

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-ZON-105
Address: 5935 West 86th Street (*Approximate Address*)
Location: Pike Township, Council District #1
Petitioner: Ragin McQuade - Bohler Engineering
Request: Rezoning of 1.345 acres from the C-3 district to the C-4 district to provide for a car wash.

ADDENDUM FOR THE JANUARY 25, 2024 HEARING EXAMINER

This petition was continued for cause from the December 14, 2023 hearing to the January 25, 2024 hearing at the request of a registered neighborhood organization. Staff continues to **recommend approval** of the request.

December 14, 2023

RECOMMENDATIONS

Staff **recommends approval** of the rezoning.

SUMMARY OF ISSUES

LAND USE

- ◇ The 1.345-acre site is developed with a commercial building that was previously used as a bank.
- ◇ The site is bordered to the east by an extended stay hotel, zoned C-3 and C-4, to the south by offices, zoned C-3, to the west across Northwest Boulevard by a gas station, zoned C-4, and to the north across 86th Street by bank and restaurant, zoned C-S.

REZONING

- ◇ The subject site is zoned C-3. The C-3 District is for the development of an extensive range of retail sales and personal, professional, and business services required to meet the demands of a fully developed residential neighborhood, regardless of its size. Examples of such types of uses include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail, and personal and professional service establishments. At this neighborhood scale of retail, a fine-grain of accessibility requisite for all modes of travel must be provided and maintained. It does not make provision, however, for those businesses that draw customers in significant numbers from well beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators, such as theaters.

(Continued)

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- ◇ The C-4 District is designed to provide for the development of major business groupings and regional-size shopping centers to serve a population ranging from a community or neighborhoods to a major segment of the total metropolitan area. These centers may feature a number of large traffic generators such as home improvement stores, department stores, and theatres. Even the smallest of such freestanding uses in this district, as well as commercial centers, require excellent access from major thoroughfares. While these centers are usually characterized by indoor operations, certain permitted uses may have limited outdoor activities, as specified.
- ◇ The Comprehensive Plan recommends community commercial development. The Community Commercial typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.

Staff Analysis

- ◇ The rezoning request would allow for a car wash to be developed on site, which is not permitted in the existing C-3 district.
- ◇ The petitioner informed staff that their intent is to demolish the existing bank building and to propose new construction on site.
- ◇ Staff notified the petitioner that all use-specific standards related to the Automobile and Light Vehicle Wash as listed in Article III. Section 05.D. of the Ordinance would apply. These standards are provided below.

D. Automobile and Light Vehicle Wash

1. In the Regional Center and North Meridian Street Corridor district, this use of any type, such as, completely indoors wash, self-service wash, automatic or semi- automatic wash, shall not be permitted on any lot with frontage on Meridian Street, Washington Street, Market Street, or located on any lot within the Mile Square.
 2. No drying, cleaning, polishing, dispensing of fuel, or other comparable operation shall be conducted within any required yard or required transitional yard.
 3. The use shall not be located within 100 feet, measured in any direction, of a protected district. (See Section 743-301 and Section 740-308)
 4. The exit drive as measured from the vehicle exit of the washing mechanism or activity to the pavement edge of the street shall be a minimum of 100 feet in length.
 5. The surface and drainage treatment at the exit drive shall be designed so that no water accumulates on the surface or flows onto the public right-of-way as a result of the vehicle wash operations.
- ◇ This use would also be limited with the location of stacking spaces, drive-through lanes, etc. Staff does not typically support variances where new construction occurs since there is the opportunity to meet the standards of the Ordinance. No variances have been requested with this request.

(Continued)

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- ◇ With the development of a new building on site, sidewalk installation along Northwest Boulevard would be required.
- ◇ Because the proposed zoning district would align with the community commercial recommendation of the Comprehensive Plan, staff is supportive of the rezoning request.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

C-3	Metro	Vacant Bank Building
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SURROUNDING ZONING AND LAND USE

North	C-S	Bank and Restaurant
South	C-3	Offices
East	C-3/C-4	Hotel
West	C-4	Gas Station

COMPREHENSIVE PLAN

The Comprehensive Plan recommends community commercial development.

THOROUGHFARE PLAN

86th Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary arterial street, with a 206-foot existing right-of-way and a 134-foot proposed right-of-way.

THOROUGHFARE PLAN

Northwest Boulevard is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 100-foot existing right-of-way and a 50-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.

LAND SURVEY

File-dated November 8, 2023.

ZONING HISTORY – SITE

EXISTING VIOLATIONS

None.

PREVIOUS CASES

89-Z-135B; 6015 West 86th Street (subject site), Rezoning of 7.2 acres, being in the I-2-S district, to the C-3 classification, to provide for a commercial retail center, **approved**.

94-AP-21; 5935 West 86th Street (subject site), Approval of Modifications of Commitments to remove commitment I.3.(d) to provide for an additional ground sign, **approved**.

