

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-ZON-104
Address: 2920 and 2990 North Arlington Avenue (*Approximate Address*)
Location: Warren Township, Council District #13
Petitioner: Associated Drywall Partners, by Andrew Wert
Request: Rezoning of 1.80 acres from the C-3 and D-3 district to the C-5 district to legally establish and provide for the expansion of a Commercial and Building Contractor.

RECOMMENDATIONS

Staff **recommends approval** of the rezoning.

SUMMARY OF ISSUES

LAND USE

- ◇ The 1.80-acre subject site is comprised of two parcels that are developed with a commercial building and associated parking lots. One tenant of the building is a drywall contracting company and the other is a medical clinic.
- ◇ The site is bordered to the north by a used car dealership, zoned C-3 and C-4, to the west by a tent rental service, zoned C-7 and D-3, to the south by a church, zoned D-3, and an office, zoned C-3, and industrial uses to the east, zoned I-2.

REZONING

- ◇ The request would rezone the property from the C-3 and D-3 district to the C-5 district to legally establish and provide for the expansion of a Commercial and Building Contractor.
- ◇ The site is split zoned with most of the site being C-3 and the southwest corner being D-3.
- ◇ The D-3 district provides for low or medium intensity residential development. Land in this district should have good thoroughfare access, be relatively flat in topography, and be afforded pedestrian linkages to community and neighborhood services and facilities (schools, parks, shopping areas, etc.). Recreational facilities developed for the neighborhood complement the treed yards on the individual lots. Predominantly single-family detached dwellings are envisioned with two-family dwellings on corner lots in this district. The D-3 district has a typical density of 2.6 units per gross acre. This district fulfills the low-density residential classification of the Comprehensive General Land Use Plan. All public utilities and facilities must be present. Development plans, which may include the use of clustering, should incorporate, and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage, and wildlife.

(Continued)

STAFF REPORT 2023-ZON-104 (Continued)

- ◇ The C-3 District is for the development of an extensive range of retail sales and personal, professional, and business services required to meet the demands of a fully developed residential neighborhood, regardless of its size. Examples of such types of uses include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail, and personal and professional service establishments. At this neighborhood scale of retail, a fine-grain of accessibility requisite for all modes of travel must be provided and maintained. It does not make provision, however, for those businesses that draw customers in significant numbers from well beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators, such as theaters. It does not allow those businesses that require the outdoor display, sale or storage of merchandise; or require outdoor operations. In general, to achieve maximum flexibility of permitted land use, the C-3 District makes possible a highly varied grouping of indoor retail and business functions
- ◇ The C-5 District is designed to provide areas for those retail sales and service functions whose operations are typically characterized by automobiles, outdoor display, or sales of merchandise; by major repair of motor vehicles; by outdoor commercial amusement and recreational activities; or by activities or operations conducted in buildings or structures not completely enclosed. The types of uses found in this district tend to be outdoor functions, brightly lit, noisy, etc. Therefore, to provide a location where such uses can operate in harmony with the vicinity, the C-5 district should be located on select heavy commercial thoroughfares and should avoid locating adjacent to protected districts.
- ◇ The Comprehensive Plan recommends heavy commercial development. The Heavy Commercial typology provides for consumer-oriented general commercial, and office uses that tend to exhibit characteristics that are not compatible with less intensive land uses. They are often dominated by exterior operations, sales, and display of goods. Examples include vehicle sales and commercial lumber yards

Staff Analysis

- ◇ The existing C-3 and D-3 districts do not permit the use of a Commercial and Building Contractor, but the requested C-5 district would.
- ◇ Outdoor storage in the C-5 district is permitted, but only for the storage of inoperable vehicles awaiting repair. Therefore, any existing outdoor storage of materials, equipment, and so on would not be permitted on site. The petitioner was made aware of this, and they noted that the purpose of the expansion is to store everything indoors.
- ◇ Because the Comprehensive Plan recommends heavy commercial development, staff determined the request to rezone the site to the C-5 district to allow a 5000-square foot building expansion for use of a Commercial and Building Contractor would be supportable.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

D-3 / C-3 Compact Commercial

(Continued)

STAFF REPORT 2023-ZON-104 (Continued)

SURROUNDING ZONING AND LAND USE

North	C-3	Car Dealership
South	D-3/C-3	Church / Office
East	I-2	Industrial
West	D-3/C-7	Commercial

COMPREHENSIVE PLAN The Comprehensive Plan recommends heavy commercial development.

