

ORDINANCE NO. 2015-18

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RB/SINGLE FAMILY RESIDENTIAL DISTRICT TO LI/LIGHT INDUSTRIAL DISTRICT, COMMONLY KNOWN AS ZA 435/15: CAL-CAIT, LLC, S13-T14N-R1E, GUILFORD TOWNSHIP, PARCEL TOTALING 3.93 ACRES, LOCATED ON THE WEST SIDE OF COUNTY ROAD 825 EAST, 0.09 MILE SOUTH OF STATE ROAD 267, MORE COMMONLY KNOWN AS 8109 NETWORK DRIVE.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2008-16) adopted on the 12th day of August in the year 2008, be amended so as to include in the LI/Light Industrial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 435/15: Cal-Cait, LLC, S13-T14N-R1E, 3.93 acres, Guilford Township, located on the west side of County Road 825 East, 0.09 mile south of State Road 267, more commonly known as 8109 Network Drive.

SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 435/15: Cal-Cait, LLC, and the "Findings of Fact/Law" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Findings of Fact/Law" as a part of this ordinance.

SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 26 day of May, 2015.

Board of Commissioners

Bob Gentry
Bob Gentry, President

Phyllis A. Palmer
Phyllis A. Palmer, Vice-President

Matthew D. Whetstone
Matthew D. Whetstone, Member

Attest:
Cinda Kattau
Cinda Kattau, Auditor

Hendricks County Area Plan Commission

Findings of Fact/Law

ZA 435/15: Cal-Cait, LLC

An application for the above noted zoning map amendment was filed in the office of the Hendricks County Department of Planning and Building (DPB). That application sought to rezone a property from RB/Single Family Residential to LI/Light Industrial. Acting in its role as staff to the Hendricks County Area Plan Commission, the DPB staff subsequently created a file containing all documentation of the request and made that file available for public inspection in the department's office at the Hendricks County Government Center.

In accordance with Indiana Code (IC) 5-3-1, the DPB staff published a legal notice in the *Hendricks County Flyer* and the *Danville Republican*. This notice advertised the public hearing scheduled in conformity with the Hendricks County Area Plan Commission Rules of Procedure Section 3.07(D)(1). The public hearing included the above zoning map amendment on its agenda.

In accordance with Section 3.07(D)(2) of the Rules of Procedure of the Hendricks County Area Plan Commission, the applicant also sent courtesy notices to certain surrounding property owners of record and other interested persons. A copy of this courtesy notice and a list of those receiving them were made a part of the file for this rezoning petition.

The Commission conducted the hearing as advertised and heard evidence and testimony on the above noted rezoning. Meeting in open session, the Commission subsequently considered the above noted request and its relationship to the requirements of IC 36-7-4 and the Hendricks County Zoning Ordinance. A tape recording of this proceeding has been on file and available to the public in the DPB office since the date of the hearing.

In its deliberations, the Commission weighed the evidence associated with the following requirements and made the following findings.

IC 36-7-4-603: Zoning ordinance; preparation and consideration of proposals. In preparing and considering proposals under the 600 series, the plan commission and the legislative body shall pay reasonable regard to:

(1) The comprehensive plan;

The Commission finds that the proposal does not substantially comply with the recommendations of the Hendricks County Comprehensive Plan. The Comprehensive Plan designates this area for Suburban Residential use. However, the current transition to nonresidential uses under way in the area indicates that the proposed zoning district is compatible with current and future land use trends. In addition, the Town of Plainfield is

annexing and rezoning property in the area for industrial and commercial uses further indicating a transition to nonresidential uses.

(2) Current conditions and the character of current structures and uses in each district;

The Commission finds that the proposal is consistent and compatible with the character of current structures and uses in the zoning district. This proposal is an expected and incremental expansion of an existing use and will be designed to buffer existing residential uses from non-residential activity.

(3) The most desirable use for which the land in each district is adapted;

The Commission finds that the proposal does represent the most desirable use for which the land is adapted. Although this area is primarily residential, it is likely to transition into a mixed use area being located on a major corridor within close proximity to Interstate 70. This approval recognizes, and is compatible with, the changing character of the area.

