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# PLAN COMMISSION STAFF REPORT

May 22, 2007

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**PETITION #13-07 (Ordinance #30-07)**  
**Zone Map Change**

**APPLICANTS:**

City of Anderson Parks Board, Elda Corporation, Virgil Cook, State of Indiana, Larry and Georgia Holden, Robert and Mary Reasoner, John McShea, Tim Yardberry, Jeffrey and Margie Cornell, Joseph Erner, Florence Gibson, Gary and Nora Idlewine, Kristin Stanley, Larry Hornbeck, Bryan and Melissa Hornbeck, Janet McKinney, Marlys Baker, and Carey and Sharon Corzine

**STATUS OF APPLICANTS:**

Applicants and Owners

**REQUESTED ACTION:**

Zone Map Change from R-2, R-3, I-3 and B-5 to B-4

**LOCATION:**

- 2800 through 3200 blocks of East 41<sup>st</sup> Street (Horseman's Road) extended on the south side
- 4100 through 5200 blocks of South Range Line Road on the west side
- 2700 through 3200 blocks of East 53<sup>rd</sup> Street on the north side and bounded on the west by Virgil Cook Boulevard and Dan Patch Circle

**ACREAGE:**

240 acres

**EXISTING LAND USE:**

Horse Track (Hoosier Park) / Residential / Farm Ground

**SURROUNDING LAND USES:**

**North:** East 41<sup>st</sup> Street (Horseman's Road) / Wooded Area / Hoosier Woods Apartments / Residential

**South:** East 53<sup>rd</sup> Street / Residential / Church (Faith Assembly of God)

**East:** Vacant Farm Ground / Residential

**West:** Vacant Farm Ground / Business (Southtown Center, Kohl's, Marshall's, Old Navy, Shoe Carnival, Super Walmart) / Residential

**COMPREHENSIVE PLAN:**

Regional Commercial / Medium Density Residential / Community Commercial

**ZONING HISTORY:**

- 5219 South Range Line Road rezoned from R-2 to B-5 by Plan Commission on 6-28-1984.
- 5103 and 5113 South Range Line Road rezoned from R-2 to B-5 by Plan Commission on 2-23-1989.
- 5223 and 5227 South Range Line Road rezoned from R-2 to R-3 by Plan Commission on 3-28-1991.
- Primary Plat for Hoosier Park approved by Plan Commission on 4-26-1994.
- 5223 South Range Line Road rezoned from R-3 to B-5 by Plan Commission on 6-27-2000.

**APPLICABLE REGULATIONS:**

- R-2 Residential: This is a single family dwelling district.
- R-3 Residential: This is a single family dwelling district or duplex zone district.
- I-3 Industrial Reserved: This district is located where excellent industrial sites occur, but which may not be developed. Therefore, industry may be permitted as a special exception. Dwellings are permitted in the I-3 District; business is not permitted.
- B-5 Office Zone District:
- B-4 Community Shopping Center: This district is provided to meet the need for retail shopping facilities in planned shopping centers in the section of the City where no clear pattern of business use now exists. It is proposed that each such business center be established on a single, well-planned site of at least five acres in an area to accommodate the shopping needs of the community. A special exception is required.

**ATTACHMENTS:**

MOSAIC Map, Zone Map, Photographs

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These properties are located in the 2800 through 3200 blocks of East 41<sup>st</sup> Street (Horseman's Road) extended on the south side, the 4100 through 5200 blocks of South Range Line Road on the west side, and 2700 through 3200 blocks of East 53<sup>rd</sup> Street on the north side and bounded on the west by Virgil Cook Boulevard and Dan Parch Circle. The properties consist of 240 acres and are zoned R-2 Residential, R-3 Residential, I-3 Industrial Reserved and B-5 Office zone district. The Hoosier Park horse track is located in the center of the proposed rezoning, along with single family homes in the southeast corner, while the remainder is vacant farm ground.

This petition comes before the Plan Commission seeking a **zone map change** of the affected properties from R-2, R-3, I-3 and B-5 to B-4 Community Shopping Center. R-2 allows for single family homes, R-3 allows for single family homes or duplexes, and I-3 allows for industrial development and future expansion as well as residential uses, but no business uses. B-5 permits professional office uses. The B-4 zone class is designed to meet the needs for retail shopping facilities in planned shopping centers. A special exception is required in a B-4 zone district.

Staff notes, north of the affected property is East 41<sup>st</sup> Street (Horseman's Road) and vacant partially wooded property zoned I-3 and R-2, currently being considered for rezoning to B-3. To the west is Dan patch Circle and Virgil Cook Boulevard and vacant ground zoned I-3 and B-4. Directly south is East 53<sup>rd</sup> Street, East 53<sup>rd</sup> Street Parkway, residential property and church property (Faith Assembly of God) zoned R-2 Residential. To the east is South Range Line Road (Anderson City Limits) and acreage located in Madison County zoned Conservation Residential (CR).

Staff notes, this rezoning request, if approved, will place this acreage in partial alignment with the City's new Comprehensive Plan, which designates this acreage as Regional Commercial Medium Density Residential and Community Commercial.

Staff encourages Plan Commission members to consider the impact this proposed rezoning will have on surrounding properties. Staff urges the Commission members to review the following points as they consider this proposed rezoning:

1. Is the proposed B-4 zone district the highest and best use of the land as it adjoins or abuts an existing B-4 zoning?
2. Staff notes, the proposed B-4 rezoning could contribute to future additional traffic congestion along East 38<sup>th</sup> Street, South Range Line Road, East 53<sup>rd</sup> Street, Virgil Cook Boulevard, Charles Street and South Scatterfield Road.
3. How will the B-4 rezoning, if approved, impact the 15 residential properties located off the northwest corner of South Range Line Road and East 53<sup>rd</sup> Street?
4. Will the B-4 rezoning, if approved, combined with the passage of the "slot machine" legislation result in an increase in economic development activity around Hoosier Park?

Staff notes, the Anderson Parks Board approved a resolution on May 1, 2007 supporting the proposed rezoning of the Hoosier Park site.

In closing, it is the responsibility of the petitioner to demonstrate that the character of the property in question has changed and the highest and best use of the land is for a B-4 Community Shopping Center use.

Staff is recommending approval of the rezoning from R-2, I-3 and B-5 to B-4, because the proposed rezoning does abut or adjoin property already zoned B-4. The rezoning will also bring the property into partial alignment with the City's Comprehensive Plan and lay the ground work for future commercial development around Hoosier Park.

**PLEASE VIEW THE SITE.**