THOROUGHFARE PLAN Arlington Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary arterial street, with a 91-foot existing right-of-way and a 78-foot proposed right-of-way.

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.

SITE PLAN File-dated November 3, 2023.

ZONING HISTORY – SITE

EXISTING VIOLATIONS

None.

PREVIOUS CASES

61-V-570; 2990 North Arlington Avenue (subject site), Variance of use to permit off-street parking accessory to the proposed business in the existing building, **granted**.

58-Z-34; (subject site), Rezoning of Lot 4 and part of Lots 5 and 6 in Forrest Acres Subdivision, being in an R-3 district to a B-5 classification to permit the construction of a commercial building for a cutting and retailing glass service business, **approved**.

56-A-103; 2992 North Arlington Avenue (subject site), Rezoning of Lot No.3 and 60.88 feet by parallel lines off the entire south side of Lot No.2 in Forest Acres Subdivision, being in a B-4 district to a B-6 (7) classification to permit the construction of a Drive-In Root Beer Stand, **approved**.

ZONING HISTORY – VICINITY

2008-ZON-060; 3045 North Arlington Avenue (northeast of site), Rezoning of 0.65 acre, being in the SU-2 District, to the C-3 classification to provide for community-regional commercial uses, **approved**.

99-Z-116; 2801 North Arlington Avenue (southeast of site), Rezone of 2.417 acres from the C-3 district to I-2-S classification, **approved**.

(Continued)

STAFF REPORT 2023-ZON-104 (Continued)

96-Z-40/96-CV-12; 2851 North Arlington Avenue (east of site), Rezoning of 1.876 acres, from the C-3 District, to the I-2-S classification, to provide for an industrial cleaning and supply sales and distribution facility, with a variance of development standards of the Industrial Zoning Ordinance for 45% of front yard for parking and 10-foot side yard setback, **approved.**

95-Z-94; 3045 North Arlington Avenue (northeast of site), Rezoning of 2.275 acres from C-3 to SU-2, **approved.**

