



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

June 13, 2024

<b>Case Number:</b>	2024-ZON-058
<b>Property Address:</b>	2701 Hunter Road (Approximate Address)
<b>Location:</b>	Warren Township, Council District #20
<b>Petitioner:</b>	Midland Investments, LLC., by David Gilman
<b>Current Zoning:</b>	D-A
<b>Request:</b>	Rezoning of 4.59 acres from the D-A district to the I-1 district to provide for restricted industrial uses.
<b>Current Land Use:</b>	Undeveloped
<b>Staff Recommendations:</b>	Approval.
<b>Staff Reviewer:</b>	Marleny Iraheta, Senior Planner

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the request.

**PETITION OVERVIEW**

**LAND USE**

The 4.59-acre subject site, zoned D-A, is partially developed with a gravel parking lot. It is surrounded by an electric substation, zoned SU-9, and a retention pond, zoned D-A, to the south; the I-74 and Shadeland Avenue interstate interchange to the north and east, zoned D-A; and single-family dwellings to the west, zoned D-A.

**REZONING**

This request would rezone the site from the D-A district to the I-1 classification for restricted industrial uses.

The D-A district holds the agricultural lands of Marion County and provides for a variety of agricultural uses. It is intended to provide for animal and poultry husbandry, farming, cultivation of crops, dairying, pasturage, floriculture, horticulture, viticulture, apiaries, aquaculture, hydroponics, together with necessary, accompanying accessory uses, buildings, or structures for housing, packing, treating, or



storing said products; or lands devoted to a soil conservation or forestry management program. A single-family dwelling is intended to be permitted as a part of such agricultural uses. A secondary provision of this district is large estate development of single-family dwellings. This district fulfills the very low-density residential classification of the Comprehensive General Land Use Plan. This district does not require public water and sewer facilities.

The I-1 district is designed for those industries that present the least risk to the public. In the I-1 district, uses carry on their entire operation within a completely enclosed building in such a manner that no nuisance factor is created or emitted outside the enclosed building. No storage of raw materials, manufactured products, or any other materials is permitted in the open buildings. Loading and unloading berths are completely enclosed or shielded by solid space around the screening. This district has strict controls on the intensity of land use providing protection of each industry from the encroachment of other industries. It is usually located adjacent to protected districts and may serve as a buffer between heavier industrial districts and business or protected districts.

**STAFF ANALYSIS**

Although the request would not be consistent with the Comprehensive Plan recommendation of suburban neighborhood development, staff determined the proposed rezoning would be supportable considering the existing electrical substation to the south and the interstate bordering the property to the north and east make the site less attractive for residential development.

The anticipated business uses such as a contractors’ office, warehouse businesses and the like would have limited employees per tenant space according to the proposed plan of operation noting one to two employees per tenant space. A maximum of 16 tenants would be proposed.

The I-1 district requires full indoor operation of businesses and requires any loading and unloading to be completely enclosed or shielded with screening. These requirements allow for this district to be located adjacent to protected districts such as the D-A and SU-1 districts west of the site.

Staff understands that the site plan is conceptual and would note that the landscape requirements of the Ordinance would need to be met. This includes the transitional yard and green factor score standards.

For these reasons, staff is recommending approval of the request.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-A	
<b>Existing Land Use</b>	Undeveloped	
<b>Comprehensive Plan</b>	Suburban Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	D-A	Undeveloped / Single-family dwelling
South:	D-A	Electric substation / Retention Pond
East:	D-A	Interstate interchange
West:	D-A / SU-1	Residential (Single-family dwellings)

Thoroughfare Plan		
Hunter Road	Primary Collector Street	111-foot to 212-foot existing right-of-way range and 80-foot proposed right-of-way.
I-74	Freeway	251-foot existing right-of-way with no proposed right-of-way.
I-465 Ramp	Freeway	917-foot existing right-of-way with no proposed 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>	April 25, 2024.	
<b>Site Plan (Amended)</b>	June 5, 2024.	
<b>Elevations</b>	April 25, 2024.	
<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**

- Marion County Land Use Plan Pattern Book (2019)

**Pattern Book / Land Use Plan**

- The Comprehensive Plan recommends suburban neighborhood development.
- The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily 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 1 to 5 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.

