

CITY OF SHELBYVILLE

Adam M. Rude
Director



Allan Henderson
Deputy Director

BOARD OF ZONING APPEALS

MEETING DATE: 10/24/2023

Case #:	BZA 2023-16: A3P Logistics Group, LLC, Truck Freight Terminal; Special Exception Use			
Petitioner's Name:	A3P Logistics Group, LLC			
Owner's Name:	A3P Logistics Group, LLC			
Petitioner's Representative:	Peter Mariga			
Address of Property:	1345 Enterprise Drive, Shelbyville, IN 46176			
Subject Property Zoning Classification:	IG – General Industrial			
Comprehensive Future Land use:	Heavy/Medium Industrial			
	North	East	South	West
Surrounding Properties' Zoning Classifications:	IG – General Industrial/ RE – Residential Estate (County)	IG – General Industrial	A2 – Agricultural (County)	A2 – Agricultural (County)
Surrounding Properties' Comprehensive Future Land Use	High Tech/Light Industrial	High Tech/Light Industrial	Heavy/Medium Industrial	Heavy/Medium Industrial
History:	The subject parcel was purchased by A3P Logistics Group in 2022 and subsequently annexed into the city. See PC 2022-18. When the property was annexed, it was assigned a zoning district of IG – General Industrial with the intent of developing a truck freight terminal at a later date.			
Vicinity Map:				
Action Requested:	Approval of one special exception use to allow for “Truck Freight Terminal” in the IG – General Industrial district.			

1. The subject property is located within the IG – General Industrial zoning district, and within this district the use of “Truck Freight Terminal” is permitted as a Special Exception Use, requiring that it receive approval from the BZA before it is permitted.
2. Specifically, the ordinance defines a Truck Freight Terminal as “An area and building where trucks and cargo are stored, where loading and unloading is carried on regularly, and where minor truck maintenance is performed.”

Special Exception Findings of Fact for “Truck Freight Terminal”

Finding of Fact #1 – General Welfare: Explain why granting the request for a special exception will not be harmful to the public health, safety and general welfare of the City of Shelbyville.

Applicant provided the following response to Finding of Fact #1: “The property is located in the City of Shelbyville Industrial Zone.”

A special exception use to allow for a Truck Freight Terminal in the Northridge Industrial Park will not be harmful to the public health, safety and general welfare of the City of Shelbyville. The site is already zoned IG – General Industrial. The petitioner is requesting to build a business that requires a special exception use. When the project seeks Site Development Plan approval it will be held to all of the Outdoor Storage Standards requirements. The increase in vehicular truck traffic will be minimal with a total fleet size of six (6) trucks. Since the surrounding land use is industrial or agricultural any impact to the surrounding neighborhoods will be negligible. For these reasons, Planning Staff does not believe approval of the special exception use will be harmful to the public health, safety and general welfare of the City of Shelbyville.

Finding #1 has been satisfied by the petitioner

Finding of Fact #2 – Compatibility and Impact: Explain why the special exception will be in harmony with the adjacent uses and will not substantially have an adverse impact on the adjacent properties and property values.

Applicant provided the following response to Finding of Fact #2: “The property sits off Enterprise Drive which is currently being used to access adjacent industrial properties.”

The adjacent properties are either zoned IG – General Industrial or A2 – Agricultural because they are still located within Shelby County. The site is located in the Northridge Industrial Park and plans are to expand the park to the north and west as more land is needed for development. A Truck Freight Terminal is in keeping with the character and use of the surrounding properties. For these reasons the Planning Staff believes approval of the special exception use will not substantially have an adverse impact on adjacent properties or their values.

Finding #2 has been satisfied by the petitioner

Finding of Fact #3 – Character: Explain why the special exception will not adversely alter the character of the zoning district.

Applicant provided the following response to Finding of Fact #3: "The access is on a road used by other business – no adverse impact."

Truck Freight Terminals are only allowed by special exception use and are only allowed in the BH – Business Highway, II – Light Industrial, and IG – General Industrial zoning districts. The underlying zoning district at 1345 Enterprise Drive is IG – General Industrial; one of the districts that allows for Truck Freight Terminals. The intent of the special exception is for the BZA to review these projects on a case-by-case basis to ensure the proposed location is a proper fit and extenuating circumstances need to be addressed. The look and feel of truck fleet parking will not alter the character of the zoning district. For these reasons, the Planning Staff believes the special exception use will not adversely alter the character of the zoning district.

Finding #3 has been satisfied by the petitioner

Finding of Fact #4 – Comprehensive Plan: Explain why the special exception is consistent with the intent of the zoning district and the goals of the comprehensive plan. Use statements and Future Land Use map from the Comprehensive Plan and Article 2 of the Unified Development Ordinance.

Applicant provided the following response to Finding of Fact #4: "Current Zone is General Industrial. No change to the zoning."

