

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2022-CZN-867 (Amended)
Address: 5400 and 5430 Greenfield Avenue and 400 Burgess Avenue
(Approximate Address)
Location: Warren Township, Council District #12
Petitioner: Baldeep Baidwan by David Kingen and Emily Duncan and Adam Hoffer
Request: Rezoning of 2.71 acres from the D-5 district to the D-8 district to provide for multi-family development.

The vacation petitions have been **withdrawn**. The **withdrawal should be acknowledged** by the Hearing Examiner at the July 27, 2023 hearing. The request has been changed from the D-7 district to the D-8 district.

The petitioner's representative requested and was granted a continuance from the April 13, 2023 hearing to the July 27, 2023 hearing.

The petitioner's representative requested and was granted a continuance from the February 9, 2023 hearing to the April 13, 2023 hearing to provide time to amend the site plan.

The petitioner's representative requested and was granted a continuance from the December 29, 2022 hearing to the February 9, 2023 hearing to allow for additional time to meet with the neighborhood and with staff.

The petitioner's representative requested and was granted a continuance from the December 1, 2022 hearing to the December 29, 2022 hearing to accommodate the petitioner's travel schedule.

RECOMMENDATION

Staff **recommends approval of this request.**

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation.

(Continued)

STAFF REPORT 2022-CZN-867 (Amended) (Continued)

LAND USE

- ◇ The subject site was platted as residential lots as part of Witz and Spannuth's Addition in 1911. However, historic aerial photography indicates that only one lot within the subject site, located in the southeast corner of the plat, was ever developed with a single-family dwelling. This dwelling appears in the 1937 aerial photography, but is no longer seen after the 1986 photograph. In the 1990s the southeast corner of the site appears to have been used for outdoor storage of trailers. For the last 22 years, the site appears to have been unused and became a woodland. The woods were destroyed in 2022.
- ◇ The residential neighborhood to the north along Burgess Avenue predates the 1937 aerial photography, as does a row of dwellings along the eastern edge of the site. The neighborhood to the west was under construction in the early 1960s. Commercial uses to the south and southeast begin to appear in the 1956 aerial photograph.
- ◇ The 1911 plat provided for two streets to serve the subject site. Greenfield Avenue ran roughly east/west, connecting Irvington Avenue to Ritter Avenue and then continuing east to Arlington Avenue. Whittier Place, also known as Elm Avenue, was to run north/south from Burgess Avenue to Greenfield Avenue. This site was also to be served by two east/west alleys in the interior of the site and a north/south alley along the eastern edge of the site.
- ◇ The Irvington Neighborhood Plan (2008), a segment of the Indianapolis/Marion County Comprehensive Plan, recommends Light Industrial for the subject site. This typology provides for industrial production, distribution and repair uses conducted that are within enclosed structures and are unlikely to create emissions of light, odor, noise, or vibrations. Typical uses include warehousing, self-storage, assembly of parts, laboratories, wholesaling, and printing.
- ◇ The Irvington Neighborhood Plan noted that existing industrial uses made up about 6% of the neighborhood's area and that industrial businesses "were very important to the neighborhood providing higher paying jobs for some residents of Irvington." The plan recommended some expansion of industrial uses in the neighborhood, but that this expansion should take place "along high volume roads or accessible to nearby interstates and railroad."

(Continued)

STAFF REPORT 2022-CZN-867 (Amended) (Continued)

ZONING

- ◇ This petition requests a rezoning to the D-8 district. This district provides for range of housing types including single-family dwellings, duplexes, multi-unit houses, rowhouses, and small apartment buildings.
- ◇ No site plan has been submitted with the request for the D-8 district. Development in this district would be required to follow the standards for the D-8 district, which, like the D-5 district that abuts its, is a part of the Ordinance’s Walkable Neighborhood Dwelling Districts.
- ◇ The requested zoning district is not responsive to the Irvington Neighborhood Plan’s recommendation of Light Industrial for the site. The Current Planning staff takes the recommendations of Comprehensive Plan segments very seriously. However, in this instance, staff finds a deviation to the plan to be acceptable. The site was historically platted for residential development and is abutted on two sides by single-family residences. The site is not located on an arterial or collector street, but it is tied into local residential streets.

