



Metropolitan Development Commission Hearing Examiner (May 28, 2026) Meeting Agenda

Meeting Details

Notice is hereby given that the Hearing Examiner of the Metropolitan Development Commission will hold public hearings on:

Date: Thursday, May 28, 2026

Time: 1:00 PM

Location: Public Assembly Room, 2nd Floor, City-County Building, 200 E. Washington Street, Indianapolis, IN

Business:

Special Requests

2026-CAP-825 / 2026-CVR-825 | 1931 Lake of the Pines Drive

Wayne Township, Council District #16

D-11 (FF) (FW)

Lake of the Pines, LLC, by Kameron Gladish

Modification of Commitments associated with 2022-CZN-802 / 2022-CVR-802 to terminate all commitments and to establish new commitments to construct a proposed 120-foot-tall wireless communication facility.

Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for a proposed 120-foot-tall wireless communication facility (not permitted).

****Staff request to dismiss Petition**

PETITIONS REQUESTING TO BE CONTINUED:

1. 2026-MOD-003 | 8600 Combs Road

Franklin Township, Council District #25

I-3

Punjab Property Inc., by Patrick Rooney

Modification of Commitments related to petition 2005-ZON-160 to include Commitment Number 1, to allow for truck or heavy vehicles sales, rental, or repair (commitment allowed only manufacture, assembly of repair of machinery and machinery components in the I-3-S district); Commitment Number 2 to allow for truck or heavy vehicles sales, rental, or repair (commitment allowed only construction companies, contractors, and home remodeling companies in the I-2-S district); Commitment Number 5 to provide for one building subject to the plans and elevations dated February 10, 2026, (required certain exterior materials on mini-warehouse buildings); Commitment Number 6 to protect and preserve existing trees outside of the construction limits and install landscaping subject to the landscaping plan dated February 10, 2026, (commitment provided for landscaping and exterior building materials related to mini-warehouse development); Commitment Number 11 to provide for parking/storage of trucks and trailers subject to the site plan dated February 10, 2026, (identified location of outdoor storage and eliminated outdoor storage of commercial vehicles, semi-truck and trailers); Commitment Number 19 to provide for one building subject to the site plan dated February 10, 2026, (commitment limited building height to 35 feet and not to exceed total of 15,000 square feet); Commitment Number 26 would provide for a perimeter fence and landscaping subject to the site plan dated February 10, 2026, (commitment identified location and materials of fencing); and Commitment Number 17 would be terminated and deleted (commitment limited semi-truck traffic to an average of a total of not more than two trips to and from the site per week).

****Staff request for continuance for cause to July 9, 2026**

2. 2026-ZON-018 / 2026-VAR-004 | 5510 Millersville Road

Washington Township, Council District #3
R. Michael Thomas, by Ted Nolting

Rezoning of 2.75 acres from the D-3 and C-4 districts to the C-3 district to provide for a veterinary hospital.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for an outdoor animal run/exercise area located 88 feet from a protected district (100-foot separation required).

****City-County Councilor request for continuance for cause to June 25, 2026**

3. 2026-CZN-820 / 2026-CVR-820 | 4710, 4716, 4724, 4738, 4742 and 4910 Bluff Road

Perry Township, Council District #22
Alt Construction, LLC, by Brian J. Tuohy

Rezoning of 27.26 acres from the D-A (FF) district to the I-2 (FF) district to provide for light industrial uses, including warehousing, wholesaling and distribution.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a loading area between the front lot line along Bluff Road and the front line of the building (not permitted), and to provide for 39 parking spaces (minimum of 260 spaces required).

****Automatic Continuance to June 25, 2026, filed by Petitioner**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

4. 2026-APP-008 | 7979 Shadeland Avenue

Lawrence Township, Council District #3
HD-2

Community Health Network and Community Health Network Foundation, Inc., by Timothy H. Button

Hospital District Two Approval to provide for a sign package to include one additional building wall sign.

5. 2026-APP-009 | 8401 Harcourt Road

Washington Township, Council District #2
HD-1

St. Vincent Hospital and Health Care Center Inc., by Joseph D. Calderon

Hospital District-One Approval to provide for the replacement of existing common areas with a new therapeutic garden and outdoor amenities.

6. 2026-ZON-002 / 2026-VAR-006 (Amended) | 456 South Emerson Avenue

Center Twp., CD #14

Singh Auto Repair LLC, by Steven Brown

Rezoning of 0.42-acre from the D-5 district to the C-3 district to provide for commercial uses.

Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for Automobile, Motorcycle, and Light Vehicle Service or Repair.

7. 2026-ZON-025 | 1719 Roosevelt Avenue

Center Township, Council District #8

Diego Abraham Gomez Lara, by Jorge Oscar Gonzales Vasquez

Rezoning of 0.12-acre from the C-3 district to the D-8 district to provide for residential development.

8. 2026-ZON-033 | 4200 South Harding Street

Perry Township, Council District #22

Hanson Aggregates, Midwest Inc., by Misha Rabinowitch

Rezoning of 20.18 acres from the I-4 (FF) district to the I-4 (FF) (GSB) district to provide for mining operations.

- 9. 2026-ZON-037 | 23 Woodland Drive**
Center Township, Council District #18
Keyon Johnson, by RG Development (Josh Smith)

Rezoning of 0.081 acres from the C-7 (TOD) district to the D-5 (TOD) district to allow for the construction of a single-family home.

- 10. 2026-CAP-811 / 2025-CVR-811 | 1258 Windsor Street**
Center Township, Council District #13
Indianapolis Film Project, by Justin Kingen

Modification of Commitments associated with 2018-MOD-008, relative to the subject site, to terminate all commitments, and to replace them with updated commitments for the existing use on the site and new commitments to provide for a proposed pocket park, with pedestrian features. The proposed commitments include restrictions for signage, façade and material guidance, and use of site as a theatre, family friendly restaurant and a gathering or event space.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for an outdoor seating area without the required fence, wall or similar barrier between the outdoor seating area and the right-of-way (a fence, wall or similar barrier required), and encroachment of outdoor seating and park amenities within the clear-sight triangle (not permitted).

- 11. 2026-CZN-817 / 2026-CPL-817 | 2504-2542 (even) and 2511-2543 (odd) Walker Place**
Center Township, Council District #19
SUESON AV 3, LLC, IHR Builders, LLC, and Walker Place Equity Fund, LLC, by Joseph D. Calderon

Rezoning of 4.597 acres from the D-P (FW) (FF) district to the D-5II (FW) (FF) district to provide for single-family attached dwellings.

Approval of a Subdivision Plat to be known as Replat of Lots 1-13 Walker Place Subdivision, dividing 4.597 acres into 26 lots, with a waiver of the open space requirements in Chapter 741, Article III, Section 10 B of the Consolidated Zoning and Subdivision Ordinance.

- 12. 2026-CAP-818 / 2026-CVR-818 | 1440 East County Line Road**
Perry Township, Council District #23
Community Health Network Inc., and Community Health Network Foundation, by Timothy Button

Hospital District Two Approval to provide for a sign program for a medical facility.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a canopy sign that would exceed the maximum width of the canopy (signs limited to 45% of the width of the canopy) and for a pylon sign that would exceed 15 feet in height (maximum height of 15 feet permitted).

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

- 13. 2026-MOD-001 | 7536 South Emerson Avenue**
Perry Township, Council District #24
D-P
HSL Emerson, LLC, by Joseph D. Calderon

Modification of the site plan and Development Statement related to 2023-ZON-050 to remove age restriction of head of household (head of household being at least 55 years of age); allow multi-family units within five buildings (multi-family units limited to a single building); remove all references to Lot A; provide for a clubhouse and pool as a permitted accessory use; reduce accessory use setback along southern property line to 10 feet (accessory use setback along southern property line required 20 feet); provide for no less than 200 parking spaces (no less than 130 parking spaces allowed); provide for required bicycle parking spaces; and amend site plan in accordance with the amended Development Statement.

- 14. 2026-ZON-016 / 2026-VAR-005 | 3030 Southeastern Avenue**
Center Township, Council District #18
JO & CE Real Estate LLC, by Dylan Seesman

Rezoning of 0.34-acre from D-5 (FF) to MU-2 (FF), for an existing building to be renovated for commercial retail uses and up to six dwelling units on the second floor.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a zero-foot front transitional yard from English Avenue (12-foot front transitional yard required), a zero-foot west transitional side yard setback (15-foot side transitional yard required), with vehicle maneuvering of three parking spaces within the right-of-way of Southeastern Avenue (not permitted).

15. 2026-ZON-023 | 5436 Brookville Road

Warren Township, Council District #14
Brew Brothers Inc, by Baldeep Baidwan

Rezoning of 1.6 acres from the C-3 district to the I-2 district to provide for light industrial uses, including warehousing and distribution.

16. 2026-CZN-816 / 2026-CVR-816 | 4511 Allisonville Road

Washington Township, Council District #8
Broad Ripple Construction, LLC, by Joseph D. Calderon

Rezoning of 0.21-acre from MU-1 (FF) (W-1) to C-S (FF) (W-1) to provide for a contractor's office, offices, light manufacturing, artisan manufacturing, research and development, consumer services and repair of consumer goods, vocational, technical, or industrial school, medical or dental offices, hair and body salon, financial and insurance offices, and a day care.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a reduction of the transparency requirement of the front facade between three feet and eight feet of the wall surface, within 50 feet of a primary entrance (minimum 40% transparency required), and to provide for a six-foot tall fence within the front yard (maximum height of 3.5 feet permitted).

PETITIONS FOR PUBLIC HEARING (New Petitions):

17. 2026-CZN-819 / 2026-CVC-819 | 5849 Crittenden Avenue

Washington Township, Council District #7
Roman Catholic Archdiocese of Indianapolis Properties, Inc., as Trustee, Bishop Chatard High School, Inc., by Brian J. Tuohy

Rezoning of 0.48-acre from the D-5 district to the SU-2 district to provide for school uses.

Vacation of a portion of East Northgate Street, being 50 feet wide, from the east right-of-way line of Crittenden Avenue (also being the northwest corner of Lot 100 of Northdale, an addition to the City of Indianapolis), 279 feet to a point (also being the northeast corner of Lot 30 in said subdivision).

Additional Business:

**The addresses of the proposals listed above are approximate and should be confirmed with the Division of Planning. Copies of the proposals are available for examination prior to the hearing by emailing planneroncall@indy.gov. Written objections to a proposal are encouraged to be filed via email at planneroncall@indy.gov before the hearing and such objections will be considered. At the hearing, all interested persons will be given an opportunity to be heard in reference to the matters contained in said proposals. The hearing may be continued from time to time as may be found necessary. For accommodations needed by persons with disabilities planning to attend this public hearing, please call the Office of Disability Affairs at (317) 327-7093, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.

Any decision of the Hearing Examiner may be **appealed** to the Metropolitan Development Commission (MDC), subject to deadlines prescribed by the MDC Rules of Procedure. Please contact the Current Planning staff, **317-327-5155**, or planneroncall@indy.gov, within one to two days after the hearing, to determine the appropriate appeal process. Please see this link for the Appeal form: [REQUEST FOR APPEAL](#)

HEARING EXAMINER

for

METROPOLITAN DEVELOPMENT COMMISSION (MDC)

Contractual Zoning Professional	Approving Authority	Term
Judy Weerts Hall	MDC	01/01/2026 - 12/31/2026
Vacant		

This meeting can be viewed live at [indy.gov: Channel 16 Live Web Stream](https://indy.gov/Channel16LiveWebStream). The recording of this meeting will also be archived (along with recordings of other City/County entities) at [indy.gov: Watch Previously Recorded Programs](https://indy.gov/WatchPreviouslyRecordedPrograms).

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 28, 2026

Case Number: 2026-CAP-825 / 2026-CVR-825

Property Address: 1931 Lake of the Pines Drive (*approximate address*)

Location: Wayne Township, Council District #16

Petitioner: Lake of the Pines, LLC, by Kameron Gladish

Current Zoning: D-11 (FF) (FW)
Modification of Commitments associated with 2022-CZN-802 / 2022-CVR-802 to terminate all commitments and to establish new commitments to construct a proposed 120-foot-tall wireless communication facility.

Request: Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for a proposed 120-foot-tall wireless communication facility (not permitted).