The planning staff has determined the special exception use is consistent with the intent of the zoning district and goals of the comprehensive plan. The General Industrial (IG) District is intended to provide areas for general industrial use under conditions that minimize conflicts with other land uses. This district should be used in combination with the Light Industrial (IL) District to provide ample employment centers and opportunities for economic development. The comprehensive plan's Commerce and Economy Goals, CE Objective #5 states "Support local business retention and creation". The petitioner seeks to combine his existing businesses into one location. The Built Environment Goals, BE Objective #5 states "Promote development and redevelopment of existing sites and buildings". Further supporting the comprehensive plan, this part of the city is marketed to manufacturing and industrial development, a truck freight terminal is a supporting business to the current and future tenants at the industrial park. Planning staff believes approval of the special exception use is in alignment with the Comprehensive Plan and will strengthen the businesses located in this area.

Finding #4 has been satisfied by the petitioner

Finding of Fact #5 – Impact to Adjacent Area: The use and property value of the area adjacent to the subject property seeking a Special Exception will not be affected in a substantially adverse manner.

Applicant provided the following response to Finding of Fact #5: "Adjacent area will not be affected."

The planning staff has determined that the requested special exception to allow for a Truck Freight Terminal will not adversely impact the surrounding use and property values. The property in question sits on the western edge of the growing Northridge Industrial Park. There are numerous factories in the park that operate fleets of trucks for receiving raw materials or shipping final products out. The

Comprehensive Plan Future Land Use Map shows the industrial park expanding to the north and west of the existing park.

Finding #5 has been satisfied by the petitioner

STAFF RECOMMENDATION: APPROVAL

**DEVELOPMENT STANDARDS VARIANCE: BZA 2023-16 A3P Logistics Group, LLC, Special Exception Use
FINDINGS OF FACT BY THE SHELBYVILLE BOARD OF ZONING APPEALS**

Staff Prepared

Motion:

(I) would like to make a motion to approve the requested special exception use to allow a "Truck Freight Terminal" in accordance with the conditions suggested by the planning staff pursuant to the findings of fact presented in the planning staff's report.

- 1. The approval of the Special Exception Use **is** consistent with the intent of the zoning district and the goals and objectives within the Comprehensive Plan, pursuant to the findings in the planning staff's report.
- The approval of the Special Exception Use **is not** consistent with the intent of the zoning district and the goals and objectives within the Comprehensive Plan, pursuant to the findings in the planning staff's report.
- 2. The approval of the Special Exception Use **will not** be injurious to the public health, safety, morals, and general welfare of the community, pursuant to the findings in the planning staff's report.
- The approval of the Special Exception Use **will** be injurious to the public health, safety, morals, and general welfare of the community, pursuant to the findings in the planning staff's report.
- 3. The approval of the Special Exception Use **will** be in harmony with adjacent land uses, pursuant to the findings in the planning staff's report.
- The approval of the Special Exception Use **will not** be in harmony with adjacent land uses, pursuant to the findings in the planning staff's report.
- 4. The approval of the Special Exception Use **will not** adversely alter the character of the district, pursuant to the findings in the planning staff's report.
- The approval of the Special Exception Use **will** adversely alter the character of the district, pursuant to the findings in the planning staff's report.
- 5. The use and property value of the area adjacent to the subject property seeking a Special Exception **will not** be affected in a substantially adverse manner, pursuant to the findings in the planning staff's report.
- The use and property value of the area adjacent to the subject property seeking a Special Exception **will** be affected in a substantially adverse manner, pursuant to the findings in the planning staff's report.

Additional conditions imposed by the Board of Zoning Appeals:

- 1.
- 2.
- 3.

Shelbyville Board of Zoning Appeals

By: _____
Chairperson

Attest: _____
Secretary



SPECIAL EXCEPTION USE APPLICATION

Shelbyville Planning & Building Department
44 West Washington Street
Shelbyville, IN 46176
P: 317.392.5102

RECEIVED / FILED

OCT 06 2023

For Office Use Only:

Case #: BZA 2023 - 16

Hearing Date: 10.24.23

Fees Paid: \$ 500 pd. 10/6/23

Final Decision:

Approved _____ Denied _____

1.

Applicant

Name: A3P LOGISTICS GROUP LLC
Address: 8129 WHITHAM DR
INDIANAPOLIS, IN 46237
Phone Number: 317 214 2187
Fax Number: _____
Email: _____

Property Owners Information (if different than Applicant)

Name: _____
Address: _____
Phone Number: _____
Fax Number: _____
Email: _____

2.

