

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-ZON-078
Address: 4021 West 71st Street (Approximate Addresses)
Location: Pike Township, Council District #7
Petitioner: Turner Adventures, LLC, by Rebekah Phillips
Request: Rezoning of 0.53 acre from the C-1 district to the I-1 district to provide for a commercial contractor.

ADDENDUM FOR THE SEPTEMBER 28, 2023, HEARING EXAMINER

This petition was continued from the September 14, 2023 hearing, to the September 28, 2023 hearing at the request of the petitioner to allow additional time to work with a registered neighborhood organization. No additional information has been provided to the case file.

Staff continues to recommend approval subject to the two commitments in the staff report.

September 14, 2023

RECOMMENDATIONS

Staff **recommends approval** of the rezoning subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

1. A 59.5-foot half right-of-way shall be dedicated along the frontage of 71st Street, 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).
2. A sidewalk shall be installed within one year of approval along 71st Street in accordance with Section 744-302 of the Zoning and Subdivision Ordinance.

SUMMARY OF ISSUES

LAND USE

- ◇ The 0.53-acre subject site is in the Augusta - New Augusta Neighborhood developed with a residential building that was converted into office use in 1978 after it was rezoned to the C-1 district. It is surrounded by undeveloped land to the west, south, and east, zoned I-2, with commercial and industrial uses to the north, zoned C-S and I-1.

(Continued)

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REZONING

- ◇ The request would rezone the site from the C-1 district to the I-1 district to provide for a commercial contractor, specifically offices for a pest control company and a holiday lighting company.
- ◇ The C-1 District is designed to perform two functions: act as a buffer between uses, and provide for a freestanding area that office uses, compatible office-type uses, such as medical and dental facilities, education services, and certain public and semipublic uses may be developed with the assurance that retail and other heavier commercial uses with incompatible characteristics will not impede or disrupt. Since the buildings for office, office-type and public and semipublic uses are typically much less commercial in appearance, landscaped more fully and architecturally more harmonious with residential structures, this district can serve as a buffer between protected districts and more intense commercial or industrial areas/districts - if designed accordingly.
- ◇ The I-1 district is designed for those industries that present the least risk to the public. In the I-1 district, uses carry on their entire operation within a completely enclosed building in such a manner that no nuisance factor is created or emitted outside the enclosed building. No storage of raw materials, manufactured products, or any other materials is permitted in the open space around the buildings. Loading and unloading berths are completely enclosed or shielded by solid screening. This district has strict controls on the intensity of land use providing protection of each industry from the encroachment of other industries. It is usually located adjacent to protected districts and may serve as a buffer between heavier industrial districts and business or protected districts.
- ◇ The Comprehensive Plan recommends light industrial development for this site. "The Light Industrial typology provides for industrial, production, distribution, and repair uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Typical uses include warehousing, self-storage, assembly of parts, laboratories, wholesaling, and printing. Industrial or truck traffic should be separated from local/residential traffic."
- ◇ Where light industrial uses are proposed, industrial truck traffic should not utilize local, residential streets. Streets internal to industrial development must feed onto an arterial street.
- ◇ Small-Scale Offices, Retailing, and Personal or Professional Services should be subordinate to and serving the primary uses of production, warehousing, and offices. Should be adjacent to interstate interchanges if present. If no interchange is present, should be located along arterial streets at the edge of the light industrial typology. Should be located and served in such a way that the use will not interfere with industrial traffic or loading.

Department of Public Works

- ◇ The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 59.5-foot half right-of-way along 71st Street. This dedication would also be consistent with the Marion County Thoroughfare Plan.

(Continued)

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Staff Analysis

- ◇ Because the proposed I-1 district would align with the light industrial development recommendation of the Comprehensive Plan and would not impact the surrounding commercial or industrial uses in the immediate area, staff is recommending approval of the request.
- ◇ Due to the high volume of traffic and pedestrian activity along 71st Street, staff is concerned with the lack of a sidewalk system in this area. Therefore, approval should be subject to two commitments requested by staff for the dedication of right-of-way and the installation of a sidewalk along 71st Street to provide pedestrian connectivity once future development occurs along this street corridor.
- ◇ If additional time for the sidewalk installation is needed, then staff is willing to consider an extension of the timeframe in the future through a modification petition, but staff will not support more than a one-year timeframe for the sidewalk installation at this time since it is not evident that it could not be installed within a year.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

C-1	Metro	Office
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SURROUNDING ZONING AND LAND USE

North	C-S / I-1	Commercial / Industrial
South	I-2	Undeveloped
East	I-2	Undeveloped
West	I-2	Undeveloped

COMPREHENSIVE PLAN

The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends light industrial development.

