

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-ZON-121
Address: 1007, 1008, 1010, 1011, 1015 & 1027 East Georgia Street and 1018, 1022 & 1030 Bates Street (*Approximate Address*)
Location: Center Township, Council District #16 (#18 Beginning 2024)
Petitioner: RHC Shelby Street, LLC, by Brian J. Tuohy
Request: Rezoning of 1.16 acres from the I-4 (TOD) District to the C-S (TOD) District to provide for a housing hub for those experiencing homelessness including associated supportive services.

RECOMMENDATIONS

Staff **recommends approval** of this request, 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:

1. A 39-foot half right-of-way shall be dedicated along the frontage of Shelby 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).
2. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.
3. Final site plan, landscape plan, building elevations and lighting plan shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP) that addresses items identified below and includes, but not limited to, clear sight triangles, green space, landscaping, building architecture, connectivity, and signage.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

- ◇ This 1.16-acre site, zoned I-4 (TOD), is comprised of 10 parcels, one of which is developed with an industrial building (vacant) and a small associated parking lot. It is surrounded by industrial uses to the north, zoned I-2 (TOD); vacant land and railroad right-of-way to the south across Bates Street, zoned I-4 (TOD); industrial uses to the east, across Shelby Street, zoned I-3 (TOD) and I-4 (TOD); and single-family dwellings to the west, zoned D-8 (TOD).

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- ◇ Beginning in 1996 through 2006 petitions requested a variance of use of the Industrial Zoning District to provide for continued lawn mower sales and repair and used carpet sales.

REZONING

- ◇ This request would rezone the site from the I-4 (TOD) District to the C-S (TOD) classification. “The C-S District is designed to permit, within a single zoning district, multi-use commercial complexes or land use combinations of commercial and noncommercial uses, or single-use commercial projects. The primary objective of this district is to encourage development which achieves a high degree of excellence in planning, design, or function, and can be intermixed, grouped or otherwise uniquely located with maximum cohesiveness and compatibility. The district provides flexibility and procedural economy by permitting the broadest range of land use choices within a single district, while maintaining adequate land use controls. The C-S District can include high-rise or low-rise developments, can be applied to large or small land areas appropriately located throughout the metropolitan area, and can be useful in areas of urban renewal or redevelopment.”
- ◇ The Comprehensive Plan recommends light industrial typology. “The Light Industrial typology provides for industrial, production, distribution, and repair uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Typical uses include warehousing, self-storage, assembly of parts, laboratories, wholesaling, and printing. Industrial or truck traffic should be separated from local/residential traffic.”
- ◇ The Pattern Book lays out a land use classification system that guides the orderly development of the county, protects the character of neighborhoods and serves as a policy guide for development or redevelopment of a site.
- ◇ The following elements of the Pattern Book apply to this site:

Light Industrial Uses

- Industrial truck traffic should not utilize local, residential streets.
- Streets internal to industrial development must feed onto an arterial street.
- **Removed as a recommended land use where they would be adjacent to a living or mixed-use typology.**

Heavy Commercial Uses

- **Removed as a recommended land use where they would be adjacent to a living typology.**

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Small-Scale Offices, Retailing, and Personal or Professional Services

- Should be subordinate to and serving the primary uses of production, warehousing, and offices.
- Should be adjacent to interstate interchanges if present. If no interchange is present, should be located along arterial streets at the edge of the light industrial typology.
- Should be located and served in such a way that the use will not interfere with industrial traffic or loading.

Wind or Solar Farms

- ◇ The Pattern Book also provides guidance related to overlays and whether an overlay adds, modifies, or removes the recommended land uses within the base typology. This site lies within two Transit-Oriented Development overlays (Red Line TOD and Blue Line TOD).

Modified Uses

- Small Scale Offices, Retailing, and Personal or Professional Services - Development should be supportive of pedestrian activity (e.g. compact, connected to a pedestrian system, no more than one third of the frontage used for parking.)

Light Industrial Uses

- Development should be supportive of pedestrian activity (e.g. compact, connected to a pedestrian system, no more than one third of the frontage used for parking.) Only small-scale light industrial uses are appropriate in this overlay.