- **Small-Scale Offices, Retailing, and Personal or Professional Services**

- If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
- Should be located at the intersections of arterial streets, and should be no closer than one mile to another commercial node with one acre or more of commercial uses except as reuse of a historic building.
- Should be limited to an aggregate of 3.5 acres per intersection, with no one corner having more than 1.5 acres.
- Should be limited to areas and parcels with adequate space for required screening and buffering.
- Automotive uses (such as gas stations and auto repair) and uses requiring a distance of separation of greater than 20 feet under the zoning ordinance (such as liquor stores, adult uses, and drive-through lanes) are excluded. Should not include outdoor display of merchandise.

**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)

- Not Applicable to the Site.



## ZONING HISTORY

### Zoning History – Site

**2019-ZON-087; 2701 South Hunter Road** (subject site), Rezoning of 4.581 acres from the D-A district to the C-S district to provide for a self-storage facility, **denial**.

**87-Z-161; 2701 South Hunter Road** (subject site), Rezoning of 5.0 acres, being in the A-2 district, to the C-1 classification, to provide for commercial uses, **withdrawn**.

**84-Z-117; 2551 South Hunter Road** (subject site), Rezoning of 5.0 acres, being in the A-2 district, to the SU-9 classification, to provide for maintenance, repair and salt storage facility for the DOT, **withdrawn**.

**79-Z-90; 2701 South Hunter Road** (subject site), Rezoning of 5.0 acres, being in the A-2 district, to the SU-9 classification, to provide for Department of Transportation district maintenance facility, **withdrawn**.

