

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-ZON-005 (Amended)
Address: 1405 Deloss Street (*Approximate Address*)
Location: Center Township, Council District #17
Petitioner: K&D Epic Holdings, LLC, by Peter Gundy
Request: Rezoning of 0.08 acre from the I-2 district to the D-8 district to provide for a single-family dwelling.

This petition was heard by the Hearing Examiner on February 23, 2023. After a full hearing, the Hearing Examiner recommended approval of the petition. The Hearing Examiner's decision was appealed by a remonstrator and set for hearing by the Metropolitan Development Commission on March 15, 2023. The Hearing Examiner's memorandum can be found below.

RECOMMENDATION

Staff **recommends approval** of this request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

- ◇ This site was platted as a lot in 1873 as part of Allen, Root and English's 2nd North Woodlawn Addition. Historic mapping indicates that a dwelling was located on the site as early as 1898 and perhaps earlier. The dwelling was demolished in 2000/2001 and the site has remained vacant since that time.
- ◇ The lots immediately to the west were originally developed with dwellings, but the industrial building that now sits on those lots dates back at least to the mid-1960s.
- ◇ The 2018 Comprehensive Land Use Plan recommends Traditional Neighborhood for the subject site. This typology envisions a full spectrum of housing types, ranging from single family homes to large-scale multi-family housing with a development pattern that is compact and well-connected. This typology usually has a residential density of five to fifteen dwelling units per acre, but a higher density in proximity of a transit line, greenway, or park.

(Continued)

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ZONING

- ◇ This petition requests a rezoning to the D-8 district. The D-8 district is a unique district designed for application in older, developed urban areas. The district allows all forms of residential development except mobile dwellings. The district is designed to provide for the wide range and mixture of housing types found in older, inner-city neighborhoods, as well as along older residential/commercial thoroughfares. A fine-grain of accessibility is provided and must be maintained.
- ◇ The D-8 district is appropriate as it is responsive to the Traditional Neighborhood recommendation of the Comprehensive Land Use Plan and to the existing pattern of development in the vicinity.

GENERAL INFORMATION

EXISTING ZONING, CONTEXT AREA, AND LAND USE

I-2	Compact	Vacant lot
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SURROUNDING ZONING AND LAND USE

North	I-2	Single-family dwelling
South	D-5	Single-family dwelling
East	D-8	Single-family dwelling
West	I-2	Roofing contractor

COMPREHENSIVE LAND USE PLAN	The Center Township Comprehensive Plan (2018) recommends Traditional Neighborhood.
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THOROUGHFARE PLAN	Deloss Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Local Street, with a 50-foot existing right-of-way and a 48-foot proposed right-of-way.
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FLOODWAY / FLOODWAY FRINGE	This site is not located within a floodway or floodway fringe.
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WELLFIELD PROTECTION DISTRICT	This site is not located within a wellfield protection district.
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ZONING HISTORY – SITE

None

(Continued)

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ZONING HISTORY – VICINITY

2022-DV1-011; 1422 English Avenue (southwest of site), requested variances of development standards to legally establish deficient setbacks and to provide for excessive building height and deficient setbacks and open space, **withdrawn**.

2021-ZON-014; 1400 English Avenue (southwest of site), requested the rezoning of 1.85 acre from the SU-1 district to the D-P district to provide for 31 single-family attached dwellings and six single-family detached dwellings for a density of 20 residential units per acre, **approved**.

2018-CZN-836 / 2018-CVR-836 / 2018-CPL-836; 1409, 1434 & 1426 - 1448 Deloss Street (east and northeast of site), requested the rezoning of 0.25 acre from the I-2 district to the D-8 district, requested variances of development standards to provide for deficient building separation and deficient side setbacks, and requested the platting of 0.58 acre into ten single-family attached lots, **rezoning and plat were approved, the variances were withdrawn**.

2018-ZON-044; 1426, 1430, 1448, & 1446 Deloss Street (northeast of site) requested the rezoning of 0.5 acre from the I-2 district to the D-8 district, **approved**.

97-Z-81; 1402 English Avenue (southwest of site), requested the rezoning of 1.8 acre from the C-1 and I-2 districts to the SU-1 district, **approved**.

klh

STAFF REPORT 2023-ZON-005, Location



STAFF REPORT 2023-ZON-005, Aerial photograph (2022)



MEMORANDUM OF EXAMINER'S DECISION

2023-ZON-005 (amended)

1405 Deloss Street

The petition requests the rezoning of 0.08 acre from the I-2 district to the D-8 district to provide for a single-family dwelling.

Because this petition was on the expedited portion of the docket, your Hearing Examiner did not visit the site prior to the hearing. A remonstrator appeared at the hearing, and the petition was removed from the expedited portion of the docket.

The petitioner's representative stated a desire to build a residence on this lot, which is consistent with the Comprehensive Plan recommendation of traditional neighborhood and is consistent with recent redevelopment in the area. He emphasized that one residence is proposed for one lot.

The remonstrator owns the roofing company west of the subject site, and purchased his site about nine years ago. He stated concern that the requested rezoning would put his site in non-compliance. He presented a letter of opposition signed by two other business owners, and the letter cited recent redevelopment in the area and its potential impact on these businesses.

Staff explained the history of the site being platted about 150 years ago, and it containing a residence until about 20 years ago. This area has again become attractive for residential redevelopment, because of an interest to live closer to downtown. Staff also clarified that any existing businesses are grandfathered for both use and development.

In your Hearing Examiner's opinion, the requested rezoning of this 0.08 acre is consistent with residential redevelopment in the area and is consistent with the Comp Plan. Approval of this petition was recommended.

For Metropolitan Development Commission Hearing on March 15, 2023

STAFF REPORT 2023-ZON-005, Photographs



Looking south at the subject site from Deloss Street.



Looking east along Deloss Street from the site.



Looking west along Deloss Street from the subject site.



Looking north across Deloss Street from the subject site.