

## STAFF REPORT

### Department of Metropolitan Development Division of Planning - Current Planning Section

**Case Number:** 2022-SE1-002 (Amended)  
**Address:** 9140 East McGregor Road (approximate address)  
**Location:** Franklin Township, Council District #25  
**Zoning:** D-A  
**Petitioner:** Shalom Christian Church, by Jonathan L Albright Jr.  
**Request:** Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for religious uses and a modification of development standards to allow for the construction of a religious use facility, parking lot and related accessory structures with a 22-foot western side yard and an 18-foot rear yard (minimum 30-foot side yard setback, 75-foot rear yard setback required), and a 110-foot wide parking area within the front yard (maximum 30-foot wide parking area permitted within the front yard).

### **RECOMMENDATIONS**

Staff **recommends approval** of this petition, subject to the following commitments:

1. The Special Exception grant shall be subject to substantial compliance with the amended site plan file-dated February 10, 2023, and the plan of operation, file-dated October 13, 2022.
2. The Special Exception grant shall be subject to the dedication of a 45-foot half right of way for a future road widening.

### **SUMMARY OF ISSUES**

#### **LAND USE**

##### EXISTING ZONING AND LAND USE

Metro	D-A	Single-family dwelling
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##### SURROUNDING ZONING AND LAND USE

North -	D-4	Under development with single-family dwellings
South -	D-P	Single-family dwelling
East -	D-A	Single-family dwelling
West -	D-4	Under development with single-family dwellings

COMPREHENSIVE PLAN	The Comprehensive Plan recommends suburban neighborhood uses for the site.
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## **STAFF REPORT 2022-SE1-002 (Continued)**

### **SPECIAL EXCEPTION**

- ◇ The proposed use of the subject site is listed as a Special Exception within the D-A district. Churches, as a religious use, are permitted within the D-A District with the grant of a Special Exception. Due to the exceptional land use characteristics and locational impacts of certain residential uses, if inappropriately located, other land uses and values within the county would be negatively impacted. It is recognized that the further classification and regulation of such uses is essential in order to preserve property values, as well as to promote the public health, safety, comfort, morals, convenience, and general welfare within Marion County through a Special Exception. With good design, churches are generally thought of as being compatible with residential uses.
- ◇ The subject site is zoned D-A, which is intended for the production, keeping or maintenance, for sale, lease, or personal use, of plants and animals and any mutations or hybrids thereof, including a single-family dwelling as a part of such enterprise. A secondary intent of this district is large estate development of single-family dwellings.
- ◇ The Comprehensive Land Use Plan (2017) recommends suburban neighborhood for this site and the surrounding area. "The suburban neighborhood typology is predominately made up of single-family housing but is interspersed with attached and multi-family 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 one to five 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."
- ◇ Each special exception request must show that the grant would not be injurious to the public health, safety, convenience, and general welfare of the community. The proposed church use would utilize the existing single-family dwelling similar to other single-family dwelling uses and would replace the existing barn with a worship facility and accessory parking lot. In Staff's opinion, the request would not jeopardize the public safety. Further, the site is not located within a floodway/floodplain or in a Wellfield Protection District, therefore, there would be limited environmental concerns created by this request.
- ◇ The special exception must indicate that the grant would not injure or adversely affect the adjacent area or property values. The proposed use would be similar to other uses in the area, in regard to traffic, noise, and clientele. To help alleviate traffic concerns, Staff has requested the dedication of a 45-foot half right of way for a future road widening. This portion of the right-of-way can also be used as a turn off lane for those vehicles traveling east.

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## **STAFF REPORT 2022-SE1-002 (Continued)**

- ◇ Additionally, the grant must be in harmony with the character of the district and the land use authorized therein. The subject site is located within the D-A zoning classification; the proposed church would be consistent with surrounding residential uses and would be compatible with the Marion County Comprehensive Land Use Plan recommendation of suburban neighborhood uses for the site.
- ◇ In Staff's opinion, the proposed location and size of the lot would meet the general intent of the D-A district and the requirements to be granted a special exception.

