

**WHITLEY COUNTY ADVISORY PLAN COMMISSION
STAFF REPORT**

25-W-REZ-3 ZONE MAP AMENDMENT
H & W Property Management
16.325 acres, northeast corner of US 33 and 650 East

JUNE 17, 2025
AGENDA ITEM: 4

SUMMARY OF PROPOSAL

Current zoning: IPM, Industrial Park/Manufacturing
Proposed zoning: GC, General Commercial
Property area: 16.6± acres

The petitioner, manager for the pending owner , is requesting a zone map amendment for approximately 16.325 acres located in Section 3 of Smith Township at the northeast corner of US 33 and 650 East. The property has an address of 6430 N. 650 East and is unplatted. The requested zoning is GC, General Commercial.

Existing zoning classifications and land uses

Currently, the subject area is zoned IPM, Industrial Park/Manufacturing. The current zoning was adopted in 1998 to permit a for propane distribution facility. That use ended around 2014, after which a utility construction yard was approved by the BZA. The current owner acquired the property in 2022 and has used it for storage for their business.

The following table lists current surrounding zoning classifications and land uses:

	<i>Current zoning</i>	<i>Current land use</i>
<i>North</i>	AG, MP	Residences, agricultural field, manufactured home park
<i>East</i>	GC, MP	Micro-distillery, manufactured home park
<i>South</i>	AG	[US 33], residences
<i>West</i>	GC, AG	[650 East], residence, church, boat repair business, agricultural field

The property to the southwest of the US 33/650 East intersection was rezoned earlier this year from IPM to GC to permit a religious institution use.

Proposed land use

The petitioner is requesting the zoning amendment to permit the relocation of some of their businesses currently in Churubusco to a single property, including a lawn equipment dealer and a cabinet shop. While the cabinet shop could be considered light industrial (making cabinets) or commercial (, the lawn equipment sales and cabinet sales are retail operations.

Zoning code criteria

Generally, the IPM zoning district does not permit retail operations unless in conjunction with a manufacturing use as an outlet. This could apply to the cabinet business, but not to the primarily retail/sales operation for lawn equipment, which is explicitly listed as a permitted use in the GC district.

The GC zoning district permits numerous commercial retail and service uses. Note that the district also permits "light manufacturing" as a special exception use.

REVIEW CRITERIA

Indiana Code §36-7-4-603 and Section 12.2(F) of the zoning ordinance state the criteria listed below to which the Commission must pay “reasonable regard” when considering amendments to the zoning ordinance. Staff’s comments are under each criterion.

1. The most recently adopted Comprehensive Plan;

The 2022 Comprehensive Plan describes the Future Character and Land Use plan as “the overall look and feel of a place—the impression it makes on residents and visitors and the qualities of buildings and spaces that make it different from other places.” The plan describes community character “to help guide growth and change to support places that are attractive, draw people to want to spend time there and are compatible with adjacent areas, without being overly specific to every parcel’s individual land use.” So, the Plan emphasizes that the overall character of an area, while making allowances for some deviations that would not be detrimental to the overall area.

For the subject property, the Future Character is designated as Mixed Rural, although Rural-Agricultural is about a quarter mile to the west. For Mixed Rural, the primary character of the area already includes noticeable residential development, with additional development expected, although the area should still be “recognizably rural” over the planning timeframe. The Mixed Rural character is somewhat higher intensity than the Rural-Agricultural character, with “contextually-sensitive” new low- to moderate-intensity residential development to be anticipated alongside agricultural uses.

Specific to commercial uses, the Mixed Rural character suggests some commercial/retail uses can be expected as secondary uses. Such uses should be “appropriately-located” “local scale” commercial that meets immediate local needs.

Since this site has already been zoned for industrial for many years, it seems that the location may be “appropriate” for non-residential development. Use of the GC zoning district for “local scale” commercial may be worth discussing, as the proposed uses may or may not be particularly centered on “local” customers.

As a commercial zoning, the Plan supports business growth as part of its economic development goals. So, it seems the proposed GC zoning would align with the suggested character and would generally support the Plan’s recommendations.

2. The current conditions and the character of current structures and uses in each district;

The site is currently improved with gravel storage areas as remnants of the propane business and utility staging yard. The surrounding area is a mixture of single-family residences, businesses, manufactured home parks, and agriculture. Changing the use of the property from industrial to commercial would not likely change the character of the immediate area, at least in terms of potential usage of the property. However, the proposed uses would be development over and above the current usage and so would have impact on the character of the area. Mindful development requirements such as buffering, landscaping, lighting, etc. should mitigate negative impacts.

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

As mentioned already, the site has been zoned for industry for many years, which seems to establish the desirability of the property for non-residential uses. Changing the zoning from

industrial to commercial may be suitable given the location along US 33 and the proximity to many residences and the Blue Lake area. However, US 33 is a busy, narrow highway that may not be possible to construct adequate driveways onto, and 650 East may also be less than optimal. These limitations that could be considered during development plan review.

Overall, the site appears suited for commercial development, although some of the more intense permissible uses may be limited by accessibility or utility availability.

4. The conservation of property values throughout the jurisdiction;

Changing the zoning to commercial could permit some uses with more traffic generation (e.g., gas station, grocery, etc.) than has been seen with the current and past industrial uses, which could have some impacts on the surrounding properties. It will be important that such impacts be evaluated during any development plan and site plan reviews. Otherwise, the performance effects of light industrial and general commercial uses are generally similar, so there should be negligible effect of the rezoning on property values.

5. Responsible development and growth;

The property is not on public utilities, which is a limiting factor for extensive development of the site. The suitability of the property to install a septic system is poor due to soil conditions. However, the petitioner has discussed connecting to the nearby Blue Lake sewer system, which could allow the connection of neighboring properties, some of which have ill-performing or failing systems. Since both IPM and GC can permit uses of similar intensities, it seems that the commercial zoning is as responsible in achieving planning goals as the current industrial zoning.

6. The public health, safety and welfare.

Some commercial uses may have health effects, but these are regulated and monitored by many agencies. The use sewer or septic system and private well will be directed by the Health Department. So, protection of the public health should be reasonably ensured.

Public safety could be affected if there is an increase in traffic on the adjacent roadways. These effects will need to be reviewed in more detail as development is proposed. Other safety aspects would likewise be reviewed at that time.

Since this property has already been industrial, albeit underutilized compared to the levels permissible, it seems that rezoning to commercial would not affect the general welfare.

Date report completed: 06/03/25

PLAN COMMISSION ACTION

Motion:

By:

Second by:

Favorable recommendation ____

Unfavorable recommendation ____

No recommendation ____

Conditions/Commitments? ____

<i>Vote:</i>	Baker	Banks	Drew	Emerick	Green	Hodges	Johnson	Kurtz-Seslar	Wolf
<i>Yes</i>									
<i>No</i>									
<i>Abstain</i>									

