



## METROPOLITAN DEVELOPMENT COMMISSION

May 1, 2024

<b>Case Number:</b>	2024-ZON-015
<b>Property Address:</b>	2053 Yandes Street (Approximate Address)
<b>Location:</b>	Center Township, Council District #13
<b>Petitioner:</b>	Hollister Properties, LLC, by Kristin Hollister
<b>Current Zoning:</b>	I-3
<b>Request:</b>	Rezoning of 0.13 acres from the I-3 district to the D-8 district to provide for residential uses.
<b>Current Land Use:</b>	Vacant
<b>Staff Recommendations:</b>	Approval
<b>Staff Reviewer:</b>	Marleny Iraheta, Senior Planner

## PETITION HISTORY

### ADDENDUM FOR MAY 1, 2024, METROPOLITAN DEVELOPMENT COMMISSION

This petition was heard by the Hearing Examiner on April 11, 2024. After a full hearing, the Hearing Examiner recommended approval of the request. Subsequently, a remonstrator filed an appeal of the Hearing Examiner's decision. A memorandum of her recommendation is attached.

A timely **automatic continuance** was filed by the petitioner **continuing this petition from the May 1, 2024 hearing to the June 5, 2024 hearing**. This would require acknowledgment by the Commission.

#### April 11, 2024

This petition was automatically continued from the March 14, 2024 hearing to the April 11, 2024 hearing at the request of a remonstrator.

## STAFF RECOMMENDATION

Staff **recommends approval** of the request.

## PETITION OVERVIEW

### LAND USE

The 0.13-acre subject site is an undeveloped industrial lot located in the Martindale- Brightwood Neighborhood and is part of the S A Fletcher Jr. North East subdivision. It is surrounded by a single-family dwelling north, zoned D-8, a vacant commercial building west, zoned D-P, an undeveloped lot south, zoned I-3 and an industrial building east, zoned I-3.



**REZONING**

This petition would rezone this site from the I-3 district to the D-8 district for a single-family dwelling and detached garage.

The I-3 district is an intermediate district for industries that present moderate risks to the general public. Wherever practical, this district should be away from protected districts and buffered by intervening lighter industrial districts. Where this district abuts protected districts, setbacks are large, and enclosure of activities and storage is required.

The D-8 district is intended for a variety of housing formats, with a mix of small-scale multi-unit building types. This district can be used as a part of new mixed- use areas, or for infill situations in established urban areas, including medium and high-density residential recommendations of the Comprehensive Plan, and the Traditional Neighborhood, City Neighborhood, and Village or Urban Mixed-Use Typologies of the Land Use Pattern Book.

**STAFF ANALYSIS**

Staff is supportive of the rezoning to the D-8 district because it would allow for residential development to occur in line with the context of the surrounding area and historical residential use of the site per an 1898 Sanborn Map. The dwelling district would also align with the traditional neighborhood recommendation of the Comprehensive Plan.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	I-3	
<b>Existing Land Use</b>	Undeveloped	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
	North:	D-8 Residential (Single-family dwelling)
	South:	I-3 Undeveloped
	East:	I-3 Industrial
	West:	D-P Vacant Commercial Building
<b>Thoroughfare Plan</b>		
Yandes Street	Local Street	61-foot existing right-of-way and a 48-foot proposed right-of-way.
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	N/A	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<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)
- Infill Housing Guidelines (2021)

### Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends traditional neighborhood development for the subject site.
- The Comprehensive Plan recommends traditional neighborhood development, which 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.
- **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.
- **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.
- Lots should be no larger than one and a half times the adjacent lots.
- **Attached Housing**
  - Duplexes should be located on corner lots, with entrances located on different sides of the lot.
  - It is preferred that townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood-serving retail.
  - If the above conditions are not met, individual buildings of attached housing (not part of a complex) may be interspersed with single-family homes, but should not make up more than 25% of the primary residential structures on a block.