Applicant's Attorney/Representative

Name: _____
Address: N/A
Phone Number: _____
Fax Number: _____
Email: _____

Project Engineer

Name: _____
Address: N/A
Phone Number: _____
Fax Number: _____
Email: _____

3. Project Information:

General Location of Property (and address is applicable): 1345 ENTERPRISE DR
SHELBYVILLE, IN 46176
Current Zoning: GI Existing Use of Property: _____
Proposed Zoning: N/A Proposed Use: _____

4. Attachments

- Affidavit and Consent of Property Owner (if applicable)
- Proof of Ownership (copy of deed)
- Letter of Intent
- Vicinity Map
- Application Fee
- Findings of Fact

The undersigned states the above information is true and correct as s/he is informed and believes.

Applicant: [Signature] Date: 10/04/2023

State of Indiana
County of Johnson SS:

Subscribed and sworn to before me this 4th day of October, 2023

MARY BETH LEE
Notary Public

[Signature], Mary Beth Lee
Notary Public Printed

State of Indiana
Residing in Johnson County.
Commission No. 699078
My Commission Expires
April 11, 2025

My Commission Expires: 4-11-25





SPECIAL EXCEPTION USE
FINDINGS OF FACT

Petitioner's Name: ABP LOGISTICS GROUP LLC
Location: 8129 WHITHAM DR INDIANAPOLIS, IN 46237
Special Exception for: TRUCK TERMINAL

The Shelbyville Board of Zoning Appeals must determine that the following criteria have been met in order to approve an application for a Use Variance. Using the lines provided, please explain how your request meets each of these criteria.

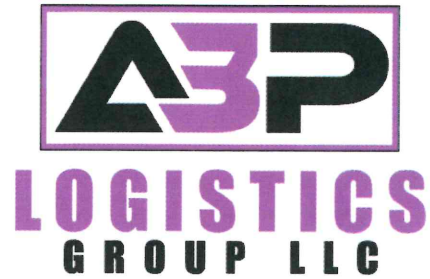
1. **General Welfare:** Explain why granting the request for a use variance will not be harmful to the public health, safety and general welfare of the City of Shelbyville.
THE PROPERTY IS LOCATED IN THE
CITY OF SHELBYVILLE INDUSTRIAL ZONE.

2. **Compatibility and Impact:** Explain why the special exception will be in harmony with the adjacent uses and will not substantially have an adverse impact on the adjacent properties and property values.
THE PROPERTY SITS OFF ENTERPRISE ROAD
WHICH IS CURRENTLY BEING USED TO
ACCESS ADJACENT INDUSTRIAL PROPERTIES.

3. **Character:** Explain why the special exception will not adversely alter the character of the zoning district.
THE ACCESS IS ON A ROAD USED BY
OTHER BUSINESS - NO ADVERSE IMPACT.

4. **Comprehensive Plan:** Explain why the special exception is consistent with the intent of the zoning district and the goals of the Comprehensive Plan. Use statements and future land use map from the Comprehensive Plan and Article 2 of the Unified Development Ordinance.
CURRENT ZONE IS GENERAL INDUSTRIAL
NO CHANGE TO THE ZONING.

5. **Impact to Adjacent Area:** The use and property value of the area adjacent to the subject property seeking a Special Exception will not be affected in a substantially adverse manner.
ADJACENT AREA WILL NOT BE
AFFECTED



8129 whitham dr, Indianapolis, IN 46237

PH: 3172142187, FX: 3178935123

Shelbyville Planning & Building Department

Board of Zoning Appeals

44 W. Washington Street

Shelbyville, IN 46176

3173925102

Re: LETTER OF INTENT

A3P LOGISTICS GROUP LLC is a logistics company providing transportation solutions in the supply chain. Since the onset of this journey the founder and visionary, Peter Mariga, has always been focused on growth. Acquiring the property at 1345 Enterprise Road, Shelbyville, IN 46176, is part of the process towards making our growth a reality.

The property is zoned General Industrial, we are therefore seeking special exception use to be able to make room for a fleet terminal.

The trucking industry in general have undergone tremendous stress in the last 2 years, which have prompted us to be realistic in our development approach for this property. We therefore hope to develop in phases as funds become available and industry stability.

- Phase 1 - We need to focus primarily on developing space for fleet parking; the current fleet size includes six trucks and five trailers. Gravel lot with a portable toilet when drivers are on site.
- Phase 2 - Office space, Repair and Maintenance Shop for the fleet.
- Phase 3 – Warehouse space for cross dock services, short- and long-term storage.