(Continued)

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94-V3-27; 5935 West 86th Street (subject site), Variance of Development Standards of the Sign Regulations to permit the placement of a 40 square-foot ground sign with a setback of six feet from 86th Street (minimum 15 feet required), **granted.**

ZONING HISTORY – VICINITY

2003-ZON-102; 8750 and 9550 Zionsville Road (north of site), Rezoning of 57.42 acres, being in the C-3 and C-S District, to the C-S classification to provide for office, retail, a hotel and theater uses, **approved.**

2002-ZON-164; 8450 Northwest Boulevard (southwest of site), Rezoning of 9.569 acres, being in the C-1 and C-6 district, to the HD-1 classification to provide for an inpatient orthopedic surgical hospital, **approved.**

97-Z-239; 5925 West 86th Street (east of site), Rezoning of 1.625 acres from C-3 to C-6 to provide for highway-oriented commercial uses, including a motel, **approved.**

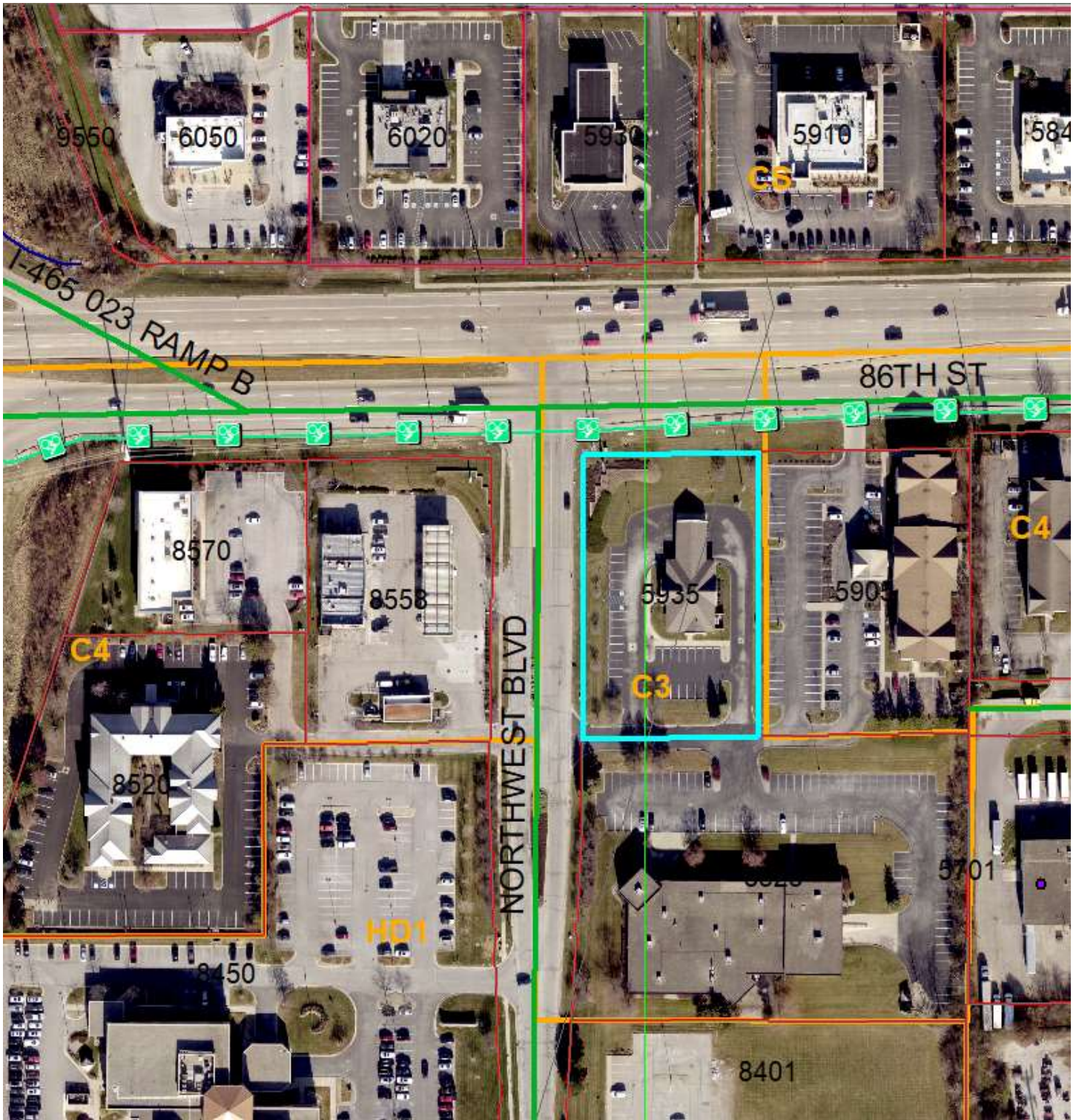
96-Z-258; 5650 West 86th Street (east of site), Rezoning of 2.199 acres from C-3 to C-4, to provide for commercial development, **approved.**

91-Z-128; 5650 West 85th Street (east of site), Rezoning of 1.85 acres, being in the C-1 District, to the C-3 classification to provide for commercial development, **approved.**

89-Z-135D; 6055 West 86th Street (west of site), Rezoning of 6.3 acres being in the A-2 and I-2-S Districts, to the C-6 classification, **approved.**

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2023-ZON-105; Location Map



2023-ZON-105; Photographs



Photo of the existing north building façade.