Removed Uses

- Heavy Commercial Uses
- Wind or Solar Farms

Overlays

- ◇ This site is also located within two overlays, specifically the Industrial Reserve (IR) overlay and the Transit Oriented Development (TOD). “Overlays are used in places where the land uses that are allowed in a typology need to be adjusted. They may be needed because an area is environmentally sensitive, near an airport, or because a certain type of development should be promoted. Overlays can add uses, remove uses, or modify the conditions that are applied to uses in a typology.”

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- ◇ The Industrial Reserve (IR) is intended for areas that are prime for industrial development due to factors such as large parcel size, proximity to compatible uses, and/or interstate access.

Added Uses

No uses are added.

Modified Uses

No uses are modified.

Removed Uses

Small-Scale Offices, Retailing, and Personal or Professional Services
Heavy Commercial Uses

- ◇ The Transit-Oriented Development (TOD) overlay is intended for areas within walking distance of a transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.
- ◇ This site, in fact, lies within two TOD overlays, including the Red Line and the Blue Line, identified with a District Center typology, as well as the Central Business District typology.
- ◇ Red Line - This site is located within a ½ mile walk of the Fletcher Place transit stop located at the intersection of Virginia Street and Merrill Street with a District Center typology.
- ◇ Blue Line – This site is located within a ¼ mile walk of the proposed transit station located at the intersection of U.S. 40 (Washington Street) and Southeastern Avenue / Shelby Street with a Central Business District typology.
- ◇ District Center stations are located at the center of regionally significant districts with several blocks of retail or office at their core. Development opportunities include infill and redevelopment, dense residential, employment near transit stations, neighborhood retail and a focus on walkability and placemaking.
- ◇ Characteristics of the District Center typology are:
 - A dense mixed-use hub for multiple neighborhoods with tall buildings
 - Minimum of 3 stories at core with no front or side setbacks
 - Multi-family housing with a minimum of 5 units
 - Structured parking only with active first floor
- ◇ Characteristics of the Central Business Center typology are:
 - The densest core of the city with the tallest buildings
 - Mix of office, entertainment, civic retail, active public place and residential
 - Minimum of 5 stories throughout with no front or side setbacks
 - Structure parking only with active first floor

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Environmental Public Nuisances

- ◇ The purpose of the Revised Code of the Consolidated City and County, Sec.575 (Environmental Public Nuisances) is to protect public safety, health and welfare and enhance the environment for the people of the city by making it unlawful for property owners and occupants to allow an environmental public nuisance to exist.
- ◇ All owners, occupants, or other persons in control of any private property within the city shall be required to keep the private property free from environmental nuisances.
- ◇ Environmental public nuisance means:
 1. Vegetation on private or governmental property that is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and that has attained a height of twelve (12) inches or more;
 2. Vegetation, trees or woody growth on private property that, due to its proximity to any governmental property, right-of-way or easement, interferes with the public safety or lawful use of the governmental property, right-of-way or easement or that has been allowed to become a health or safety hazard;
 3. A drainage or stormwater management facility as defined in Chapter 561 of this Code on private or governmental property, which facility has not been maintained as required by that chapter; or
 4. Property that has accumulated litter or waste products, unless specifically authorized under existing laws and regulations, or that has otherwise been allowed to become a health or safety hazard.
- ◇ Staff would request a commitment that emphasizes the importance of maintaining the site in a neat and orderly manner at all times and provide containers and receptacles for proper disposal of trash and other waste.

Department of Public Works

- ◇ The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 39-foot half right-of-way along Shelby Street (primary arterial). This dedication would also be consistent with the Marion County Thoroughfare Plan.

C-S Statement

- ◇ The C-S Statement, file-dated December 14, 2023, states that the site would be developed as a housing hub with approximately 50 apartment units for those experiencing homelessness, including both individuals and families. The living units would be comprised of efficiencies, one- and two bedrooms.

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- ◇ Executive and staff offices would be included in the development. Available services would include case management, food pantry, commercial kitchen / cafeteria, medical clinic / healthcare coordination and shower / restroom facilities.
- ◇ The proposed development would also function as an emergency shelter for individuals and families with no defined length of stay.
- ◇ Pets would be permitted, and outdoor seating / gathering spaces would be available.