GENERAL INFORMATION

EXISTING ZONING, CONTEXT AREA, AND LAND USE

D-5	Compact	Wooded undeveloped lots, cleared undeveloped parcels
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SURROUNDING ZONING AND LAND USE

North	D-5	Single-family dwellings
South	D-5, I-4	General contractor, warehouse
East	C-7, D-5, I-3	Single-family dwellings, contractors, automobile sales, retail space
West	D-5	Single-family dwellings

COMPREHENSIVE LAND USE PLAN	The Irvington Neighborhood Plan (2008) recommends Light Industrial.
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THOROUGHFARE PLAN	Burgess Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Local Street, with an existing right-of-way ranging from 98 to 130 feet and a 48-foot proposed right-of-way.
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STAFF REPORT 2022-CZN-867 (Amended) (Continued)

Elm Avenue (Whittier Place) is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Local Street, with a 50-foot existing right-of-way and a 48-foot proposed right-of-way.

Greenfield Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Local Street, with a 50-foot existing right-of-way and a 48-foot proposed right-of-way.

FLOODWAY / FLOODWAY FRINGE	This site is not located within a floodway or floodway fringe.
WELLFIELD PROTECTION DISTRICT	This site is not located within a wellfield protection district.
STREAM PROTECTION CORRIDOR	This site is not located within a Stream Protection Corridor.

ZONING HISTORY – SITE

None.

ZONING HISTORY – VICINITY

2022-CZN-840 / 2022-CVR-840 / 2022-CVC-840; 5436 Brookville Road (south of site); requested the rezoning of 1.6 acre from the C-3 district to the C-S district to provide for truck retail and repair and limited C-4 uses, a variance of development standards to provide for a deficient number of parking spaces and a vacation of an alley, **withdrawn**.

2021-DV2-042; 5550 & 5565 Brookville Road (south of site); requested a variance of development standards to provide for double-loaded parking in a front yard and for a loading area in a front yard, **approved**.

2007-ZON-023; 400 South Ritter Avenue (northeast of site), requested the rezoning of 0.74 acre from the I-3-U district to the C-3C district, **approved**.

94-UV3-38; 422 South Ritter Avenue (east of site), requested a variance of use to provide for bicycle sales and service in an industrial district, **approved**.

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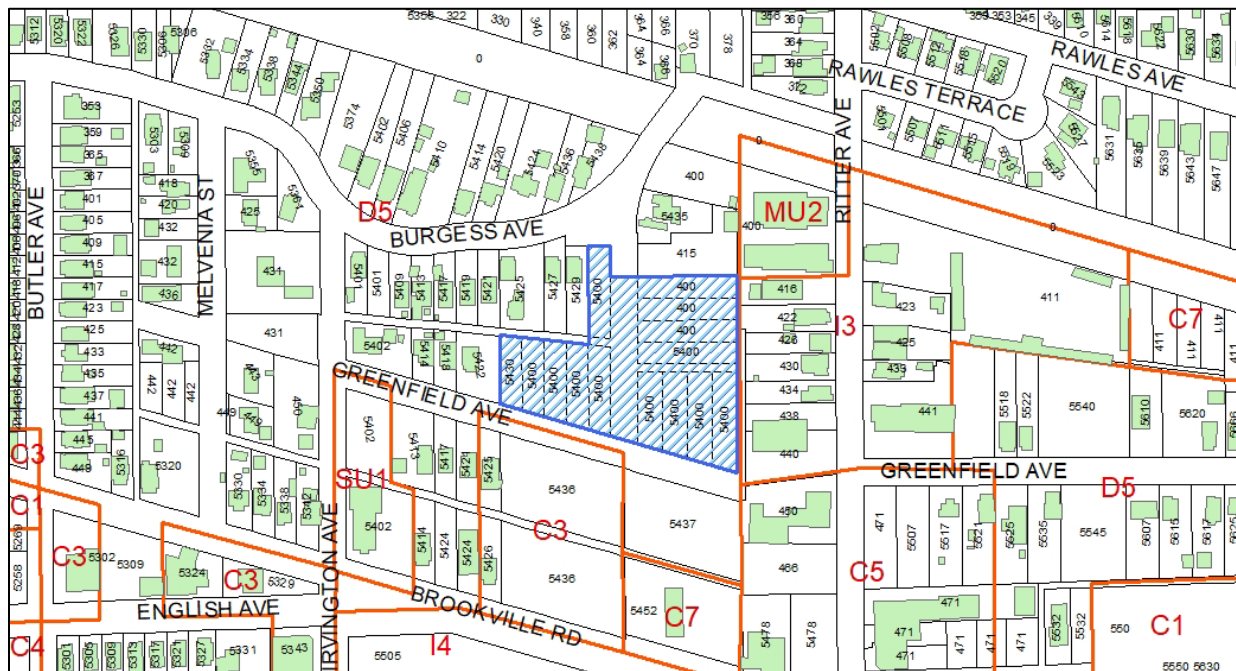
STAFF REPORT 2022-CZN-867 (Amended) (Continued)