Photo of the existing west building façade.



Photo of the existing east building façade.



Photo of the bank and restaruant north of the site.



Photo of the sidewalk along 86th Street looking west.

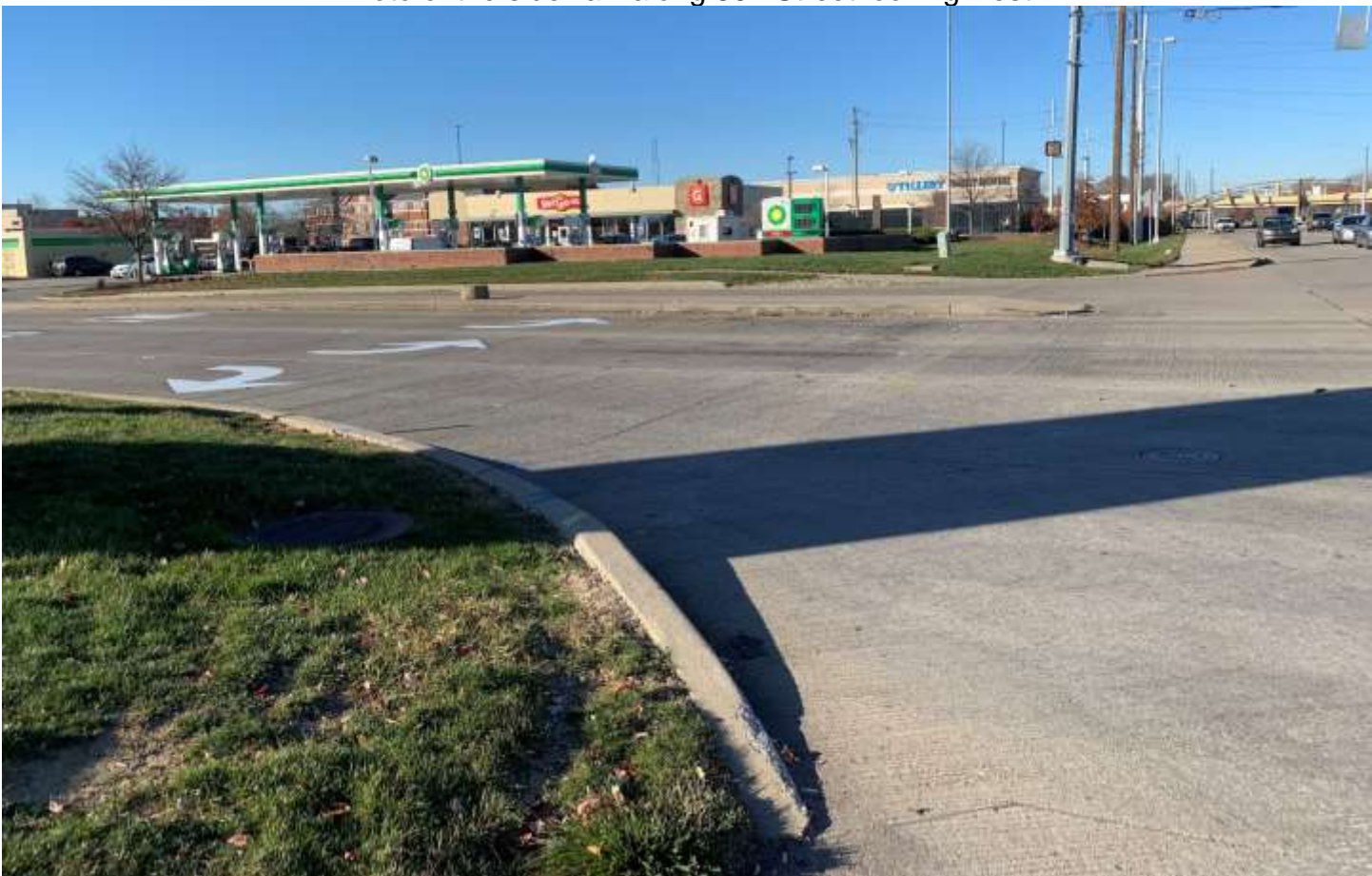


Photo of the gas station west of the site.



Photo of the end of the sidewalk along Northwest Boulevard.



Photo looking south along Northwest Boulevard where a sidewalk will need to be installed.



Photo of the offices south of the site.



Photo of the extended stay hotel east of the site.