

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-ZON-079 (Amended)
Address: 2153 North Arsenal Avenue (Approximate Addresses)
Location: Center Township, Council District #17
Petitioner: Greater Joshua Missionary Baptist Church, by Kevin Thomas
Request: Rezoning of 0.634 acre from the I-3 district to the SU-1 district to provide for religious uses.

The Hearing Examiner continued this petition from the **from the September 14, 2023 hearing, to the October 12, 2023 hearing**, with notice at the request of staff to provide additional time for required notice.

RECOMMENDATIONS

Staff **recommends approval** of this request, 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.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

- ◇ This 0.634-acre site, zoned I-3, is undeveloped and surrounded by religious uses to the north, across East 22nd Street, zoned D-5; industrial uses to the south, zoned I-3; single-family dwellings, to the east, zoned I-3; and undeveloped land and community center to the west, across North Arsenal Avenue, zoned SU-1.

◇

REZONING

- ◇ This request would rezone the site from the I-3 District to the SU-1 classification to provide for religious uses. "The following regulations shall apply to all land within the special use zoning districts.
 1. 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.

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2. All land use within the Special Use districts shall be limited to the use or uses existing on July 6, 1966 or specified in the applicable rezoning petition or ordinance redistricting and zoning the particular land to that district.

- ◇ The Comprehensive Plan recommends light industrial typology. “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.”
- ◇ The Pattern Book lays out a land use classification system that guides the orderly development of the county, protects the character of neighborhoods and serves as a policy guide for development or redevelopment of a site.
- ◇ Because religious uses area not permitted in the light industrial typology, there are no recommendations or guidelines offered in the Pattern Book.

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.

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- ◇ 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.

Planning Analysis

- ◇ The request would not be consistent with the Comprehensive Plan recommendation of light industrial typology but would be an expansion of the religious to the north, across East 22nd Street.
- ◇ Historically, this area was a residential neighborhood with industrial uses introduced through the intervening years. Religious uses would be permitted in all the industrially zoned sites by the grant of a special exception (three have been granted in past years in this area) and would be compatible with several existing religious uses in proximity of this site, as well as the residential neighborhood to the north.
- ◇ Religious uses are generally considered compatible with residential development if they are designed and developed properly to address issues such as parking, hours of operation, outdoor activities, signs, setbacks, and landscaping.
- ◇ Consequently, staff recommends approval of the rezoning request because religious uses at this location would be compatible with the surrounding development and would not negatively impact adjacent land uses.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

I-3 Undeveloped

SURROUNDING ZONING AND LAND USE

North -	D-5	Religious uses
South -	I-3	Industrial uses
East -	I-3	Single-family dwellings
West -	SU-1	Undeveloped land / community center

COMPREHENSIVE PLAN

The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends light industrial typology.
Marion County Land Use Pattern Book (2019).

THOROUGHFARE PLAN

This portion of North Arsenal Avenue is designated in the Marion County Thoroughfare Plan as a local street, with an existing 50-foot right-of-way and a proposed 48-foot right-of-way.

This portion of East 22nd Street is designated in the Marion County Thoroughfare Plan as a local street, with an existing 50-foot right-of-way and a proposed 48-foot right-of-way
(Continued)

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CONTEXT AREA This site is located within the compact context area.

OVERLAY There is no overlay for this site.

ZONING HISTORY

2005-ZON-032; 2134-2148 North Arsenal Avenue (west of site), requested rezoning of 0.45 acre, being in the I-3-U and SU-1 Districts, to the SU-1 classification to provide for a church youth center, **approved.**

98-Z-164; 2133-2153 Dr. A.J. Brown Avenue (west of site), requested rezoning of 9 acres being in the I-3-U District to the SU-1 classification to provide for religious uses, **withdrawn**

93-Z-174, 2131- 2201 Dr. Andrew J. Brown Avenue (west of site), requested rezoning of 0.95 acre from the I-3 U and D-5 to the SU-1 classification, **approved**.

91-SE1-5; 2620 North Sherman Drive (north of site), requested a religious use Special Exception to permit church uses in an existing building, **granted**.

89-SE1-8; 2203 Columbia Avenue (west of site), requested a religious use special exception to permit additional parking for an existing church, **granted**.

88-SE3-7; 2402 Columbia Avenue (west of site), requested a religious use special exception to permit an addition to and existing church and parking, **granted**.

86-UV1-24; 2121 Sheldon Street (east of site), requested a variance of use and development standards of the Commercial Zoning Ordinance to provide for the use of an existing building for the packaging, sales, and distribution of metals without the required setbacks or off-street parking, **granted.**

84-UV2-90; 2140 North Arsenal Avenue (south of site), requested a variance of use of the Industrial Zoning Ordinance to provide for the erection and use of a 240 by 30-foot building for an asphalt paving business with towing and major repair of company trucks; granted, subsequently withdrawn due to failure of petitioner to sign commitments.

