary Plat



# 2022-CZN-871 / 2022-CPL-871 Site Plan

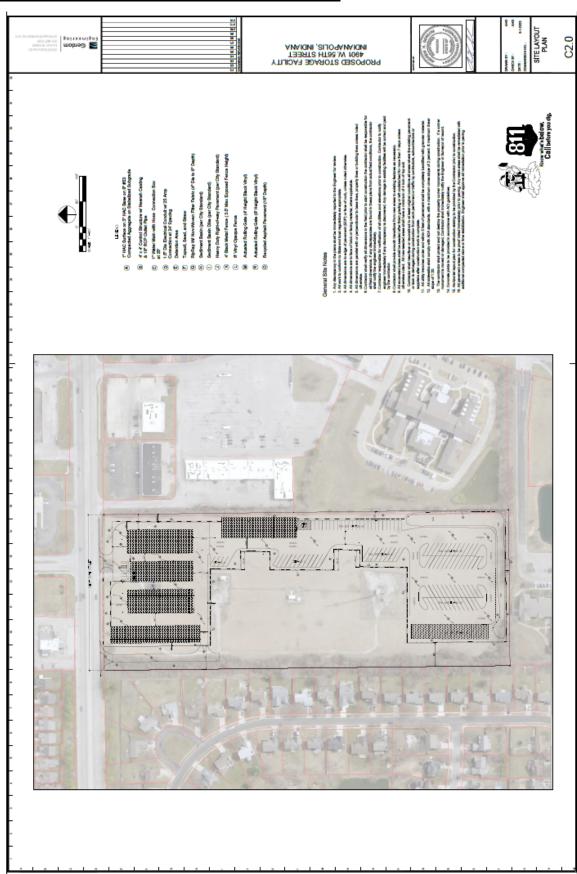




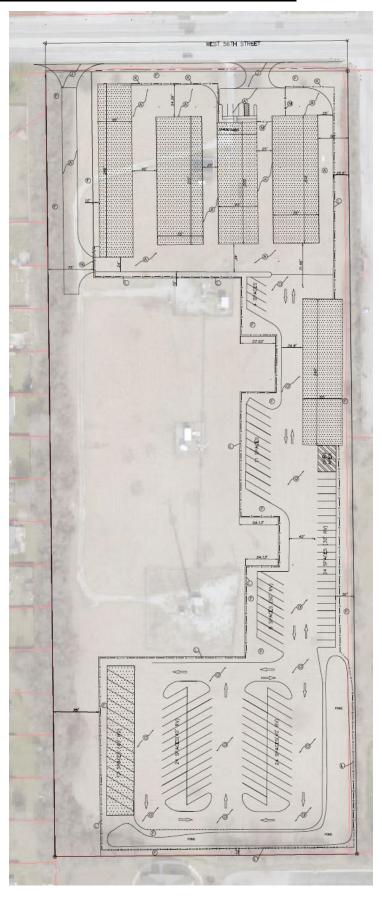




# 2022-CZN-871 / 2022-CPL-871 Site Plan (Amended)

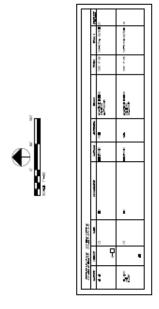


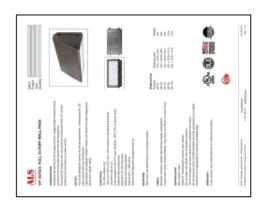
# 2022-CZN-871 / 2022-CPL-871 Site Plan (Amended) Details

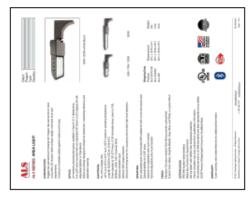


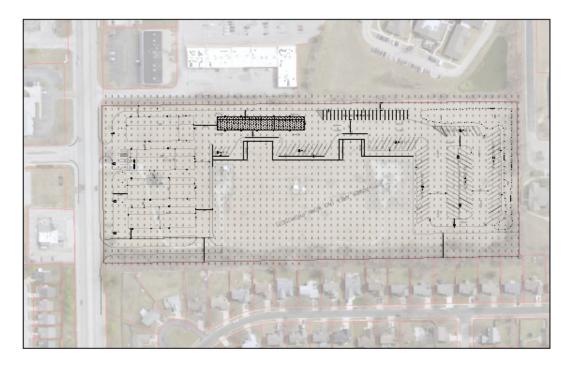
# 2022-CZN-871 / 2022-CPL-871 Lighting Plan