Site Plan

- ◇ The site plan, file-dated December 14, 2023, is conceptual that provides for one two-story building on the northern triangular configuration parcel, a larger two- to four-story building on the central portion of the site comprised of five parcels and a parking lot on the southern portion of the site providing approximately 23 parking spaces.
- ◇ Proposed total building area would be approximately 90,000 and approximately 38 total parking spaces.
- ◇ Because of the proposed C-S rezoning, Administrator Approval would be required for the site plan, landscape plan, building elevations, signage, and lighting (photometric) plan.
- ◇ Review of the finalized plans would include, but not limited to, consideration of the following items and / or features: minimum or preferably lack of encroachment of the overall development into the clear sight triangles; architectural design that is compatible and well-integrated with the surrounding land uses; strong pedestrian connectivity throughout the development and public streets; appropriate green / open space to serve all ages of the residents / clients; landscaping that meets or exceeds Ordinance requirements; and project signage that complies with the Sign Regulations.

Planning Analysis

- ◇ The request would not be consistent with the Comprehensive Plan recommendation of light industrial typology or the industrial reserve overlay, but The Pattern Book guidelines recommend that light industrial uses be removed as a land use adjacent to living typologies.
- ◇ This site also lies within two TOD overlays (Red Line and Blue Line) with District Center and Central Business District typologies, both of which recommend mixed-use, including residential uses, with a minimum building height of three to five stories,
- ◇ For approximately ten years living typologies have been introduced to this area by rezonings to the D-8 district between the railroad right-of-way to the west and Shelby Street to the east. It should also be noted that historically, this area was developed residentially.

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- ◇ For all these reasons, staff supports and believes this request would generally be compatible with the adopted land use plans and the current ongoing redevelopment of this area. The surrounding land uses would not be negatively impacted with the required Administrator Approval that would address those items listed above.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

I-4 (TOD) Vacant land

SURROUNDING ZONING AND LAND USE

North -	I-4 (TOD)	Industrial uses
South -	I-4 (TOD)	Vacant land / Railroad right-of-way
East -	I-3 (TOD)	Industrial uses
West -	D-8 (TOD)	Single-family dwellings

COMPREHENSIVE PLAN

The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends light industrial typology.

Marion County Land Use Pattern Book (2019).

The Blue Line Transit-Oriented Development Strategic Plan (2018).

The Red Line Transit-Oriented Development Strategic Plan (2021).

THOROUGHFARE PLAN

This portion of East Georgia Street is designated in the Marion County Thoroughfare Plan as a local street, with an existing 54-foot right-of-way and a proposed 48-foot right-of-way.

This portion of Shelby Street is designated in the Marion County Thoroughfare Plan as a primary arterial, with an existing 68-foot right-of-way and a proposed 78-foot right-of-way.

This portion of Bates Street is designated in the Marion County Thoroughfare Plan as a local street, with an existing 60-foot right-of-way and a proposed 48-foot right-of-way

CONTEXT AREA

This site is located within the compact context area.

OVERLAY

This is located within an Industrial Reserve overlay and two Transit Oriented Development (TOD) overlays.

C-S STATEMENT

File-dated December 14, 2023

CONCEPTUAL SITE PLAN

File-dated December 14, 2023

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ZONING HISTORY

2006-UV2-018; 1007, 1011, and 1015 East Georgia Street (west of site), requested a variance of use of the Industrial Zoning Ordinance to provide for continued lawn mower sales and repair (not permitted), and used carpet sales (not permitted), as permitted temporarily by petition 2001-UV1-016 until May 1, 2006, **granted**.

2001-UV1-016; 1007-1015 East Georgia Street (north of site), requested a variance of use of the Industrial Zoning Ordinance to provide for lawn mower sales and repair, and carpet sales in I-4-U, as previously approved by 96-UV3-43, **granted (temporary for five years, exclusive to petitioner)**.

