

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-ZON-017
Address: 1416 English Avenue (*Approximate Address*)
Location: Center Township, Council District #17
Petitioner: Ebuka Unogu, by Mark and Kim Crouch
Request: Rezoning of 0.08 acre from the D-5 district to the D-5II district.

RECOMMENDATIONS

Staff **recommends approval** of the request, subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

1. 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.
2. Elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP). Features would include, but not be limited to, a pitched roof and consideration of building height and building massing.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE ISSUES

- ◇ This 0.08-acre site, zoned D-5, is undeveloped and surrounded by industrial uses to the north, zoned I-2; single-family dwellings, across English Avenue to the south, zoned D-5; a single-family dwelling to the east, zoned D-5; and attached single-family dwellings to the west, zoned D-P.

REZONING

- ◇ This request would rezone the site from D-5 District to the D-5II classification to provide for residential uses. "The D-5II district is intended for small-lot housing formats, primarily for small, detached houses, but also including a mix of small-scale multi-unit building types. This district can be used for new, walkable suburban neighborhoods or for infill situations in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood or Traditional Neighborhood Typologies of the Land Use Pattern Book."

(Continued)

STAFF REPORT 2023-ZON-017 (Continued)

- ◇ The Comprehensive Plan recommends Traditional Neighborhood typology. “The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 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 consists of two components that include the Pattern Book 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

- 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, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.

Conditions for All Housing

- A mix of housing types is encouraged.
- Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly-accessible recreational or cultural amenity that is available at no cost to the user.
- Primary structures should be no more than one and a half times the height of other adjacent primary structures.
- Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
- Developments with densities higher than 15 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.

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STAFF REPORT 2023-ZON-017 (Continued)

Detached Housing

- The house should extend beyond the front of the garage. Garages should be loaded from an alley or side street when possible and should be detached if located on the side of the house.
 - Secondary units are encouraged.
- ◇ The Pattern Book also provides guidance when a site is located within an overlay. Modifications are recommended that specifically address the constraints / opportunities presented by the overlay. In this case, the site is located within the Transit-Oriented Development (TOD) overlay.

Removed Uses

- Detached Housing - Where detached housing already exists, secondary units are encouraged. Detached housing is not recommended as new development.

Overlays

- ◇ This site is also located within an overlay, specifically the Transit Oriented Development (TOD). “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 Transit-Oriented Development (TOD) overlay is intended for areas within walking distance of a transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.
- ◇ This site is located within a ½ mile walk of a proposed transit stop located at the intersection of East Washington Street and Arsenal Avenue, with a District Center typology.
- ◇ District Center stations are located at the center of regionally significant districts with several blocks of retail or office at their core. Development opportunities include infill and redevelopment, dense residential, employment near transit stations, neighborhood retail and a focus on walkability and placemaking.
- ◇ Characteristics of the District Center typology are:
- A dense mixed-use hub for multiple neighborhoods with tall buildings
 - Minimum of 3 stories at core with no front or side setbacks
 - Multi-family housing with a minimum of 5 units
 - Structured parking only with active first floor

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.

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STAFF REPORT 2023-ZON-017 (Continued)

- ◇ 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.

Infill Housing Guidelines

- ◇ The Infill Housing Guidelines were updated and approved in May 2021, with a stated goal “to help preserve neighborhood pattern and character by providing guiding principles for new construction to coexist within the context of adjacent homes, blocks, and existing neighborhoods. These guidelines provide insight into basic design concepts that shape neighborhoods, including reasons why design elements are important, recommendations for best practices, and references to plans and ordinance regulations that reinforce the importance of these concepts.”
- ◇ These guidelines apply to infill development in residential areas within the Compact Context Area and include the following features:

Site Configuration

- Front Setbacks
- Building Orientation
- Building Spacing
- Open Space
- Trees, Landscaping, and the Outdoors

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STAFF REPORT 2023-ZON-017 (Continued)

Aesthetic Considerations

- Building Massing
- Building Height
- Building Elevations and Architectural Elements

Additional Topics

- Secondary Dwelling Units, Garages, and Accessory Structures
- Adapting to the Future

- ◇ “As established neighborhoods experience new development, infill residential construction will provide housing options for new and existing residents. Increased population contributes positively to the local tax base, economic development, lively neighborhoods, and an interesting city. As infill construction occurs, it is important to guide development in a way that complements current neighborhoods. Each home in a neighborhood not only contributes to the existing context of adjoining houses and the block, but to the sense of place of the entire neighborhood.”
- ◇ Because no elevations were submitted for review to confirm that the proposed dwelling would architecturally be compatible and harmonious with the surrounding land uses and neighborhood character, staff would request that elevations be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).