### 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

- **BUILDING ELEVATIONS AND ARCHITECTURAL ELEMEN**
  - **1. Utilize Foundation Styles and Heights that are Consistent with Nearby Houses:** The height of the foundation affects where doors, porches, and windows are located. Unless there are special circumstances that require additional height, such as the location is in or near a floodplain, the foundation height for new construction should be consistent with nearby buildings.
  - **2. Be Consistent with Surrounding Entry Locations:** Main entries should be visible from the street. Entries should not be hidden, obscured, or missing from the main street elevation (front). The entry should reflect a similar characteristic to those that surround it, such as formal or casual, recessed or flush, narrow or wide.
  - **3. Where Appropriate, Include Porches or Stoops:** Use context to determine if front porches are consistent elements used in the neighborhood. If so, add porches or stoops to new construction.
  - **4. Coordinate the Location and Door Style of Balconies with the Surrounding Neighborhood:** Balconies are common architectural elements in some neighborhoods, but uncommon in others. Balconies along the street should be used when appropriate. When a balcony is used, consider the appropriate door access for the type of balcony. For example, Juliet balconies, which are intended to bring the outside in, make the most sense when French doors are used.

- **5. Consider Nearby Roof Styles:** The basic outline of a new building should reflect building outlines typical of the area. Roof selection and overall height contribute to the building outline. Select roof shapes that are frequently used in the neighborhood.
- **6. Fenestration Should Relate to the Surrounding Context:** Windows and doors should be arranged on buildings so as not to conflict with the basic fenestration patterns in the neighborhood. The proportion of glass (windows) to solid materials (wood, bricks, and other materials) which is found within the surrounding context should be reflected in new construction. Every elevation (sides and rear) should have windows on each story to help break up the monotony of the façade.
- **7. Materials Used Should Reflect the Context of the Neighborhood:** Introducing new materials that are not used in the existing context should be done in a way where those materials are not the dominant material and make up less than 30% of the overall façade design.
- **8. Consider Unique Neighborhood Features:** In addition to the architectural features mentioned above, consider other common features like chimneys, dormers, gables, and overhanging eaves that shape the character of a neighborhood. When possible, include these features into new construction.

#### **Indy Moves**

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

## ZONING HISTORY

### ZONING HISTORY – VICINITY

**2024-CZN-803**; 2051 Columbia Avenue (southeast of site), Rezoning of 0.26 acres from the I-3 district to the D-8 district to provide for two, two-unit row homes, **pending**.

**2024-CVR-803**; 2051 Columbia Avenue (southeast of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for three-foot side setbacks (five feet required), **pending**.

**2023-CZN-848 / 2023-CPL-848**; **2069 Yandes Street** (northeast of site), Rezoning of 0.42 acre from the I-3 district to the D-8 district and Approval of a Subdivision Plat to be known as Starks Minor Subdivision, dividing 0.42 acre into four lots, **approved**.

**2022-CZN-835**; **2069 Yandes Street** (northeast of site), Rezoning of 0.42 acre from the I-3 district to the D-8 district, **withdrawn**.

**2022-ZON-005**; **2024 Columbia Avenue** (southeast of site), Rezoning of 0.129 acre from the I-3 district to the D-8 district to allow for the construction of a single-family house, **approved**.

**2021-CZN-819**; **2021-CVR-819 (south of site)**,

**2021-CZN-816 / 2021-CVR-816**; **2035, 2039, 2043 and 2047 Columbia Avenue** (southeast of site), Rezoning of 0.47 acre from the I-3 district to the D-8 district and a variance of development standards to provide for a deficient front setback, **approved**.

**2021-ZON-104**; **2060 Yandes Street** (northwest of site) Rezoning of 3.6 acres from the I-3 district to the D-P district to provide for 54 total units consisting of 50 single-family attached dwellings and four single-family detached dwellings for a density of 15 units per acre, **approved**.

**2021-ZON-063**; **2057 Yandes Street** (north of site), Rezoning of 0.13 acre from the I-3 district to the D-8 district, **approved**.

**2021-ZON-059**; **2020 Columbia Avenue** (southeast of site), Rezoning of 0.13 acre from the I-3 district to the D-8 district, **approved**.

**2021-ZON-028**; **2018, 2024 and 2032 Yandes Street** (southwest of site), Rezoning of 0.39 acre from the I-3 district to the D-8 district, **approved**.