Current Land Use: Residential – Trailer Park

Staff Reviewer: Michael Weigel, Principal Planner I

PETITION HISTORY

On May 15, 2026, the property owner indicated via writing in an email that they revoked their permission to Xiber LLC and JDH Contracting (dated 12/17/2025) to file land petitions or variance requests on their behalf regarding 1931 Lake of the Pines Drive. Unless that consent were to be restored between publication of this report and the hearing, this petition will be dismissed at the May 28, 2026 hearing date.



METROPOLITAN DEVELOPMENT COMMISSION **May 28, 2026**
HEARING EXAMINER

Case Number: 2026-MOD-003

Property Address: 8600 Combs Road

Location: Franklin Township, Council District # 25

Petitioner: Punjab Property, Inc., by Patrick Rooney

Request: Modification of Commitments related to petition 2005-ZON-160 to include Commitment Number 1, to allow for truck or heavy vehicles sales, rental, or repair (commitment allowed only manufacture, assembly of repair of machinery and machinery components in the I-3-S district); Commitment Number 2 to allow for truck or heavy vehicles sales, rental, or repair (commitment allowed only construction companies, contractors, and home remodeling companies in the I-2-S district); Commitment Number 5 to provide for one building subject to the plans and elevations dated February 10, 2026, (required certain exterior materials on mini-warehouse buildings); Commitment Number 6 to protect and preserve existing trees outside of the construction limits and install landscaping subject to the landscaping plan dated February 10, 2026, (commitment provided for landscaping and exterior building materials related to mini-warehouse development); Commitment Number 11 to provide for parking/storage of trucks and trailers subject to the site plan dated February 10, 2026, (identified location of outdoor storage and eliminated outdoor storage of commercial vehicles, semi-truck and trailers); Commitment Number 19 to provide for one building subject to the site plan dated February 10, 2026, (commitment limited building height to 35 feet and not to exceed total of 15,000 square feet); Commitment Number 26 would provide for a perimeter fence and landscaping subject to the site plan dated February 10, 2026, (commitment identified location and materials of fencing); and Commitment Number 17 would be terminated and deleted (commitment limited semi-truck traffic to an average of a total of not more than two trips to and from the site per week).

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged a timely automatic continuance filed by a registered neighborhood organization that continued this petition from the April 23, 2026 hearing, to the May 28, 2026 hearing.

Staff is requesting a **continuance from the May 28, 2026 hearing, to the July 9, 2026 hearing**, to provide time for the petitioner to amend documents related to development of the site. The neighborhood organization has been made aware of this request and has no objection.



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 28, 2026

Case Number: 2026-ZON-018 / 2026-VAR-004
Address: 5510 Millersville Road (approximate address)
Location: Washington Township, Council District #3
Petitioner: R. Michael Thomas, by Ted Nolting
Request: Rezoning of 2.75-acres from the D-3 and C-4 districts to the C-3 district to provide for a veterinary hospital.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for an outdoor animal run/exercise area located 88 feet from a protected district (100-foot separation required).

Current Land Use: Veterinary Hospital
Staff Recommendations: Approval
Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was previously continued for cause by Staff, to the April 23, 2026, hearing, in order for it to be heard together with associated petition 2026-VAR-004.

City Councilor Boots requested that this petition be continued from April 23, 2026 to May 28, 2026, to continue discussions between the petitioner and area residents.

City Councilor Boots **has requested that this petition be continued for cause again to June 25, 2026, from the May 28, 2026, hearing,** to allow for ongoing discussion between the petitioner and area residents. The petitioner is in agreement with this request.

STAFF RECOMMENDATION

Staff recommends **approval** of the Rezoning request.

Staff recommends **approval** of the Variance request.



PETITION OVERVIEW

LAND USE

The 2.75-acre site is comprised of a parcel developed with a Veterinary Hospital, and a residential structure being used as offices. The site is adjacent to commercial uses zoned C-3, and single-family dwellings zoned D-3.

REZONING

The request would rezone the property to the C-3 district to allow for the construction of a new Veterinary Hospital that is not permitted in the existing D-3 district.

The C-3 District is intended to provide 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 insignificant numbers from well beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators, such as theaters.

VARIANCE OF DEVELOPMENT STANDARDS

The request would allow for an outdoor animal run / exercise area to be located approximately 88 feet from a protected district.

The proposed outdoor animal run. exercise area would be used primarily for the animal patients to relieve them selves under staff supervision. No run structure would be part of the area, instead it would consist of a fenced in grassy area.

STAFF ANALYSIS

The request would rezone the property to the C-3 district to allow for the construction of a new Veterinary Hospital, to replace the existing hospital.

Staff is supportive of the rezoning because it would remove a legacy D-3 zoning that is not compatible with existing commercial uses and would allow for the construction of a new veterinary hospital that is compatible with the surrounding area and would align with the Village Mixed Use recommendation of the Comprehensive Plan.

Staff is supportive of the variance request as it would act as an accessory use to the hospital and would primarily be used for the animal's relief under supervision.



Department of Metropolitan Development
 Division of Planning
 Current Planning

GENERAL INFORMATION

Existing Zoning	C-4 / D-3	
Existing Land Use	Veterinary Hospital and Office Building	
Comprehensive Plan	Village Mixed Use	
Overlay	N/A	
Surrounding Context	Zoning	Surrounding Context
	North: C-3 / C-1	Commercial retail, office, and daycare
	South: D-3	Single-family dwellings
	East: C-3	Commercial retail
	West: D-3	Single-family dwelling
Thoroughfare Plan		
Millersville Road	Local Street	30-foot existing right-of-way and 50-foot proposed right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	N/A	
Wellfield Protection Area	N/A	
Site Plan	February 17, 2026	
Elevations	N/A	
Landscape Plan	N/A	
Commitments	N/A	
Findings of Fact	March 17, 2026	
C-S / D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Marion County Land Use Plan Pattern Book recommends the Village Mixed-Use typology that creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.



The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

Conditions for All Land Use Types – Village Mixed Use Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- Where possible, contributing historic buildings should be preserved or incorporated into new development.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves
(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

Not Applicable to the Site.

ZONING HISTORY

2025-MO2-001; 5510 Millersville Road (subject site), requested a Modification of Commitments related to 2021-DV2-019, and 2023-MO2- 001, which provided for the location of a temporary modular building with a three-foot south side transitional setback, which expired two years from the date of their approval, being May 11, 2021, and May 11, 2025, respectively. The request is to extend this expiration date to May 11, 2026, **granted**.

2023-MO2-001; 5510 Millersville Road (subject site), requested a Modification of Commitments related to 2021-DV2-019, which provided for the location of a temporary modular building with a three-foot south side transitional setback, which would expire two years from the date of approval, being May 11, 2021. The request is to extend this expiration date to May 11, 2024, **granted**.



Department of Metropolitan Development
Division of Planning
Current Planning

2021-DV2-019; 5510 Millersville Road (subject site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a temporary modular building with a three-foot south side transitional setback, **granted**.

90-V1-126; 5510 Millersville Road (subject site), requested a variance of development standards of the Commercial Zoning Ordinance to permit an addition to an existing veterinary office with an apartment with a 16-foot side yard, **approved**.

69-Z-199; 5510 Millersville Road (subject site), requested the rezoning of 0.85 acre, being in the D-3 district, to C-4 classification to provide for a small animal clinic, **approved**.

RU

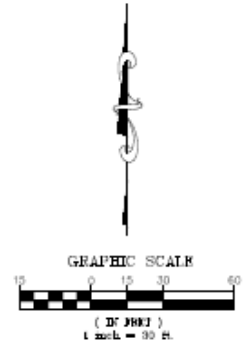
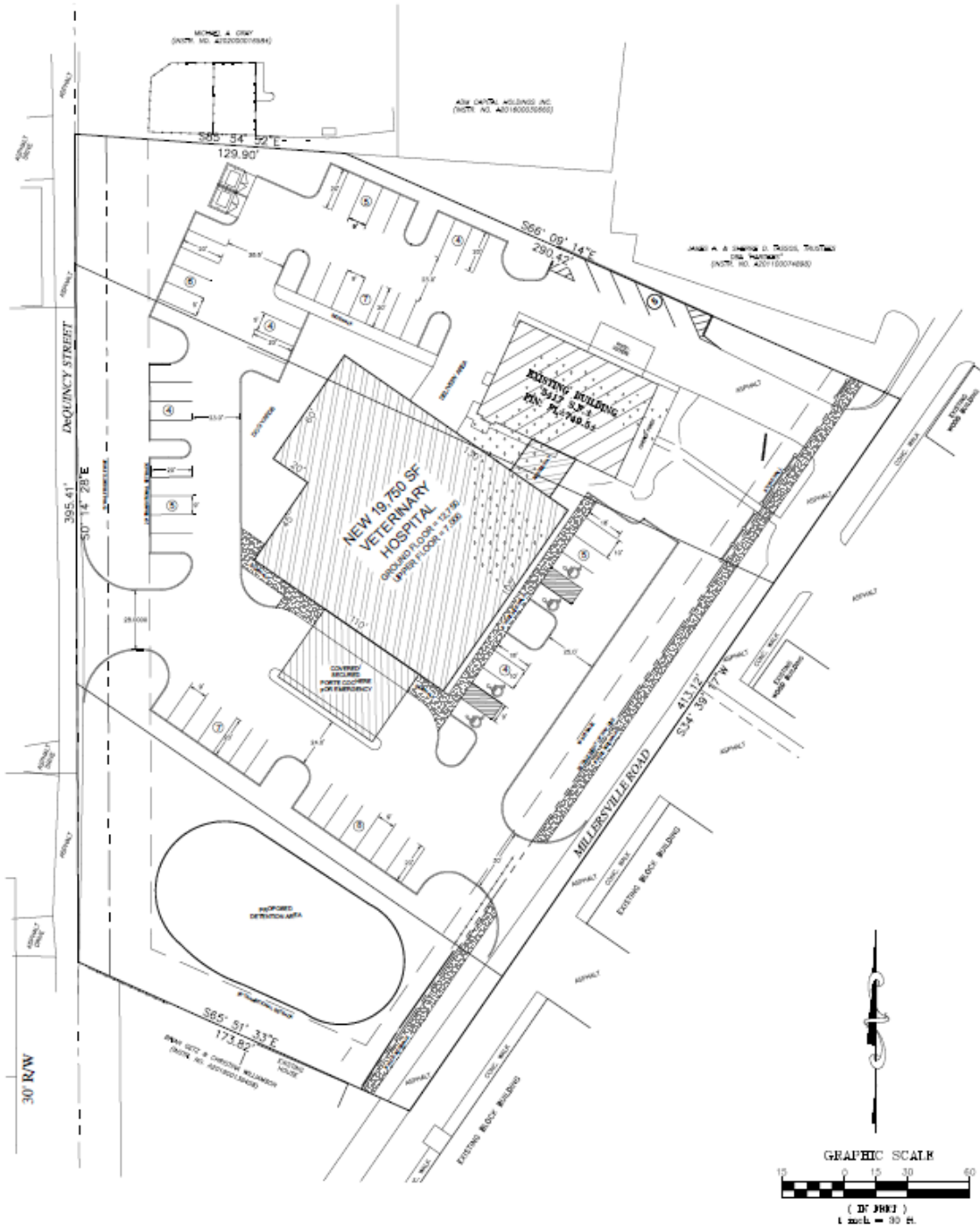
EXHIBITS

LOCATION MAP



SITE PLAN

PROPOSED SITE







FINDINGS OF FACT

Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA**

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

the proposed animal exercise area will function solely as an accessory area to the veterinary clinic for the brief outdoor movement and exercise of animals receiving treatment at the facility. The area will not be used for kennel operations, long-term boarding, or commercial animal housing. The exercise area will be located approximately eighty-eight (88) feet from the nearest dwelling district and is separated from nearby residential properties by a public street right-of-way, which provides an additional physical buffer. Given the limited and supervised nature of the activity and the separation created by the street, the variance will not create conditions that would adversely affect the public health, safety, morals, or general welfare of the community.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

the proposed animal exercise area is a limited accessory component of the veterinary clinic intended only for the temporary outdoor movement of animals under staff supervision. The area will not function as a kennel, boarding facility, or location for prolonged animal activity. The exercise area will be located approximately eighty-eight (88) feet from the nearest dwelling district and is separated from nearby residential properties by a public street, providing an additional buffer between the area and neighboring homes. Because the use will be intermittent, controlled, and associated with veterinary treatment activities, the variance will not materially diminish the use or value of adjacent properties.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

the veterinary clinic requires a small, designated outdoor area where animals receiving care may be briefly taken outside for movement and exercise as part of normal veterinary operations. Due to the configuration of the site and the placement of the proposed buildings, parking areas, and circulation drives, there is no reasonable location on the property where such an accessory area can be provided while fully satisfying the 100 foot separation requirement from a dwelling district. Strict enforcement of the 100-foot standard would therefore make it impractical to provide a functional and customary operational feature of a veterinary clinic on the property.