Site Plan

- ◇ The site plan, file-dated March 2, 2023, depicts a 1,234 square foot detached single-family dwelling, with a 22-foot by 24-foot detached garage. Access to the garage would be gained from the abutting north / south alley to the west.
- ◇ The site plan notes that the dwelling would be two- and one-half stories tall but no elevations were provided.

Planning Analysis

- ◇ As proposed, the request would be consistent with the Comprehensive Plan recommendation of traditional neighborhood.
- ◇ Furthermore, the rezoning would be consistent and support the most recent update to the Ordinance that implements transit-oriented development.
- ◇ Staff would note that the recommended modifications in the Pattern Book would not permit detached housing unless detached housing exists. Except for the attached housing (under construction) to the west of this site, the neighborhood is generally comprised of detached single-family dwellings. Consequently, staff believes the proposed rezoning would be appropriate for this site.

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STAFF REPORT 2023-ZON-017 (Continued)

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

D-5	Undeveloped land
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SURROUNDING ZONING AND LAND USE

North -	I-2	Industrial uses
South -	D-5	Single-family dwellings
East -	D-5	Single-family dwelling
West -	D-P	Attached dwellings (under construction)

COMPREHENSIVE LAND USE PLAN

The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends traditional neighborhood typology.

The Blue Line Transit Oriented Development Strategic Plan (2018).

THOROUGHFARE PLAN

This portion of English Avenue is designated in the Marion County Thoroughfare Plan as a primary arterial with an existing 60-foot right-of-way and a proposed 78-foot right-of-way.

CONTEXT AREA

This site is located within the compact context area.

OVERLAY

This site is located within the Transit Oriented Development (TOD) overlay.

SITE PLAN

File-dated March 2, 2023

ZONING HISTORY

2023-ZON-005; 1405 Deloss Street (north of site), requested rezoning of 0.08 acre from the I-2 district to the D-8 district to provide for a single-family dwelling, **approved**.

2022-DV1-011; 1422 English Avenue (west of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish an existing structure with a one-foot east side setback and seven-foot rear yard setback and provide for building additions resulting in a single-family dwelling with a six-foot east side yard setback, a zero-foot west side setback, a seven-foot rear yard setback and an open space of 24 percent, **withdrawn**.

2021-ZON-014; 1400 English Avenue (west of site), requested the rezoning of 1.85 acres from the SU-1 district to the D-P district for 37 dwelling units, consisting of 31 single-family attached dwellings and six single-family detached dwellings at a density of 20 units per acre, **approved**.

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STAFF REPORT 2023-ZON-017 (Continued)

2018-DV3-041; 1423-1425 English Avenue (south of site), requested a variance of development standards to provide for a two-family dwelling on a 5,000 square-foot, 40-foot-wide lot with 48% open space, **denied**.

2018-CZN-868 / 2018-CVR-868; 1236 English Avenue (west of site), requested rezoning of 0.25 acre from the C-1 district to the D-8 classification and a variance of development standards to provide for five single-family attached dwellings/lots, with three 16.67-foot wide lots, with 600 square feet of main floor area, with 51% open space, with five-foot front setbacks, five feet from the dwelling to the west, with three-foot side setbacks, **approved and granted**.

2018-CZN-836 / 2018-CVR-836 / 2018-CPL-836; 1409, 1426, 1430, 1434, 1438 and 1446 Deloss Street (north of site), requested rezoning of 0.25 acre from the I-2 district to the D-8 district; a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for two townhomes buildings separated by three feet.; and approval of a Subdivision Plat to be known as Lambda Chi Alpha Townhomes, dividing 0.58 acre into ten single-family attached lots; **approved and granted**.

2018-DV1-026, 1236 English Avenue (west of site), requested a variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for three single-family dwellings and a secondary dwelling on the westernmost lot of three lots, with a three-foot front transitional setback for the easternmost dwelling, **granted**.

2018-ZON-044; 1426, 1430, 1438 and 1446 Deloss Street (north of site), requested a rezoning of 0.52 acre from the I-2 District, to the D-8 classification, **approved**.

