

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-ZON-009 (Amended)
Address: 5635 West 96th Street (*Approximate Address*)
Location: Pike Township, Council District #1
Petitioner: Eric Sanquetti
Request: Rezoning of 4.213 acres from the C-S district to the C-S district to provide for indoor recreational and educational uses.

A valid Automatic Continuance was received from a registered neighborhood organization, the Pike Township Residents Association, **continuing this petition from the March 9, 2023 hearing to the April 13, 2023 hearing.**

RECOMMENDATION

Staff **recommends approval** of this request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

- ◇ This site has been used for research, light industrial and office uses since at least the late 1950s/early 1960s. The current building on the site dates from 2005. Among the former tenants of the site was a business called Professional Fitness.
- ◇ The 2018 Comprehensive Land Use Plan recommends Heavy Industrial for the subject site. This typology provides for industrial, production, distribution and repair uses that are intense and may create emissions of light, odor, noise, or vibrations. Outdoor operations and storage are common.
- ◇ The subject site is also within the Industrial Reserve Overlay of the Comprehensive Land Use Plan. An overlay is used in places where the land use uses that allowed in the land use typology need to be adjusted. The Industrial Reserve overlay is for areas that are prime for industrial development and should be reserved for that use. Land uses that detract from the viability of the area for industrial uses should not be supported.

(Continued)

STAFF REPORT 2023-ZON-009 (Continued)

ZONING

- ◇ This petition requests a rezoning to the C-S district to the C-S district. The C-S district allows a petitioner to develop a custom list of permitted land uses. The C-S district requires a development statement and site plan. When a change to the list of permitted uses is desired, a rezoning petition is required.
- ◇ The subject site was part of a larger, 17.6-acre rezoning filed in 2000 (2000-ZON-050). The customized list of permitted land uses associated with that petition can be found below. The permitted uses can be characterized as office and light industrial uses, schools and educational services, a day care center and several accessory uses. These are the uses that are currently permitted on the site. The petition specifically excluded one use, which was outdoor advertising signs (billboards).
- ◇ The “detailed description” submitted with this petition would function as the list of customized uses to be added to the current list. This detailed description can be found below. It can be summarized as adding indoor recreation uses, generally for children, and beyond the scope of a typical daycare or educational service.
- ◇ When rezoned in 2000 to permit office / warehouse uses, the Staff Report noted that the Comprehensive Land Use Plan in effect at the time recommended Heavy Industrial uses for the site. The report went on to say that “Though the proposed office and industrial uses would not be consistent with the heavy industrial recommendation of the Comprehensive Plan, they would generate less impact, and therefore, represent an acceptable deviation from the Plan.”
- ◇ The site is not currently used for heavy industrial uses, nor are heavy industrial uses permitted. The surrounding properties are a mix of office, research, light industrial and heavy industrial uses.
- ◇ Given the site’s history of use and the character of the surrounding uses, staff supports the rezoning.

GENERAL INFORMATION

EXISTING ZONING, CONTEXT AREA, AND LAND USE

C-S Metro Laboratory

(Continued)

STAFF REPORT 2023-ZON-009 (Continued)

SURROUNDING ZONING AND LAND USE

North		Boone County
South	C-S	Laboratory
East	I-3	Natural gas plant
West	C-S	Office building

COMPREHENSIVE LAND USE PLAN The Pike Township Comprehensive Plan (2018) recommends Heavy Industrial.

THOROUGHFARE PLAN 96th Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Secondary Arterial, with a 29-foot existing half right-of-way and a 126-foot proposed right-of-way.

Zionsville Road is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Secondary Arterial, with a 72-foot existing half right-of-way and a 126-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.