PHOTOS



Subject site, looking west.



Subject site temporary modular building behind the primary building, looking east.



Adjacent dwelling being used as an office related to the subject site, looking southwest.



Adjacent commercial use to the east, looking south.



Adjacent residential property on Dequincy to the west.



Adjacent residential property on Dequincy to the west.



METROPOLITAN DEVELOPMENT COMMISSION **May 28, 2026**
HEARING EXAMINER

Case Number: 2026-CZN-820 / 2026-CVR-820
Property Address: 4710 Bluff Road (*Approximate Address*)
Location: Perry Township, Council District #22
Petitioner: Alt Construction, LLC, by Brian J. Tuohy
Request: Rezoning of 27.26 acres from the D-A (FF) district to the I-2 (FF) district to provide for light industrial uses, including warehousing, wholesaling and distribution.
 Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a loading area between the front lot line along Bluff Road and the front line of the building (not permitted), and to provide for 39 parking spaces (minimum of 260 spaces required).
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

A timely automatic continuance has been filed by the petitioner’s representative that would **continue this petition from the May 28, 2026 hearing, to the June 25, 2026 hearing**. This would require acknowledgement from the Hearing Examiner.



METROPOLITAN DEVELOPMENT COMMISSION **May 28, 2026**
HEARING EXAMINER

Case Number: 2026-APP-008

Address: 7979 Shadeland Avenue (Approximate Address)

Location: Lawrence Township, Council District #3

Zoning: HD-2

Petitioner: Community Health Network and Community Health Network Foundation, Inc., by Timothy H. Button.

Request: Hospital District Two Approval to provide for a sign package to include one additional building wall sign.

Staff Recommendations: Approval

Current Land Use: Hospital

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends approval of the request.

PETITION OVERVIEW

The subject site is comprised of two parcels, 4024648 and 4024649, and is developed with a hospital building with an addition under construction and associated parking lot. It is surrounded by a hospital campus to the north and east, zoned HD-1 and HD-2, multi-family dwellings to the south, zoned D-P, and commercial uses to the west, zoned C-S.

HOTEL DISTRICT APPROVAL

The HD-2 zoning category is designed to: (1) permit and facilitate the logical association of a diversity of land uses in close proximity to a major hospital complex; (2) to provide adequate land area for such hospital-related uses; and (3) to assure a quality and character of site development that will create the environment of safety, quietness, attractiveness and convenience compatible with such hospital complex.

The HD-2 district requires an approval petition be filed for signs other than incidental signs. An incidental sign is defined as “a permanent sign which has a purpose that is secondary and incidental to the use of the lot on which it is located, such as “hours of operation”, “loading zone only,” “air,” “building directory” and “visitor parking,” and which carries no commercial message that is legible beyond the lot on which



**Department of Metropolitan Development
Division of Planning
Current Planning**

the sign is located, except for a registered logo on a premises with two or more separately-operating businesses.

The proposed sign would be classified as a building wall sign.

STAFF ANALYSIS

The building wall sign is permitted in the HD-2 district and would meet the sign regulations of the Ordinance.

Therefore, staff is recommending approval of the request that would allow new signage for the hospital building.

GENERAL INFORMATION

Existing Zoning	HD-2	
Existing Land Use	Hospital	
Comprehensive Plan	Regional Special Use	
Overlay	N/A	
Surrounding Context	Zoning	Surrounding Context
	North: HD-1	Hospital
	South: D-P	Residential multi-family dwellings
	East: HD-1 / HD-2	Hospital
	West: C-S	Commercial
Thoroughfare Plan		
Shadeland Avenue	Primary Arterial	112-foot proposed right-of-way and 108-foot existing right-of-way.
Clearvista Drive	Local Street	50-foot proposed right-of-way and 80-foot existing right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	N/A	
Wellfield Protection Area	N/A	
Site Plan	March 9, 2026	
Elevations	March 9, 2026	
Landscape Plan	N/A	
Commitments	N/A	
Findings of Fact	March 9, 2026	
C-S / D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Indy Moves Transportation Integration Plan (2018)



Department of Metropolitan Development
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Current Planning

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends Regional Special Use development of the site.
- The Regional Special Use is a non-typology land use, which is a stand-alone land use mapped outside of the typology system due to its scale or the nature of its use.
- This category provides for public, semi-public and private land uses that serve a specific institutional purpose for a significant portion of the county. Examples are large-scale, generally stable institutional uses such as cemeteries, hospitals, universities, high schools, government complexes, large museums, the Indiana State Fairgrounds, and the Indianapolis Motor Speedway. Long Range Planning staff should provide guidance regarding any property use changes in this typology. Partial property changes should remain thematically or economically supportive of the special use while also being contextually sensitive to adjacent existing development and land use plans. Redevelopment, use changes, or other significant changes to the entire property must be informed by a planning study conducted by Department of Metropolitan Development to determine Land Use Plan recommendations.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Indy Moves Transportation Integration Plan (2018) proposes a Complete Streets upgrade for an off-street multi-use path along Shadeland Avenue / 71st Street from Johnson Road / Fall Creek to Hague Road / 82nd Street.

ZONING HISTORY

Zoning History – Site

2025-APP-020; 7979 North Shadeland Avenue (subject site), Hospital District Two Approval to provide Approval to provide for a sign package to include two canopy signs and four incidental signs, **approved**.



**Department of Metropolitan Development
Division of Planning
Current Planning**

2024-APP-017; 7979 North Shadeland Avenue (subject site), Hospital District Two Approval to provide for a 34,654-square-foot expansion of the existing Cancer Center and additional parking, **approved.**

2022-APP-007; 7979 North Shadeland (subject site), Hospital District Two Approval to provide for three wall signs, **approved.**

2017-CAP-805 / 2017-CVR-805; 7979 and 8075 North Shadeland Avenue (subject site), Hospital District Two Approval to provide for a sign program, including wall signs, pylon signs and incidental signs and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for pylon signs, with deficient setback with deficient separation, and with 6.25-foot tall, 2.25-square foot incidental and vehicle entry signs, **approved and granted**

2015-APP-007; 8100 North Shadeland Avenue (subject site), Hospital District-Two Approval to provide for a 115,000 square foot regional cancer center, with a pedestrian skybridge over Clearvista Drive to the main hospital, with 407 parking spaces, **approved.**

Zoning History – Vicinity

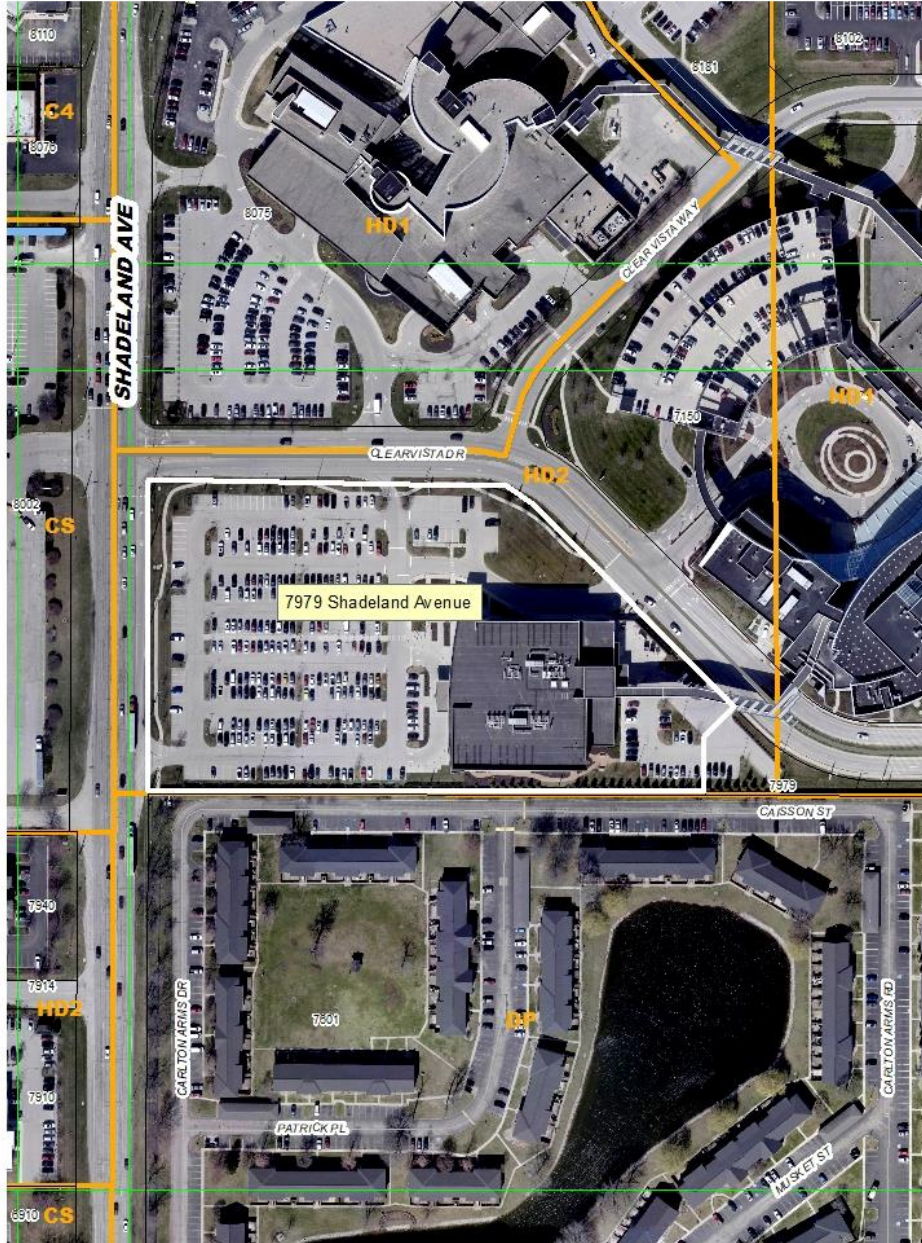
2012-CAP-816 and 2012-CVR-816; 7150, 7229, 7343 and 7250 Clearvista Drive, 8101, 8103, 8177 and 8180 Clearvista Parkway and 8075, 8100 and 8181 North Shadeland Avenue (north of site), Hospital District One and Hospital District Two Approval to provide for a campus-wide sign program including replacement and new building identification wall signs, and replacement and new identification and incidental freestanding signs, approved; and variances of development standards of the Sign Regulations to provide for one southwest-facing, 441-square foot wall sign with a sign area 12% of the façade area to which it is attached, and one northeast-facing, 435-square foot wall sign with a sign area 5.2% of the façade area to which it is attached, a package of nine freestanding incidental/identification signs along Clearvista Parkway and Clearvista Drive which do not meet separation requirements, as indicated on the site plan, file-dated July 16, 2012, a package of 28 freestanding directional incidental signs with sign areas up to 108.4 square feet, and heights up to 16.25 feet, and a package of freestanding parking and loading incidental signs with heights up to six feet, **approved and granted.**

2007-APP-864 and 2007-VAR-864; 7150, 7229 and 7250 Clearvista Drive, 8101, 8102, 8103, 8177 and 8180 Clearvista Parkway and 8075, 8100 and 8181 North Shadeland Avenue (north of site), Hospital District One and Hospital District Two Approval for: a) 27.62-square foot, address numeral, wall sign on the south building elevation, b) a 36.06-square foot, address numeral, wall sign on the west building elevation, c) two, five-square foot, address numeral wall signs above building entrances on the west building elevation, d) three, 5.5-foot tall, 13.75-square foot freestanding incidental signs (sign type A), e) seven, six-foot tall, 7.5-square foot freestanding incidental signs (sign type B), f) a 16.66-square foot wall sign reading “emergency” on the south building elevation; and a variance of Development Standards of the Sign Regulations to provide for three, 5.5-foot tall, 13.75-square foot freestanding incidental signs, and seven, six-foot tall, 7.5-square foot freestanding incidental signs, **approved and granted.**