2018-HOV-068; 1417 Deloss Street (north of site), requested a variance of use and development standards to provide for primary and accessory residential uses, including but not limited to a single-family dwelling and detached garage with reduced setbacks, **granted**.

2018-HOV-056; 1421 Deloss Street (north of site), requested a variance of use and development standards to provide for primary and accessory residential uses, including but not limited to a single-family dwelling and detached garage with reduced setbacks, **granted**.

2017-HOV-040; 1401 and 1405 English Avenue (south of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for two single-family dwellings, with five-foot front setbacks, six feet between dwellings, within the clear sight triangle of the abutting streets, on lots with deficient lot area and width, and with 50% open space, **granted**.

2017-DV1-031; 1447 English Avenue (east of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide a single-family dwelling and detached garage, creating 50% open space, with a 15-foot front setback, with three and nine feet between dwellings, and with a two-foot side yard, **granted**.

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STAFF REPORT 2023-ZON-017 (Continued)

2016-DV1-047; 1501 Spann Avenue (south of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling, with eight feet between primary buildings and with an open space of 49%, **granted**.

2005-DV2-010; 1222, 1237, and 1247 Deloss Street (north of site), requested a variance of use and development standards of the Industrial Zoning Ordinance to legally establish off-street parking and loading areas consisting of crushed asphalt (all off-street parking and loading areas must be hard surfaced), **granted**.

2005-ZON-129; 1656 English Avenue (east of site), requested rezoning of 0.07 acre, being in the D-5 District, to the C-3C classification to provide for commercial and residential uses, **approved**.

2004-DV3-043; 1733 Spann Avenue Street (east of site), requested a variance of development standards of the Sign Regulations to provide for a 7.91-square foot illuminated window sign with a two-square foot Electronic Variable Message Component (not permitted), **granted**.

2004-UV3-030; 1641 Deloss Street (north of site), requested a variance of use of the Industrial Zoning Ordinance to provide for an off-site automobile storage lot for an automobile sales facility (not permitted), **granted**.

2003-ZON-103; 1641 Deloss Street (north of site), requested rezoning of 0.567 acre from I-2-U to the C-ID classification to provide for new and used vehicle storage, **withdrawn**.

2001-HOV-013; 1602 Spann Avenue (east of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 20 by 24-foot detached garage creating 2,295 square feet of open space of 61.2 percent of the lot area (minimum 2,437.5 square feet of open space or 65 percent of the lot required), **granted**.

97-Z-86; 510 Laurel Street (west of site), requested rezoning of from the C-1 and D-5 districts to the SU-2 classification, **approved**.

97-Z-81; 1402 English Avenue (west of site), requested rezoning of 1.8 acres from the C-1 and I-2-U Districts to the SU-1 classification to provide for religious uses, **approved**.

95-UV1-75; 1719 English Avenue (east of site), requested a variance of use of the Dwelling Districts Zoning Ordinance to legally establish off-street parking for an adjacent industrial use (not permitted), **granted**.

85-UV2-117; 1701 English Avenue (east of site), requested a variance of use of the Industrial Zoning Ordinance to provide for the outdoor display and sales of automobiles, **granted**.

84-UV3-50; 1701 English Avenue (east of site), requested a variance of use and development standards for automobile engine repair in the existing building without adequate setbacks, or transitional yards, **dismissed**.

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STAFF REPORT 2023-ZON-017 (Continued)

