

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

January 9, 2024

Case Number: 2024-ZON-142

Property Address: 26 West Minnesota Street, 1643,1647, and 1651 South Illinois Street
(Approximate Address)

Location: Center Township, Council District #18

Petitioner: James Farris, by Anthony Beal

Current Zoning: I-1

Request: Rezoning of 0.31-acre from the I-1 district to the D-8 classification to provide for four single-family dwellings.

Current Land Use: Residential

Staff Recommendations: Denial

Staff Reviewer: Principal Planner II, Desire Irakoze

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends denial** of the request.

PETITION OVERVIEW

LAND USE

The 0.31-acre subject site is developed with a two-family dwelling in the WM Hannaman's South Addition Subdivision in the Near Southside neighborhood.

It is bordered to the north and west by Industrial uses, zoned I-1, to the east by a Commercial Use, zoned C-1, C-3 and to the northeast, Southeast Residential, D-8 Uses. To the south by industrial business zoned I-3.

REZONING

This petition would rezone this site from the I-1 district to the D-8 district.

The I-1 district is designed for those industries that present the least risk to the public. In the I-1 district, uses carry on their entire operation within a completely enclosed building in such a manner that no

nuisance factor is created or emitted outside the enclosed building. No storage of raw materials, manufactured products, or any other materials is permitted in the open space around the buildings. Loading and unloading berths are completely enclosed or shielded by solid screening. This district has strict controls on the intensity of land use providing protection of each industry from the encroachment of other industries. It is usually located adjacent to protected districts and may serve as a buffer between heavier industrial districts and business or protected districts.

The D-8 district is intended for a variety of housing formats, with a mix of small-scale multi-unit building types. This district can be used as a part of new mixed-use areas, or for infill situations in established urban areas, including medium and high-density residential recommendations of the Comprehensive Plan, and the Traditional Neighborhood, City Neighborhood, and Village or Urban Mixed-Use Typologies of the Land Use Pattern Book.

STAFF ANALYSIS

Staff is not supportive of the rezoning to the D-8 district due to concerns about the location of the site, which would place residential dwellings in between commercial uses to the east and heavy industrial use to the west.

Surrounding Zoning and Use Concerns.

To the northeast of the subject properties, the properties located at 1634, 1634 and 1638 South Meridian Street (2001ZON083) were rezoned from D-8 & C-1 to C-3 to accommodate a Tavern. According to Article III. Section 05. H.1 (Bar or Tavern) such a use is prohibited within 100 feet of a protected district. If the current rezoning request is approved of this petition would create a non-conformity with this previously approved commercial property.

Street Frontage Concerns.

The properties located at 1643, 1647, and 1651 South Illinois Street at this time do not have any street frontage. Their only access is of S Alley 50 W. According to Sec. 740.807 (Street frontage requirements), the applicant would not be permitted to obtain building permits for this lots with ought adequate street frontage.

Only the property at 26 W Minnesota abuts a constructed street frontage would allow for the continued residential use of the site to be permitted in line with the context of the surrounding area and historical residential use of the site per a 1927 Sanborn Map.

Comprehensive Plan

The comprehensive plan shows this area as Community Commercial, and light industrial, both of which do not support residential structures. To the east, the properties have a village Mixed-Use, which would support residential dwellings. However, they have been developed as Commercial use. Approving this rezoning would place three new dwelling units in between commercial to the east and Heavy Industrial uses to the west.

Given the lack of street frontage, the conflicting land uses in the area, and the comprehensive Plan's land use designations, staff recommends that the rezoning request be denied. The proposed residential development would not be consistent with the surroundings area's land use patterns and would create an isolated residential environment placed between commercial and heavy industrial uses.

GENERAL INFORMATION

Existing Zoning	I-1		
Existing Land Use	Residential		
Comprehensive Plan	Community Commercial		
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>	
	North:	I-1	Industrial Business
	South:	I-3	Industrial Business
	East:	C-1, C-3, D-8	Commercial Uses, Residential
	West:	I-1	Industrial Use
Thoroughfare Plan			
Minnesota St	Local Street	48-foot proposed right-of-way and 50-foot existing right-of-way. 48-foot proposed right-of-way	
Illinois St	Local Street		
Context Area	Compact		
Floodway / Floodway Fringe	No		
Overlay	No		
Wellfield Protection Area	No		
Site Plan	N/A		
Site Plan (Amended)	N/A		
Elevations	12/11/24		
Elevations (Amended)	N/A		
Landscape Plan	N/A		
Findings of Fact	N/A		
Findings of Fact (Amended)	N/A		
C-S/D-P Statement	N/A		

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends Community Commercial development for the subject site.
- 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.
- The **Light Industrial** typology provides for industrial, production, distribution, and repair use 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.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Thoroughfare plan proposed Illinois Street 48-foot right-of-way.
- Bicycle Master Plan Bikeway proposed along S Meridian Street.
- Greenways Master Plan: Not Applicable to the Site.
- Pedestrian Plan Priority Area: Tier 3