96-UV3-43; 1007-1015 East Georgia Street (east of site), requested a variance of use of the Industrial Zoning Ordinance to provide for lawn mower sales and repair, carpet sales, and light mechanical automobile repair in I-4-U, **granted (temporary for five years, exclusive to petitioner)**.

VICINITY

2019-CZN-839 / 2019CVR-839; 960, 1002, 1006, 1010 and 1014 Bates Street and 1001 East Georgia Street (west of site), requested rezoning of 0.73 acre from the I-4 district to the D-8 district and variances or development standards to legally establish and provide for three single-family dwellings and detached garages with reduced side setbacks and separation between dwellings, **approved and granted**.

2013-CZN-835 / 2013-CVR-835; 939, 943, 947, 954, 958 and 964 East Georgia Street (west of site), requested rezoning of 0.50 acre from the I-4U district to the D-8 classification to provide for single-family development and variances of development standards to legally establish reduced setbacks and open space and provide for detached garages with reduced setbacks, **approved and granted**.

2008-SE2-004; 229 South Shelby Street (east of site), requested a Special Exception of the Industrial Zoning Ordinance to provide for the operation of a motor vehicle salvage operation, in I-4-U, **withdrawn**.

2003-UV2-043; 1127 Bates Street (east of site), requested a variance of use and development standards of the Industrial Zoning Ordinance to provide for the continued operation of a motor vehicle salvage business, with a zero-foot west side setback, in I-4-U, **granted (later dismissed because conditions were not met)**.

99-Z-186; 1133 East Georgia Street (east of site), requested a rezoning of 1.597 acres from SU-9 to I-3-U to provide for medium intensity urban industrial development, **approved**.

99-UV1-48; 1101-1129 East Georgia Street (east of site), requested a variance of use and development standards of the Industrial Zoning Ordinance to provide for an alcohol and drug treatment and recovery center with a parking area within the required front yards of Georgia and Shelby Street, with off-street loading utilizing an adjacent alley for vehicle maneuvering and loading, **granted**.

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99-UV1-19; 1129-1225 East Georgia Street (east of site), requested a variance of use and development standards of the Industrial Zoning Ordinance to provide for an alcohol and drug treatment and recovery center, with parking within the required front yards along Georgia and Leota Streets, **granted**.

97-UV2-36, 1002 Bates Street (west of site), requested a variance of use and development standards of the Industrial Zoning Ordinance to provide for construction of a 22 by 24-foot detached garage for an existing single-family dwelling, with reduced setbacks, **denied**.

95-UV3-78; 1135 East Bates Street (east of site), requested a variance to provide for an auto-salvage business, in I-4-U, **granted for two years**.