THOROUGHFARE PLAN

71st Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary arterial street, with a 90-foot existing right-of-way and a 119-foot proposed right-of-way.

TRANSIT-ORIENTED DEVELOPMENT

This site is not located within the Transit-Oriented Development Overlay.

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.

PLAN OF OPERATION

File-dated August 4, 2023.

(Continued)

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ZONING HISTORY – SITE

EXISTING VIOLATIONS

None.

PREVIOUS CASES

78-Z-35; 4021 West 71st Street (subject site), Rezoning of the site being in the A-2 district to the C-1 classification to permit real estate office, **approved.**

ZONING HISTORY – VICINITY

2017-ZON-084; 4040 and 4042 West 71st Street (north of site), Rezoning of 3.14 acres from the C-S district to the C-S classification to provide for C-1 uses, I-1 uses, warehouse and event center, **approved.**

2003-ZON-187; 4040 and 4042 West 71st Street (north of site), Rezoning of 3.139 acres from the I-1-S District to the C-S classification to provide for C-1 and I-1-S uses, including an expansion of existing contractor offices and warehouses, **approved.**

2002-ZON-179; 4212 West 71st Street (northwest of site), Rezoning of 9.974 acres from I-1-S to I-3-S, to provide for industrial uses within an existing structure, **approved.**

2001-ZON-131; 3980 West 71st Street (northeast of site), Rezoning of 2.08 acres from the C-P District to the SU-1 classification to provide for religious uses, **approved.**

98-Z-115; 4202 West 71st Street (northwest of site), Rezoning of 1.939 acres from I-1-S(FF) to I-2-S(FF), **approved.**

96-CP-22Z / 96-CP-22P; 3840 West 71st Street (northeast of site), Rezoning of 13.77 acres from the D-S District to the C-P classification to provide for single-family residential, commercial and industrial development and plan approval dividing 13.77 acres into 28 residential lots and three commercial blocks, **approved.**

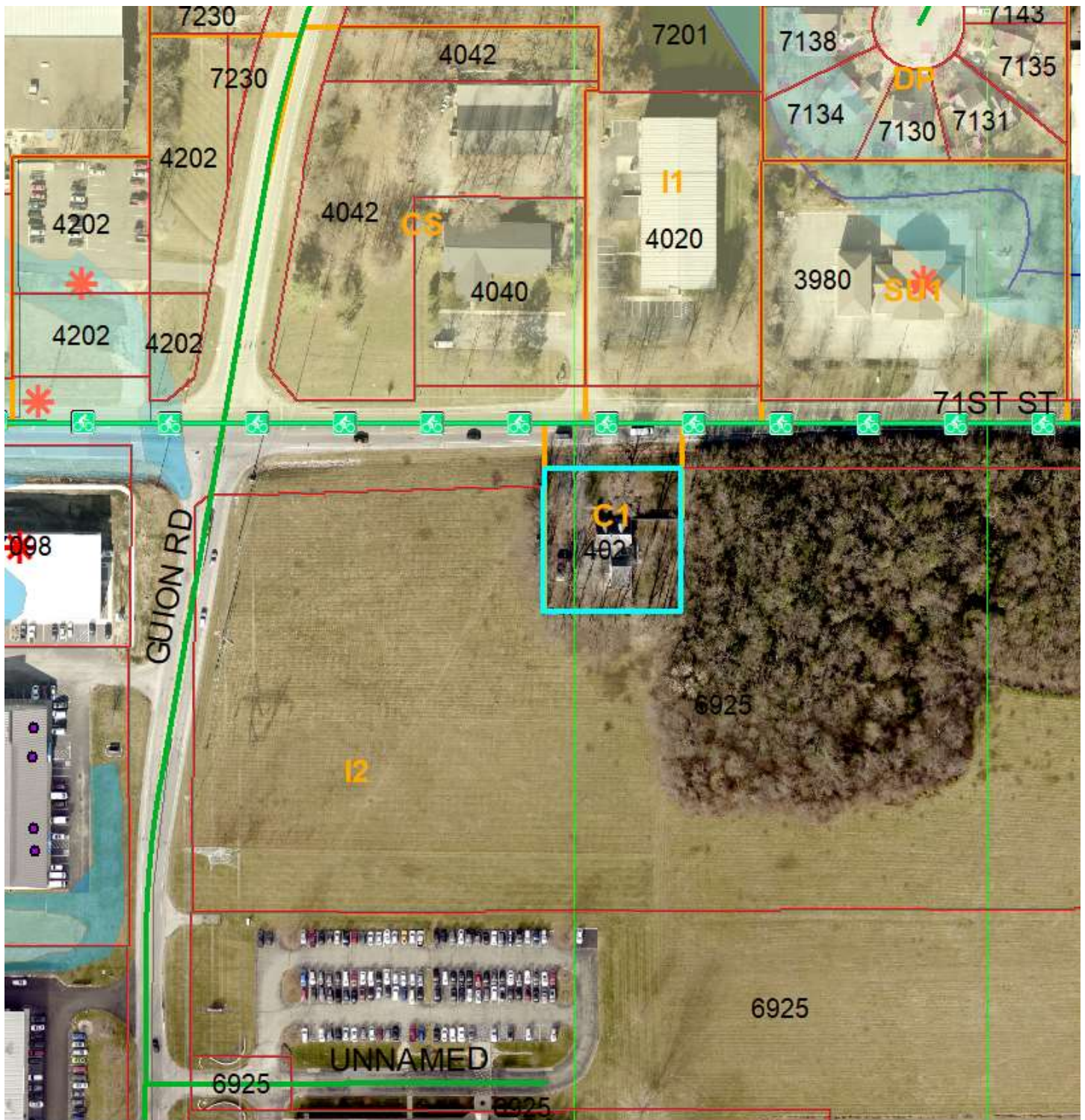
86-Z-256; 4002 West 71st Street (northeast of site), Rezoning of 12.77 acres, being in the A-2 district, to the D-S classification, to provide for residential development, **approved.**