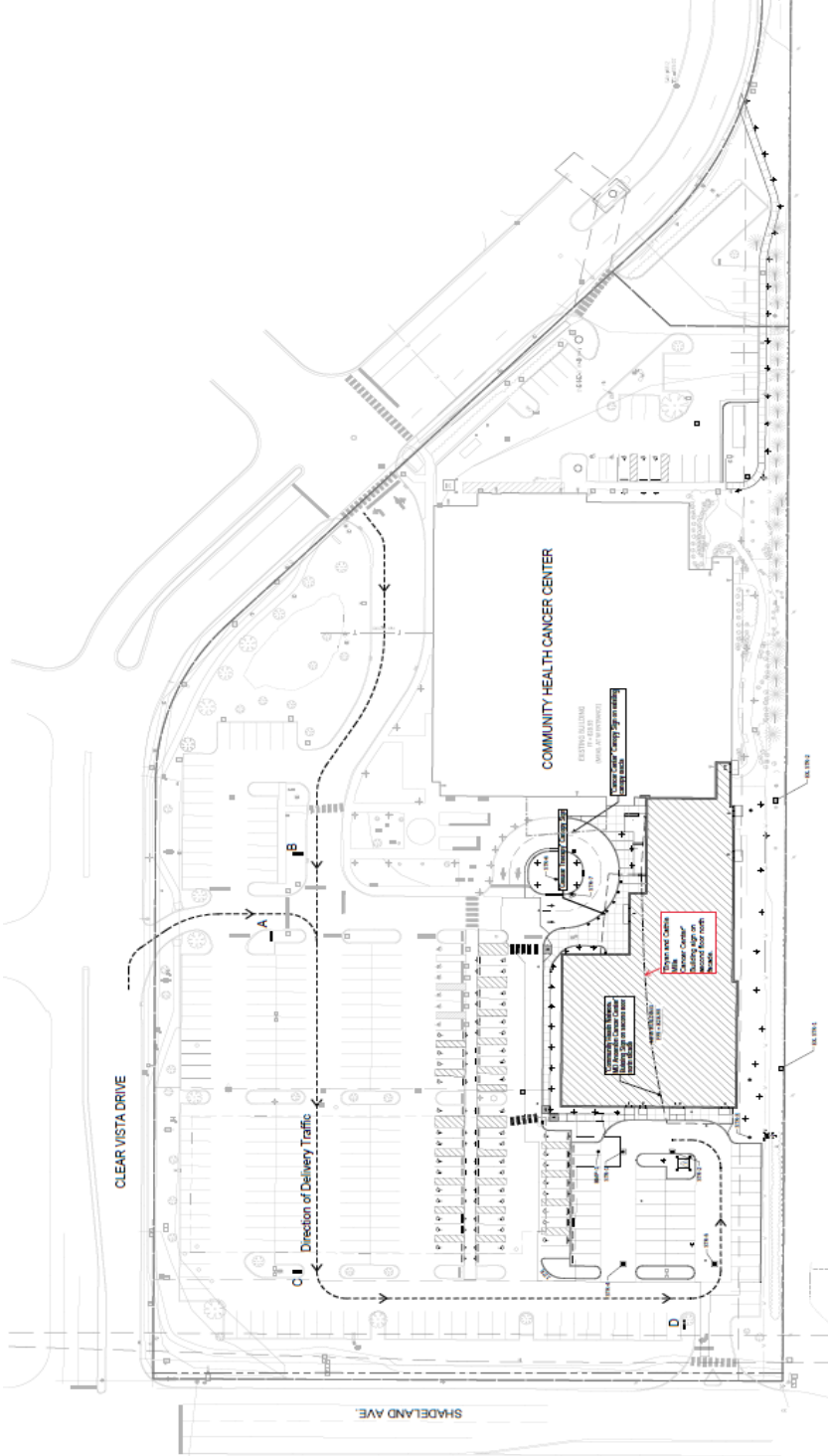
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EXHIBITS

LOCATION MAP

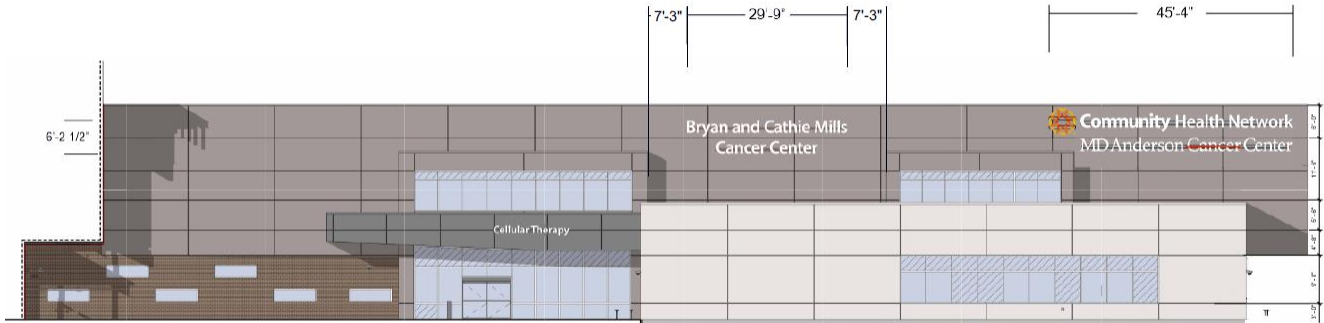


SITE PLAN

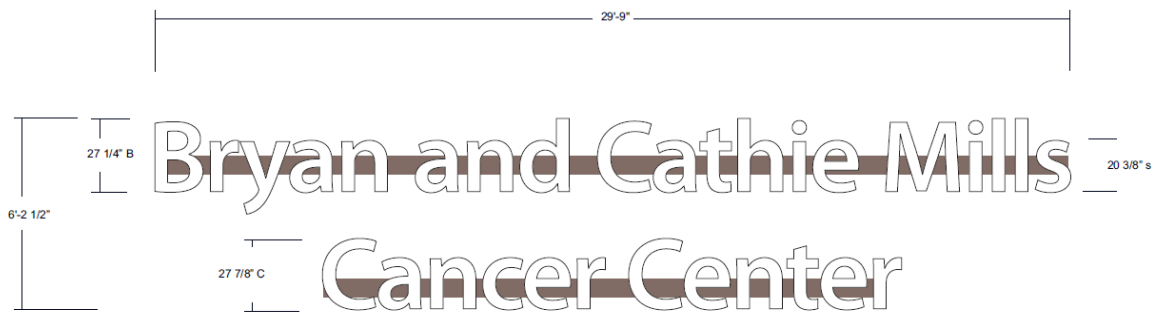




ELEVATIONS



① NORTH ELEVATION - NEW
 1/16" = 1'-0"





FINDINGS OF FACT

Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
OF MARION COUNTY, INDIANA
PETITION FOR UNIVERSITY QUARTER ONE/TWO APPROVAL
PETITION FOR PARK DISTRICT ONE/TWO APPROVAL
PETITION FOR HOSPITAL DISTRICT ONE/TWO APPROVAL**

FINDINGS OF FACT

The Metropolitan Development Commission finds that the site and development plan file-dated _____, 20____

A. Has been designed to create a superior land development plan, in conformity with the Comprehensive Plan because:

this is an additional sign related to the 34,000 square foot building addition approved under 2024APP017.

B. Creates and maintains a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the development plan district and with adjacent uses because:

the quality of the sign presented is consistent with and improves upon the existing signage at the Community MD Anderson Cancer Center.

C. Provides sufficient and adequate multi-modal access, such as parking and loading areas, transit provisions, and bicycle facilities because:

the was appropriately addressed as part of the approval of 2024APP017, the 34,000 square foot building addition.

D. Integrates a multi-modal transportation network using active and passive traffic control with the existing and planned public streets and interior roads because:

this was appropriately addressed as part of the approval of 2024APP017.

E. Provides adequately for sanitation, drainage, and public utilities in a sustainable, low-impact manner because:

the sign is placed on the north side of the building.



Department of Metropolitan Development
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Current Planning

F. Allocates adequate sites for all uses proposed, - the design, character, grade, location, and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan, because:

the sign is placed and sized appropriately and consistent with the existing hospital sign program.

G. Provides pedestrian accessibility and connectivity, which may be paths, trails, sidewalks (If sidewalks are required to be installed, the Administrator or the Commission must be guided by provisions of Section 744-304 for the installation of sidewalks), or combination thereof; provides pedestrian accessibility to available public transit; and provides sidewalks along eligible public streets consisting of the walkway and any curb ramps or blended transitions because:

this was appropriately addressed as part of 2024APP017 and the new sign will not negatively impact pedestrian accessibility and connectivity.

PHOTOS



Photo of subject site, looking south at proposed sign location on north façade.



Photo of adjacent building to the east, looking southeast.



Photo of subject site, east façade, looking southeast.



Photo of adjacent property to the north.



METROPOLITAN DEVELOPMENT COMMISSION **May 28, 2026**
HEARING EXAMINER

Case Number: 2026-APP-009

Property Address: 8401 Harcourt Road (approximate address)

Location: Washington Township, Council District #2

Petitioner: St. Vincent Hospital and Health Care Center Inc., by Joseph D. Calderon

Current Zoning: HD-1

Request: Hospital District-One Approval to provide for the replacement of existing common areas with a new therapeutic garden and outdoor amenities.

Current Land Use: Medical Uses

Staff Recommendations: Approval

Staff Reviewer: Michael Weigel, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of the request.

PETITION OVERVIEW

LAND USE

The subject property (parcel numbers 8050282 and 8050705) comprise 17.03 acres and are located within the Ascension St. Vincent campus near 86th Street within Washington Township. The subject parcels have vehicle access form Harcourt Road to the west. They are currently improved with two primary structures (the northern of which focuses on mental health and stress relief) as well as accessory parking areas, a basketball court, and a grade-level helipad.

Surrounding land uses are also related to medical services, although the southeastern portion of the site borders residential development zoned D-3. A multistory parking garage was recently constructed to the west of the site, on the other side of Harcourt Road. These areas are predominantly zoned HD-1 to allow for hospital uses.



HOSPITAL DISTRICT APPROVAL

The HD-1 (Hospital District One) zoning category is designed to permit and facilitate the development, expansions, and modernization of a major hospital complex. Since this is a Development Plan District, uses and site/development plans are subject to approval by the Metropolitan Development Commission.

Approval of this petition would allow for the construction of a new therapeutic garden and related outdoor amenities, per the filed site/landscape plan and aerial renderings below. These facilities would have an area of approximately 19,000 square feet and would be located to the south of the existing stress center. The improvements would not impact the existing small support outbuilding (beyond placement of decorative ‘dots’ on the northern façade), or to the helipad or large tree just to the south of the stress center. However, it would replace the half-court basketball area with a recreational facility of similar size just to the southwest. Plans indicate separate areas set aside for group gatherings, 1:1 relaxation, and activity, as well as the placement of new walkways, covered areas, and landscaping.

STAFF ANALYSIS

Findings of Fact provided by the applicant note that this expansion would complement the existing medical use of the stress center, would not contradict the Comprehensive Plan (which recommends the site for Regional Special Uses such as a large hospital complex), and would not result in any negative impacts for site drainage, parking, or pedestrian connectivity. Staff agrees with these Findings and recommends **approval** of this petition.

GENERAL INFORMATION

Existing Zoning	HD-1	
Existing Land Use	Medical Uses	
Comprehensive Plan	Regional Special Use	
Surrounding Context	Zoning	Land Use
	North:	HD-1 / HD-2 Medical
	South:	HD-2 Medical
	East:	HD-2 / D-3 Medical / Residential
	West:	HD-1 Medical
Thoroughfare Plan		
Harcourt Road	Primary Collector	68-foot proposed right-of-way and 130-foot existing right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	April 27, 2026	
Site Plan (Amended)	N/A	
Elevations	April 27, 2026	



Elevations (Amended)	N/A
Landscape Plan	April 27, 2026
Findings of Fact	April 27, 2026
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends Regional Special Use development of the site. The Regional Special Use is a non-typology land use, which is a stand-alone land use mapped outside of the typology system due to its scale or the nature of its use. This category provides for public, semi-public and private land uses that serve a specific institutional purpose for a significant portion of the county. Examples are large-scale, generally stable institutional uses such as cemeteries, hospitals, universities, high schools, government complexes, large museums, the Indiana State Fairgrounds, and the Indianapolis Motor Speedway. Long Range Planning staff should provide guidance regarding any property use changes in this typology.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves
 (Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.