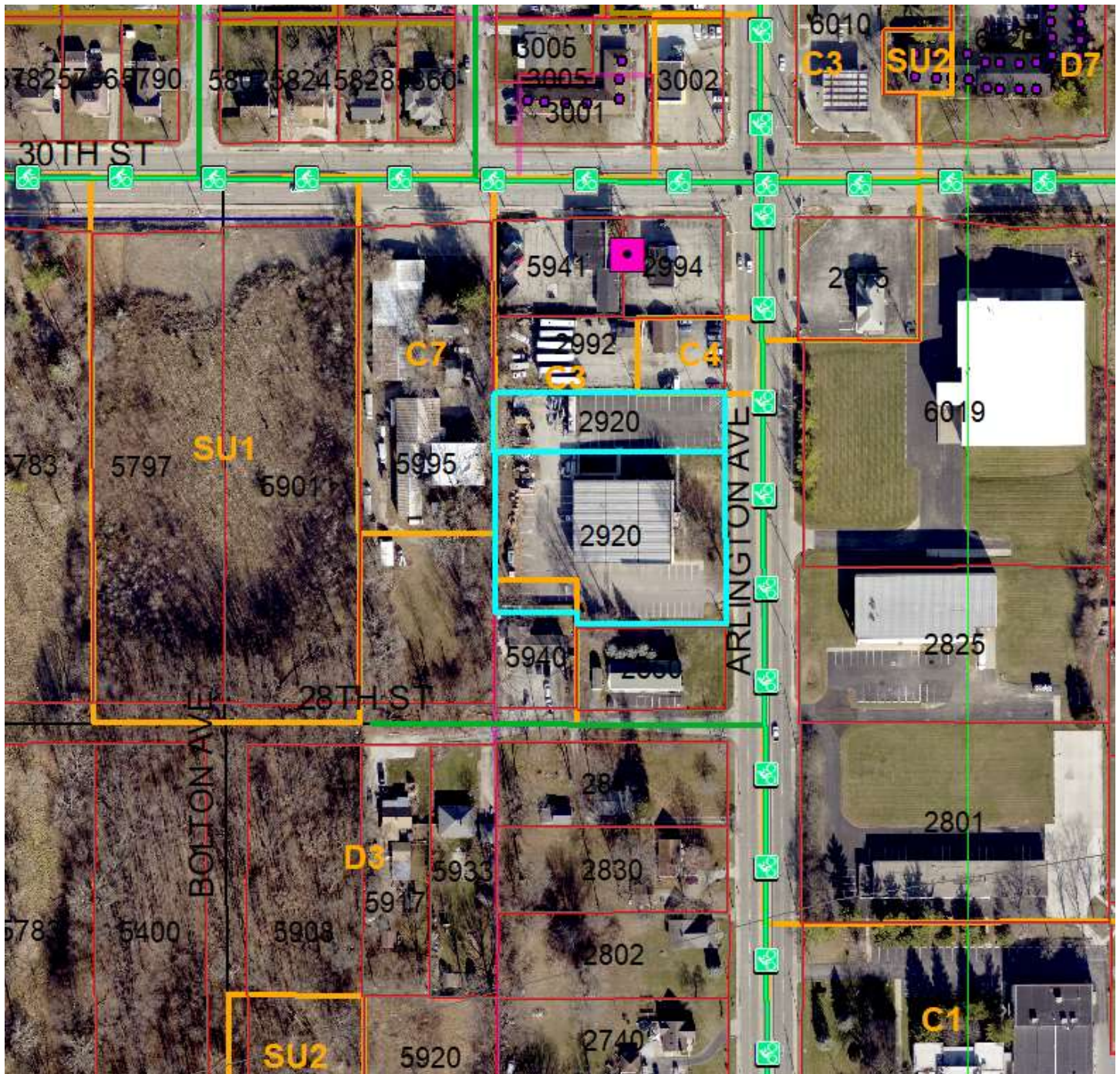
90-Z-105; 5801 East 30th Street (west of site), Rezoning of 4.66 acres, being in the D-3 District, to the SU-1 classification to provide for the construction of a church, **approved.**

89-Z-231; 2915 North Arlington Avenue (northeast of site), Rezoning of 3.76 acres, from the C-3 District, to the I-2-S classification, to provide for a book binding production plant, **approved.**