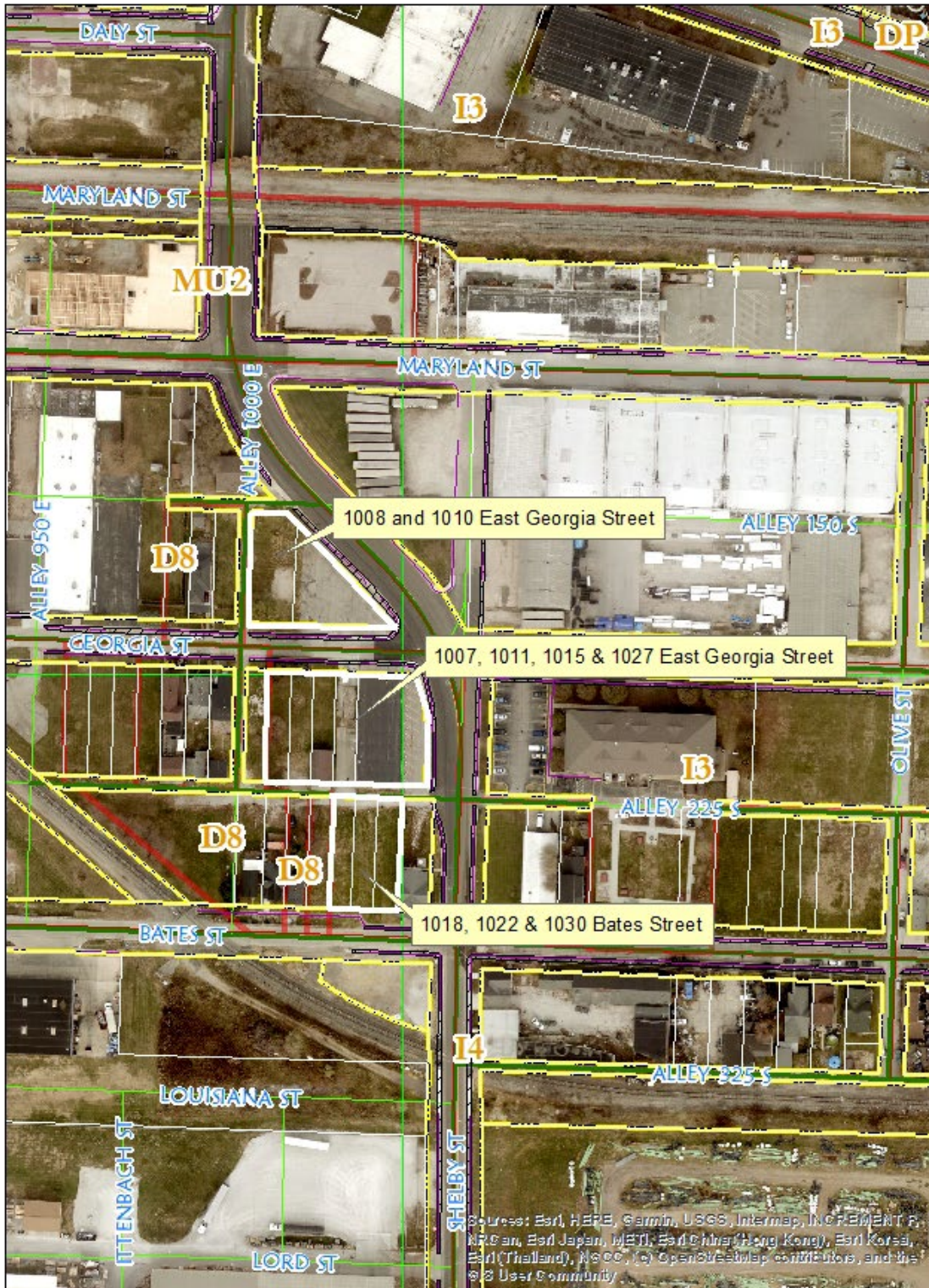
94-Z-116; 1129-1225 East Georgia Street (east of site), requested a rezoning of 2.66 acres, being in the SU-9 District, to the I-3-U classification, **approved**.

94-VAC-25; 1101 East Georgia Street (east of site), requested a vacation of 11.45 feet in width from the south right-of-way line of Georgia Street, from Shelby to Leota Streets, a portion of the alley south of Georgia Street, and a portion of Olive Street, **approved**

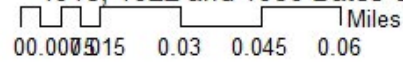
93-UV3-51; 1135 East Bates Street (east of site), requested a variance to provide for an auto-salvage business, in I-4-U, **granted for one year**.

90-Z-197; 1129-1225 East Georgia Street (east of site), requested a rezoning of 2.66 acres, being in the I-4-U District, to the SU-9 classification, **approved**.