83-UV1-113; 2201 North Arsenal Avenue (north of site), requested a variance of the Dwelling Districts Zoning Ordinance to provide for the erection of a 32 by 30-foot addition to an existing church, **granted.**

83-UV2-39; 2149 North Sheldon Street (east of site), requested a variance of use of the I-3-U Industrial District Ordinance for the purpose of erecting a 25 by 30-foot addition to the rear of an existing church previously approved in variance petition 57-V-199, **granted**.

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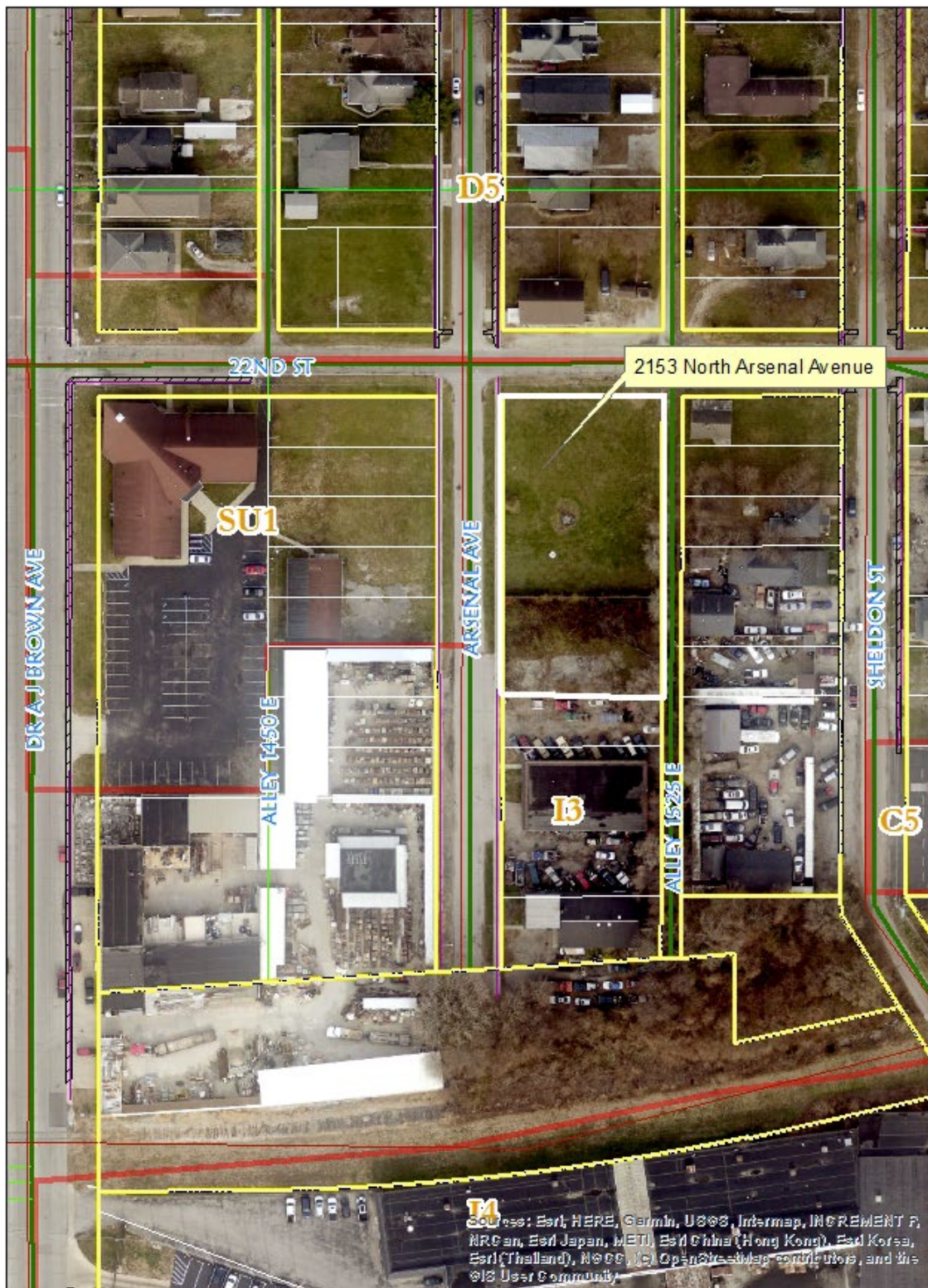
83-UV3-16; 2143, 2145, 2151, 2154 North Martindale Avenue (west of site), requested a variance of use to permit a church parking lot, **granted**.

79-Z-181; 2121 Sheldon Street (east of site), requested rezoning of 0.02 acres, being in the I-3-U District, to the C-S classification, to provide for a body shop, **approved**

79-V2-5; 2073 Martindale Avenue (west of site), requested a variance of development standards to permit the addition to an existing manufacturing plant, **granted**.

