



Staff Report PC23-023-ZA

Wally's Rezone

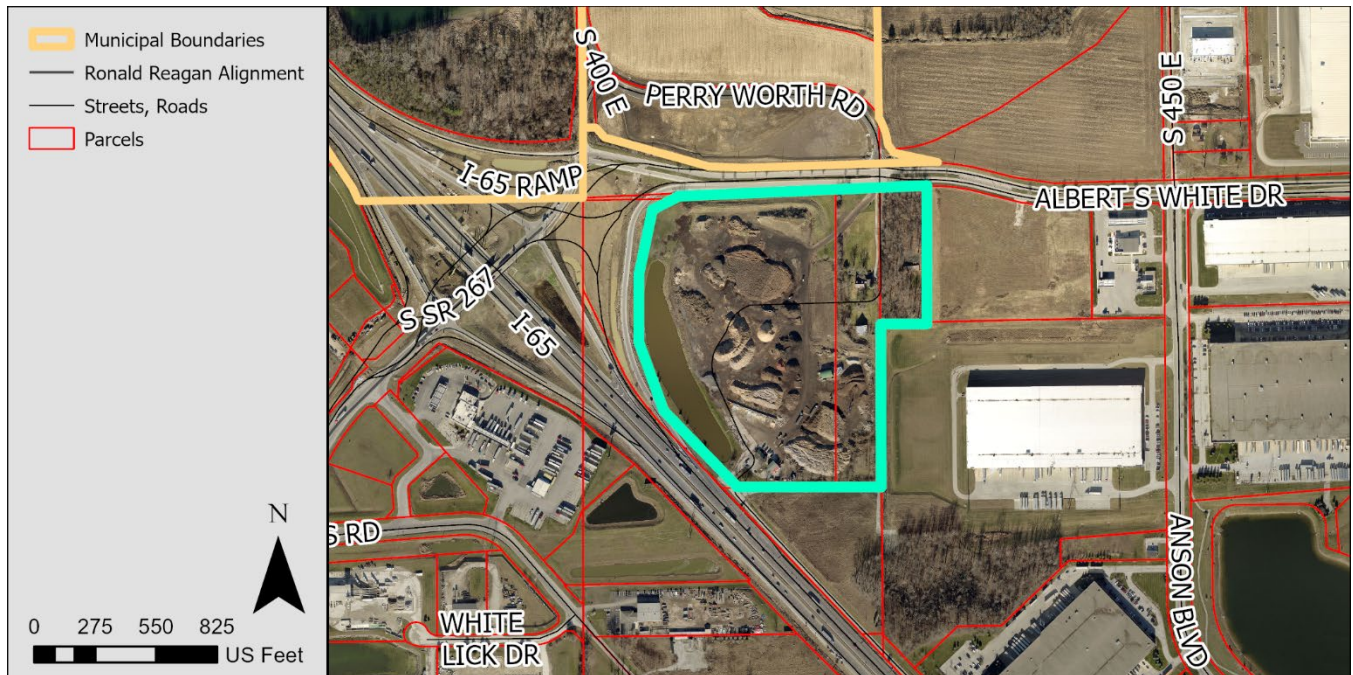
Meeting Date: June 12, 2023

Docket PC23-023-ZA – Zone Amendment – Wally's

The petitioner is requesting a review of a Zoning Map Amendment to rezone the described area from the General Agriculture (AG) Zone to the Accommodation Business (AB) and Mixed-Use Commercial, Office, and Residential (MU-COR) Zones. The site in question is approximately 32.64 acres. The intent of the rezone is to develop a Wally's convenience gas station and additional outlots for future developments. The site in question is located on the south side of Albert S White Drive in Whitestown. The applicant is Wally's Operating, LLC. on behalf of the owners Cumberland-Whitestown, LLC and John E. Repenning.