ZONING HISTORY

Zoning History – Site (Last 20 Years)

2024APP009, Hospital District One Approval and Hospital District Two Approval to provide for updated campus-wide wayfinding signage, **approved**.

2020APP017, Hospital District One Approval to provide for wall signs, **approved**.

2019APP016, Hospital District One Approval to provide for an addition to an existing hospital, with additional parking, signs, landscaping and other site layout improvements, **approved**.

2019APP015, Hospital District-One and Hospital District-Two Approval to provide for a sign program for a hospital campus, **approved**.

2010APP016, Hospital District One approval to provide for a 5.53-foot tall, 19.83-foot freestanding sign, **approved**.

2010APP014, Hospital District One approval to provide for ten additional parking spaces, **approved**.

2007APP113, Hospital District One approval to provide for a daycare facility in an existing 17,518-square foot portion of an existing building, to serve the hospital campus, **approved**.

2007APP039, Hospital District One approval to provide for a 4465 square-foot building addition to an existing 6440 square-foot administration building, **approved**.

2007APP019, Hospital District One approval to provide for a 2-story, 25,000-square foot building addition to an existing 49,640-square foot medical building, **approved**.

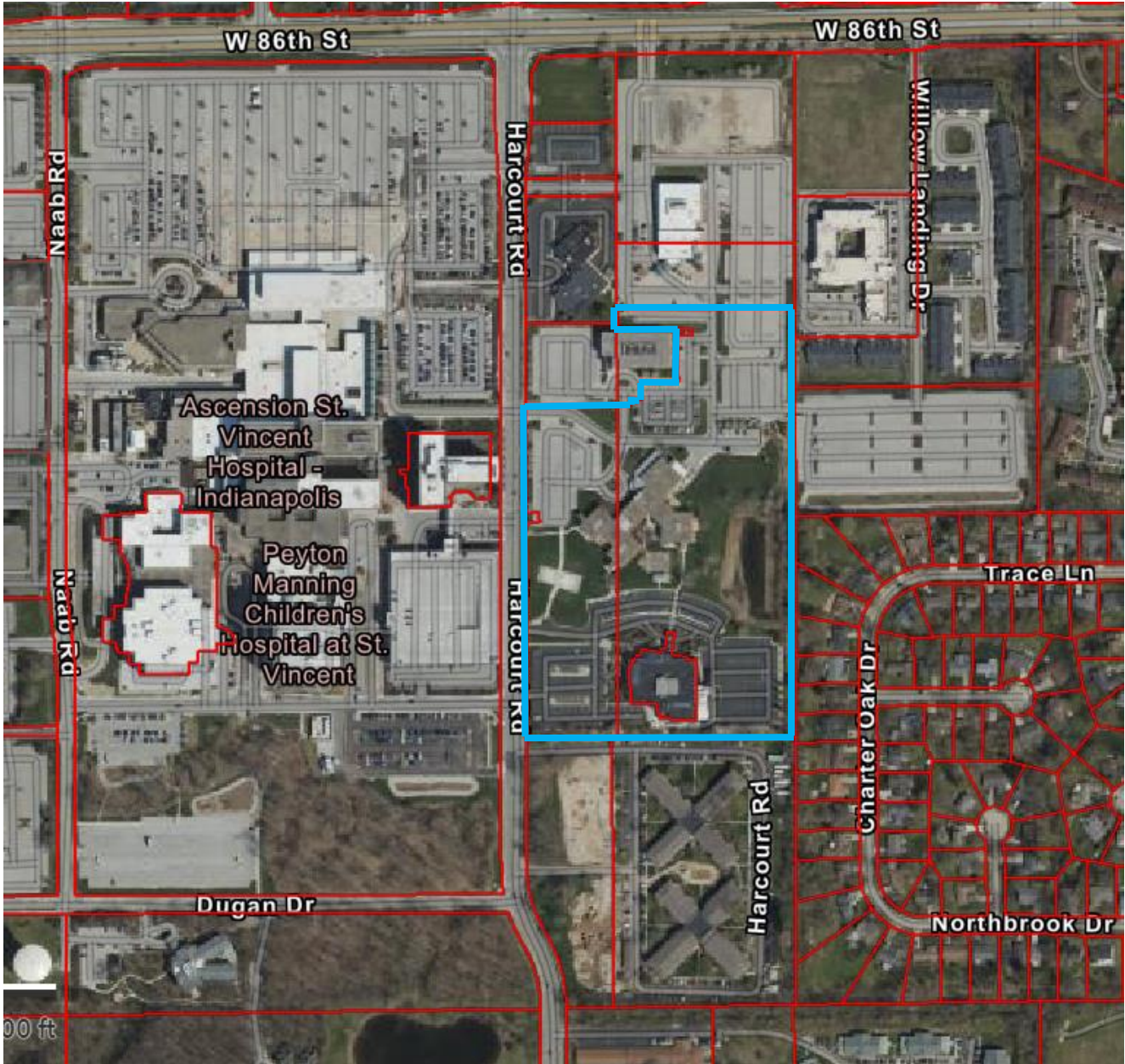
Zoning History – Vicinity

2024CAP847 ; 2001 West 86th Street (northwest of site), Hospital District One Approval to provide for building identification and wayfinding signage for the Brain and Spine medical facility, **approved**.

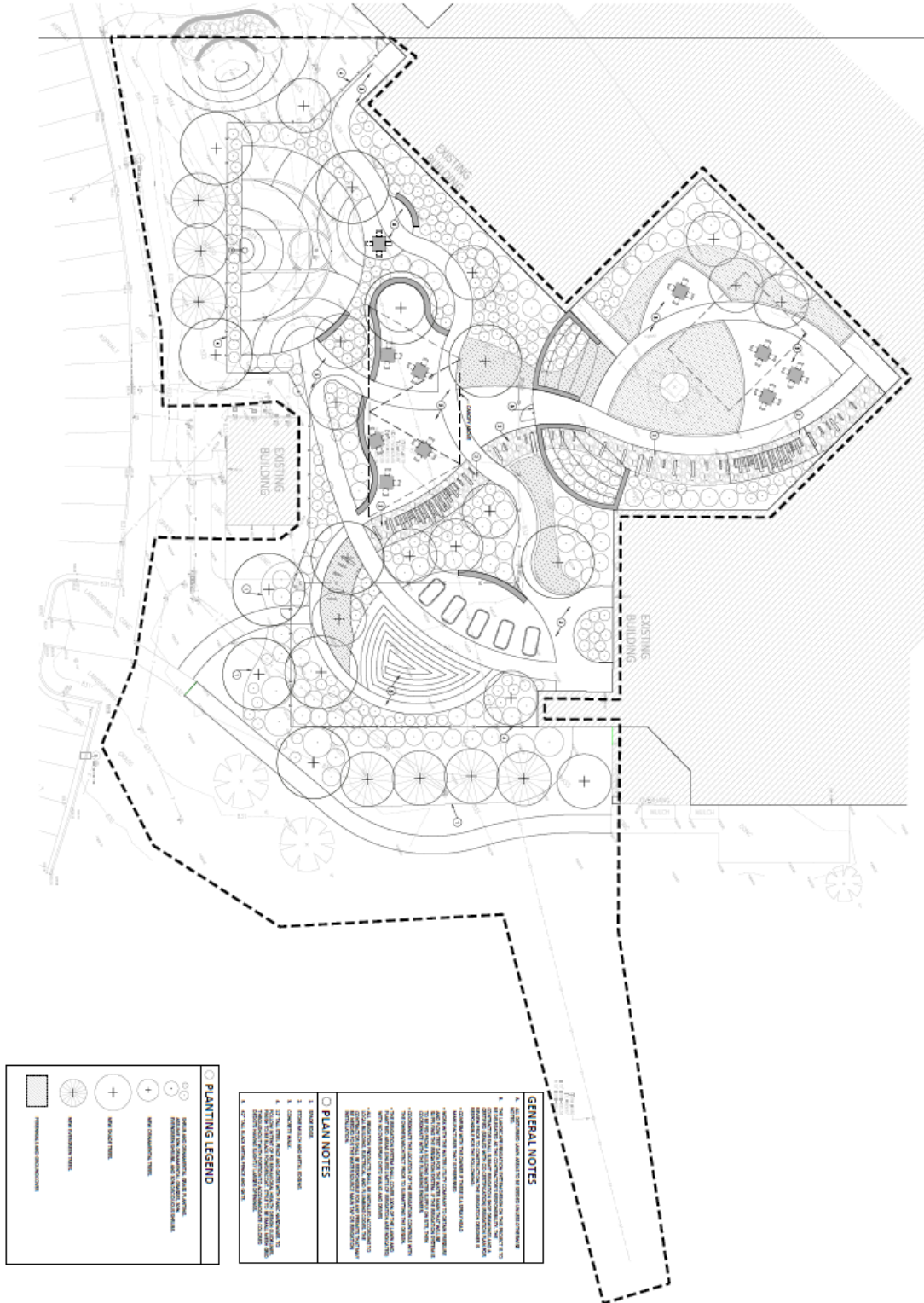
2024CAP840 ; 2001 West 86th Street (west of site), Hospital District One Approval to provide for wayfinding signage for the Women’s and Infants medical facility, **approved**.

EXHIBITS

2026APP009 ; Aerial Map



2026APP009 ; Site/Landscape Plan



PLANTING LEGEND

	MATURE TREE
	MEDIUM TREE
	SMALL TREE
	SHRUB
	GROUND COVER

GENERAL NOTES

1. THE LANDSCAPE ARCHITECT HAS CONDUCTED VISUAL ANALYSIS OF THE SITE AND HAS IDENTIFIED AREAS OF VISUAL CONCERN. THESE AREAS ARE SHOWN ON THE PLAN AND SHOULD BE CONSIDERED IN THE DESIGN OF THE DEVELOPMENT.
2. THE LANDSCAPE ARCHITECT HAS CONDUCTED VISUAL ANALYSIS OF THE SITE AND HAS IDENTIFIED AREAS OF VISUAL CONCERN. THESE AREAS ARE SHOWN ON THE PLAN AND SHOULD BE CONSIDERED IN THE DESIGN OF THE DEVELOPMENT.
3. THE LANDSCAPE ARCHITECT HAS CONDUCTED VISUAL ANALYSIS OF THE SITE AND HAS IDENTIFIED AREAS OF VISUAL CONCERN. THESE AREAS ARE SHOWN ON THE PLAN AND SHOULD BE CONSIDERED IN THE DESIGN OF THE DEVELOPMENT.
4. THE LANDSCAPE ARCHITECT HAS CONDUCTED VISUAL ANALYSIS OF THE SITE AND HAS IDENTIFIED AREAS OF VISUAL CONCERN. THESE AREAS ARE SHOWN ON THE PLAN AND SHOULD BE CONSIDERED IN THE DESIGN OF THE DEVELOPMENT.
5. THE LANDSCAPE ARCHITECT HAS CONDUCTED VISUAL ANALYSIS OF THE SITE AND HAS IDENTIFIED AREAS OF VISUAL CONCERN. THESE AREAS ARE SHOWN ON THE PLAN AND SHOULD BE CONSIDERED IN THE DESIGN OF THE DEVELOPMENT.
6. THE LANDSCAPE ARCHITECT HAS CONDUCTED VISUAL ANALYSIS OF THE SITE AND HAS IDENTIFIED AREAS OF VISUAL CONCERN. THESE AREAS ARE SHOWN ON THE PLAN AND SHOULD BE CONSIDERED IN THE DESIGN OF THE DEVELOPMENT.
7. THE LANDSCAPE ARCHITECT HAS CONDUCTED VISUAL ANALYSIS OF THE SITE AND HAS IDENTIFIED AREAS OF VISUAL CONCERN. THESE AREAS ARE SHOWN ON THE PLAN AND SHOULD BE CONSIDERED IN THE DESIGN OF THE DEVELOPMENT.
8. THE LANDSCAPE ARCHITECT HAS CONDUCTED VISUAL ANALYSIS OF THE SITE AND HAS IDENTIFIED AREAS OF VISUAL CONCERN. THESE AREAS ARE SHOWN ON THE PLAN AND SHOULD BE CONSIDERED IN THE DESIGN OF THE DEVELOPMENT.
9. THE LANDSCAPE ARCHITECT HAS CONDUCTED VISUAL ANALYSIS OF THE SITE AND HAS IDENTIFIED AREAS OF VISUAL CONCERN. THESE AREAS ARE SHOWN ON THE PLAN AND SHOULD BE CONSIDERED IN THE DESIGN OF THE DEVELOPMENT.
10. THE LANDSCAPE ARCHITECT HAS CONDUCTED VISUAL ANALYSIS OF THE SITE AND HAS IDENTIFIED AREAS OF VISUAL CONCERN. THESE AREAS ARE SHOWN ON THE PLAN AND SHOULD BE CONSIDERED IN THE DESIGN OF THE DEVELOPMENT.

