

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2022-ZON-133
Address: 9425 East 30th Street (*Approximate Address*)
Location: Warren Township, Council District #14
Petitioner: God's Grace Community Church, by JoAnn Thompson
Request: Rezoning of 12.808 acres from the SU-1 district to the D-7 district to provide for a multi-family senior-living residential development.

Staff recommends that this petition be **continued from the February 9, 2023 hearing to the March 9, 2023 or hearing** to allow time for a new legal description to be submitted.

At Staff's recommendation this petition was continued from the January 12, 2023 hearing to the February 9, 2023 hearing to allow time for a new legal description to be submitted.

RECOMMENDATION

Staff has **no recommendation** at this time. However, whatever staff's future recommendation may be, it will be with the provision that the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

A 40-foot half right-of-way shall be dedicated along the frontage of 30th Street, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation.

LAND USE

- ◇ Historic aerial photography indicates that in 1937 the site was a farmstead, of which the farmhouse still stands. In the mid-1970s the first portion of the existing church building was constructed. By 1978, there were three multi-family residential complexes in the vicinity.

(Continued)

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- ◇ The Comprehensive Land Use recommends Suburban Neighborhood for the subject site. This typology primarily provides for single family dwellings, but also provides for small commercial areas and various forms of housing including multi-family dwellings under certain criteria.
- ◇ The criteria for assisted living facilities and nursing homes with the Suburban Neighborhood typology are that they should be located along an arterial or collector street, park or greenway, they should be in harmony with the surrounding neighborhoods and should place and screen their parking, service and emergency vehicle area, and they should not be within 1000 feet of a highway, freeway or expressway. This site is more than 1000 feet from a highway, freeway or expressway and is located on a secondary arterial street.

ZONING

- ◇ This petition requests a rezoning to the D-7 district. This district is intended for medium density residential development including duplexes, rowhouses, triplexes, fourplexes, multi-family dwellings and group living quarters such as assisted living facilities and nursing homes. It does not permit detached single-family dwellings. According to the Ordinance, the district should have superior street access, pedestrian linkages and on-site recreation amenities. Typical residential density is twelve to 15 units per acre. The D-7 district permits religious uses through the Special Exception process.
- ◇ The petitioner has indicated that the intention is to build a residential senior living complex.
- ◇ As submitted, the entire site would be rezoned to the D-7 district. The D-7 district permits religious uses only through the filing of a Special Exception petition. Without the Special Exception, the religious use could continue to operate, but could not expand in any way, even something as minor as adding a sign. To avoid this situation, there are two options available to the petitioner, the filing of a Special Exception or removing the land that the church structure stands on from this petition. The second option would result in the church structure retaining its SU-1 zoning district. The petitioner has decided to pursue the second option, which requires a new legal description outlining only the area to be rezoned. As of publication time, the updated legal description has not been submitted.

GENERAL INFORMATION

EXISTING ZONING, CONTEXT AREA, AND LAND USE

SU-1	Metro	Religious use
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SURROUNDING ZONING AND LAND USE

North	I-3	Trailer rental service
South	D-4	Single-family dwellings
East	D-A, D-4, SU-1	Single-family dwellings, religious use
West	D-7	Multi-family dwelling complex

COMPREHENSIVE LAND USE PLAN The Comprehensive Land Use Plan for Warren Township (2018) recommends Suburban Neighborhood.

THOROUGHFARE PLAN 30th Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Secondary Arterial, with a 50-foot existing right-of-way and an 80-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.

STREAM PROTECTION CORRIDOR This site is not located within a Stream Protection Corridor.

ZONING HISTORY – SITE

None.

ZONING HISTORY – VICINITY

2017-DV2-003; 9535 East 30th Street (east of site), requested a variance of development standards to provide for a single-family dwelling with deficient areas, setback, lot area and frontage width and for an over-size garage, **approved**.

99-Z-121; 9545 East 30th Street (northwest of site), requested the rezoning of eleven acres from the I-3-S district to the C-S district to provide for tire and tube sales and for tire retreading, **approved**.