Location

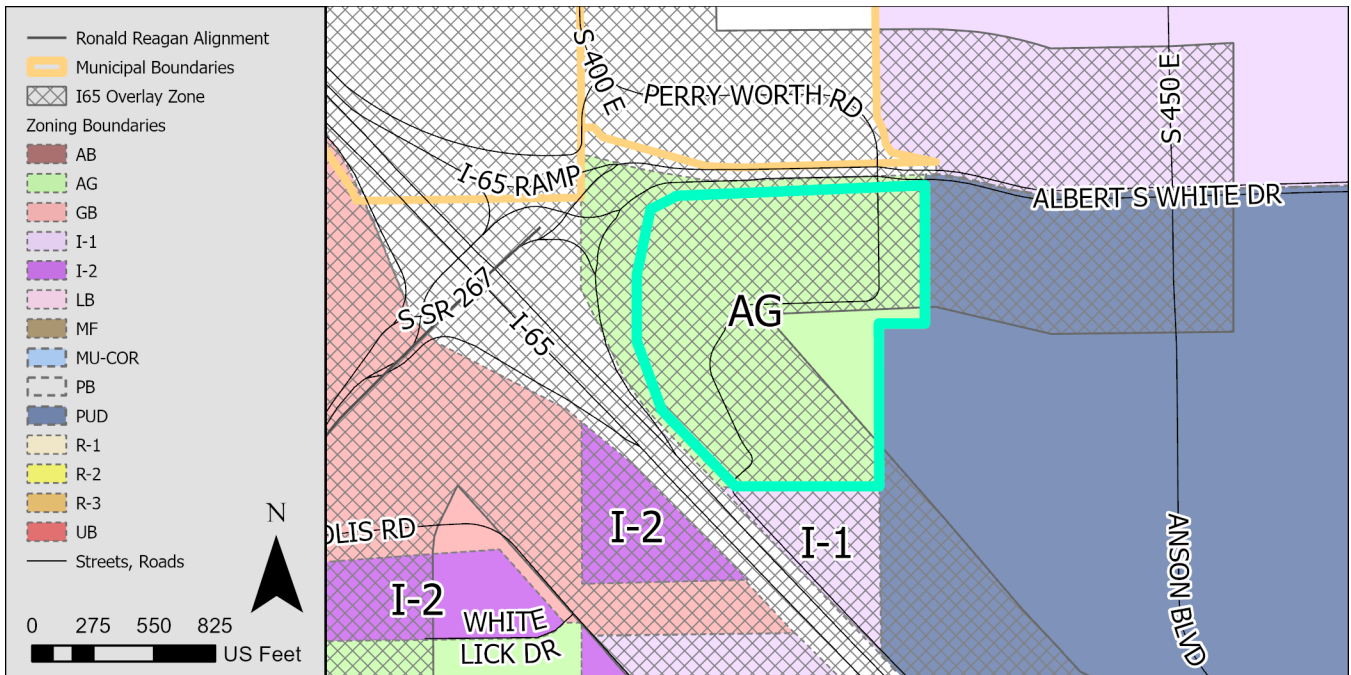
The site in question is located on the southeast corner of the I-65 and Albert S White Drive interchange. Perry Worth Road currently dead ends on the south side of the site. The site is currently occupied by Greencycle business. The surrounding area is characterized by industrial uses.



Zoning

The map below shows the subject site with existing and surrounding zoning.

- **North:** Boone County General Agriculture (AG)
- **East:** Anson Planned Unit Development (PUD)
- **South:** Light Industry (I-1)
- **West:** General Business (GB) and General Industry (I-2)



The site in question is currently zoned General Agriculture (AG). “This district is established for all types of agricultural uses and to conserve significant farm land and open space in the community through the creation of contiguous parcels of non-residential acreage and maximizing the clustering of rural residential lots.” Permitted uses within the AG Zone include but are not limited to government buildings, farms, and plant nurseries.

The site is also currently zoned with the I-65 Overlay. “This district is established to provide consistent and coordinated treatment of the properties bordering I-65 within Whitestown. The I-65 Corridor is a premier office and industrial business location and employment center whose vitality, quality, and character are important to adjacent residents, employees, business owners, taxing districts, and the community as a whole. Therefore, this district seeks to promote the aesthetic qualities of properties within the corridor.” The I-65 Overlay will remain in place if the site is rezoned.