**2020-CZN-835 / 2020-CVR-835**; **2005 and 2011 Columbia Avenue**; **1314 East 20th Street** (southeast of site), Rezoning of 0.29 acre from the I-3 district to the D-8 classification and Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of three single-family dwellings, with one single-family dwelling within the clear sight triangle of the abutting



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streets, with three-foot side setbacks and 47% open space (four-foot side setback and 55% open space), **approved and granted.**

**2020-CZN-829 / 2020-CVR-829: 2030 Yandes Street** (southwest of site), Rezoning of 0.13 acre from the I-3 district to the D-8 district and a variance of development standards to provide for deficient space between dwellings and deficient open space, **approved.**

**2020-ZON-076; 2019 and 2023 Yandes Street** (south of site), Rezoning of 0.26 acre from the I-3 district to the D-8 district, **approved.**

**2020-ZON-038; 2028 Columbia Avenue** (southeast of site), Rezoning of 0.1 acre from the I-3 district to the D-8 classification, **approved.**

**2019-HOV-020; 2015 Columbia Avenue** (southeast of site), Variance of use to provide for a single-family dwelling in an industrial district, and variances of development standards to provide for deficient setbacks, **approved.**

**2019-ZON-030; 2010 Yandes Street** (southwest of site), Rezoning of 0.13 acre from the I-3 District to the D-8 classification, **approved.**

**2019-ZON-029; 2007 Columbia Avenue** (southeast of site), Rezoning of 0.1 acre from the I-3 district to the D-8 district, **approved.**

**2019-ZON-028; 2032, 2038, and 2042 Columbia Avenue** (southeast of site), Rezoning of 0.39 acre from the I-3 district to the D-8 classification, **approved.**

**2018-UV1-030; 2018 Yandes Street** (southwest of site), Variance of use and development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for primary and accessory residential uses, including a single-family dwelling and detached garage, with deficient front and rear transitional setbacks and north side setback (30-foot front and rear transitional setbacks and 10-foot side setback required), **granted.**

**2017-ZON-030; 2001-2044 Alvord Street** (southwest of site), Rezoning of 2.57 acres, from the I-3 district to the D-8 classification, **approved.**

**2001-LNU-024; 2016 Columbia Avenue** (southeast of site), Certificate of Legal Non-Conforming Use of a single-family dwelling in the I-3-U district, **approved.**

**97-UV3-34; 2002 Alvord Street** (southeast of site), Variance of use of the Industrial Zoning Ordinance to provide for the repair of passenger automobiles and trucks, **denied.**

**95-UV3-1; 2002 Alvord Street** (southeast of site), Variance of use of the Industrial Zoning Ordinance to provide for an automobile and truck repair operation (not permitted), **granted for one year.**



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Current Planning

**93-UV3-31; 2016 Columbia Avenue** (southeast of site), Variance of use to provide for an addition to a single-family dwelling in an industrial district, **approved.**

**92-Z-133; 2001 Yades Street** (south of site), Rezoning of 2.640 acres from I-3-U District to the SU-1 classification to provide for a church, **approved.**

**85-UV3-14; 2022 Columbia Avenue** (southeast of site), Variance of use to provide for a single-family dwelling in an industrial district and a variance of development standards to provide for deficient setbacks, **approved.**

**82-V3-13; 2002-2012 Alvord Street** (southwest of site), Variance of development standards to permit the outside storage of a trash container at the northwest corner of the subject property, **granted.**

**58-V-429; 2017-2019 Alvord Street** (southwest of site) Variance of use to permit erection of a church, **approved.**



EXHIBITS





## MEMORANDUM OF EXAMINER'S DECISION

**2024-ZON-015**

**2053 Yandes Street**

The petition requests the rezoning of 0.13 acre from the I-3 district to the D-8 district to provide for residential uses.

Your Hearing Examiner visited the vacant site prior to the hearing and noted that it is in an area that is being developed residentially. While industrial use is east of the site, many of the lots in the neighborhood are residential.