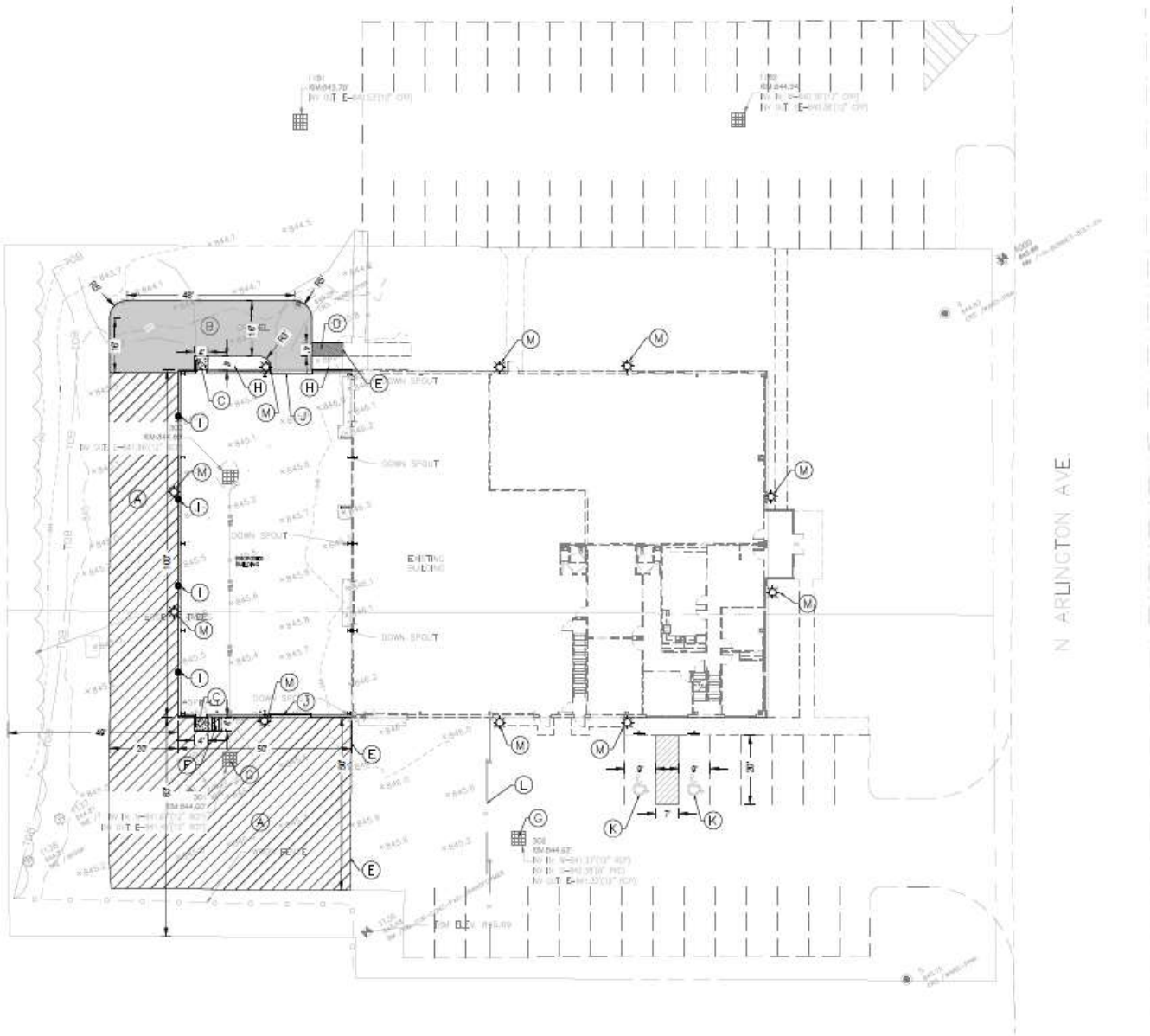
77-Z-145; 2990 North Arlington Avenue (north of site), Rezoning from the C-3 District, to the C-4 classification, **approved.**

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2023-ZON-104; Location Map



2023-ZON-104; Site Plan



2023-ZON-104; Photographs



Photo of the Subject Property: 2920 North Arlington Avenue



Photo of the subject site's southern parking area looking east.



Photo of the street frontage along Arlington Avenue.



Photo of the Subject Property: 2990 North Arlington Avenue



Photo of the western property boundary looking north.



Photo of the existing west building façade and proposed building addition looking north.



Photo of the proposed buidling addition looking east.



Photo of the northern building façade.



Photo of the company vehicles on site.



Photo of the existing outdoor storage.



Photo of the used car dealership north of the site.



Photo of the industrial uses east of the site.



Photo of the office buiding south of the site.



Photo of the church south of the site.