Proposed Zoning

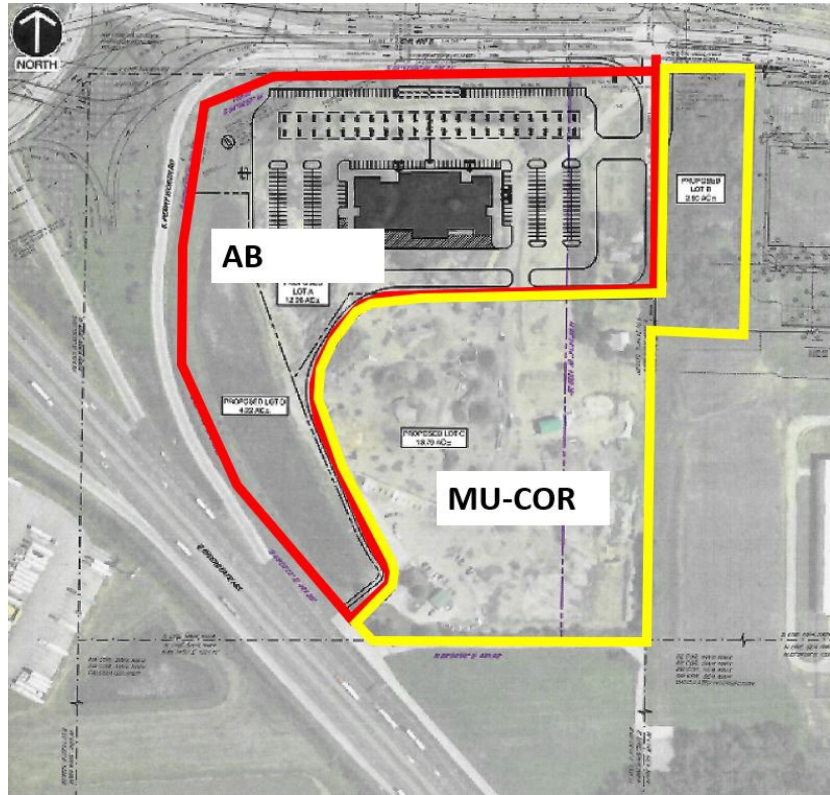
The applicant is proposing to rezone the site in question to the Accommodation Business (AB) and Mixed-Use Commercial, Office, and Residential (MU-COR) Zoning districts. The AB “district is established for commercial uses commonly found along interstate and highway corridors and promote coordinated quality development in these areas. Uses in this district may range in scale and intensity but are closely related to the needs of the traveling public.” Permitted uses include but are not limited to service stations, government buildings, hotels, and restaurants.

The MU-COR “district is established to accommodate developments containing a variety of commercial, office, and residential uses.” Permitted uses include but are not limited to government buildings, hotels, restaurants, and automobile sales.

Proposed Development

The site in question was approved for annexation into the Town of Whitestown in January 2022 (ORD 2022-40).