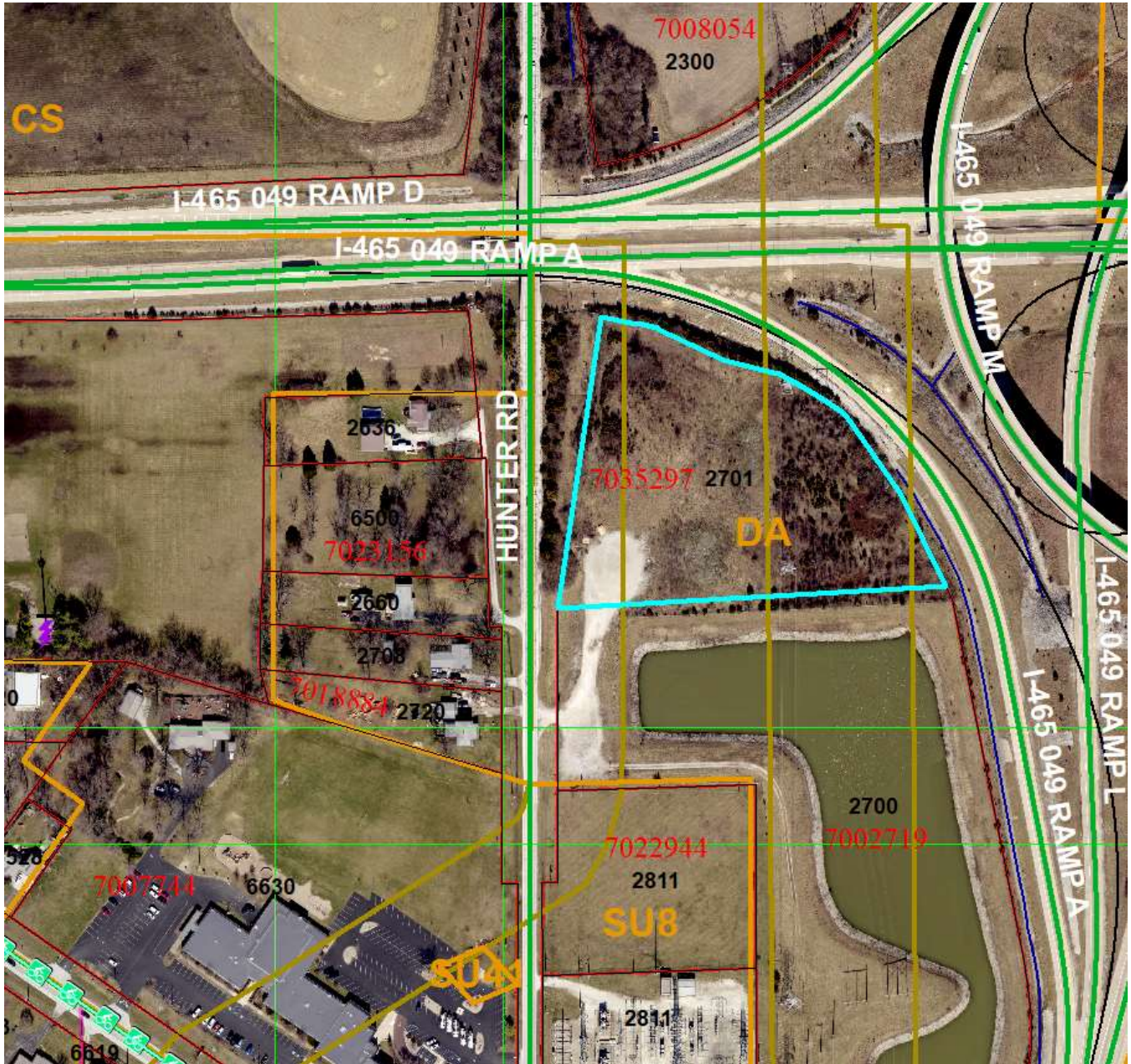
### Zoning History – Vicinity

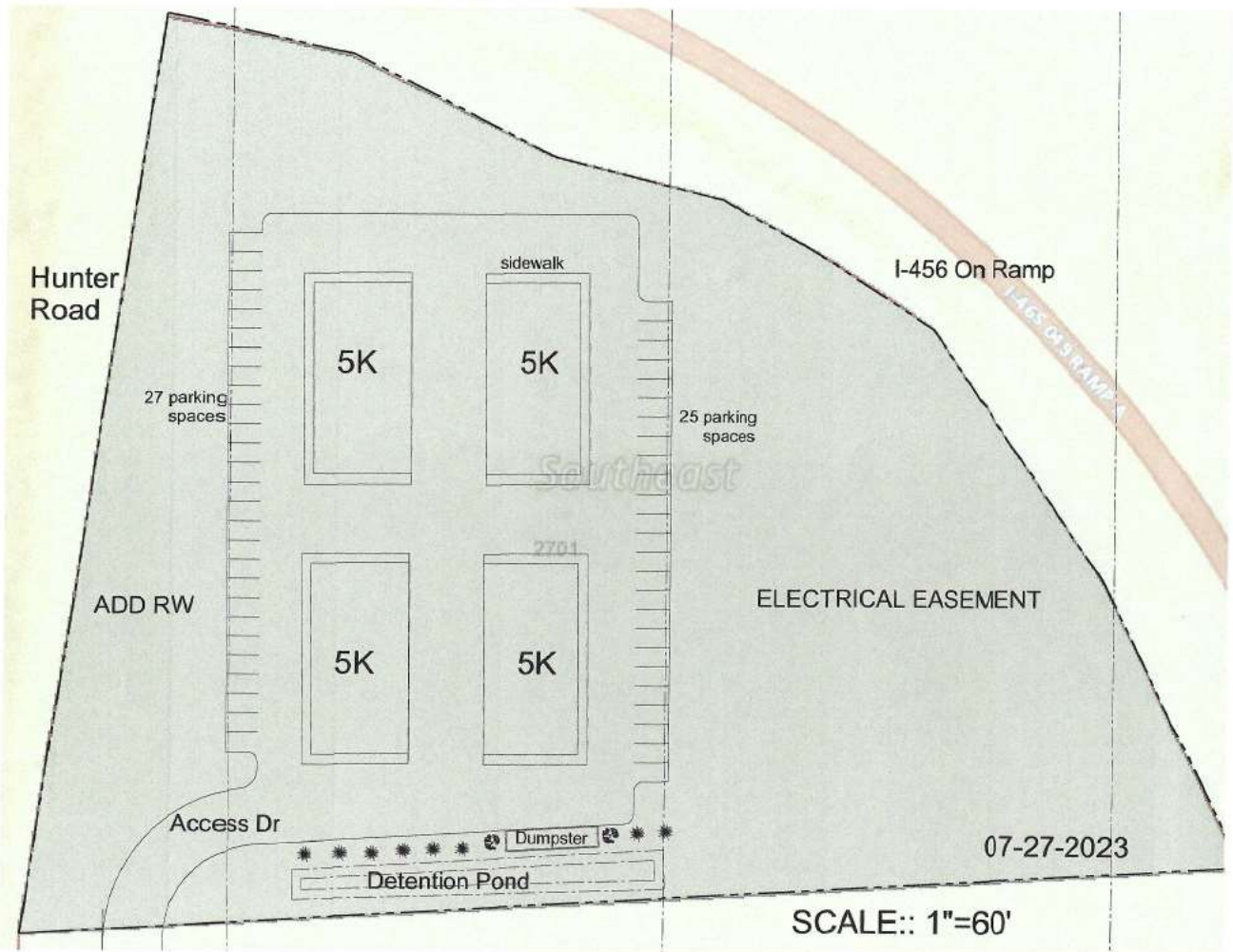
**2014-ZON-022; 6300 Southeastern Avenue, 2402 Hunter Road and 6221 East Raymond Street** (northwest of site), Rezoning of 133.5 acres, being in the D-A and C-S district, to the C-S classification to provide for an industrial use, including corporate offices, light and heavy vehicle and equipment sales and rental, light and heavy vehicle and equipment service, repair and storage facilities, new and used vehicle and equipment parts sales, service and storage, outdoor display and storage of light and heavy vehicles, equipment, machines and parts, with accessory uses and operations including, welding shops, wash bays, fuel islands, sandblast shops, painting booths, test facilities, cold storage areas, outdoor equipment and machinery test area, outdoor equipment and machinery staging area, trash compactor and old tractor storage / museum building, **approved**.