88-UV1-79; 450 South Ritter Avenue (southeast of site), requested a variance of use and development standards to provide for an office for a construction contractor, **approved**.

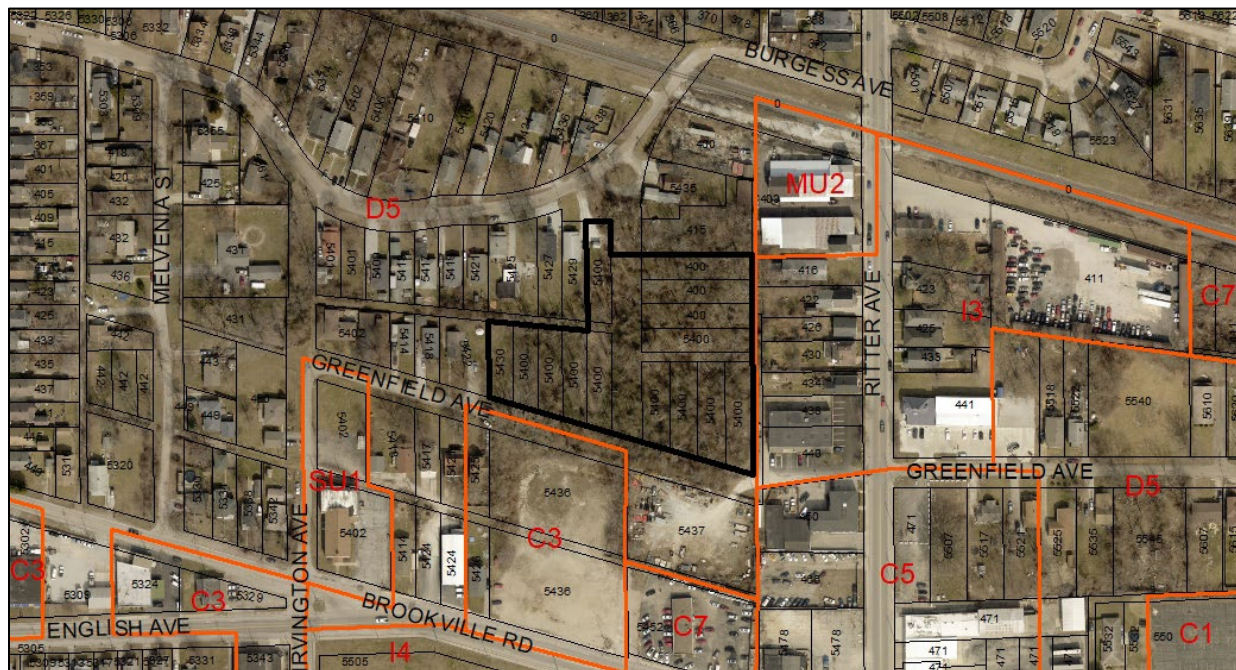
87-V1-29; 5436 Brookville Road (south of site), requested a variance of development standards to provide for a deficient front setback for a canopy, **approved**.

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STAFF REPORT 2022-CZN-867 (Amended), Location



STAFF REPORT 2022-CZN-867 (Amended), Aerial photograph (2021)



STAFF REPORT 2022-CZN-867 (Amended), Photographs



Looking east across the subject site from the end of Greenfield Avenue along the unbuilt portion of Greenfield Avenue.



Looking west on Greenfield Avenue from the site to the neighbors to the west.



Looking north across the subject site.



Looking east at the neighbor to the east.



Looking north at the existing north-south alley along the east side of the subject site.



Looking northeast at the neighbors to the east.



Looking south at the subject site along the Whittier Place (Elm Avenue) right of way.



Looking east at the neighbor to the north.



Looking west along Burgess Street.



Looking north along Burgess Street.