Sincerely,

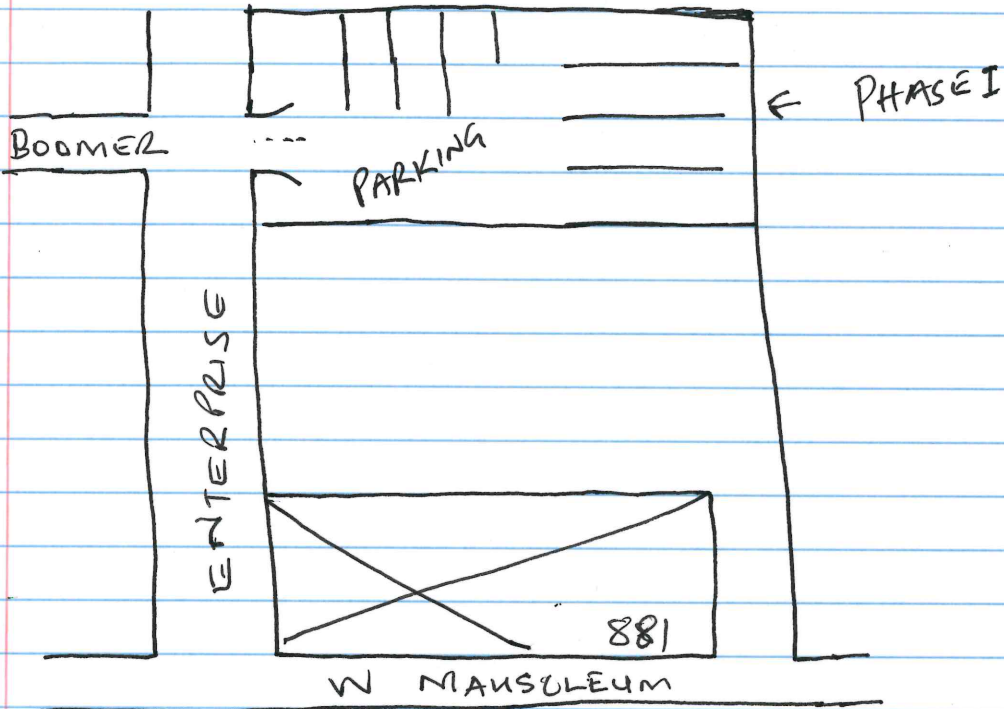
A handwritten signature in black ink, appearing to read 'M-F', is written over a light blue horizontal line.

Peter Mariga

A3P LOGISTICS GROUP LLC

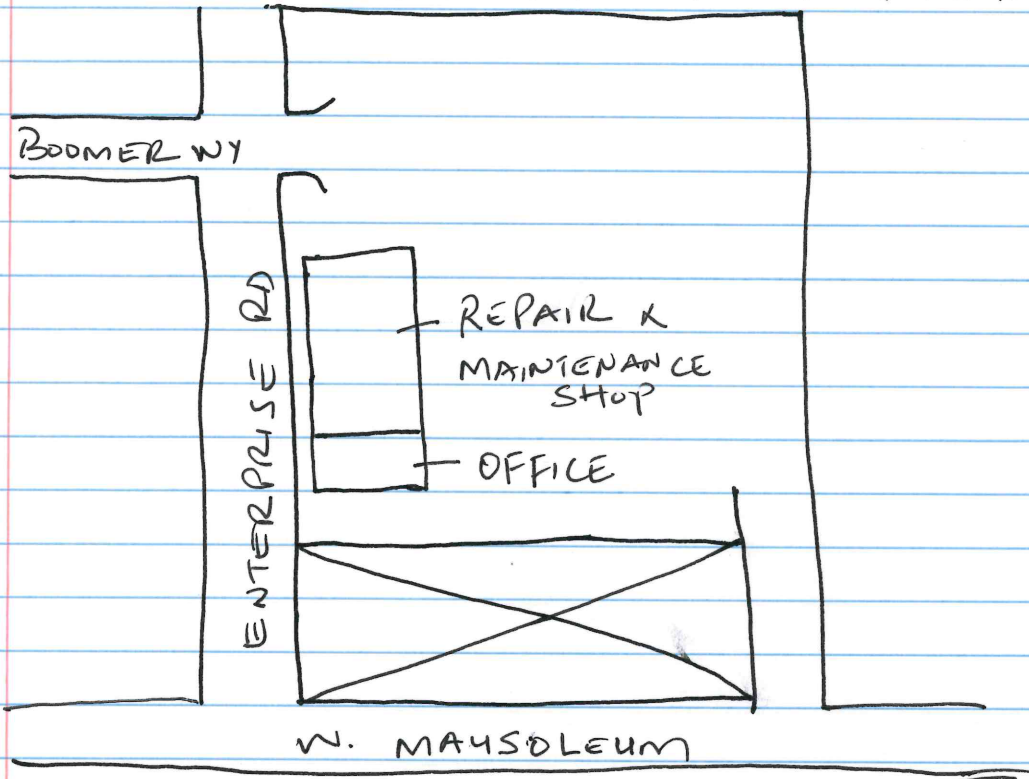
PHASE I

PARKING SPACE FOR FLEET



PHASE II

OFFICE AND REPAIR & MAINTENANCE SHOP



PHASE III

WAREHOUSE SPACE