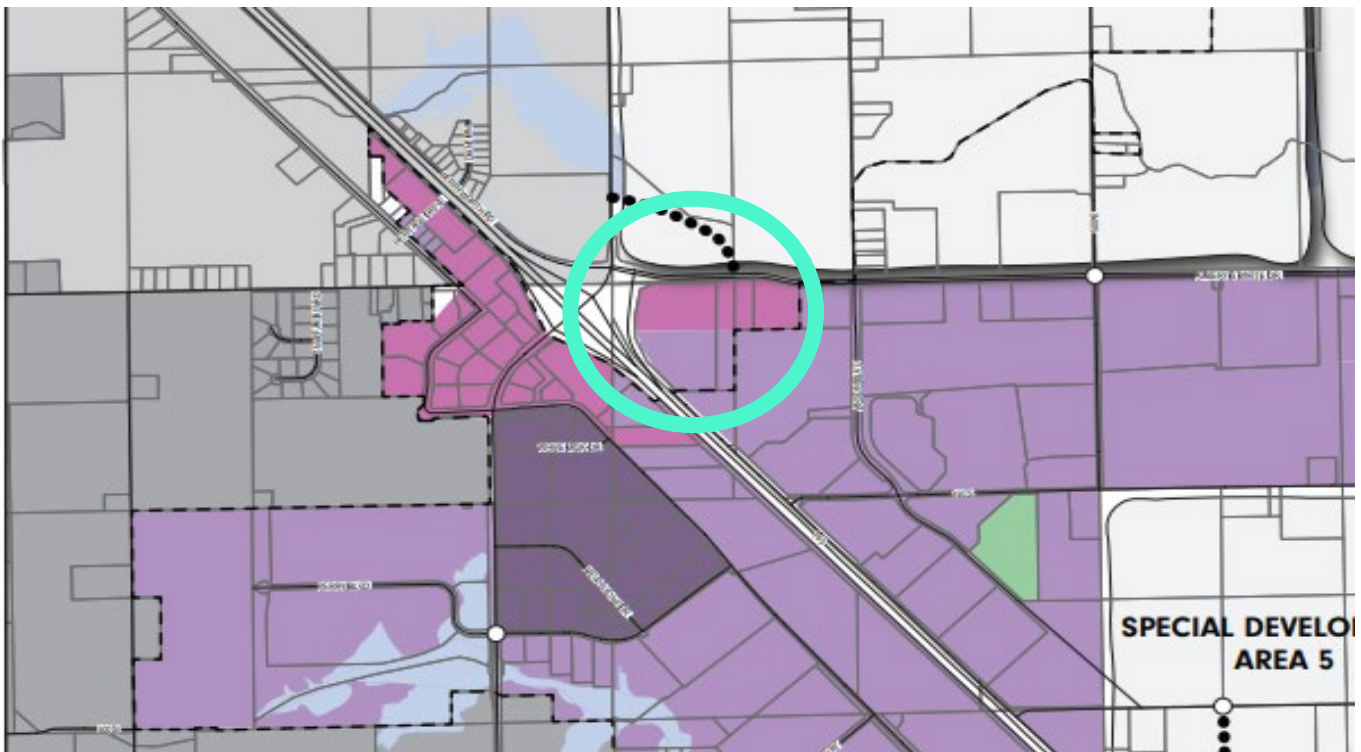
The applicant is proposing a convenience store on a portion of the site with stormwater retention. The other portion of the site will be subdivided into multiple outlots. A connector roadway connecting Perry Worth Road to Albert S White Drive is proposed. The site will need to be platted and go through the development plan process in the future if the rezone is approved.



Comprehensive Plan

The 2022 Whitestown Comprehensive Plan identifies this northern portion of site as Commercial classification and the southern portion as Light Industrial. The Commercial designation is *“intended as a broad land use category that includes commercial developments serving the surrounding neighborhoods and region. Commercial developments can include retail, offices, restaurants, and other service oriented uses and are generally adjacent to roads that can accommodate greater volumes of vehicular traffic, such as Whitestown Parkway, Indianapolis Road, CR 575, and at the Interstate 65 interchanges.”*

The Light Industrial classification is *“intended for a range of light industrial uses, this category includes small to medium-scale and clean industrial uses, including warehouses, flex space, construction, distribution, or other small to medium-scaled industrial uses that are minimally or moderately obtrusive. This category also includes technology industrial uses that are intended for industrial or office uses that focus on engineering or manufacturing technology that make production more efficient. These may include corporate offices, high tech manufacturing and research and development facilities. These uses are clean, minimally obtrusive, and can be master planned in a campus setting.”*



The proposed zone amendment is in agreement with the following components of the Whitestown Comprehensive Plan:

Overarching Goals

1. Attract new, high-quality business and development to Whitestown to provide a diverse and sustainable employment and tax base for the community.

Land Use Guiding Policies

6. Future development should be encouraged to provide a mix of uses in appropriate areas in addition to high-quality and creative product design.
8. Where needed, the community needs to promote redevelopment and support those activities with the appropriate level of development.

Land Use Sub-Goal 7: Coordinate future land use with transportation, utilities, and facilities.

- a. Support existing regulations that require appropriate utility and infrastructure commitments (water, sewer, streets, sidewalks, trails, etc.) to support new development.

Economic Development Guiding Policies

2. Industrial/Commercial growth is to be pursued if it supports the value, character and quality of place desired by the community.

Economic Development Sub-Goal 2: Support a diverse and vibrant business base in the area that is focused on providing opportunities for small and large businesses.