### **GENERAL INFORMATION**

THOROUGHFARE PLAN	This portion of McGregor Road is designated as a primary collector on the Official Thoroughfare Plan, with a 50-foot existing right-of-way, and a 90-foot proposed right-of-way.
SITE PLAN (AMENDED)	File-dated February 10, 2023.
PLAN OF OPERATION	File-dated October 13, 2022.
FINDINGS OF FACT	File-dated October 13, 2022.

### **ZONING HISTORY**

**2022-DV1-013; 9625 East McGregor Road (east of site)**, requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a barn with a 15-foot east side setback, **granted**.

**2020-ZON-020; 9140 East McGregor Road (north and west of site)**, requested the rezoning of 67.54 acres from the D-A district to the D-4 classification, **approved**.

**2019-DV2-015; 9860 East McGregor Road (east of site)**, requested a Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 1,680-square foot pole barn with an attached porch with a 12-foot east side setback, **approved**.

**2000-SE1-001; 9510 East McGregor Road (east of site)**, requested a special exception of the Dwelling Districts Zoning Ordinance to provide for a manufactured home, **granted to petitioner only**.

**99-V2-7; 8640 East McGregor Road (west of site)**, requested a variance of development standards to provide for a detached accessory garage with a 10-foot side yard setback, being 109% of the primary structure, **denied**.

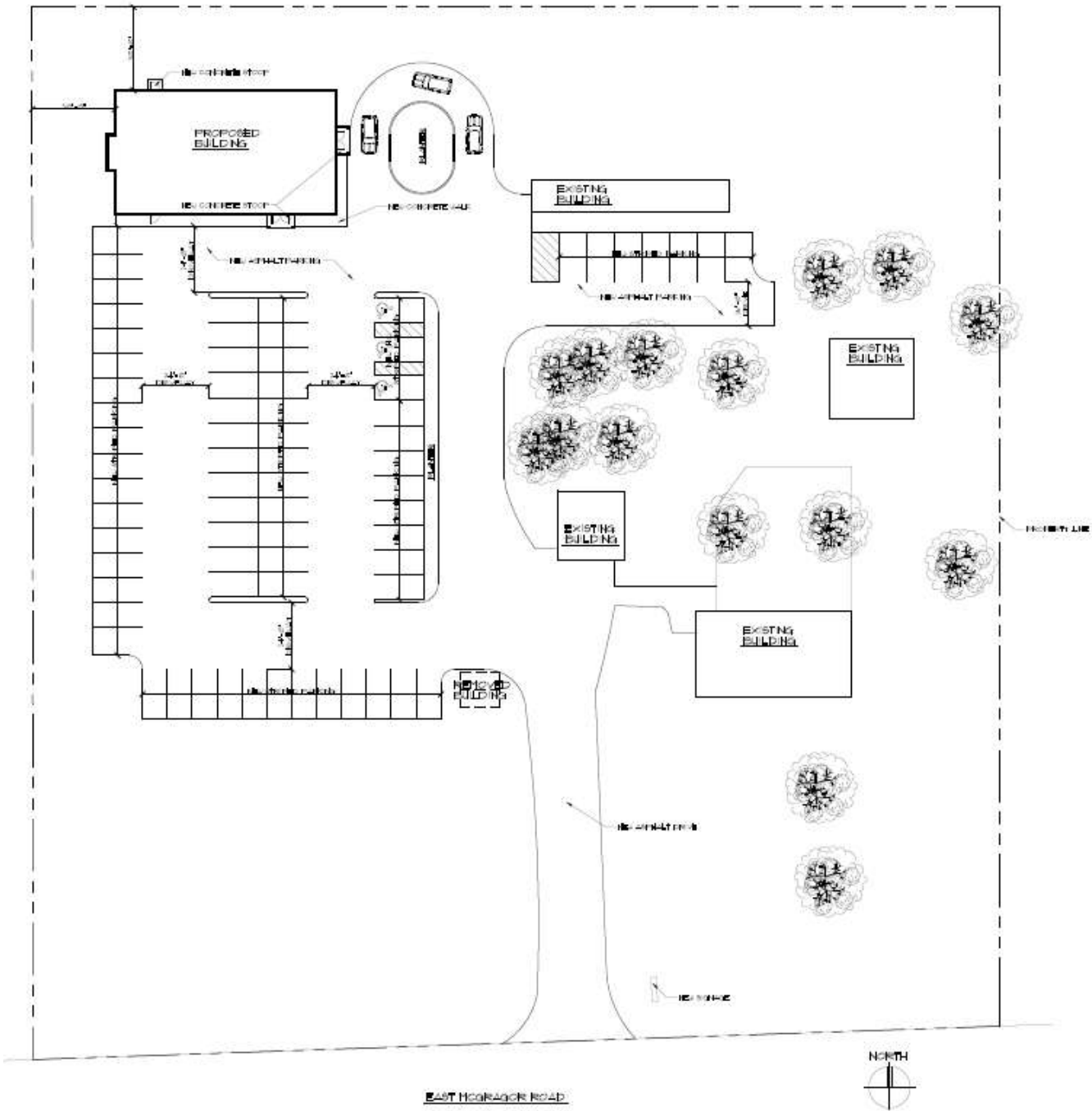
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## STAFF REPORT 2022-SE1-002 (Continued)