ZONING HISTORY

Zoning History - Vicinity

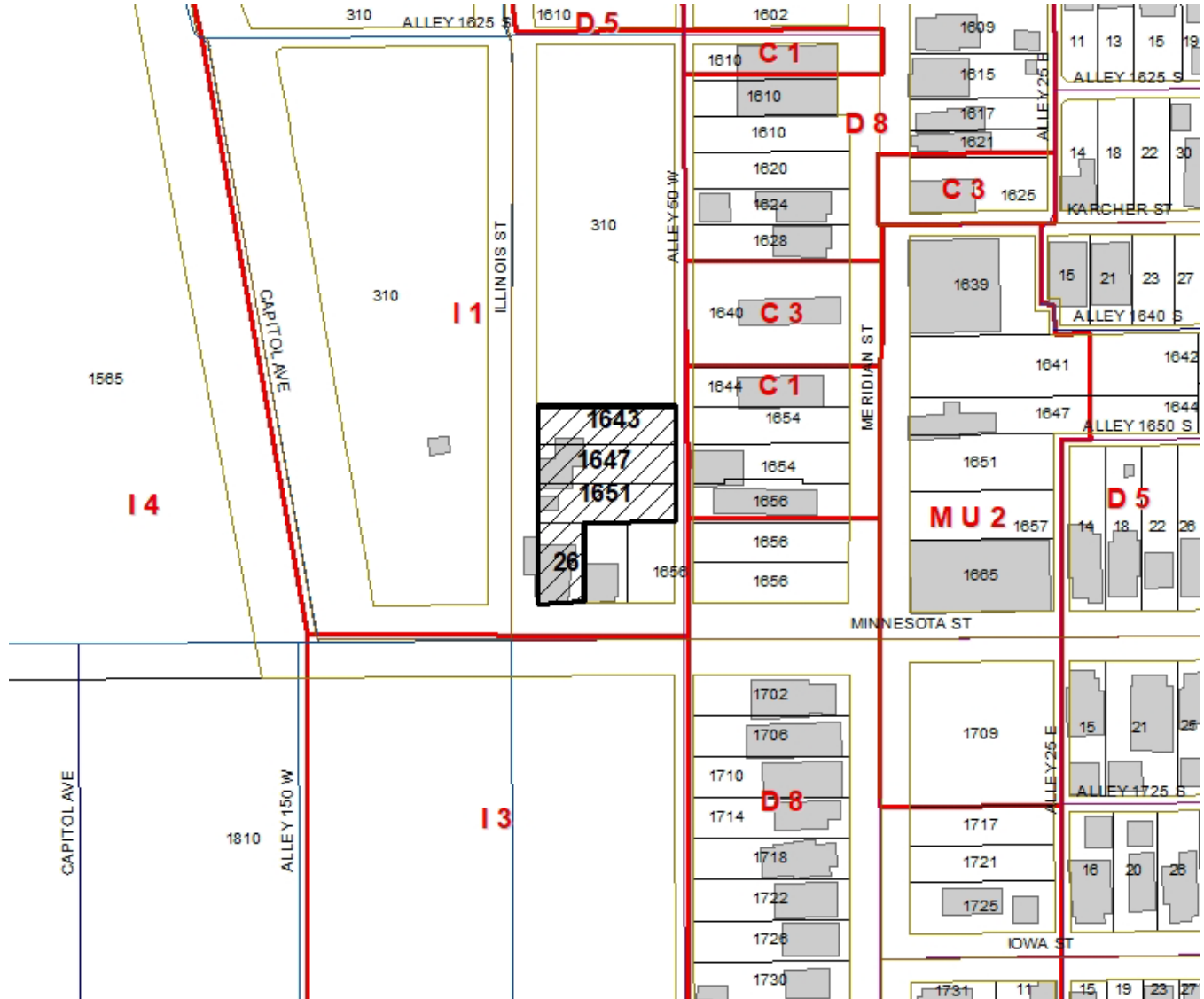
2001ZON083; 1634,4634 and 1638 South meridian Street (east of site), rezone 0.25 acre from D-8 and C-1 to C-3 to provide for a tavern and grill. **Approved.**

2003ZON157; 1639-1669 South Meridian Street (east of Site), Rezoning of 0.82-acre, being in the D-8 and C-1 Districts to the C-3-C Classification to provide for Neighborhood Commercial Uses. **Approved**

2018ZON014; 1665 South Meridian Street, (east of site), Rezoning of 0.05-acre, from the D-8 District to the MU-2 Classification. **Approved**

2021ZON097; 1747 South Meridian Street (east of site), Rezoning of 0.09-acre from the C-1 to the D-8 District. **Approved.**

EXHIBITS



The map shows a grid of streets and buildings. Key streets include Capitol St, Madison St, and Illinois St. A red rectangle highlights a building at the intersection of Madison St and a street labeled 'N. W. MAN'. The map includes numerous handwritten annotations and numbers, suggesting it is a working document for research or mapping.



Photo of the subject site looking north.



Photo of property west of subject site.



Photo of Access S Alley 50 W.



Photo of South Illinois Street