



METROPOLITAN DEVELOPMENT COMMISSION **May 23, 2024**
HEARING EXAMINER

Case Number: 2024-ZON-053

Property Address: 5001 East Raymond Street (approximate address)

Location: Center Township, Council District #19

Petitioner: City of Indianapolis, Department of Business and Neighborhood Services, by Michael Oberhausen

Current Zoning: D-2, D-3 (FF) (FW), D-6II (FF) (FW) and C-4 (FF)t

Request: Rezoning of 25.25 acres from the D-2, D-3 (FF) (FW), D-6II (FF) (FW) and C-4 (FF) districts to the SU-9 (FF) (FW) district to provide for government buildings and services, including a 70,000 square-foot animal care center, two dog parks, a livestock barn and outdoor area, and an outdoor kennel area.

Current Land Use: Undeveloped

Staff Recommendations: Approval

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends approval** of the request.

PETITION OVERVIEW

LAND USE

The 25.25-acre subject site is an undeveloped parcel in the Near Southeast Neighborhood. It is surrounded by single-family dwellings, zoned D-2 and D-4, and a gas station, zoned C-3, to the north. A single-family dwelling parcel, split zoned D-A and C-4, and undeveloped land, zoned D-A, are east across Emerson Avenue. The site is bordered to the west by a school, zoned SU-2, and single-family dwellings south, zoned D-3.

REZONING

The request would rezone the sites from the D-2, D-3 (FF) (FW), D-6II (FF) (FW) and C-4 (FF) districts, to the SU-9 district for to provide for government buildings and services, including a 70,000 square-foot



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animal care center, two dog parks, a livestock barn and outdoor area, and an outdoor kennel area. These uses are not permitted in the existing zoning districts of the site.

The D-2 district is intended for use in suburban areas. Ample yards, trees and passive open spaces easily serving each individual lot are envisioned for this district. The D-2 district has a typical density of 1.9 units per gross acre. Two-family dwellings are permitted on corner lots in this district. This district fulfills the lowest density recommendation of the Comprehensive General Land Use Plan. Public water and sewer facilities must be present. Development plans, which may include the use of clustering, should incorporate, and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage, and wildlife.

The D-3 district provides for low or medium intensity residential development. Land in this district should have good thoroughfare access, be relatively flat in topography, and be afforded pedestrian linkages to community and neighborhood services and facilities (schools, parks, shopping areas, etc.). Recreational facilities developed for the neighborhood complement the treed yards on the individual lots. Predominantly single-family detached dwellings are envisioned with two-family dwellings on corner lots in this district. The D-3 district has a typical density of 2.6 units per gross acre. This district fulfills the low-density residential classification of the Comprehensive General Land Use Plan. All public utilities and facilities must be present. Development plans, which may include the use of clustering, should incorporate, and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage, and wildlife.

The D-6II district is intended principally for medium intensity residential development as a transition between areas of high intensity uses and low intensity uses, or land areas characterized by more challenging terrain or unusual land configuration, such as remnant parcels of land resulting from public works improvements, exhausted mining operations, and changed intensity factors (such as between interstate highway locations, commercial development, and lower-density residential areas). Consequently, the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage, and wildlife, should be incorporated into the development plans and to promote the environmental aesthetic. Permitting a variety of housing types affords flexibility to and opportunity to fulfill the sites challenges. Selective on-site recreational facilities and open space activities must be provided to maximize efficiency, site opportunities, and residents' needs. The district should be in close proximity to major thoroughfares, sewers, school and park facilities. The D-6II district has a typical density of 9 to 12 units per gross acre fulfilling the medium density residential recommendation of the Comprehensive General Land Use Plan.

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.



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The SU-9 District permits buildings and grounds used by any department of town, city, township, county, state, or federal government.

OVERLAYS

A portion of the site along the eastern property boundary and southern portions of the site along Lick Creek are located within the 100-year flood overlay. The northwest corner of the site and the southern portion of the site along Lick Creek are located within the Forest Alliance Woodlands overlay, which are high-quality woodlands. All efforts possible should be made to preserve these woodlands.

