

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-ZON-038
Address: 6041 and 6125 East Thompson Road (*Approximate Address*)
Location: Franklin Township, Council District #18
Petitioner: Albert Fullenkamp, by David Gilman
Request: Rezoning of 3.40 acres from the C-S and D-P districts to the C-3 district to provide for a neighborhood commercial development.

At the request of the petitioner, this petition was continued from the June 15, 2023 hearing to the June 29, 2023 hearing to allow time to meet with a neighborhood organization.

RECOMMENDATION

Staff **recommends approval** of this request, with the provision that the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

A 59.5-foot half right-of-way shall be dedicated along the frontage of Thompson Road, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation.

LAND USE

- ◇ The subject site is two abutting parcels on the south side of Thompson Road just east of its intersection with Arlington Avenue. Historic aerial photography indicates that the dwelling on the site was in existence by 1937. The area was solidly agricultural until the 1980s when residential development began to occur. Commercial development, centered on the intersection of Thompson Road and Arlington Avenue, also began to occur in the early 1980s. Single-family dwellings are currently under construction to the south of the subject site.

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- ◇ The 2018 Comprehensive Land Use Plan recommends Community Commercial for the subject site. This typology envisions low-intensity commercial and office uses that serve nearby neighborhoods.

ZONING

- ◇ This petition requests a rezoning from the C-S and D-P districts to the C-3 district. The whole site was a part of petition 97-Z-132, which rezoned 73 acres to the D-P district to provide for 137 single-family dwellings, plus C-1 and C-3 uses. The approved site plan and development statement for the 1997 petition committed to retaining the dwellings on the two parcels that make up the current subject site.
- ◇ About ten years later, the western portion of the subject site was rezoned from D-P to C-S to provide for C-3 uses, plus temporary seasonal sales and the sale and display of lawnmowers, and small sheds. The approval was tied to a site plan.
- ◇ The C-3 district provides for a range of retailing, personal services and offices. It is intended for neighborhood-serving business rather than businesses that draw from a wide area or generate significant traffic.

GENERAL INFORMATION

EXISTING ZONING, CONTEXT AREA, AND LAND USE

C-S, D-P	Metro	Single-family dwellings, seasonal sales
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SURROUNDING ZONING AND LAND USE

North	D-P	Retail center, undeveloped land
South	D-P	Single-family neighborhood under construction
East	D-P	Single-family neighborhood under construction
West	D-P	Retail center

COMPREHENSIVE LAND USE PLAN	The Franklin Township Comprehensive Plan (2018) recommends Community Commercial.
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THOROUGHFARE PLAN	Thompson Road is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Primary Arterial, with a 92-foot existing right-of-way and a 119-foot proposed right-of-way.
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FLOODWAY / FLOODWAY FRINGE This site is not located within a floodway or floodway fringe.

WELLFIELD PROTECTION DISTRICT This site is not located within a wellfield protection district.

ZONING HISTORY – SITE

2007-ZON-848 / 2007-VAR-848; 6041 East Thompson Road, requested the rezoning of 1.5 acre from the D-P district to the C-S district to provide for single-family dwellings, C-3 uses, temporary seasonal sales and the sales and display of lawnmowers and detached accessory structures, and a variance of development standards to provide for unpaved parking and a deficient side setback, **approved**.

97-Z-132; 6125 East Thompson Road, requested the rezoning of 73 acres from the D-A district to the D-P district to provide for 137 single-family dwellings, C-1 and C-3 uses, **approved**.

94-UV3-123; 6041 East Thompson Road, requested a variance of use to provide for seasonal sales in a dwelling district, **approved**.

ZONING HISTORY – VICINITY

2009-DV2-013; 5935 East Thompson Road (west of site), requested a variance of development standards to provide for an over-sized sign, **approved**.

2001-ZON-823; 6040 East Thompson Road (north of site), requested the rezoning of 17.3 acres from the D-P district to the D-P district to provide for 41 two-family residential lots, **approved**.

2000-ZON-032; 6040 East Thompson Road (north of site), requested the rezoning of 32.3 acres from the D-A district to the D-P district to provide for two-family dwellings, multi-family dwellings, offices and neighborhood services and retail, **approved**.

97-UV3-10; 5910 East Thompson Road (west of site), requested a variance of use to provide for a convenience store and gas station with a carwash in a C-3 district, **approved**.

95-Z-110; 5901 East Thompson Road (west of site), requested the rezoning of 3.8 acres from the C-1 district to the C-3 district, **approved**.

86-Z-236; 5951 East Thompson Road (west of site), requested the rezoning of 1.4 acre from the D-6II district to the C-3 district, **approved**.

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80-UV1-22; 5002 South Arlington Avenue (west of site), requested a variance of use to provide for a temporary sign, **approved**.

73-Z-281; 4902 South Arlington Avenue (west of site), requested the rezoning of 8.7 acres from the D-3 district to the C-3 district, **approved**.

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STAFF REPORT 2023-ZON-038, Location



STAFF REPORT 2023-ZON-038, Aerial photograph (2022)



STAFF REPORT 2023-ZON-038, Photographs



Looking south across Thompson Road at the eastern portion of the subject site.



Looking south across Thompson Road at the western portion of the site.



Looking northwest from Modernist Boulevard at the eastern portion of the site.



Looking south at the neighbor to the east.



Looking north across Thompson Road from the site to the neighbor to the north.



Looking east along Thompson Road, showing a sidewalk under construction along the site's frontage.



Looking south along the east property line of the site. To the left is a common area for the abutting residential neighborhood.



Looking north along the east property line of the site, showing a common area for the abutting residential neighborhood, currently under construction.