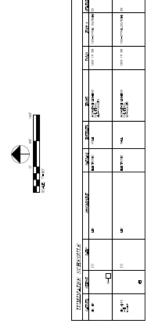


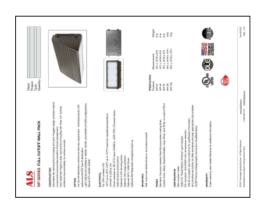




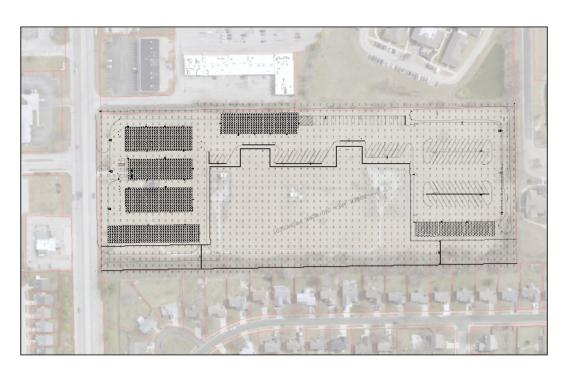
# 2022-CZN-871 / 2022-CPL-871 Lighting Plan (Amended)





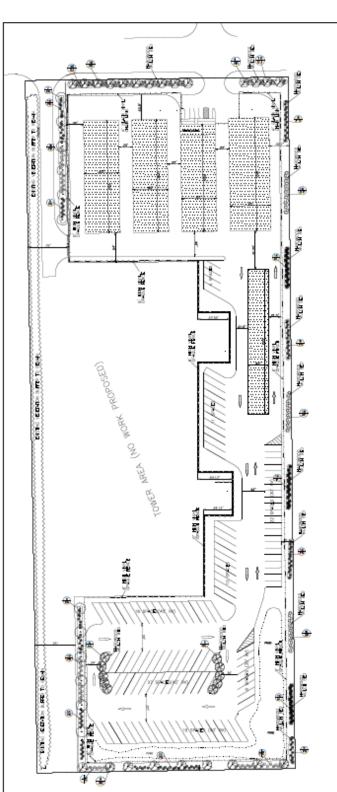


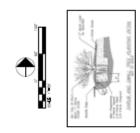


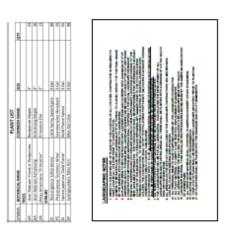


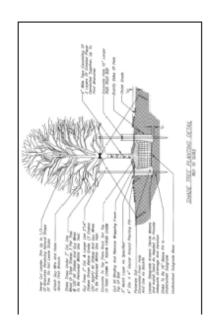
# 2022-CZN-871 / 2022-CPL-871 Landscape Plan





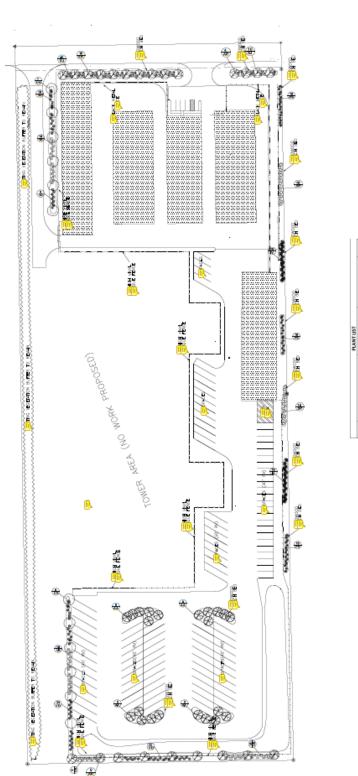


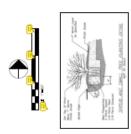


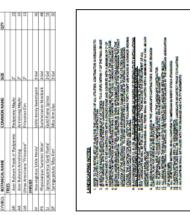


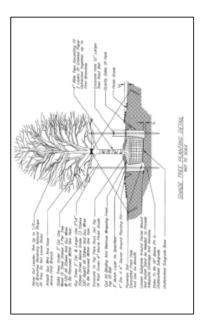
# 2022-CZN-871 / 2022-CPL-871 Landscape Plan (Amended)











## 2022-CZN-871 / 2022-CPL-871 Development Plan

Development Plan 4901 W. 56<sup>th</sup> Street, Indianapolis, IN March 1, 2023



#### **USE:**

The site is currently being used to house 2 cell towers and an AM radio station tower. The site will be modified to also include single-story self-storage along the north and eastern ends of the property, and long-term boat/RV parking on the eastern and southern ends of the property.

Storage is typically rented by residents and business owners inside a radius of 5 miles.

RV and boat parking renters can come from a radius up to 20 miles.

#### **HOURS OF OPERATION**

Normal business hours will be Monday – Friday from 9:00 am to 5:00 pm. Renters can also use a drive-up kiosk, which will be connected to a call center for questions after normal operating hours. Property access is restricted to renters only via two keypad code security gates. The gates are locked 24 hours per day and entry is only provided via the gate keypad. Tenants will have access to the property 24 hours a day via the keypad gates.

## **EMPLOYEES**

The facility will have an administrative/maintenance staff on site each weekday to interact with renters and to perform routine maintenance and clean up.