ZONING HISTORY – SITE

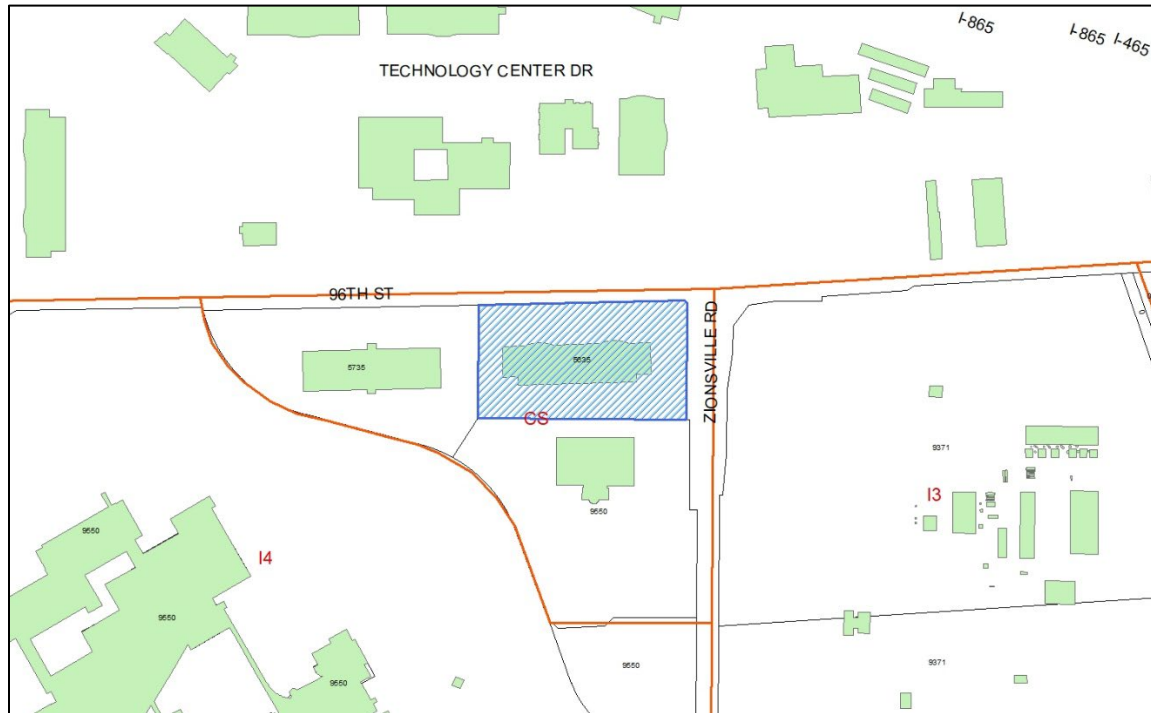
2000-ZON-050; 9550 Zionsville Road, requested the rezoning of 17.6 acres from the I-4-S and C-1 districts to the C-S district to provide for office/warehouse development, **approved.**

ZONING HISTORY – VICINITY

None.

klh

STAFF REPORT 2023-ZON-009, Location



STAFF REPORT 2023-ZON-009, Aerial photograph (2022)



STAFF REPORT 2023-ZON-009, Existing list of permitted uses from 2000-ZON-050

Petitioner, Holladay Partners Midwest, requests the rezoning of 17.639 acres located at the southwest corner of 96th Street and Zionsville Road, being in the I-4-S District, to the C-S Special Commercial Classification to provide for office or light industrial uses as specified below:

Permitted Uses:

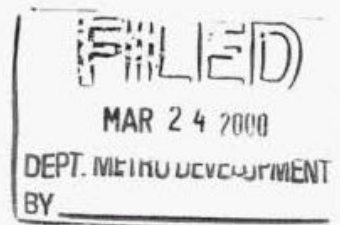
1. **The following C-1 Office - Buffer Uses** (as described in the Commercial Zoning Ordinance of Marion County, Indiana, 92-AO-4, as amended through 98-AO-5):
 - a. **Day Care Center** (adult, child or handicapped);
 - b. **Office Use**, any type, including:

Business or Personal Service	Governmental
Financial (bank, savings & loan, credit union, etc.)	Professional
	Social Services (office only);
 - c. **Schools / Educational Services;** and,

Business and Secretarial	Data Processing	Music
Clerical	Junior College	Nursery
Correspondence	Language	Vocational or Technical;
 - d. **Accessory Uses and Structures**, including:

Cafeteria (serving only employees and guests only)	Office Supplies
Drug Store / Pharmacy	Optical Goods
Florist (including florist telegraph service)	Photocopying and Duplicating Services
News Dealers and Newstands	Restaurant (serving office employees and guests only)
2. **Any I-2-S Light Industrial Use** (as described in the Industrial Zoning Ordinance of Marion County, Indiana; 63-AO-4, as amended through 98-AO-4).

The initial purpose of this rezoning is to provide for the use of existing buildings located on the site for the above specified Permitted Uses. Petitioner also wishes to have the ability to raze one or more of the existing buildings and redevelop the site in substantial compliance with the concept depicted on the Site Plan filed with this petition.