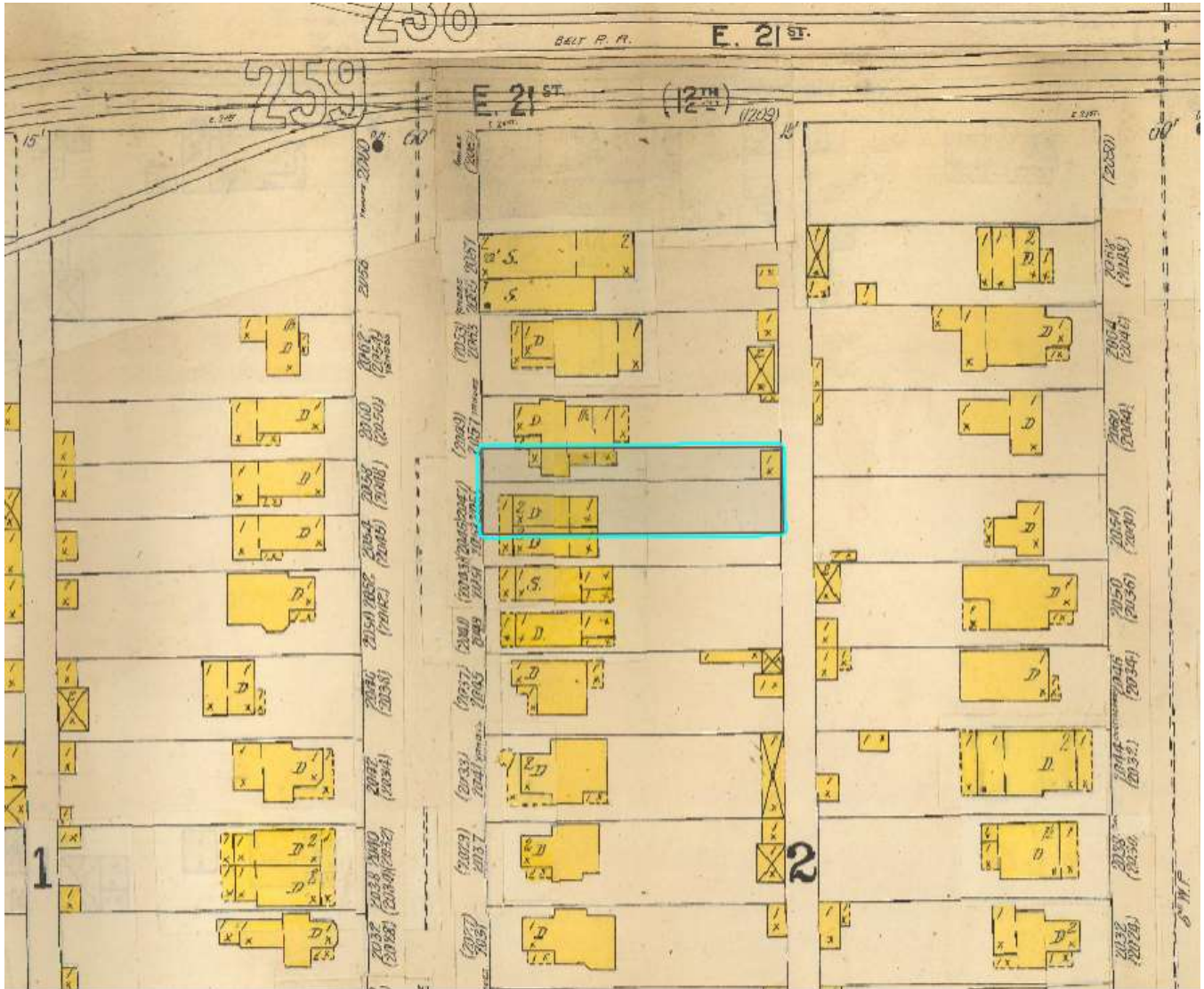
The petitioner explained the proposal to build a single family residence with a detached garage on the site. Although there are several unkempt properties south of the site, the area has been booming with residential development for the last five or six years. The petitioner stated that the City-County Councilor did not object to the request, although he was not at the hearing and didn't provide a letter.

The owner of the vacant lot south of the site remonstrated. He opined that the revitalization of the area is not only residential, and that the rezoning would diminish the value of his lot and make it difficult to provide a transitional yard if it is developed.

Staff stated that the historical use of the area was residential, and that the area is reverting to residential use. Because the remonstrator had argued that a use variance should have been filed instead of a rezoning petition, staff explained that it prefers a rezoning petition for a new build.

In your Hearing Examiner's opinion, the requested D-8 district is consistent with zoning and land uses in the area. Approval of this petition was recommended.

For Metropolitan Development Commission Hearing on May 1, 2024



1898 Sanborn Map



Photo of the subject site.



Photo of the sidewalk conditions in front of the property.



Photo of the rear of the property looking west.



Photo of the alley east of the site.



Photo of the undeveloped lot and single-family dwellings south of the site.



Photo of the single-family dwelling north of the site.