**96-Z-227; 6202 Southeastern Avenue** (northwest of site), Rezoning of 146 acres from D-A and C-S to C-S to provide for multi-family residential development at approximately eight units per acre, an assisted living community, regional and highway-oriented commercial, and light industrial development, **approved**.

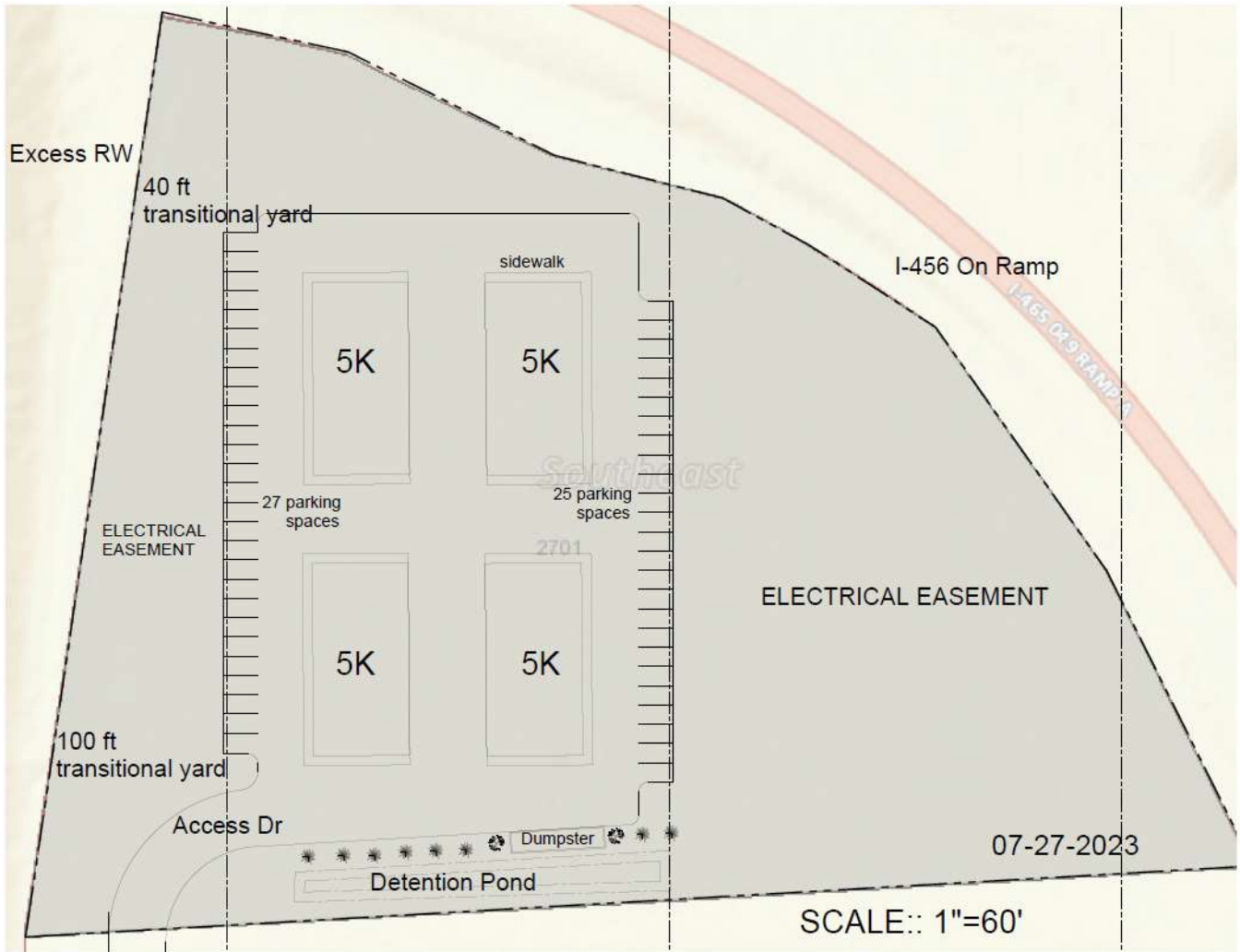


EXHIBITS



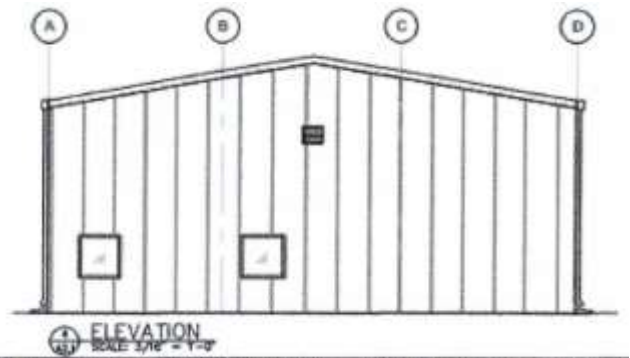
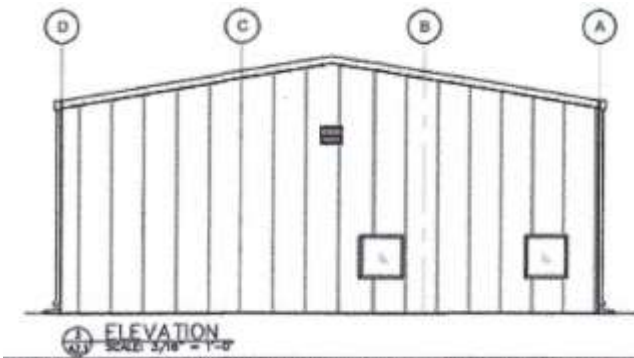
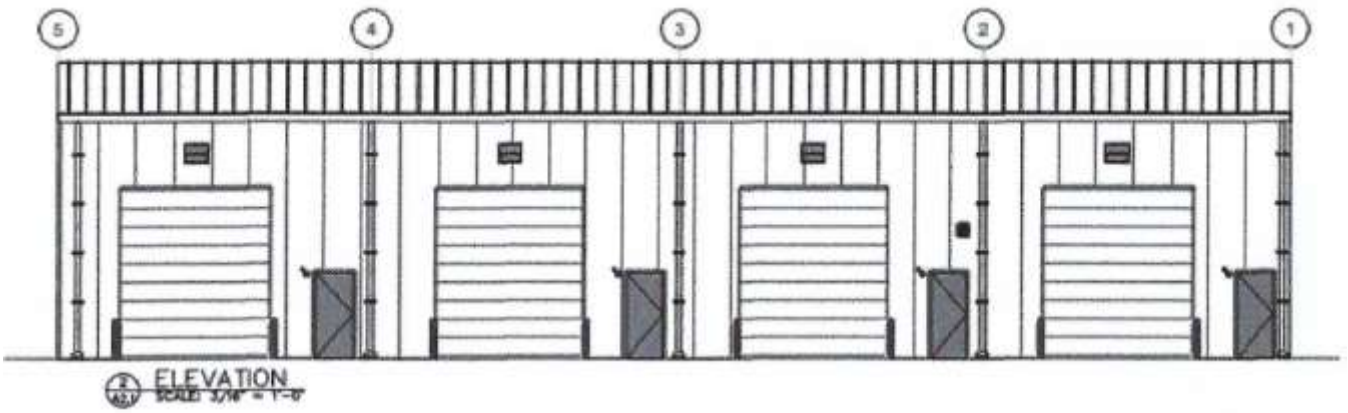
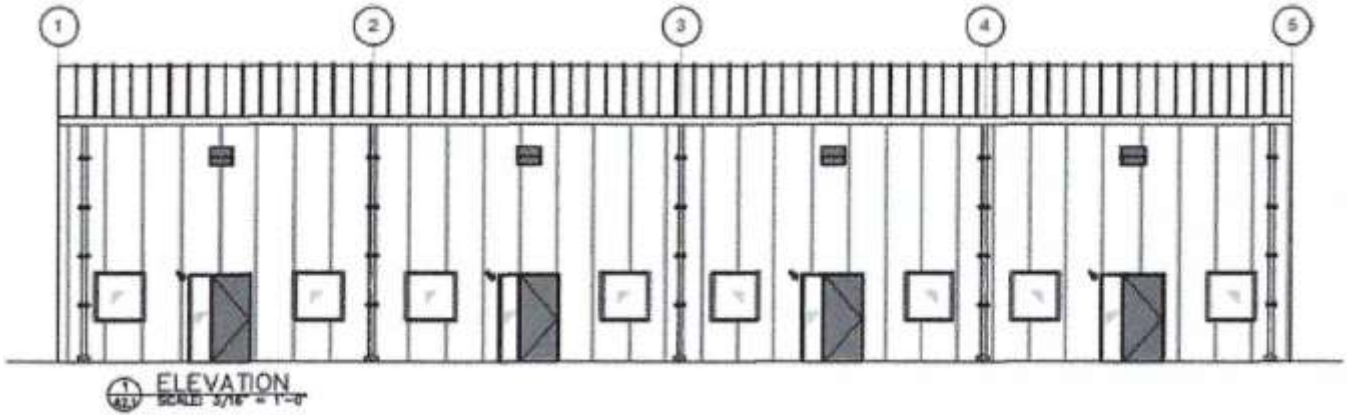




