

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-ZON-066
Address: 8711 River Crossing Boulevard (approximate address)
Location: Washington Township, Council District #3
Petitioner: 8711 River Crossing, Inc., by Kevin Buchheit
Request: Rezoning of 2.964 acres from the C-S (FF) district to the C-S (FF) district to add financial and insurance services as a permitted use.

The Hearing Examiner acknowledged a timely automatic continuance that continued this petition from the June 15, 2023 hearing, to the July 13, 2023 hearing.

RECOMMENDATIONS

Staff **recommends approval** of this request, 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 / receptables provided for the proper disposal of trash and other waste

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

- ◇ This 2.964-acre site, zoned C-S (FF), is developed with a multi-story commercial office building and associated parking lot to the south. It is surrounded by commercial office uses to the north and south, zoned C-S (FF); a retention pond to the east, zoned C-S (FF); and a shopping center to the west, across River Crossing Boulevard, zoned C-4.

REZONING

- ◇ This request would rezone the site from the C-S District to the C-S classification from the C-S (FF) district to the C-S (FF) district to add financial and insurance services as a permitted use. "The C-S District is designed to permit, within a single zoning district, multi-use commercial complexes or land use combinations of commercial and noncommercial uses, or single-use commercial projects. The primary objective of this district is to encourage development which achieves a high degree of excellence in planning, design or function, and can be intermixed, grouped or otherwise uniquely located with maximum cohesiveness and compatibility. The district provides flexibility and procedural economy by permitting the broadest range of land use choices within a single district, while maintaining adequate land use controls. The C-S District can include high-rise or low-rise developments, can be applied to large or small land areas appropriately located throughout the metropolitan area, and can be useful in areas of urban renewal or redevelopment.

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- ◇ The Comprehensive Plan recommends regional commercial typology. “The Regional Commercial typology provides for general commercial and office uses that serve a significant portion of the county rather than just the surrounding neighborhoods. Uses are usually in large freestanding buildings or integrated centers. Typical examples include shopping malls, strip shopping centers, department stores, and home improvement centers.”
- ◇ The Pattern Book lays out a land use classification system that guides the orderly development of the county, protects the character of neighborhoods and serves as a policy guide for development or redevelopment of a site.
- ◇ The following elements of the Pattern Book apply to this site:

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.

Large-Scale Offices, Retailing, and Personal or Professional Services (defined as commercial uses with minimal outdoor operations, storage, or display on lots of more than 1.5 acres and a height of more than 35 feet).

- Should be located along an arterial street.
- Outdoor display of merchandise should be limited.
- If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.
- Pedestrian connections between buildings should be provided.

Overlays

- ◇ This site is located within an overlay, specifically the Environmentally Sensitive overlay (ES). “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 Environmentally Sensitive Areas (ES) Overlay is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected. The purpose of this overlay is to prevent or mitigate potential damage to these resources caused by development. This overlay is also appropriate for areas that present an opportunity to create a new environmental asset. This overlay is not intended for the preservation of open space.
- ◇ The eastern portion of this site is located within the 100-year floodplain of White River

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Floodway Fringe

- ◇ This site has a secondary zoning classification of a Floodway Fringe (FF), which is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.
- ◇ The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (C-4 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance.

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.

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Planning Analysis

- ◇ The request would be consistent with the Comprehensive Plan recommendation of regional commercial typology and compatible with the surrounding commercial uses within the immediate area. Consequently, staff recommends approval of the rezoning request.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

C-S (FF) Commercial office uses

SURROUNDING ZONING AND LAND USE

North -	C-S (FF)	Commercial office uses
South -	C-S	Commercial office uses
East -	C-S (FF)	Retention Pond
West -	C-4	Shopping Center

COMPREHENSIVE PLAN The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends regional commercial typology.
Marion County Land Use Pattern Book (2019).

THOROUGHFARE PLAN This portion of River Crossing Boulevard is designated in the Marion County Thoroughfare Plan as a local street, with an existing 75-foot right-of-way and a proposed 48-foot right-of-way.

CONTEXT AREA This site is located within the metro context area.

OVERLAY This site is located within an environmentally sensitive overlay

SITE PLAN File-dated June 23, 2023

ZONING HISTORY

2014-CZN 802 / 2014-CVR-802; 8711 and 8805 River Crossing Boulevard and 3520 Commerce Crossing, requested rezoning of 14.6 acres from the C-4 and C-S districts to the C-S district to provide for a mixed-use development of residential, office and hotel uses, with first-floor retail, fitness center and restaurant uses and free-standing retail and restaurant uses, with outdoor seating and dining areas and a variance of development standards of the Commercial Zoning Ordinance up to a 30 percent reduction in the amount of parking and a maximum height of 65 feet at the setback line, with a three-foot height increase for each additional foot of setback to a maximum setback of 30 feet, with a maximum height of 150 feet beyond a 30-foot setback at 3520 Commerce Crossing and with an unlimited height beyond a 30-foot setback at 8711/8805 River Crossing Boulevard, **approved and granted**.

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2018-DV3-040; 8711 River Crossing Boulevard, requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for 210 small vehicle parking spaces, **granted**.

VICINITY

2013-UV1-023: 8701 and 8702 Keystone Crossing (west of site), requested a variance of use of the Commercial Zoning Ordinance to provide for indoor automobile sales and display and electric automobile charging stations within the parking garage (not permitted); **granted**.

2013-DV3-021: 8631 River Crossing Boulevard (south of site), requested a variance of development standards of the Commercial Zoning Ordinance to provide for a drive-through lane, with two stacking spaces before the pick-up window and one stacking space after the pick-up window (six stacking spaces required before the pick-up window and two after the pick-up window), and to provide for a trash enclosure in front of the established building line along River Crossing Boulevard (not permitted); **granted**.

2012-CVR-818 / 2012-CAP-818: 8631 River Crossing Boulevard (south of site), requested a variance of development standards of the Commercial Zoning Ordinance to provide for outdoor seating/dining for all types of restaurants (outdoor seating permitted for family restaurants only); and requested modification of the C-S statement and commitments related to 93-Z-151; **granted and approved**.

2011-ZON-005: 8787 Keystone Crossing (west of site), requested rezoning of 6.87 acres, from the C-S District, to the C-S classification to provide for multi-family residential uses; **approved**.

2004-UV3-005; 3520 Commerce Crossing (west of site); requested a variance of development standards of the Commercial Zoning Ordinance to provide for a fourteen-story, 258-foot tall, 240,000-square foot office building, **granted**.

93-Z-151: 8701 River Road (includes site), requested the rezoning of 85 acres, being in the D-A and SU-23 (GSB) District, to the C-S classification to provide for a mixed-use development to consist of an integrated retail commercial center, offices, a hotel, a free-standing restaurant and 675 residential apartments, **approved**.

93-CV-14: 8701 River Road (includes site), requested a Variance of Development Standards of the Commercial Zoning Ordinance to permit the development of residential apartment buildings with a setback of 20 feet from the existing right-of-way of River Road (minimum 70 feet from the centerline or 10 feet from the proposed right-of-way required); **granted**.

73-Z-41: 8750 North River Road (includes site), requested rezoning of 147 acres, being in the D-A District, to the SU-23 classification to provide for a sand and gravel operation; **approved**.



View of site looking southeast across River Crossing Boulevard



View of site looking north across River Crossing Boulevard



View of site looking north across adjacent parking lot to the south



View from site looking northeast



View from site looking east



View from site looking south



View from site looking southwest across River Crossing Boulevard