PLAN NOTES

1. SEE PLAN FOR TREE PLACEMENT AND SPECIFICATIONS.
2. SEE PLAN FOR SHRUB PLACEMENT AND SPECIFICATIONS.
3. SEE PLAN FOR GROUND COVER PLACEMENT AND SPECIFICATIONS.
4. SEE PLAN FOR PAVING AND CURB PLACEMENT.
5. SEE PLAN FOR SIGNAGE AND LIGHTING PLACEMENT.
6. SEE PLAN FOR FENCE AND WALL PLACEMENT.
7. SEE PLAN FOR UTILITY AND SERVICE PLACEMENT.
8. SEE PLAN FOR EROSION CONTROL PLACEMENT.
9. SEE PLAN FOR DRAINAGE PLACEMENT.
10. SEE PLAN FOR ACCESSORY BUILDING PLACEMENT.

2026APP009 ; Renderings/Aerial Overviews





2026APP009 ; Project Narrative

This project replaces and fenced enclosure and sports court with an enhanced outdoor therapeutic garden at the 8401 HARCOURT RD Ascension Saint Vincent Stress Center. The space features walks, landscaping, overhead shelter, seating and additional amenities as described in the attached rendering package. The space will be used by patients under direct 1:1 supervision of staff and patients considered high-risk will not access the garden apart from window views. The fence encloses roughly 19,000 square feet of project area creating a comfortable oasis for garden users.

2026APP009 ; Findings of Fact

A. Has been designed to create a superior land development plan, in conformity with the Comprehensive Plan because:

the proposed improvements soften and compliment the existing building, which is used as an ancillary part of the Ascension St. Vincent hospital campus, all of which is consistent with the comprehensive plan designation of Regional Special Use.

B. Creates and maintains a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the development plan district and with adjacent uses because:

the proposed improvements reimagine existing space, and will provide functional space for those staying at the facility in an aesthetically pleasing and therapeutic environment.

C. Provides sufficient and adequate multi-modal access, such as parking and loading areas, transit provisions, and bicycle facilities because:

the improvements do not take away any access to the facility or affect sidewalks or parking.

D. Integrates a multi-modal transportation network using active and passive traffic control with the existing and planned public streets and interior roads because:

the improvements do not take away any access to the facility or affect the surrounding transportation network.

E. Provides adequately for sanitation, drainage, and public utilities in a sustainable, low-impact manner because:

the addition of the therapeutic garden and related improvements promotes appropriate sanitary drainage, and does not impose any burden on sanitation or public utilities.

F. Allocates adequate sites for all uses proposed, - the design, character, grade, location, and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan, because:

the proposed improvements replace certain existing improvements, and will provide an aesthetically pleasing and functional area which is absolutely appropriate for the existing facility.

G. Provides pedestrian accessibility and connectivity, which may be paths, trails, sidewalks (if sidewalks are required to be installed, the Administrator or the Commission must be guided by provisions of Section 744-304 for the installation of sidewalks), or combination thereof; provides pedestrian accessibility to available public transit; and provides sidewalks along eligible public streets consisting of the walkway and any curb ramps or blended transitions because:

the proposed improvements are all internal to the site, but do not impact the existing sidewalk network.

2026APP009 ; Photographs



Photo 1: Proposed Garden Location Viewed from South



Photo 2: Proposed Garden Location Viewed from Southwest

2026APP009 ; Photographs (continued)



Photo 3: Subject Site Viewed from East



Photo 4: Existing Basketball Court

2026APP009 ; Photographs (continued)



Photo 5: Existing Courtyard



Photo 6: Existing Building and Parking Area to South of Proposed Garden

2026APP009 ; Photographs (continued)



Photo 7: Adjacent Property to West



Photo 8: Adjacent Property to East



METROPOLITAN DEVELOPMENT COMMISSION **May 28, 2026**
HEARING EXAMINER

Case Number: 2026-ZON-002 / 2026-VAR-006 (Amended)
Address: 456 South Emerson Avenue (*Approximate Address*)
Location: Center Township, Council District #14
Petitioner: Singh Auto Repair LLC, by Steven Brown
Request: Rezoning of 0.42-acre from the D-5 district to the C-3 district to provide for commercial uses.
Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for Automobile, Motorcycle, and Light Vehicle Service or Repair (not permitted).

Staff Recommendations: Approval
Current Land Use: Automotive Repair Facility
Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was previously automatically continued at the request of the petitioner from the February 26, 2026, hearing, to the March 26, 2026, hearing, and automatically continued at the request of a Registered Neighborhood Organization to the April 23, 2026, hearing.

The petitioner agreed to amend the petition, requiring new notice, and continued the petition from the April 23, 2026, hearing, to the May 28, 2026, hearing with new notice.

Amended petition: The petition was amended to remove the request to rezone the site to C-4, and requested to rezone it to C-3 instead. A variance of use was also added to legally establish the existing business on site. Since the request was an increase in intensity from the original published notice, new legal notice was required.

STAFF RECOMMENDATION

Staff recommends **approval** of the amended request.

PETITION OVERVIEW

LAND USE

The 0.42-acre site is comprised of a parcel developed with a commercial structure. The site is surrounded by single-family dwellings zoned D-5, to the north, west and south. Commercial uses zoned D-5 are adjacent to the South and East.



**Department of Metropolitan Development
Division of Planning
Current Planning**

REZONING

The request would rezone the property to the C-3 district to allow for neighborhood commercial uses that are not permitted in the existing D-5 district.

The D-5 district is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situation in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood and Traditional Neighborhood Typologies of the Land Use Pattern Book

The C-3 district is intended to provide 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 insignificant 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 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.

VARIANCE OF USE

The request would legally establish the existing automobile repair commercial use, for continued use until the property can be developed with C-3 uses.

STAFF ANALYSIS

The request would rezone the property to the C-3 district to allow for neighborhood commercial uses to be developed in the future.

According to Sanborn maps, the existing commercial structure was constructed sometime before 1956. Given the Land Use Plan recommendation and the site's history as part of a commercial node at this intersection, it is staff's opinion that a rezoning to a commercial district is warranted.

Staff is supportive of the rezoning because it would allow for commercial development that is compatible with the adjacent residential protected districts. The rezoning would also align with the Community Commercial recommendation of the Comprehensive Plan.

Staff is supportive of the Variance of Use because it would allow for the existing commercial structure to continue to be used, while plans are completed for the future C-3 neighborhood commercial construction.



GENERAL INFORMATION

Existing Zoning	D-5		
Existing Land Use	Commercial automobile repair		
Comprehensive Plan	Community Commercial		
Overlay	N/A		
Surrounding Context	Zoning	Surrounding Context	
	North:	D-5	Single-family dwellings
	South:	D-5	Convenience store and gas station
	East:	D-5	Commercial Automobile repair
	West:	D-5	Single-family dwelling
Thoroughfare Plan			
South Emerson Avenue	Primary Arterial	80-foot existing and proposed right-of-way.	
English Avenue	Primary Arterial	80-foot existing and proposed right-of-way.	
Context Area	Compact		
Floodway / Floodway Fringe	N/A		
Wellfield Protection Area	N/A		
Site Plan	January 13, 2026		
Elevations	N/A		
Landscape Plan	N/A		
Commitments	N/A		
Findings of Fact	April 30, 2026		
C-S / D-P Statement	N/A		

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends the Community Commercial typology provides for low intensity commercial and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:



Department of Metropolitan Development
Division of Planning
Current Planning

Conditions for All Land Use Types – Traditional Neighborhood Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.

Small-Scale Offices, Retailing, and Personal or Professional Services

- Outdoor display of merchandise should be limited.
- If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.
- Should be located along an arterial or collector street.
- If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves
(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

Not Applicable to the Site.

ZONING HISTORY

2023-ZON-070; 456 South Emerson Avenue (subject site), requested the rezoning of 0.42 acre from the D-5 district to the C-4 district to provide for commercial uses, **withdrawn**.

88-HOV-67; 5055 English Avenue (south of site), requested a variance of development standards to provide for the inclusion of pricing information on a principal identification sign, **approved**.

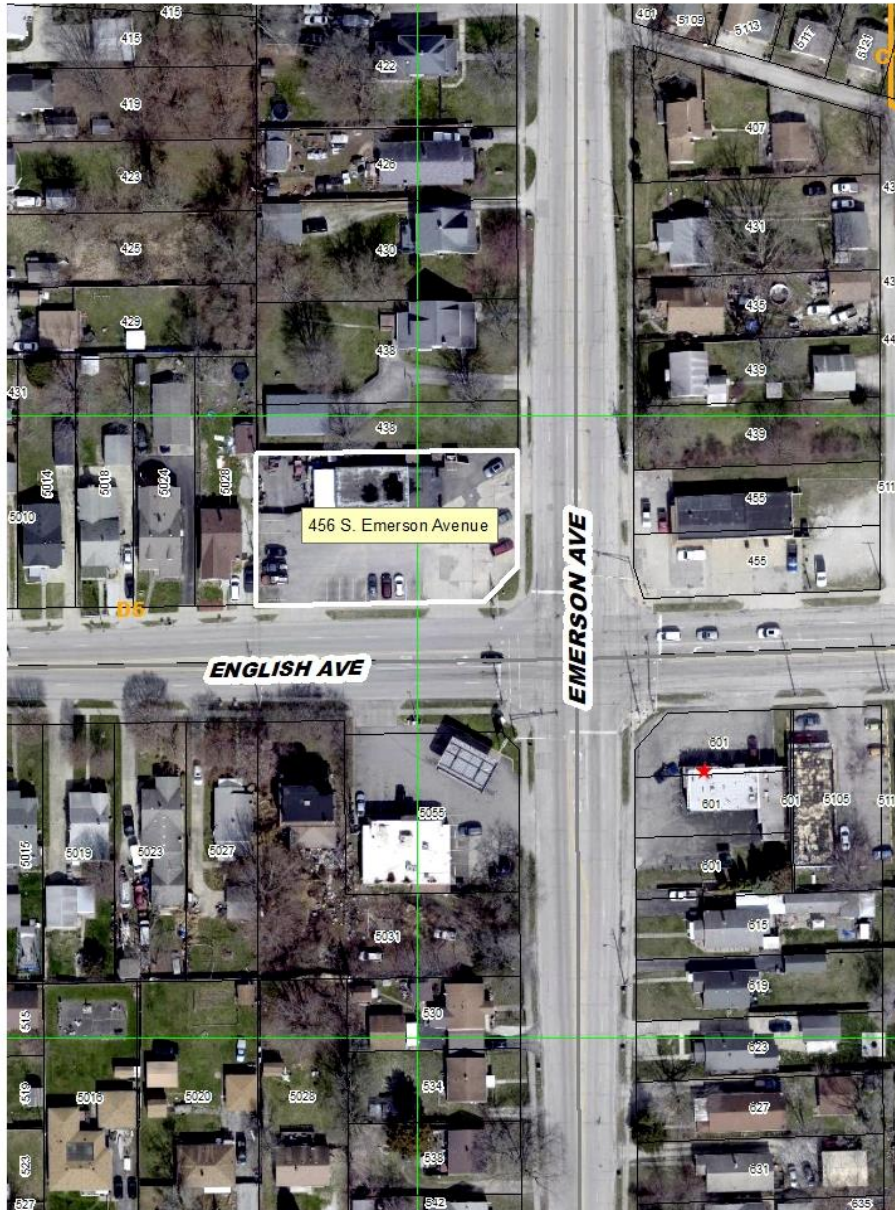
79-UV2-124; 601-609 South Emerson Avenue (southeast of site); requested a variance of development standards to provide for a storage space and additional parking for the existing facility and to legally establish the existing signs, **approved**.

78-UV3-104; 500 South Emerson Avenue (south of site), requested a variance of use and development standards to provide for a convenience store with a gas pump island, **approved**.