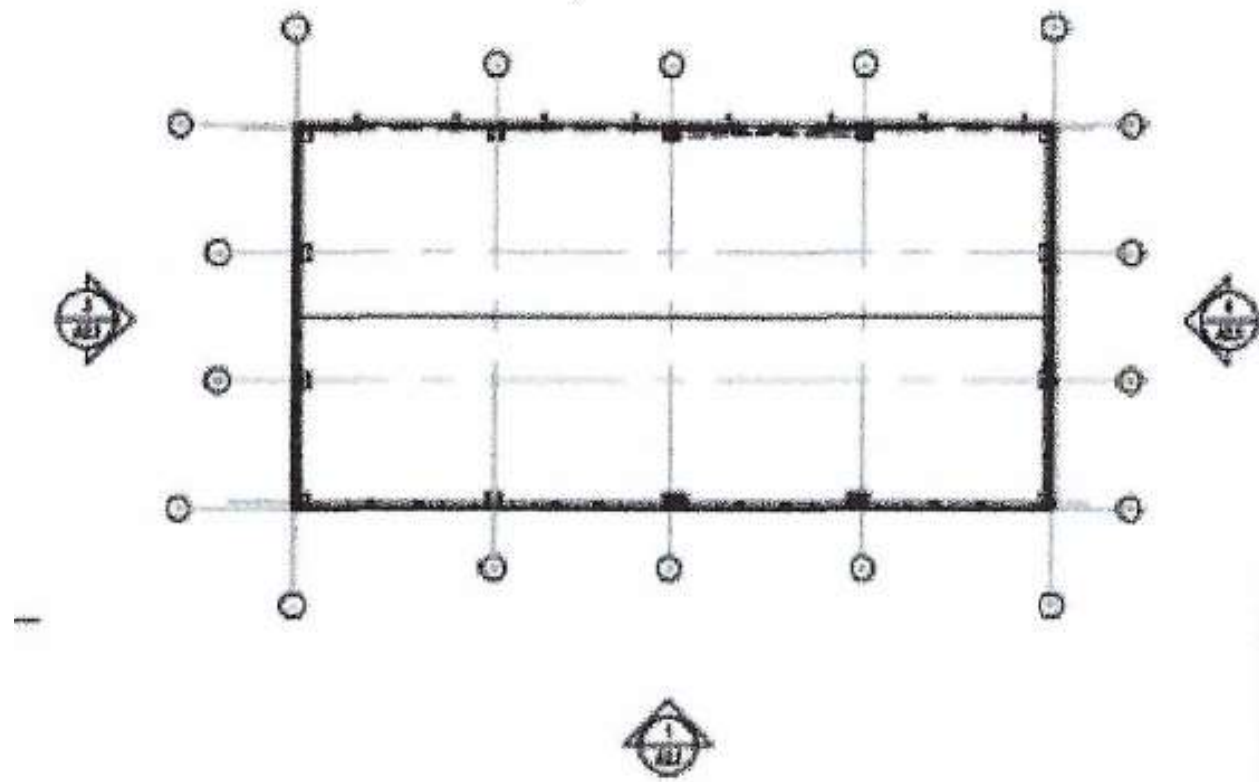


Amended Site Plan





KEY PLAN  
SCALE: 1/8" = 1'-0"



Plan of Operation  
2701 Hunter Road  
4/23/2024

**BACKGROUND**

The subject site is a 4.58-acre pie shaped parcel located at 2701 Hunter Road. The site gains access to Hunter Road through an ingress/egress easement from the Indiana Department of Transportation (INDOT). There is an electrical transmission line easement and a wide right of way along Hunter Road, thus limiting the site's buildable area to 2.3 acres.

**Business Use**

The new owners are seeking a rezoning to I-1, to allow for contractor's office/warehouse businesses. The site is well maintained and most suitable for the proposed use since this will not be considered a destination place for the public or customers. The site plan will consist of four (4) 5,000 sqft buildings with office space in front and warehouse storage at the rear of each building.

**Workforce**

The proposed use will have 1-2 employees per tenant space. There are up to 4 tenant spaces per building for a maximum of 16 tenants. There will be employees that arrive in the morning and leave their personal vehicle and return in the early evening.

**Hours of Operation**

Typical business hours will be from 6am to 8pm Monday Through Friday; 8am to 8pm on Saturday and closed on Sundays. All business activity on the site will end at 10pm daily.

**Off-Street Parking**

There is a total of fifty-two (52) parking spaces proposed, including four (4) van accessible handicap spaces.

**Signage**

The proposed development will have business wall signs and a large address monument sign at the entrance.

**Clients and Customers**

The businesses will have mostly appointment customers and clients only.

**Business Activity/Security Measures**

The buildings will have security lighting and the parking area will have a dusk to dawn light.



**Shipping and Receiving**

The business will receive materials from UPS, a FedEx type of delivery service. There will be no semi-trailer deliveries to the site. All shipping and receiving will be within normal business time frames.

**Waste**

All waste would be picked up by utilizing a private or City waste disposal service.

**Self-Imposed Conditions**

The petitioner would agree to the following self-imposed conditions:

1. All development shall be in compliance with, and subject to, the site plan and building elevations file dated July 7, 2023.
2. The use of the property shall be in substantial compliance with, and subject to, the Plan of Operation, file dated April 23, 2024.
3. That the Variance





Photo of the subject site looking southeast from Hunter Road.



:Photo of the subject site looking north from the access drive.



Photo of the site looking north from the southern property boundary fence.



Photo of the subject site looking northeast from the southern property boundary fence.





Photo of single-family dwellings west of the site.



Photo of the southern property boundary fence looking east.





Photo of the retention pond south of the site.



Photo of the IPL substation south of the site.





Photo of single-family dwellings southwest of the site across Hunter Road.