



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 23, 2024

Case Number: 2024-ZON-047
Property Address: 5660 Minnesota Street
Location: Wayne Township, Council District #17
Petitioner: Jason Mansfield
Current Zoning: D-3
Request: Rezoning of 1.29 acres from the D-3 district to the I-2 district to provide for light industrial uses.
Current Land Use: Residential uses
Staff Recommendations: Approval, subject to the commitment noted below.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first public hearing on this petition.

STAFF RECOMMENDATION

Approval, 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:

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 / receptables provided for the proper disposal of trash and other waste.

PETITION OVERVIEW

This 1.29-acre site, zoned D-3, is developed with a single-family dwelling and an accessory building. It is surrounded by industrial uses to the north, zoned I-3; industrial uses to the south, across West Minnesota Street, zoned I-2; a single-family dwelling to the east, zoned D-3; and industrial uses to the west, zoned I-3.



The request would rezone the site to the I-2 district to provide for light industrial uses. “The I-2 district is for those industries that present minimal risk and typically do not create objectionable characteristics (such as dirt, noise, glare, heat, odor, etc.) that extend beyond the lot lines. Outdoor operations and storage are completely screened if adjacent to protected districts and are limited throughout the district to a percentage of the total operation. Wherever possible, this district is located between a protected district and a heavier industrial area to serve as a buffer. For application to the older industrial districts within the central city, standards specifically accommodate the use of shallow industrial lots.”

The Comprehensive Plan recommends light industrial typology for the site.

As proposed, this request would be consistent with the Comprehensive Plan recommendation. The Pattern Book, however, removes industrial uses as a recommended land use if adjacent to living typologies. This site is surrounded by industrial uses to the north, south and west. Residential uses abut the site to the east but given the required 50-foot setback along the eastern property line, staff believes an acceptable buffer would be provided.

Because of the adjacent residential uses to the east, any development on the site should comply with the required 50-foot transitional side setback. Staff would not support variance requests to decrease that setback that would result in a negative impact on the residential land use.

During the site visit, staff observed several existing mature trees. Any development on the site would include review and consideration of the Heritage Tree Ordinance provisions during the permitting process.

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.

GENERAL INFORMATION

Existing Zoning	D-3	
Existing Land Use	Residential uses	
Comprehensive Plan	Light Industrial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	I-3	Industrial uses
South:	I-2	Industrial uses
East:	D-3	Single-family dwelling
West:	I-3	Industrial uses
Thoroughfare Plan		
West Minnesota Street	Primary Collector	Existing 90-foot right-of-way and proposed 90-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	N/A	
Site Plan (Amended)	N/A	
Elevations	N/A	
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

- The Comprehensive Plan recommends Light Industrial Neighborhood typologies. 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.

Pattern Book / Land Use Plan

- *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.

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)

- The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”
- The following listed items describes the purpose, policies, and tools:
 - Classify roadways based on their location, purpose in the overall network and what land use they serve.
 - Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
 - Set requirements for preserving the right-of-way (ROW).
 - Identify roadways for planned expansions or new terrain roadways.
 - Coordinate modal plans into a single linear network through its GIS database.

ZONING HISTORY

2020-ZON-014; 5704, 5708, 5750 and 5790 West Minnesota Street; 1615, 1621 and 1629 Mickley Avenue (west of site), requested rezoning of 6.125 acres, from the D-3 and SU-46 districts to the I-2 district, **approved**.

2020-ZON-074; 5830, 5832, 5836, 5840 and 5842 West Minnesota Street, 1600 and 1616 Lindley Avenue and 5900 Plainfield Avenue (west of site), requested rezoning of 3.26 acres from the D-A, D-3 and SU-46 districts to the I-3 district, **approved**.

2020-ZON-011; 5704, 5708, 5750 and 5790 West Minnesota Street; 1615, 1621 and 1629 Mickley Avenue (west of site), requested the rezoning of 6.125 acres, from the D-3 and SU-46 districts to the I-2 district, **approved**.

2013-UV2-012; 5811 West Minnesota Street (west of site), requested a variance of use of the Industrial Zoning Ordinance to provide for a detention center, without overnight stays, **granted**.

2007-ZON-834 / 2007-VAC-834; 5818 West Minnesota Street (west of site), requested a rezoning of 2.866 acres from the A and D-3 Districts to the I-2-S classification to provide for medium industrial uses; a variance of development standards of the Industrial District Zoning Ordinance to provide for outdoor storage/operations within the setbacks and transitional yard, within 60 feet of a protected district, outdoor storage of up to 25 feet in height, and parking with the front yard; and a vacation of a portion of an alley, **approved**.