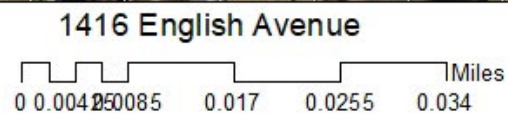
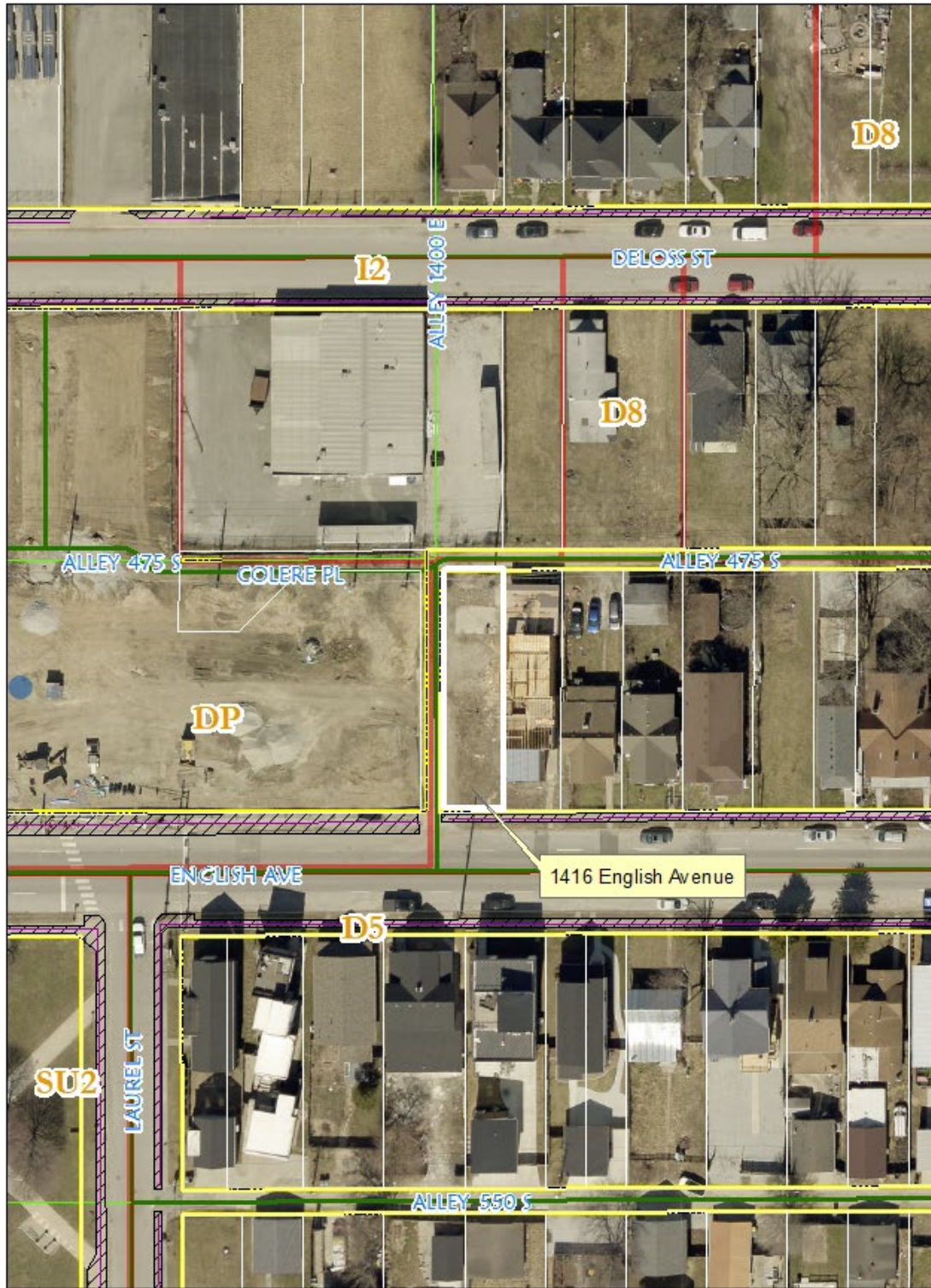
85-Z-120A; 1006, 1014, 1018 Fletcher Avenue (south of site), requested the rezoning of 0.82 acre, being in the C-5 District to the SU-1 District to provide additional parking for a church, **approved**.

81-UV1-58; 615-628 South State Avenue (south of site), requested a variance of use and development standards for an auto sales lot, **granted**.