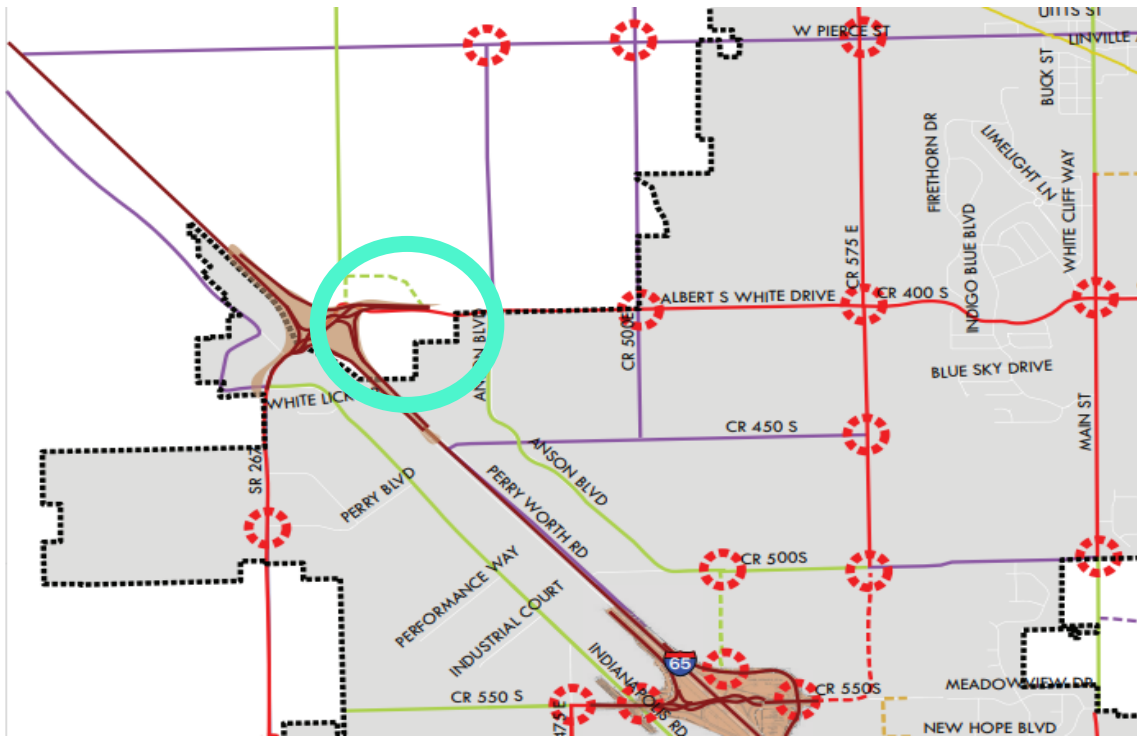
- a. Support a mix of potential business sites to support start-up business opportunities as well as locations for growing and established businesses.