2006-ZON-115; 5704 and 5818 West Minnesota Street (west of site), requested Rezoning of 9.3 acres, being in the "A" and D-3 Districts, to the I-3-U classification to provide for medium industrial urban uses.

2006 ZON-11; 5704 and 5818 West Minnesota Street (west of site), requested a rezoning of 9.3 acres being in the A and D-3 Districts, to the I-3-U classification to provide for medium industrial urban uses, **withdrawn**.

2006-DV2-057, 1751 South Lawndale Avenue (south of site), requested a variance of development standards of the Sign Regulations to provide for the construction of a 50-foot tall, 152-square foot pole sign with a 60.67-square foot electronic variable message sign component (maximum 40-foot height permitted), **granted**.

2001-HOV-016; 1701, 1735, and 1751 South Lawndale Avenue (west of site), requested a variance of use of the Industrial Zoning Ordinance to provide for the renovation of a 25.265-square feet building with a 47.8-foot front setback from Lawndale Avenue (minimum 50-foot front setback required and a 25.2-foot side setback (minimum 30-foot side setback required), **granted**.



Department of Metropolitan Development
Division of Planning
Current Planning

99-V2-134; 1820 South Lawndale Avenue (west of site), requested variance of development standards of the Sign Regulations to provide for an advertising sign being 14 by 48 feet in size (maximum 12 by 25 feet permitted), the fourth advertising sign within a one-mile portion of interstate highway (maximum two signs per mile permitted), 400 and 625 feet from two other existing advertising signs (minimum 1,000 feet required), and 12 feet from the right-of-way of Interstate 465 (minimum 60 feet required), **denied**.

99-Z-128; 5708 West Minnesota Street (west of site), requested a rezoning of 15.168 acres from I-3-U, D-3, and C-1 to the I-3-U classification to conform zoning to an existing industrial park, **approved**.

98-V1-58; 1820 South Lawndale Avenue (west of site), requested variance of development standards of the Sign Regulations to provide for an advertising sign being 14 by 48 feet in size (maximum 12 by 25 feet permitted); 500, 600, 750, and 750 feet from other advertising signs (minimum of 1,000 feet required); and resulting in five advertising signs within a one-mile portion of I-465 (maximum two advertising signs per mile permitted), **denied**.

97-V1-4; 1717 Production Drive (east of site), requested a variance of use and development standards of the sign Regulations to provide for the construction of an industrial building with: a) a 30-foot wide transitional front yard setback along Minnesota Street (minimum 100 feet required or minimum 40 feet required with enhanced landscaping); b) parking located in the transitional front yard setback long Minnesota Street (not permitted); c) loading area width of 100 feet (minimum 66 feet required); d) placement of two ground signs (maximum one free standing identification sign on a lot for each frontage on a separate street permitted), **granted**.

93-UV1-083; 5811 West Minnesota Street (east of site), requested a variance of use of the Industrial Zoning Ordinance, to provide for truck and car rental, maintenance and storage of vehicles, and offices, in an area zoned I-2-S, **granted**.

83-HOV-109; 1945 South Lawndale Avenue (west of site), requesting variance of size and spacing development standards of the Sign Regulations to allow a 14 by 48-foot advertising pole sign at 60 feet from the interstate right-of-way, **granted**.

83-HOV-96; 6001 West Minnesota Street (west of site), requesting variance of size, spacing, height and setback development standards of the Sign Regulations to allow a 10.5 by 36-foot advertising pole sign within 1,500 feet of an exit roadway, **granted**.

79-V1-24; 5501 West Minnesota Street (east of site), requesting a variance of development standards of the Industrial Zoning Ordinance to provide for a warehouse with front loading dock, **granted**.



Department of Metropolitan Development
Division of Planning
Current Planning

74-Z-74; 5696 West Minnesota Street (west of site), requesting the rezoning of 1.828 acres, being in the D-3 District, to the C-1 classification to provide for office building construction, **approved**.

73-Z-58; 5702 West Minnesota Street (west of site), requesting the rezoning of 11.36 acres, being in the D-3 District, to the I-#U classification to provide for industrial development, **approved**.

EXHIBITS



5660 West Minnesota Street



00.000 0.015 0.03 0.045 0.06 Miles



View looking west along West Minnesota Street



View looking east along West Minnesota Street



View of site looking northeast from the property to the south across West Minnesota Street



View of site looking north across West Minnesota Street



View of site looking north across West Minnesota Street



View of adjacent land uses to the south looking east



View of adjacent land use to the west of site looking north across West Minnesota Street