### 2022-SE1-002 Location Map





## **2022-SE1-002: Plan of Operation file-dated October 13, 2022**

### **Shalom Christian Church Plan of Operation**

The Shalom Christian Church Plan of Operation will describe the request including, but not limited to, a description and size of the proposed facilities, number of employees, security provisions, and hours of operation. The existing and proposed seating capacity of the largest public assembly room.

### **Shalom Church Congregation**

Shalom Christian Church is a Burmese-Chin ethnic found and operated church consisted of 156 growing members located in the southside of Indianapolis, Indiana. The demographic of the members consist of 79 adults, 36 youths and 42 children.

### **Proposed Building Overview**

The proposed building will be a new permanent location for the growing Burmese-Chin Congregation. The sanctuary is designed to seat over 300 people along with a Meeting Hall to seat over 20 people altogether.

### **Project Description**

Square Footage: 4,950

Use: to seat over 300 people along with a Meeting Hall to seat over 20 people altogether.

### **Office Hours**

Monday - Friday : 9 am - 5 pm

Saturday: 9 am - 5 pm

Sunday: 9 am - 5 pm

### **Office Staff**

Currently, full-time office staff will be consisting of Church Pastors, Secretary, and Office Manager. The Office will follow standard office hours from 9 am to 5 pm.

### **Detailed Operation Plan**

The Shalom Christian Church plan to have Youth Training Program every Thursday Night from 6 pm to 9 pm. Followed by Women Training Program every Saturday night from 6 pm to 9 pm. Shalom Christian Church will also have weekly Sunday school Program from 8 am to 9:30 am. Afterward, Sunday Worship services will be held from 10 am to 12 pm which will be followed by Sunday Evening Youth programs from 4 pm to 8 pm.

### **Future Plan for the proposed building**

Shalom Christian Church proposed building will be available to provide resources and services for church members. Also, it provide resources for newly immigrant Chin individual and families to help their integration process simpler. Below are resources and services Shalom Christian Church plans to integrate in the future:

- Provide ESL programs for newly immigrants.
- Provide US Citizenship class for in-members and community members.
- After School programs for in-members and community members.
- Marriage Counseling programs the members.
- Provide Outreach ministry such as Evangelism and Church planting.



**2022-SE1-002: Photographs**



Subject site, existing single-family dwelling, looking north.



Subject site, existing pole barn, proposed parking lot area, looking north.



Subject site, existing pole barn northside setback, looking west.



Subject site, existing pole barn westside setback, looking north.





Adjacent single-family dwelling to the east of subject site, looking north.



Adjacent single-family dwellings to the south of subject site.



Adjacent single-family subdivision under development to the west of subject site.



Adjacent single-family subdivision under development to the north of subject site.