#### SITE PLAN

As shown in Exhibit A, the property will support the existing towers plus the self-storage units and boat/RV parking. There will be no changes to the existing towers themselves. Access to the towers is currently provided by a curb cut near the center of the property, which then angles westward to meet up with the access road on the west side of the property near the first cell tower. There is a recorded easement along the west side of the property for access to the towers. The access easement runs north to south along the western property line to the southernmost tower. We will install a curb cut on the west side of the property to allow access to that easement. It will be set back approximately 30 feet from the western boundary line.

There will be a second curb cut along 56<sup>th</sup> street to allow access to the storage facility. The curb cut will be aligned with Eden Village Drive to the north. Two curb cuts will be necessary because tower maintenance vehicles will not have access to the storage facility.

The front portion of the property extending from the access easement eastward to the property line and south from W. 56th street to the first cell tower will contain 4 single-story climate-controlled buildings.

The western-most building will have access only from the east side at the request of nearby residents. This building will be set back approximately 70' from the residential zone.

The remaining buildings in this section will have drive up access (exterior doors) along the perimeter with additional fully enclosed interior units accessible via interior hallways. The 4 climate-controlled buildings will total approximately 57,000 square feet of storage.

The eastern edge of the property to the south of the front section will contain 1 single-story building totaling approximately 16,000 sq ft plus approximately 50 open boat/trailer parking spaces. The building and parking will be located approximately 200 feet from the western residential zone and approximately 30 feet from the eastern property boundary (or as allowed by building setback requirements).

The southern section of the property will contain no more than 67 RV parking spaces. It will extend from the southernmost cell tower to the southern property line and from the eastern property line to no less than 70 feet from the residential zone. Parking will be set back no less than 70 feet from the western residential zone and approximately 50 feet from the southern property line. The westernmost RV parking will be partially or fully enclosed and open from the east side of the building at the request of the nearby residents to shield the RVs from view.

There will be approximately 500 self-storage units and no more than 120 RV/boat parking units.

#### Landscaping

We will make use of and augment the existing perimeter landscaping. Currently, there are trees along the western and southern property lines that are up to 40 feet in height. In addition, there are bushes extending 30 to 50 feet from the property lines that will be retained.

Additional trees and landscaping will be placed along the exterior of the property in substantial conformance with the landscape plan. Additional evergreen trees/bushes will be planted along the perimeter fence to obscure the RV parking from the southern and western neighbors as shown on the landscaping plan.

#### Lighting

Lighting between the storage buildings will be directed eastward and southward towards the center of the property. RV parking lighting will be shielded, down lit and faced away from adjacent residential zoning. Lighting shall be designed to minimize overflow light into the night sky, shield the light filaments from any right-of-way or protected district, prohibit hazardous glare perceptible from any point beyond the lot lines, and provide adequate light for safety. All lighting will be in compliance with Table 744-604-1: Light Level Standards.

### Trash

No trash dumpster will be available for use of renters.

#### Signage

Signage will be limited to one ground sign for the self-storage use and wall signs per ordinance. An incidental entry sign for the cell tower parcel shall be allowed.

## **SITE MAINTENANCE & SECURITY**

Maintenance will be performed by maintenance employees or outsourced to local service providers. An administrative/maintenance person will walk the property every day noting any maintenance items that need to be corrected.

The site will be secured by perimeter fencing surrounding the facility. The fencing along W56th Street will be 4' high black metal rail fencing. Fencing along the rest of the perimeter will be 6' high. No barbed wire/razor wire will be used on the fencing.

Access is controlled by ingress/egress gates and is restricted to renters with keypad codes. Each renter will have a unique keypad code allowing us to know who entered the premises and when.

The main gate will be on the northeast corner of the property across from Eden Village Drive. It will be set back at least 100' from W56th street. We expect all storage tenants and all parking tenants to use this gate for ingress & egress due to the limited number of turns.

There will be a second ingress/egress gate on the west side of the property just north of the first cell tower. This gate connects with the tower easement and is expected to be used primarily for egress by the storage tenants in the western building. There will be a third gate in front of the easternmost building. This gate will exit to the main entryway and will facilitate traffic flow around the easternmost building. This gate will be used for exit only.

The site will have external security cameras monitoring the entry/exit points to the property and the parking areas. Interior security cameras will monitor all interior hallways with interior access restricted to renters with keypad codes. There will be prominent signs noting the presence of the cameras.

The security cameras and individual keypad codes will allow us to document any lease or security violations so that effective corrective action can be taken.

### **FUTURE**

All of the above are typical and customary for the storage industry. Market demands may indicate the need for additional self-storage over RV/boat storage. In such a case, up to 50% of the RV/boat storage would be replaced by one or more additional single-story storage buildings totaling no more than 40,000 square feet of additional storage space.

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# 2022-CZN-871 / 2022-CPL-871 Site Photos



Subject site 56th Street frontage, looking north



Subject site looking west



Subject site looking south, existing building shown right



Subject site, looking southeast



Subject site existing tower, looking southeast







Site viewed from property to the north, facing south