STAFF REPORT 2023-ZON-009, Proposed addition to the list of permitted uses from 2000-ZON-050

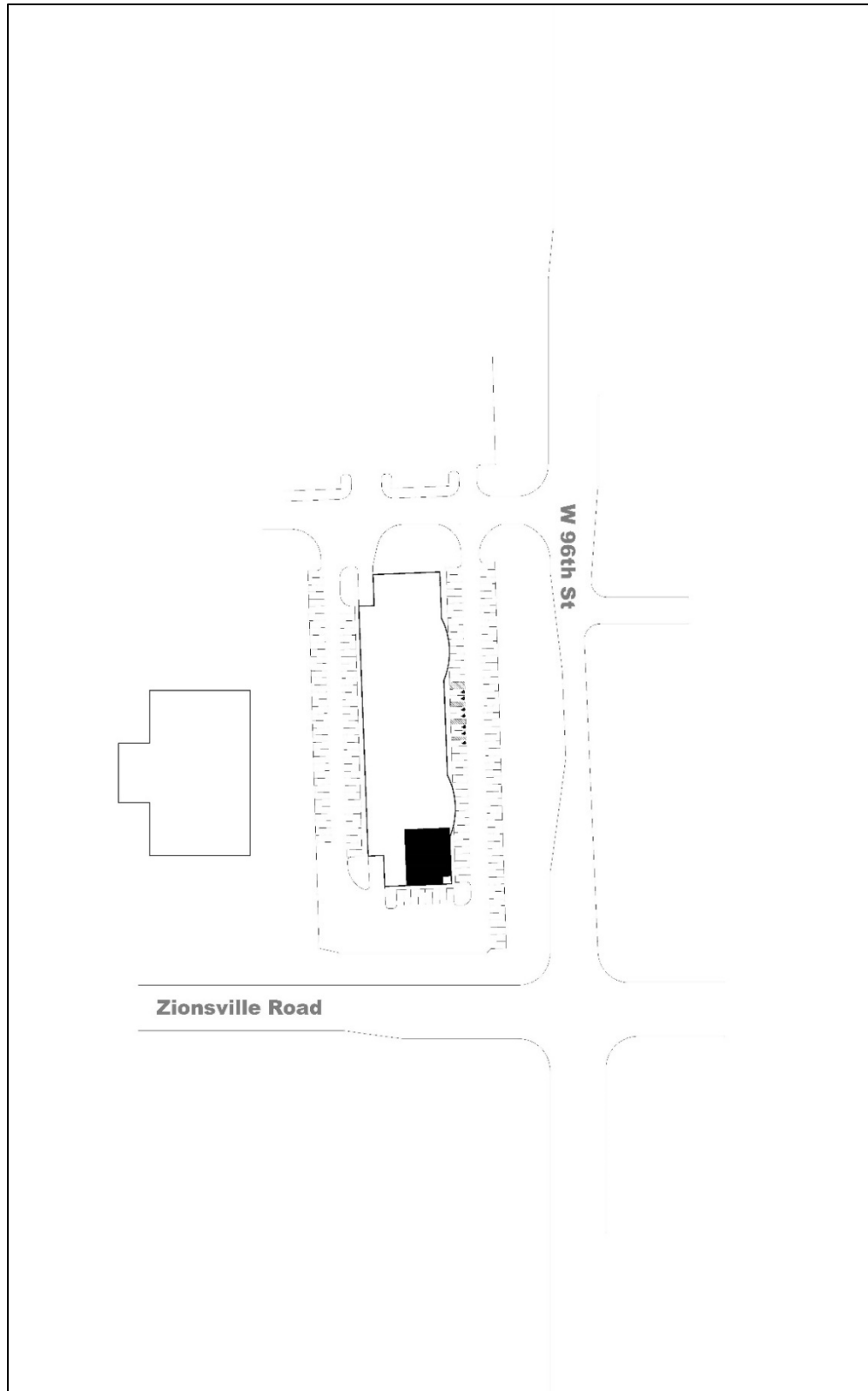
Proposed Modifications: Original Copy

DETAILED DESCRIPTION OF THE PROPOSAL:

Property owner wishes to modify the CS Use to accept indoor recreational and educational facility. The new tenant will be offering many educational classes. They plan to run 3-5 unique classes per week that include music classes, arts/crafts, bilingual storytimes and cultural explorations, dance and fitness classes for children. They will also offer several summer camp classes. They've consulted with a renown occupational therapist on how best to set up the space to be inclusive and educational for all children, especially those on the autism spectrum. Also planned, is to offer meeting rooms to local groups such as book clubs and bible studies. While offering gross motor play, that is not the only focus. Tenant has consulted with several teachers on how to include educational content in everyday experiences. In addition, this business will offer drop-in childcare and a co-working space for parents of children. Lastly, The tenant is not an arcade and will not offer any sort of gaming.

 1-24-23

STAFF REPORT 2023-ZON-009, Site Plan



STAFF REPORT 2023-ZON-009, Photographs



Looking southeast at the subject site from the 96th Street entrance.



Looking southwest at the site from the corner of Zionsville Road and 96th Street.



Looking southeast at the neighbor to the south.



Looking west from the subject site along 96th Street.



Looking north across 96th Street from the subject site.



Looking east across Zionsville Road at the neighboring natural gas facility.