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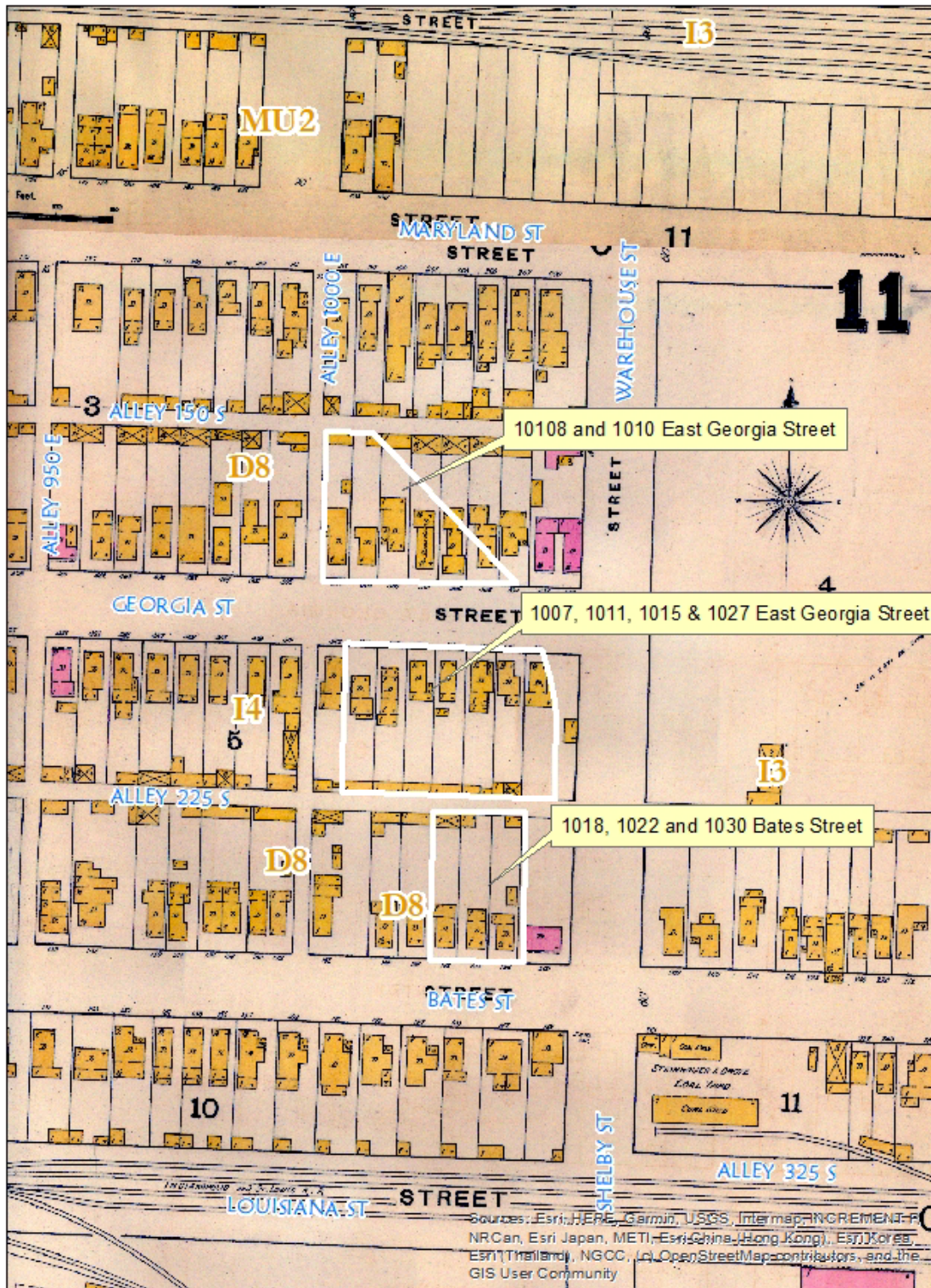


1007, 1008, 1010, 1011, 1015 & 1027 East Georgia Street
 1018, 1022 and 1030 Bates Street

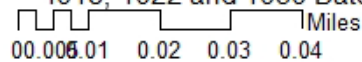


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1898 Sanborn Map



1007, 1008, 1010, 1011, 1015 & 1027 East Georgia Street
1018, 1022 and 1030 Bates Street



C-S Statement

1007, 1008 1010, 1011, 1015, 1019 (aka 1027), 1027 E Georgia St
& 1018, 1022, 1030 (aka 1026) Bates St (the “Site”)

Petitioner respectfully requests that the Site be rezoned to the C-S district to develop a housing hub for those experiencing homelessness, which will include but not be limited to the following uses:

Day Services Center

- Executive and Staff Offices
- Case Management and Services
- Access to shower, restroom, mail, cafeteria, vital documents and food pantry
- Commercial kitchen and accompanying cafeteria