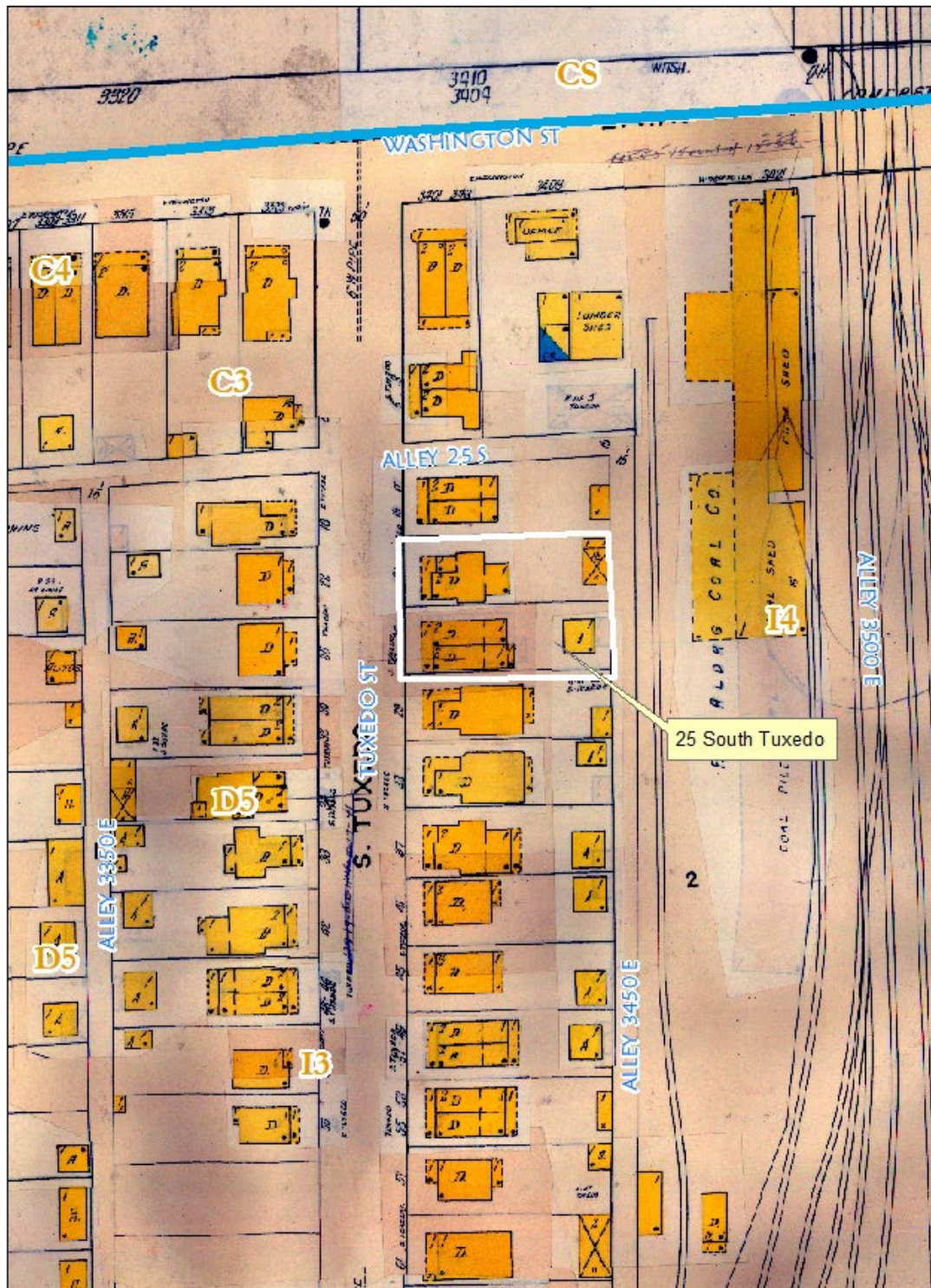
79-UV3-34; 615-628 South State Avenue (south of site), requested a variance of use and development standards for an auto sales lot, **granted (two years)**

65-V1-218; 1745 English (east of site), requested a variance of use and setback requirements to erect an addition to the existing warehouse and office building, with off-street parking provided, **approved**.

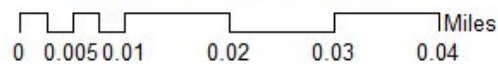
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1898 Sanborn Map