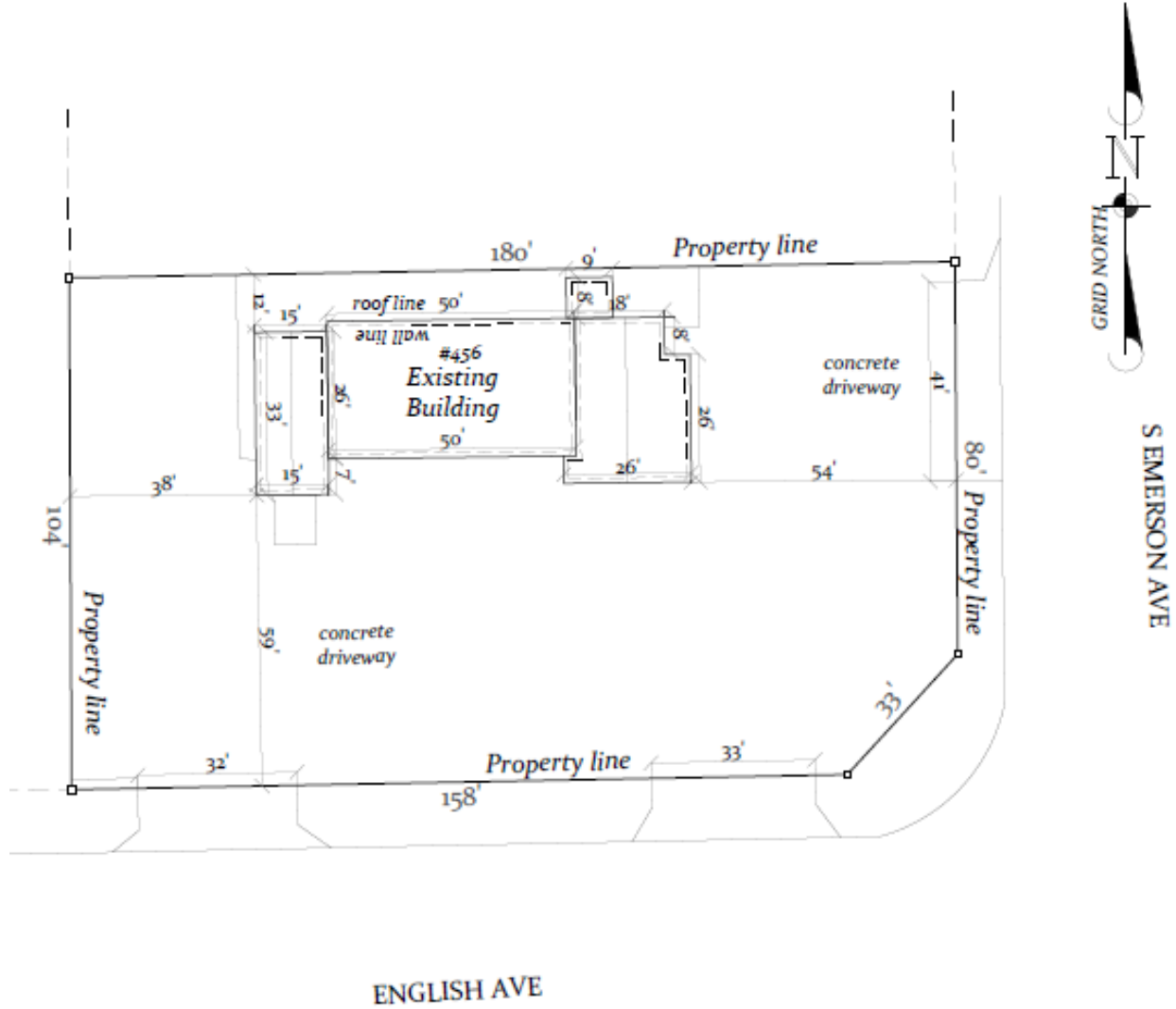
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EXHIBITS

LOCATION MAP



SITE PLAN





FINDINGS OF FACT

Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA**

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE

The current use of the property will remain the same as it has been used in the past.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE

The current use of the property will remain the same as it has been used in the past.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE

The property is currently seeking rezoning to C-3. Once rezoned, the current use as an auto repair facility will not be a compliant use of the property. This variance will allow the current auto repair facility to continue operation until plans are finalized and funding is obtained to construct a building that complies with C-3 zoning.

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE

The current use of the property will remain the same. It is only because the property is seeking rezoning to revitalize the neighborhood that this variance of use is required. Until plans are finalized and financing is obtained, the need to continue operating the auto repair facility exists.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE

This variance is part of a rezoning petition to revitalize the neighborhood. The rezoning and variance of use falls within the comprehensive plan.

PHOTOS



Photo of subject site, looking north from English Avenue frontage.



Photo of adjacent residential properties to the west, looking northwest.



METROPOLITAN DEVELOPMENT COMMISSION **May 28, 2026**
HEARING EXAMINER

Case Number: 2026-ZON-025

Property Address: 1719 Roosevelt Avenue

Location: Center Township, Council District #8

Petitioner: Diego Abraham Gomez Lara, by Jorge Oscar Gonzales Vasquez

Current Zoning: C-3

Request: Rezoning of 0.12-acre from the C-3 district to the D-8 district to provide for residential development.

Current Land Use: Vacant

Staff Recommendations: Approval

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the April 23, 2026 hearing, to the May 28, 2026 hearing, at the request of staff and the petitioner, to provide additional time for discussions with the petitioner’s representative related to the proposed residential development.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning. The recommendation does not include approval of the site plan or elevations.

PETITION OVERVIEW

This 0.12-acre site, zoned C-3, is vacant and surrounded by vacant land to the north and south, zoned C-3; vacant land to the east, zoned D-5; and commercial uses to west, across Roosevelt Avenue, zoned C-3.

REZONING

The request would rezone the site to the D-8 district to provide for residential development. “The D-8 district is intended for a variety of housing formats, with a mix of small-scale multi-unit building types. This district can be used as a part of new mixed- use areas, or for infill situations in established urban areas, including medium and high-density residential recommendations of the Comprehensive Plan, and the Traditional Neighborhood, City Neighborhood, and Village or Urban Mixed-Use Typologies of the Land Use Pattern Book. “



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“To advance the Livability Principles of this Code, the D-5, D-5II, **D-8**, D9 and D-10 districts implement walkable, compact neighborhoods within a well-connected street network and block structure, using slow neighborhood streets, walkable connectors, and multi-mode thoroughfares. Access to parks and recreation, transit and neighborhood services within walking distance is important. Street trees, landscape and trees along private frontages, and an active amenity zone create comfortable walking environment and add appeal to neighborhoods. These districts require urban public and community facilities and services to be available. These districts may be used in combination to supply critical mass of residents to support nearby commercial and transit investments.”

The purpose of the Walkable Neighborhood design standards and objectives is to advance the Livability Principles of this code, and to promote walkable neighborhoods. Any exceptions to the standards in the Ordinance, or discretionary review processes related to a specific application, shall be judged against these design objectives, in addition to any other criteria in this code for the application.

The Comprehensive Plan recommends traditional neighborhood typology for the site.

Recommended land uses in this typology include detached / attached / small-scale multi-family / large-scale multi-family housing; assisted living facilitates / nursing homes; group homes; bed and breakfast; small-scale offices, retailing, and personal or professional services; small- and large- scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; small-scale parks; and community farms / gardens.

This request would align with the Plan recommendation of traditional neighborhood and the historical residential use.

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Vacant land	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-3	Vacant land
South:	C-3	Vacant land
East:	D-5	Vacant land
West:	C-3	Commercial uses
Thoroughfare Plan		
Roosevelt Avenue	Primary Arterial	Existing 60-foot right-of-way and proposed 56-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	



Site Plan	March 4, 2026
Site Plan (Amended)	N/A
Elevations	March 4, 2026
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Traditional Neighborhood typology. “The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.”

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

Conditions for All Land Use Types –Traditional Neighborhood Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.



Conditions for All Housing

- A mix of housing types is encouraged.
- Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
- Primary structures should be no more than one and a half times the height of other adjacent primary structures.
- Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
- Developments with densities higher than 15 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.

Detached Housing

- The house should extend beyond the front of the garage. Garages should be loaded from an alley or side street when possible and should be detached if located on the side of the house.
- Secondary units are encouraged.
- Lots should be no larger than one and a half times the adjacent lots.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

The Infill Housing Guidelines were updated and approved in May 2021, with a stated goal “to help preserve neighborhood pattern and character by providing guiding principles for new construction to coexist within the context of adjacent homes, blocks, and existing neighborhoods. These guidelines provide insight into basic design concepts that shape neighborhoods, including reasons why design elements are important, recommendations for best practices, and references to plans and ordinance regulations that reinforce the importance of these concepts.”

These guidelines apply to infill development in residential areas within the Compact Context Area and include the following features:



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Site Configuration

- Front Setbacks
- Building Orientation
- Building Spacing
- Open Space
- Trees, Landscaping, and the Outdoors

Aesthetic Considerations

- Building Massing
- Building Height
- Building Elevations and Architectural Elements

Additional Topics

- Secondary Dwelling Units, Garages, and Accessory Structures
- Adapting to the Future

“As established neighborhoods experience new development, infill residential construction will provide housing options for new and existing residents. Increased population contributes positively to the local tax base, economic development, lively neighborhoods, and an interesting city. As infill construction occurs, it is important to guide development in a way that complements current neighborhoods. Each home in a neighborhood not only contributes to the existing context of adjoining houses and the block, but to the sense of place of the entire neighborhood.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”

The following listed items describe the purpose, policies and tools:

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.



Department of Metropolitan Development
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Current Planning

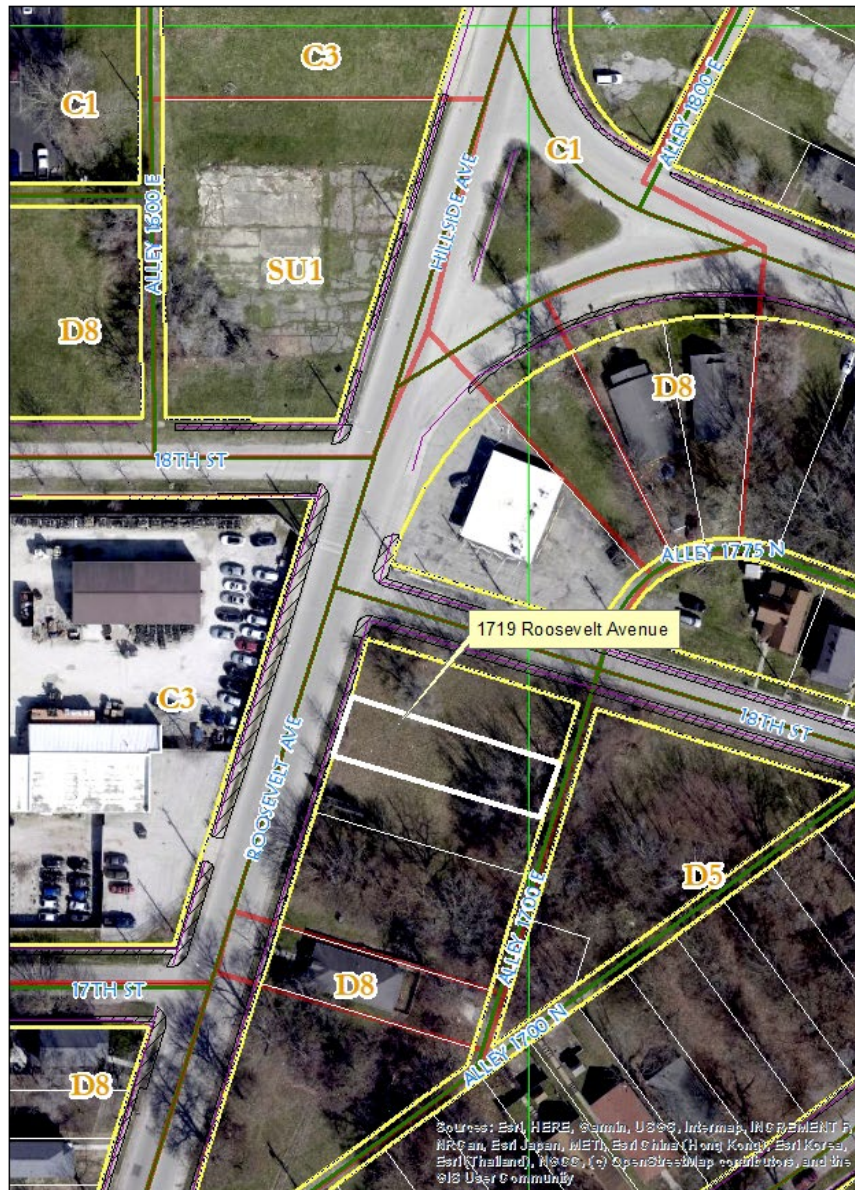
ZONING HISTORY

2006-ZON-098; 1701 Roosevelt Avenue (south of site), requested rezoning of 0.1 acre, from the C-3 District, to the D-8 classification to provide for residential uses, **approved**.