Development would not be proposed in these areas per the conceptual site plan submitted that show the northwest grove to remain and the southern half of the site is not included as part of the development area.

FLOODWAY / FLOODWAY FRINGE

This site has a secondary zoning classification of a Floodway (FW) and Floodway Fringe (FF). The Floodway (FW) is the channel of a river or stream, and those portions of the floodplains adjoin the channels which are reasonably required to efficiently carry and discharge the peak flood flow of the base flood of any river or stream. The Floodway Fringe (FF) is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.

The purpose of the floodway district is to guide development in areas identified as a floodway. The Indiana Department of Natural Resources (IDNR) exercises primary jurisdiction in the floodway district under the authority of IC 14-28-1.

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (SU-9 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance.

Staff Analysis

Final plans will require Administrative Approval since any development on land zoned with a special use designation is regulated by the following Ordinance provision: "No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this article and until the proposed Site and Development Plan and landscape plan have been filed with and approved on behalf of the Commission by the Administrator or approved by the Commission, as hereinafter provided."

Staff notified the petitioner that a sidewalk installation along the Emerson Avenue street frontage is required per the Ordinance, which they plan to install in addition to including a cross walk from the primary building across the parking lot to the dog parks.



The existing sidewalk along Raymond Street should be cleared out and maintained as well since it is overgrown with shrubs, trees, and other plant materials.

The petitioner confirmed that there will not be any barbed wire or electrical fences proposed for the livestock barn or corrals.

As proposed, the request would be consistent with the Comprehensive Plan recommendation for suburban neighborhood development which allows for neighborhood and community serving institutions. The proposed Animal Care Services, including two dog parks, a livestock barn and outdoor area, and an outdoor kennel area, would provide services to the entire Indianapolis-Marion County community. It is planned to be developed in a single phase to include 12.6 acres of the parcel with the remaining portion of the parcel to remain for future development.

For these reasons, staff determined the rezoning request would be supportable.

GENERAL INFORMATION

Existing Zoning	D-2, D-3 (FF) (FW), D-6II (FF) (FW) and C-4 (FF)	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood and Floodway	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-2 / D-4 / C-3	Single-family dwellings / Gas station
South:	D-3	Single-family dwellings
East:	C-4 / D-A	Undeveloped / Single-family dwelling
West:	SU-2	School
Thoroughfare Plan		
Raymond Street	Primary Arterial Street	102-foot proposed right-of-way and 112-foot existing right-of-way.
Emerson Avenue	Primary Arterial Street	102-foot proposed right-of-way and 155-foot existing right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	April 18, 2024	
Site Plan (Amended)	May 14, 2024	
Elevations	May 14, 2024	
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 Comprehensive Plan recommends Suburban Neighborhood typology. “The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.”
- The Comprehensive Plan also identifies the southern portion of this site as Floodway (non-typology land use). “The Floodway category delineates areas that exhibit a great potential for property loss and damage from severe flooding, or for water quality degradation. No development should occur within the floodway. Nonconforming uses currently within a floodway should not be expanded or altered.
- This site is located within an overlay, specifically the Environmentally Sensitive Areas (ES). “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.”
- The Environmentally Sensitive Areas Overlay is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected. The purpose of this overlay is to prevent or mitigate potential damage to these resources caused by development. This overlay is also appropriate for areas that present an opportunity to create a new environmental asset. This overlay is not intended for the preservation of open space.
- The Pattern Book serves as a policy guide as development occurs, within the area recommended for suburban neighborhood typology. Below are the relevant policies related to this request:
- **Conditions for All Land Use Types**
 - ▪ All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - ▪ All development should include sidewalks along the street frontage.
 - ▪ In master-planned developments in excess of 2 acres should include pedestrian amenities for passive and active recreation internal to the development.
- **Large-Scale Schools, Places of Worship, Community Serving Institutions/Infrastructure, and Other Places of Assembly**
 - Should be located along an arterial street.