91-Z-66; 9545 East 30th Street (east of site), requested the rezoning of seven acres from the A-2 district to the SU-1 district, **approved**.

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90-SE1-10; 9543 East 30th Street (west of site), requested an industrial special exception for a temporary concrete plant in an I-3-S district, **approved**.

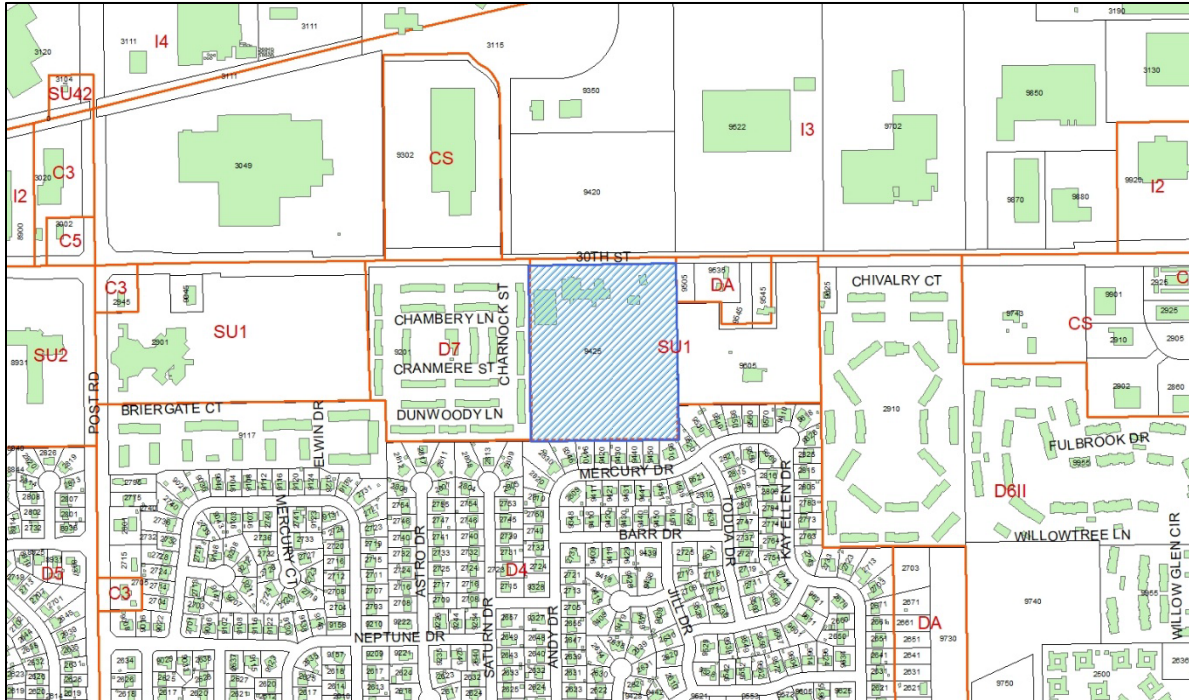
88-SE1-10; 9350 East 30th Street (west of site), requested an industrial special exception to provide for an industrial park, **approved**.

85-UV3-12; 9450 East 30th Street (north of site), requested a temporary variance of use to provide for a concrete batching plant in an I-3-S district, **approved**.

83-UV3-58; 9450 East 30th Street (north of site), requested a temporary variance of use to provide for a concrete batching plant in an I-3-S district, **approved**.

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STAFF REPORT 2022-ZON-133, Location



STAFF REPORT 2022-ZON-133, Aerial photograph (2022)



STAFF REPORT 2022-ZON-133, Photographs



Looking east at the existing church building.



Looking south at the site from 30th Street. On the right is the neighboring property to the west.



Looking south at the eastern portion of the subject site and including the historic farmhouse.



Looking southeast across the site.



Looking southwest across the site.



Looking west across the site to the neighbors to the west.



Looking west along 30th Street.



Looking northwest across 30th Street at the neighbor to the northwest.



Looking north across 30th Street at the neighbor to the north.



Looking northeast across 30th Street at the neighbor to the northeast.



Looking east along 30th Street.



Looking south along the east property line.