Thoroughfare Plan

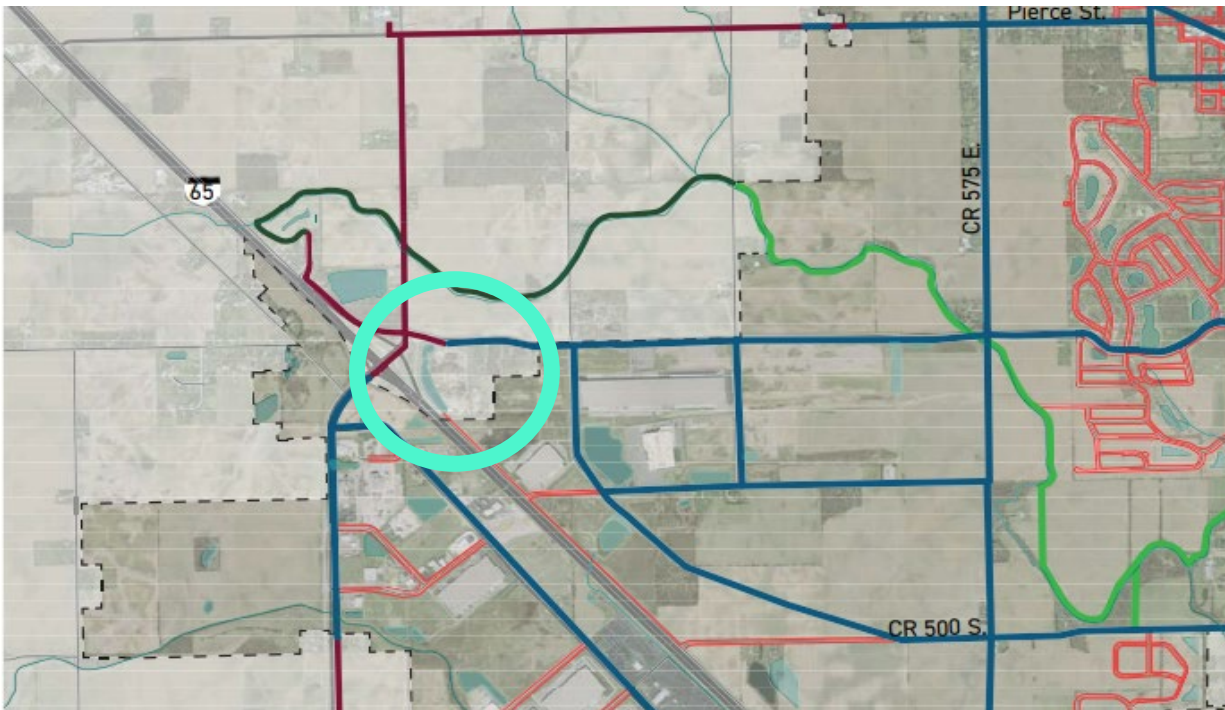
The 2020 Thoroughfare Plan identifies Albert S White Drive as a Major Arterial roadway. *“Major Arterials carry high volumes of regional traffic. They serve major cities from multiple directions and provide connectivity between cities in rural areas. Arterials provide direct access to adjacent land, but may limit the number of intersections and*

driveway to give generally higher priority to through-traffic.”

Perry Worth Road is identified as a Major Collector roadway. “Major Collectors gather traffic from the local roads and connect them to the arterial network. They provide a balance between access to land and corridor mobility. Major collectors provide connectivity to traffic generators not already on the arterial system, such as schools, parks and major employers.”



Also contained within the Thoroughfare Plan is the proposed Bicycle and Pedestrian Network Map. The proposed plan recommends a Shared Use Trail along Albert S White Drive.



Staff Recommendation

Staff is providing a favorable recommendation for the Wally's Rezone Docket PC23-023-ZA. The applicant is proposing to rezone the described area from the General Agriculture (AG) Zone to the Accommodation Business (AB) and Mixed-Use Commercial, Office, and Residential (MU-COR) Zones.

The Whitestown Plan Commission and Town Council shall pay reasonable regard to the five decision criteria when taking action on all rezoning acts. Because this is a legislative act, the Plan Commission can require that certain commitments be made as part of the Rezone action. Staff's recommendation to the Plan Commission finds the Rezone complies with the following requirements in accordance with UDO Section 11.16 I.