- If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
- Schools should not be within 1000 feet of a highway, freeway, or expressway.
- Should be located within one-half mile of a bus or rapid transit stop, unless there is no bus service within the institution's service area.
- In predominantly platted, single-family neighborhoods, site should be at least as wide as it is deep.
- Should be in harmony with the surrounding neighborhoods and site and screen their parking, service, and emergency vehicle areas to buffer surrounding residential uses.
- **Overlay Modifications**
 - No modification noted for Large-Scale Schools, Places of Worship, Community Serving Institutions/Infrastructure, and Other Places of Assembly.

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)

- There is an existing on-street bike lane along Raymond Street from Shelby Street to Southeastern Avenue.

ZONING HISTORY

Zoning History- Site

85-Z-114; 2353 South Riley Avenue (subject site), Rezoning of 0.15 acre being in the SU-2 district to the D-6II Classification to confirm zoning to its use by the Indianapolis Housing Authority, **approved**.

68-Z-197; 5001 to 5007 East Raymond Street (subject site), Rezoning of 26.90 acres, being in A-2, D-2, and D-3 districts to the D-6II classification to provide for the construction of an apartment complex, **approved**.

Zoning History - Vicinity

2023-DV1-052; 2251 Sloan Avenue (west of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a six-foot tall chain link fence within the front yards of Sloan Avenue and Raymond Street (chain link fencing not permitted within front yards, maximum height of 3.5 feet permitted), **denied**.

2023-ZON-072; 2143 & 2145 South Emerson Avenue (northeast of site), Rezoning of 0.94 acre from the D-3 and SU-18 districts to the D-5 district to provide for residential uses, **approved**.

2022-CVR-836A; 4800 East Raymond Street (northwest of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a six-foot tall front yard fence (maximum 3.5-foot-tall fence permitted), **approved**.

2022-CVR-836B; 4800 East Raymond Street (northwest of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for barbed wire on top of a six-foot tall fence (not permitted), **denied**.

2022-CZN-836; 4800 East Raymond Street (northwest of site), Rezoning of 15.41 acres from the SU-5, D-2 and D-A (FW) (FF) districts to the SU-5 (FW) (FF) district to provide for a radio broadcast station, and variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a six-foot tall front yard fence (maximum 3.5-foot tall fence permitted) with barbed wire (not permitted), **approved**

2017-UV2-024; 2143 & 2145 South Emerson Avenue (northeast of site), Variance of use to provide for automobile sales, storage trailers, storage of wrecked vehicles and a garage for the preparation of automobiles for sale, **denied**.

2009-ZON-004; 4813 East Raymond Street and 2320 Sloan Avenue (west of site), Rezoning of 8.36 acres, from the D-A District to the SU-1 classification to provide for religious uses, **granted**.

2006-UV1-026; 2414 South Emerson Avenue (south of site), Variance of Use and Development Standards of the Dwelling Districts Zoning Ordinance to legally establish the keeping and raising of 20 goats and sheep (not permitted) and to legally establish a 429-square foot barn with a 3.5-foot north side



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yard setback (minimum six-foot side yard setback required) and with an 11-foot aggregate side yard (minimum 16-foot aggregate side yard required), **denied**.

2003-UV2-044; 2164 South Emerson Avenue (north of site), variance of use to provide for automobile sales and a variance of development standards to provide for parking and display in the required setback and for a sign in the right-of-way, **approved except sign request, which was withdrawn**.

85-UV2-119; 2164 South Emerson Avenue (north of site), Variance of use to provide for the sales and display of automobiles, **approved**.

64-V-137; 2145 South Emerson Avenue (northeast of site), Variance of use to provide for the outdoor sales and display of automobiles, **approved**.