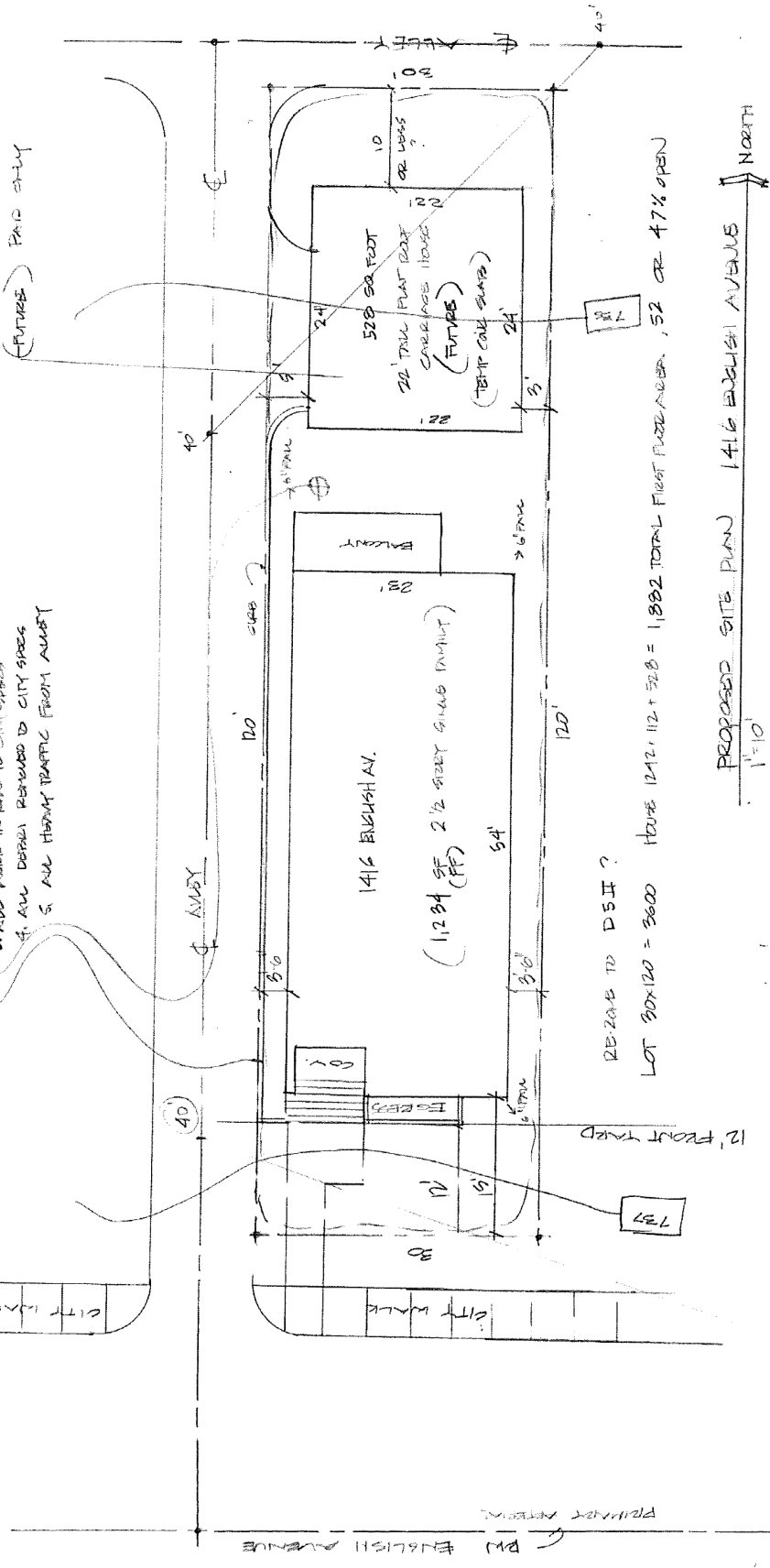


25 South Tuxedo Street



- DESIGN NOTES:
1. SHUT FENCE TO REMAIN UNTIL VESTIBULE IS IN
 2. CONCRETE WALK TO
 3. ALL WALK TO REMAIN TO CITY SPACES
 4. ALL DETAILS REFERRED TO CITY SPACES
 5. ALL HEAVY TRAFFIC FROM AUSTY

(FUTURE) PARK DRIVE



PROPOSED SITE PLAN 1416 ENGLISH AVENUE

DSH

RE-ZONE TO D5H?

LOT 30x120 = 3600 HOUSE 12x12, 112 + 528 = 1,882 TOTAL FIRST FLOOR AREA, 52 OR 47% OPEN

DISTURBED AREA

HOUSE	1,234 SF
GARAGE	528 SF
APRON	100 SF
WALKS	100 SF
PATIO	120 SF
TOTAL	2,082

120' COT



View looking east along English Avenue



View looking west along English Avenue



View looking north across English Avenue



View looking north across English Avenue of site and adjacent property to the east



View looking north across English Avenue at adjacent development to the west



View of site looking south across Deloss Street to the north