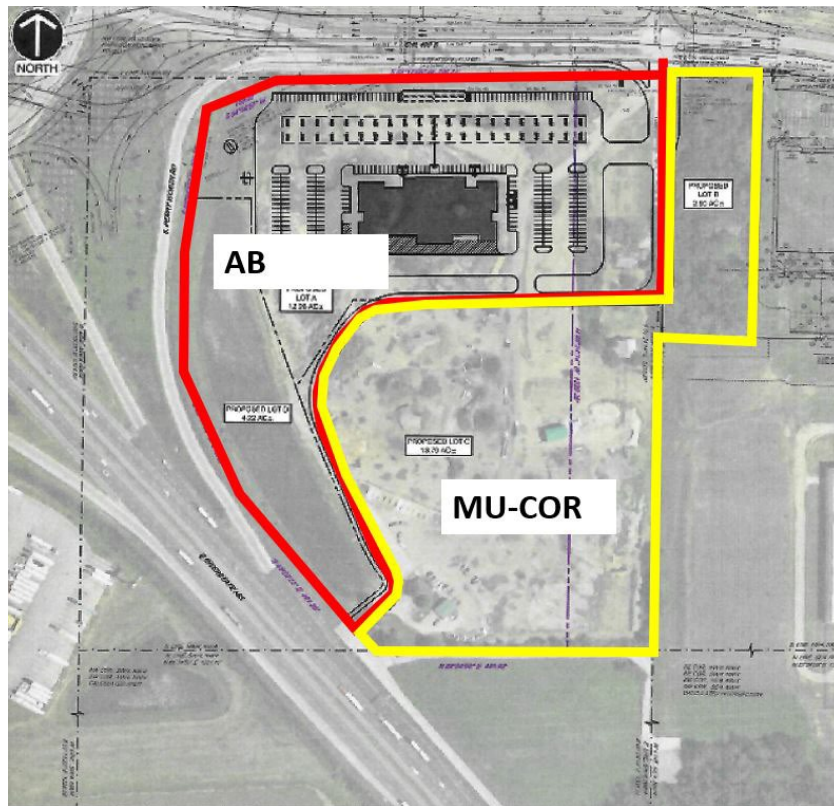
1. **The proposed rezone is in compliance** with the Comprehensive Plan;
2. **The proposed rezone is appropriate** given the current conditions and the character of current structures and uses in each district;
3. **The proposed rezone proposes** the most desirable use(s) for which the land in each district is adapted;
4. **The proposed rezone conserves** property values throughout the Jurisdictional Area; and,
5. **The proposed rezone demonstrates** responsible development and growth.

The proposed rezone is in compliance with the Land Use Map in the Comprehensive Plan which designates this area for Commercial and Light Industrial classifications. The proposed rezone meets other goals, objectives, and policies of the Comprehensive Plan including encouraging new businesses and mixed-use developments. The proposed Service Station, Local use is the most desirable use at this site due to the access to Interstate-65. The surrounding area has existing industrial uses and the proposed rezone fits the character of the surrounding area conserving property values.

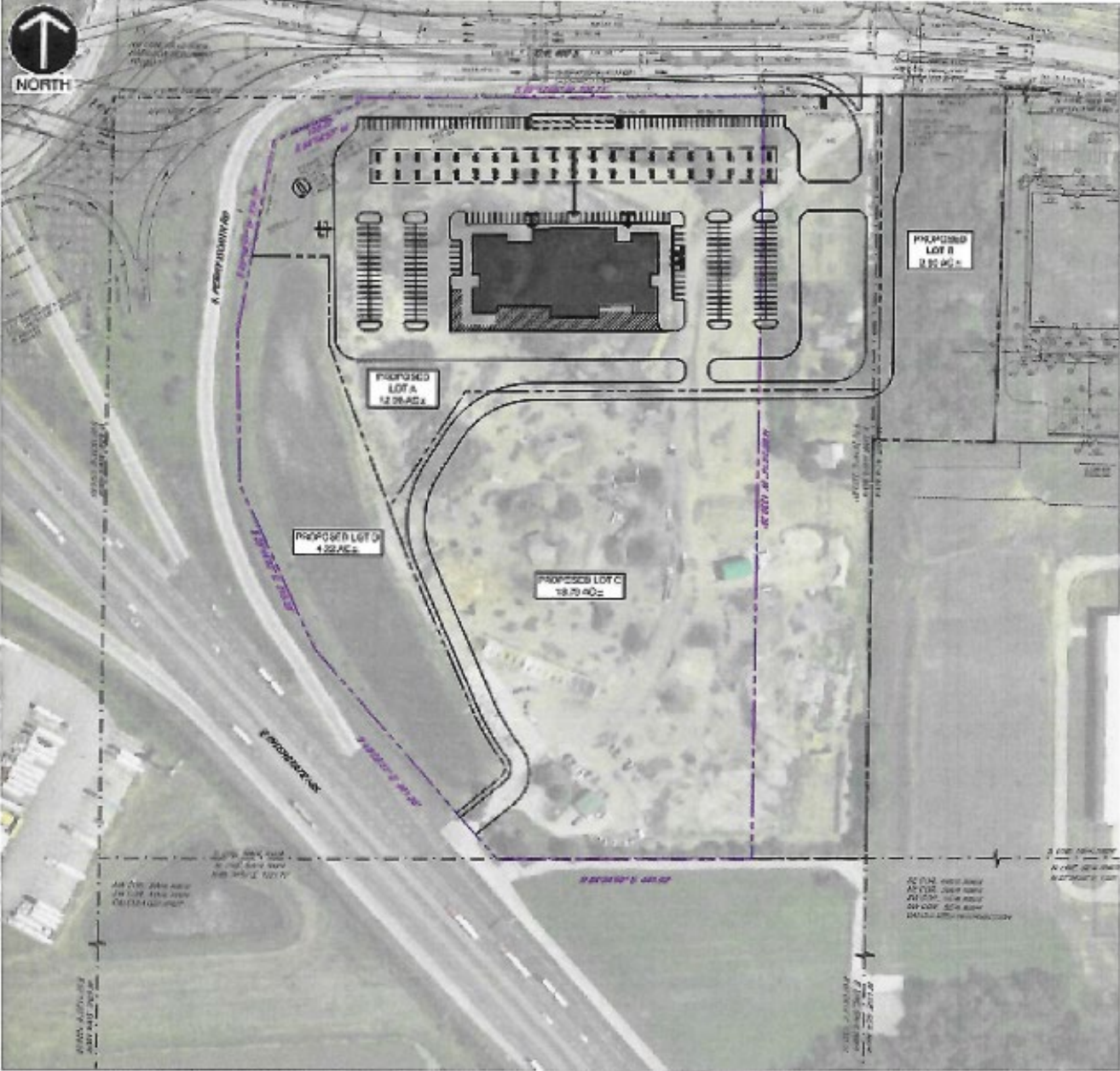
If Plan Commission provides a favorable recommendation, staff recommends adding the following commitments:

1. Residential uses are not permitted.
2. The site will be split zoned between Accommodation Business (AB) and Mixed Use- Commercial, Office, and Residential (MU-COR) Zones as approximately shown on the Zone District Map attached hereto. At the time of platting, legal descriptions for the AB Zone and the MU-COR Zone will be recorded with this Ordinance at the Boone County Recorder's Office.
3. At the time of platting, right-of-way will be dedicated to the Town for a Major Collector roadway connecting Perry Worth Road and Albert S White Drive. Prior to full build out of the site the Developer will construct the Major Collector roadway to Town street standards.

Proposed Zone District Map



Wally's Preliminary Site Plan



Attachment G: Standards for Evaluating a Zone Map Change

The WPC's recommendation and the Town Council's decision shall be based upon how each of the following statutory requirements is justified in the request. Use this form or attach a separate sheet that thoroughly itemizes, explains, and justifies each of the following criteria:

1. The requested zoning change is consistent with the Comprehensive Plan because...

The future land use map included in the 2022 Whitestown Comprehensive plan calls for the subject parcels to ideally be utilized for commercial and light industrial purposes.

The AB zoning request for the Wally's Travel Center along with the MU-COR for the balance of the parcel(s) are very much in line with the aspirations of the Town.

2. The requested zoning change will not have a negative impact on the current conditions and the character of current structures and uses in each district because...

Currently the parcel is being used as a compost/recycle facility along with 2 rental homes. Approval of the requested zoning change will allow for an increase to the aesthetics of the area with new buildings, parking and greenspace while reducing debris, dust and noise.

Proposed improvements after an approved zoning change will also allow Perry Worth Road to connect with Albert S. White.

3. The requested zoning change will result in the most desirable use for which the land is adapted because...

Subject property will not only be "cleaned up" but also generate employment and tourism/revenue to the area.

4. The requested zoning change will not affect the property values throughout the Town of Whitestown because...

The proposed "anchor" tenant for the parcel will be a Wally's Travel Center which is clean, spacious and safe. The additional parcels can handle future commercial/retail needs for the area along with the potential to house a new Town Fire Station.

All of these benefits will only increase property values throughout the Town and neighboring areas.

5. The requested zoning change promotes responsible development and growth because...

As mentioned before, our request is very much in line with the Town's Comprehensive plan. The development will generate employment, interest, tourism and growth in a bright, clean and family friendly atmosphere.