(4) The conservation of property values throughout the jurisdiction;

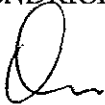
The Commission finds that the proposal does conserve property values in the jurisdiction. This approval is consistent with the area's long term transition of land uses from residential to a mix of commercial and industrial uses along a major arterial roadway.

(5) Responsible development and growth.

The Commission finds that the proposal does represent responsible development and growth. The character of the area is transitioning away from residential uses and toward commercial and industrial uses. The proximity of this area to the I-70 interchange, to the Town of Plainfield, to currently zoned industrial and commercial land, and to the established industrial warehouse district north of the I-70 interchange encourages this transition. This approval is consistent and compatible with the current and long term development trend in the area.

For all the foregoing reasons, the Commission recommends approval of this request for a zoning map amendment on the 12th day of May, 2015.

AREA PLAN COMMISSION
HENDRICKS COUNTY, INDIANA



Don F. Reitz, AICP

ZONING AMENDMENT PROJECT DATA

DATE	May 5, 2015					
AGENCY REVIEWS	Hendricks County Board of Commissioners Hendricks County Area Plan Commission					
PROJECT	ZA 435	2015	CAL-CAIT, LLC			
REQUEST	EXISTING	PROPOSED	STAFF RECOMMENDATION			
	RB	LI	Approval			
SURROUNDING LAND USE	NORTH	SOUTH	EAST	WEST		
	Residential	Residential	Residential	Commercial/Industrial		
SURROUNDING ZONING	NORTH	SOUTH	EAST	WEST		
	RB	RB	RB	LI		
DESCRIPTION	AREA	TOWNSHIP	SECTION	OTHER		
	3.92 acres	Guilford	S13-T14N-R1E	NA		
ROAD	ROAD	FUNCTIONAL CLASS	R/O/W	SETBACK		
	C.R. 825 East Network Drive	Urban Local Road Subdivision Road	40 feet (1/2) 25 feet (1/2)	35 feet 25 feet		
SEWER AND WATER	SEWER		WATER			
	Town of Plainfield		Town of Plainfield			
RECENT ZONING AMENDMENTS IN THIS AREA	ZONING AMENDMENT		NAME		FROM	TO
	ZA 247	2000	Cal-Cait		R-2	C-2 & I-2
	ZA 412	2011	Rodney Parks		RB	GB
COMPLIANCE	This project has complied with the applicable application and/or notification requirements.					
	This project does not comply with the Hendricks County Comprehensive Plan.					

Staff Comments:

The site in question is located on the west side of County Road 825 East, approximately 300 feet south of S.R. 267. The applicant is proposing to rezone 3.92 acres from RB/Single Family Residential to LI/Light Industrial district in order to expand his existing business to the east. The applicant proposes to screen the expansion area similar to what is provided for his existing business. The applicant has stated that access will be restricted off of Network Drive. It is the understanding of the staff that this expansion will allow additional indoor storage of commercial equipment. The existing business received rezone approval in 2000 (ZA 247) and has grown, therefore needing additional storage and parking.

Compatibility with current uses. The Comprehensive Plan recommends this area for Suburban Residential on the Land Use Plan and within the High Intensity area on the Land Use Intensity Map. There is an existing church located to the east of this property and there is also a property that was rezoned in 2011 for a motorsports sales and service business. Further, residential uses in this area are constrained due to the noise of aircraft by the Indianapolis International Airport. The proposed expansion is compatible with the land use pattern in the immediate area.

Compatibility with futures uses. The area is designated by the Comprehensive Plan as Suburban Residential on the Future Land Use Plan. Although this area is primarily residential currently, it is transitioning toward a mix of residential and nonresidential uses. The push toward nonresidential uses will likely continue as newly zoned industrial and commercial land around the I-70 interchange develops. The proposed zoning district is consistent with the likely future development pattern of the area. The Town of Plainfield is approximately 0.5 mile to the north and east of this site. Plainfield recently rezoned a large portion of the Exit 59 southwest quadrant for industrial and commercial uses.

Other considerations. There is an existing residential dwelling located on this property. The applicant must explain what is intended for the existing dwelling unit. If this rezone request is successful, the applicant will be required to obtain plat and development plan review approval for the expansion to review site layout, drainage, landscaping, etc., to comply with all county ordinances.

Staff

Recommendation:

Based on the information provided at the time of application, staff recommends the Plan Commission recommend: Approval