Master Leased Apartments

- Approximately 50 interim apartment units
- Efficiencies, 1 and 2 Bedroom
- Some tenants may remain long-term
- May be converted to permanent supportive housing in future

Emergency Shelter

- Individual and family “pods” (private cubicle with a door and bed(s))
- Single occupancy restroom/shower facilities
- No defined length of stay

Health Center

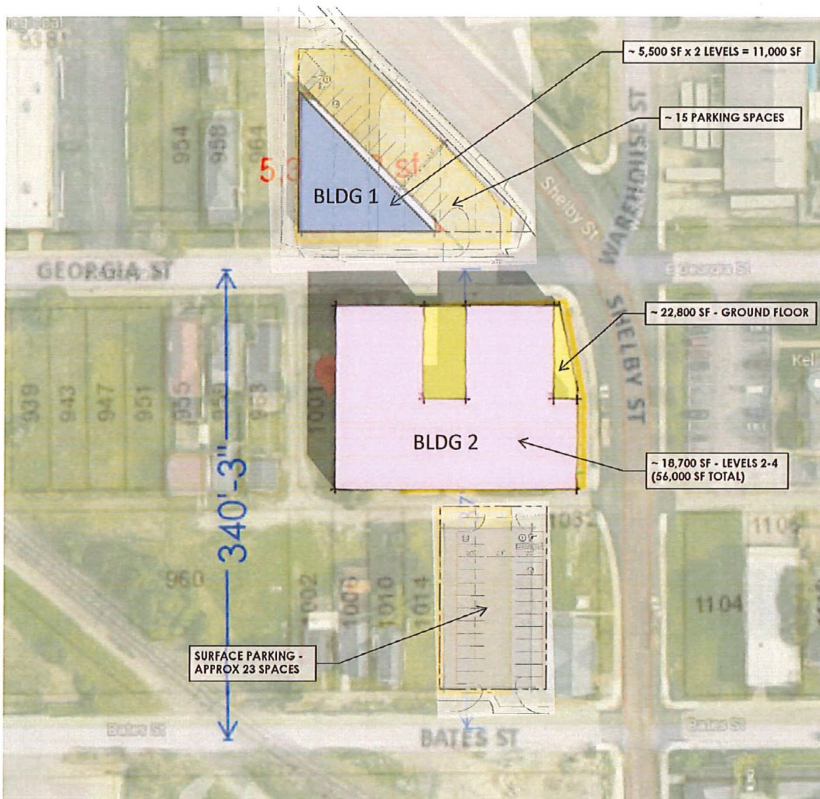
- Medical clinic – may be a Federally Qualified Health Clinic (FQHC)
- Access to wound care, medical respite
- Healthcare coordination

Incidental Uses

- Pets may be allowed
- Some outdoor seating/gathering space may be provided
- Parking
- Loading area for deliveries, maintenance, donations, kitchen

Attached as Exhibit A is a proposed preliminary Conceptual Site Plan, which approximately depicts the improvements on the Site proposed by Petitioner (“Conceptual Site Plan”). Prior to development of the Site, a final site plan depicting the size and location of improvements, landscaping, signage, parking and access to/from the Site shall be submitted for Administrator’s approval, which shall not be unreasonably withheld.

Exhibit A



PROPOSED TOTAL BUILDING AREA:
APPROX. 90,000 GSF

PARKING TOTAL: ~38 SPACES



View from northern portion of site looking north along Shelby Street



View from northern portion of site looking southeast across intersection of Shelby Street and East Georgia Street



View looking east along East Georgia Street



View looking west along East 19th Street



View of central portion of site (large building) looking south across East Georgia Street



View of central portion of site looking southwest across East Georgia Street



View from site looking west



View looking north along Shelby Street from central portion of site



View from site looking east across Shelby Street



View looking west along Bates Street



View of southern portion of site (proposed parking lot) looking north across Bates Street



View of southern portion of site (proposed parking lot) looking northeast across Bates Street



View of southern portion of site (proposed parking lot) looking northwest across Bates Street



View looking east along Bates Street



View of central portion of site looking west across the intersection of Shelby Street and East Georgia Street



View of central portion of site looking southwest across the intersection of Shelby Street and East Georgia Street