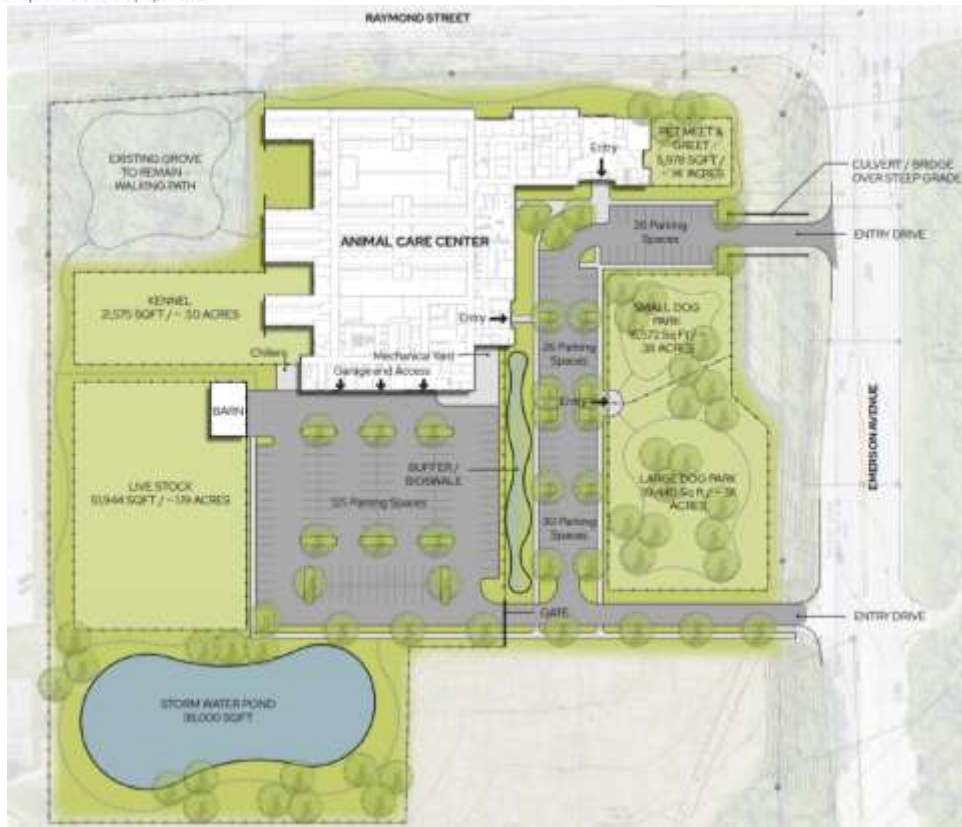
71-Z-206; 4851 East Raymond Street; (west of site), Rezoning of 18.42 acres from the D-2 District to the SU-2 classification to provide for a grade school; **approved**.

EXHIBITS





INDIANAPOLIS ANIMAL CARE CENTER
 Conceptual Site Plan | April 2024





Amended Site Plan



EXTERIOR RENDERING (RAYMOND ST. AND EMERSON AVE. INTERSECTION)

M&M Architects | Indianapolis Animal Care Services



EXTERIOR RENDERING (RAYMOND ST. SIDEWALK LOOKING WEST)

M&M Architects | Indianapolis Animal Care Services





EXTERIOR RENDERING (RAYMOND ST. LOOKING EAST)

K&M Architecture | Indianapolis Animal Care Services



EXTERIOR RENDERING (RAYMOND ST. LOOKING WEST)

K&M Architecture | Indianapolis Animal Care Services





EXTERIOR RENDERING (ENTRANCE FROM EMERSON AVENUE)

M&M Architects | Indianapolis Animal Care Services



EXTERIOR RENDERING (PLAZA SPACE FACING ADOPTION ENTRANCE)

M&M Architects | Indianapolis Animal Care Services





Photo of the subject site looking south of Raymond Street towards the northwest corner



Photo of the subject site looking south from Raymond Street.



Photo of the subject site looking southeast from Raymond Street.



Photo of the subject site looking south of Raymond Street towards the northeast corner.



Photo of the existing sidewalk along Raymond Street looking west.



Photo of the existing sidewalk along Raymond Street looking east.



Photo of the subject site looking southwest.



Photo of the subject site looking west.



Photo of the subject site looking east from the school parking lot.



Photo of the existing grove at the northwest corner of the site to remain.



Photo of the school and associated parking lot.



Single-family dwellings north of the site.



Single-family dwellings north of the site.



Gas station north of the site.



Photo the the C-4 district east of the site.



Photo of the eastern property boundary looking south on Emerson Avenue.



Photo of the eastern property boundary looking north on Emerson Avenue.



Photo of the subject site looking west from Emerson Avenue.



Photo of the eastern property boundary looking south on Emerson Avenue.



Photo of a single-family dwelling south of the subject site looking north.