77-Z-109; 2203-2243 Columbia Avenue (west of site), requested rezoning of 2.05 acres, being in the D-5 District to the SU-1 classification to provide for construction of two additions to the existing church and additional parking, **approved**.

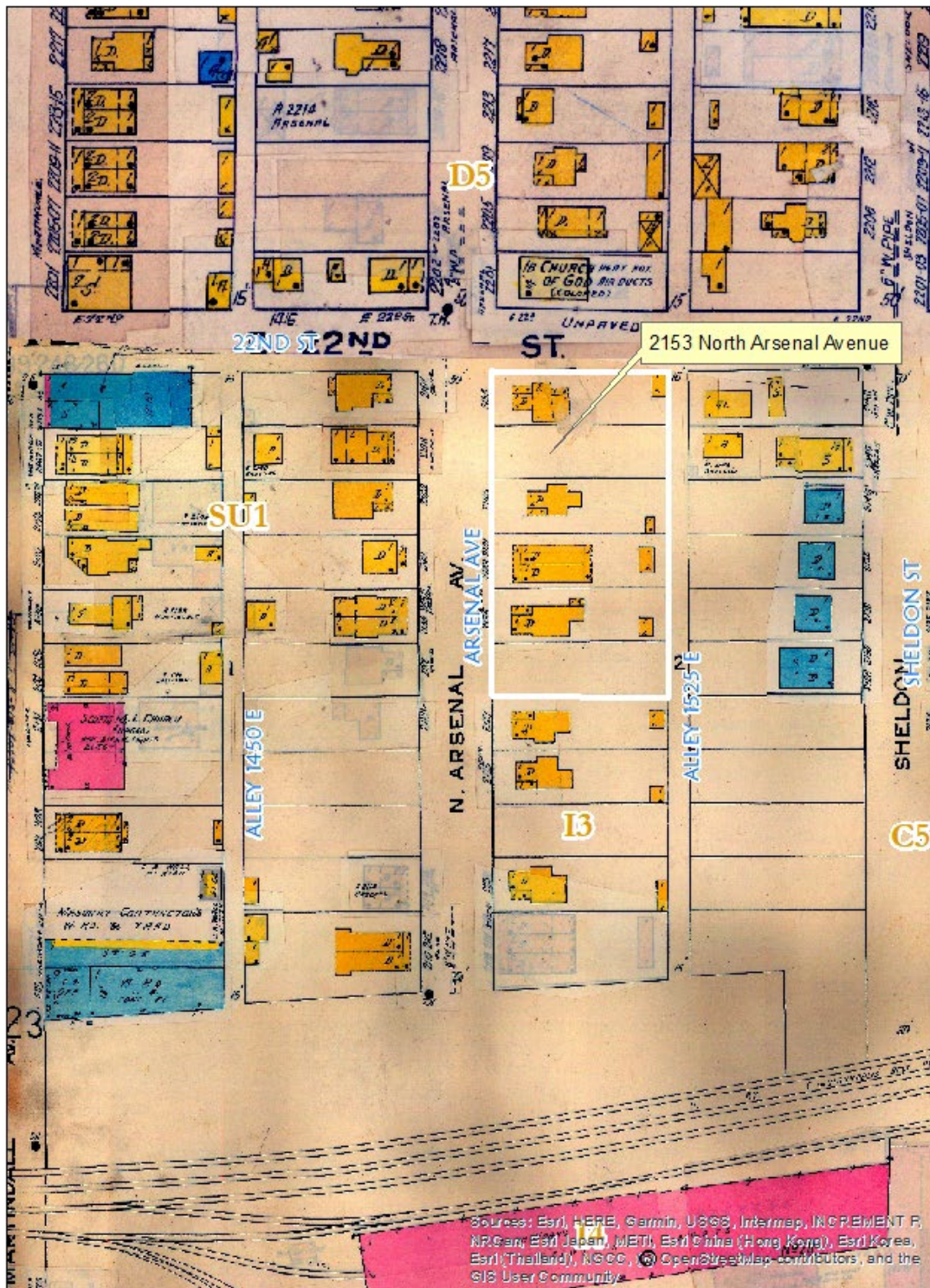
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2153 North Arsenal Avenue

0 0.005 0.01 0.02 0.03 0.04 Miles

1915 Sanborn Map





View looking south along South Arsenal Avenue



View looking north along North Arsenal Avenue



View looking east along East 22nd Street



View looking west along East 22nd Street



View of site looking east across North Arsenal Avenue



View of site looking east across North Arsenal Avenue



View of site looking south across East 22nd Street



View of site looking southwest across East 22nd Street



View from site looking west across North Arsenal Avenue



View from site looking west across North Arsenal Avenue