86-Z-38; 4102 West 71st Street (north of site), Rezoning of 16.32 acres, being in the A-2 district, to the I-1-S classification, to provide for light industrial use, **approved.**

70-Z-247; 4202 West 71st Street (northwest of site), Rezoning of 16.25 acres, being in the A-2 district, to the I-1-S classification, to provide for light industrial use, **approved.**

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2023-ZON-078; Location Map



- PLAN OF OPERATION -

Petitioner, Turner Adventures, LLC, submits the following plan of operation in support of its rezoning petition with respect to the property commonly known as 4021 W. 71st Street, Indianapolis, Indiana 46268.

Business:

The office building will be used for business operations of two businesses:

- A mosquito and tick control company called Ethan and Capricia Turner LLC d/b/a Mosquito Squad of Greater Indianapolis ("Mosquito Squad").
- A holiday lighting company called Lightin Up LLC.

Workforce:

Approximately four (4) employees who will work on-site. Employees use the parking lot on property. There will be approximately six (6) to eight (8) trucks coming and going daily from the building.

Clients and Customers:

Clients of Mosquito Squad are residents in the greater Indianapolis area who desire mosquito or tick control at their property. Clients of Lightin Up are residents in the greater Indianapolis area who desire to have holiday lighting installed on their residence or business. It is not anticipated that clients will come to the office. Rather, sales will be conducted via e-commerce and over the phone and services will be provided at clients' residences or businesses.

Processes Conducted on Site:

The employees would use the facility to run the operations of Mosquito Squad and Lightin Up.

Materials Used:

Mosquito Squad would store approximately one (1) to three (3) barrels of product at the site. In addition, holiday lights would be stored at the site.

Shipping and Receiving:

Very minimal shipping and receiving is anticipated. Employee uniforms are delivered approximately once per week, barrels of product are delivered approximately one (1) to two (2) times per year, and approximately one (1) other may be delivered per week.

Waste:

Standard trash and recycling is disposed of appropriately.

2023-ZON-078; Photographs



Photo of the Subject Property: 4021 West 71st Street



Photo of the western property boundary of the site.



Photo of the existing buildings on site.



Photo of the southern property boundary.



Photo of the street frontage looking east on 71st Street.



Photo of the industrially zoned property north of the site.



Photo of the commercially zoned property north of the site.



Photo of the street frontage looking west on 71st Street.