



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

August 29, 2024

**Case Number:** 2024-ZON-088  
**Property Address:** 8101 and 8105 West Washington Street  
**Location:** Wayne Township, Council District #17  
**Petitioner:** Indy Aerospace, Inc., by Brian J. Touhy  
**Current Zoning:** SU-46  
**Request:** Rezoning of 4.77 acres from the SU-46 district to the I-3 district to build a 30,000-square-foot building.  
**Current Land Use:** Undeveloped land  
**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 / receptacles provided for the proper disposal of trash and other waste.

**PETITION OVERVIEW**

This 4.77-acre site, zoned SU-46 (Airport), is comprised of two parcels. It is surrounded by a motel and single-family dwellings to the north, across West Washington Street, zoned C-4 and D-P, respectively; undeveloped land to the south, across North Perimeter Road (private street), zoned SU-46; commercial uses to the east, zoned C-S; and an assisted living facility to the west, zoned MU-1.

## **Rezoning**

The request would rezone both parcels to the I-3 (Medium Industrial) District. “The I-3 district is an intermediate district for industries that present moderate risks to the general public. Wherever practical, this district should be away from protected districts and buffered by intervening lighter industrial districts. Where this district abuts protected districts, setbacks are large, and enclosure of activities and storage is required.”

The Comprehensive Plan recommends office / industrial mixed-use typology.

As proposed, this request would not be consistent with Plan recommendation, but staff supports this request because of the surrounding land uses and the recent approval of an industrial rezoning to the west of this site. Furthermore, staff believes that the required development standards related to the I-3 district would provide appropriate buffers to minimize the impact of the proposed rezoning and future development of the site on the surrounding land uses.

## **Vandalia Trail**

The Vandalia Trail is part of the National Road Heritage Trail that follows former rail corridors. This trail is planned as a multi-use trail that would connect 30 communities between Terre Haute and Richmond. The proposed alignment would run along the southern boundary of this site. Consequently, staff is requesting that a recorded transportation easement be provided for future development of this amenity prior to the issuance of an Improvement Location Permit.

## **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**

<b>Existing Zoning</b>	SU-46	
<b>Existing Land Use</b>	Undeveloped land	
<b>Comprehensive Plan</b>	Office / Industrial Mixed-Use	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
	North: C-4 / D-P	Motel / Single-family dwellings
	South: SU-46	Undeveloped land
	East: C-S	Commercial uses
	West: MU-1	Assisted living facility
<b>Thoroughfare Plan</b>		
West Washington Street	Primary arterial	Existing 115-foot right-of-way and proposed 120-foot right-of-way
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	N/A	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- The Comprehensive Plan recommends Office / Industrial Mixed-Use typology. The Office/Industrial Mixed-Use (Business Park) typology is intended to provide for light industrial, distribution, and office uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. The typology is characterized by groups of buildings within office/warehouse parks. Examples of typical uses include warehousing, wholesaling, research and development facilities, testing and evaluation facilities, offices, education resource centers, assembly of high technology products, and conference centers. Industrial or truck traffic should be separated from local/ residential traffic in this typology.

### Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

- *Conditions for All Land Use Types*
  - Master-planned developments in excess of 2 acres should include pedestrian amenities for passive and active recreation internal to the development.
- *Light Industrial Uses (defined as industrial uses that create minimal emissions of light, odor, noise, or vibrations. Examples include warehousing and logistics facilities. These land uses do not use, store, produce, emit, or transport hazardous materials.)*
  - 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.

Recommended land uses in the office / industrial mixed-use typology include light industrial uses, research / production of high-technology or biotechnology related goods, offices, small-scale retailing and personal / professional services, and hotels / motels / hostels.

### 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 describe 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

**2024-CZN-819 / 2024-CVR-819; 8215 West Washington Street (west of site)**, requested rezoning of 2.0 Acres from the SU-46 district to the I-1 district for light industrial uses and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for 25,730 square feet of outdoor storage with reduced separation from protected districts and reduced side yard setback, **approved and granted.**

**2021-ZON-068; 8215 West Washington Street (west of site)**, requested rezoning of 2.625 acres from the SU-46 district to the I-1 district, **withdrawn.**

**95-Z-169; 8215 West Washing Street (west of site)**, requested rezoning of 3.8 acres, being in the D-3 district to the C-7 classification to provide for the placement of a commercial building and mini-warehousing, **approved.**

Vicinity

**93-Z-1; 8302 West Washington Street (north of site)**, requested rezoning of .5 acres, being in the C-S district, to the C-S classification to provide for C-1 uses, **approved.**

**89-Z-214; 8302 West Washington Street (north of site)**, requested rezoning of 47.5 acres, being in the A-2, C-3 and C-2 districts, to the C-S classification to provide for commercial and industrial development **approved.**

**80-Z-87; 8305 West Washington Street (west of site)**, requested rezoning of 2.4 acres, being in the D-3 district, to the C-7 classification to provide for the construction and operation of a lumber yard with storage and sale of construction material and supplies, **withdrawn.**

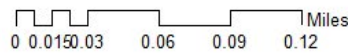
**70-Z-197; 8300 block of West Washington Street (west of site)**, requested rezoning of 3.18 acres, being in the D-3 district, to the C-7 classification to provide for the display, sales, and service of travel trailers, **approved**



EXHIBITS



8101 and 8105 West Washington Street







View looking west along West Washington Street



View looking east along West Washington Street





View of site looking west



View of site looking west





View of site looking southwest



View of site looking northwest





View of site looking north across North Perimeter Road



View of site looking north across North Perimeter Road