2006-ZON-101; 1743 and 1747 Roosevelt Avenue (northeast of site), requested a rezoning of .58 acre, being in the C-1 Commercial District, to the D-8 Dwelling District classification to provide for residential uses, **approved**.

96-Z-77 and 96-CV-22; 1813-1829 Roosevelt Avenue (east of site), requested a rezoning of .97 acre, being in the D-5 Dwelling District, to the D-8 Dwelling District classification and variances of development standards relating to setbacks and the encroachment of dumpsters and parking into the required yards, to provide for multi-family residential development, **approved**.

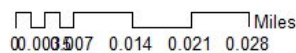
EXHIBITS



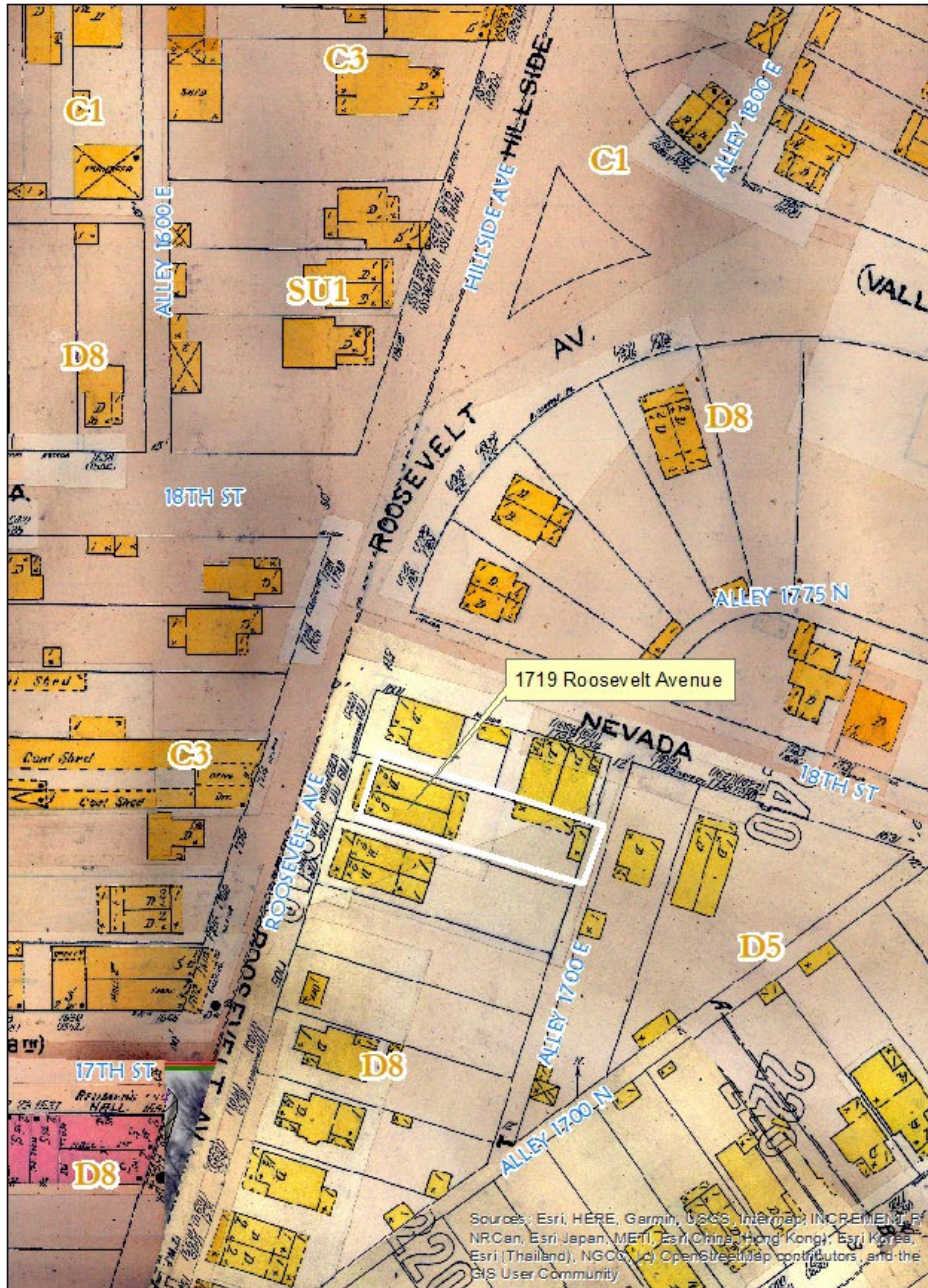
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Ireland), SBC, © OpenStreetMap contributors, and the
©18 User Community



1719 Roosevelt Avenue



Sanborn Map - 1898



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, MEIT, Esri China, Hong Kong, Esri Korea, Esri (Thailand), NGCC, OpenStreetMap contributors, and the GIS User Community

1719 Roosevelt Avenue

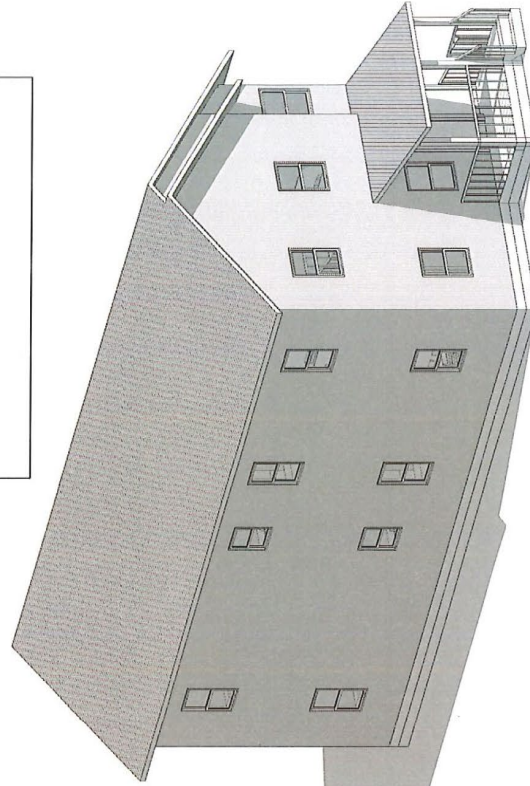


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1719 ROOSEVELT AVE

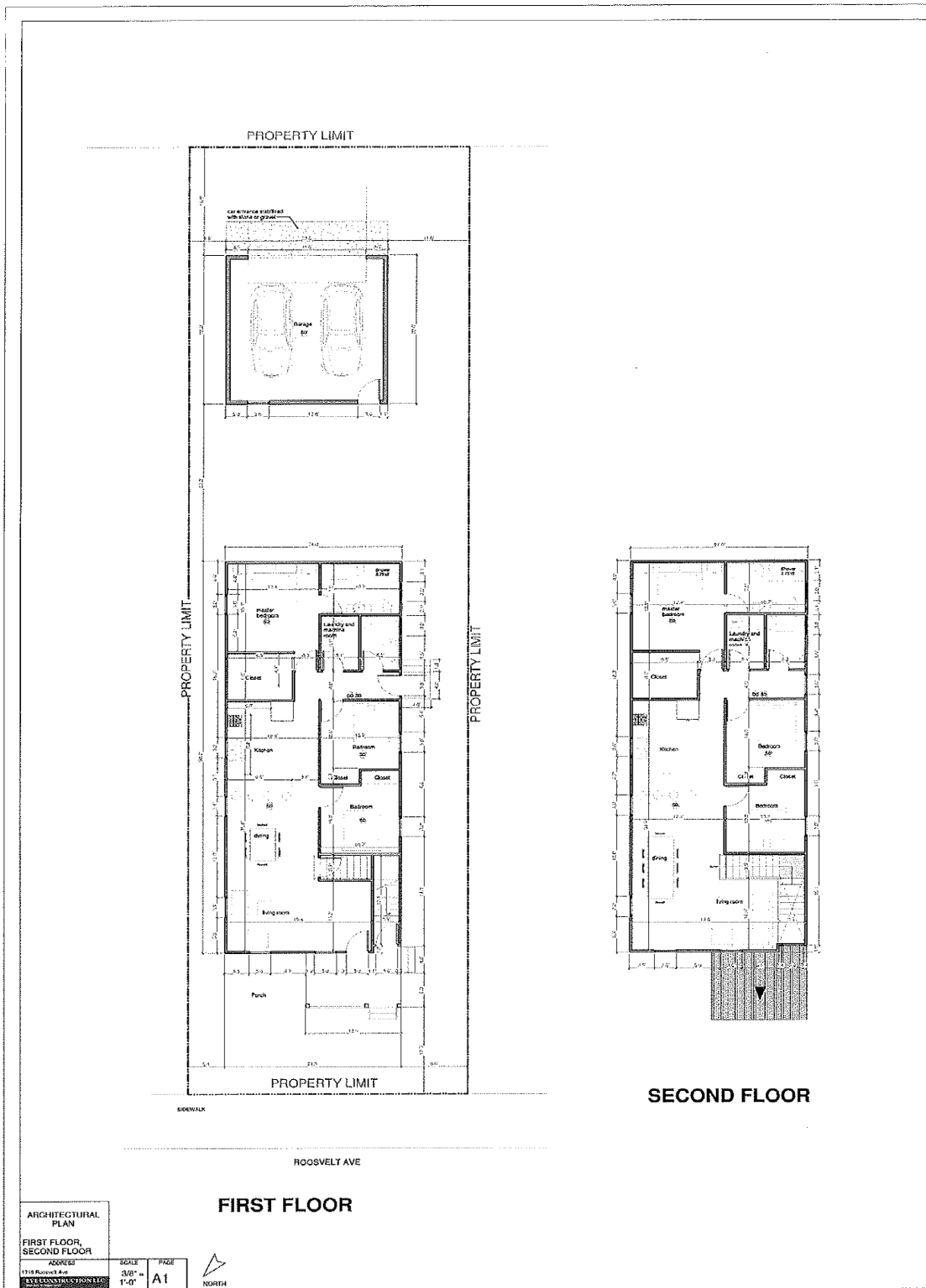
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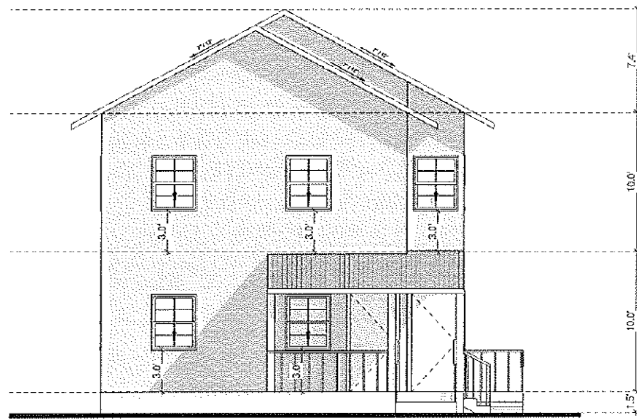
- A1_ FIRST FLOOR, SECOND FLOOR
- A2_ NORTH ELEVATION
- A3_ EAST ELEVATION
- A4_ WEST ELEVATION
- A5_ SOUTH ELEVATION
- A6_ ROOF PLAN
- A7_ FLOOR FRAMING PLAN
- A8_ FOUNDATION PLAN
- A9_ SITE PLAN
- A10_ WALL DETAIL CONSTRUCTION PLAN
- G1_ GARAGE
- G2_ GARAGE ELEVATIONS
- G3_ GARAGE ROOF PLAN
- G4_ DETAILS



LAND DATA
 EFFECTIVE FRONTAGE 38FT
 EFFECTIVE DEPTH 140 FT
 5,320 SQ FT

ARCHITECTURAL PLAN		SCALE	PAGE
COVER SHEET			00
ADDRESS 1719 Roosevelt Ave		EVE CONSTRUCTION, LLC	

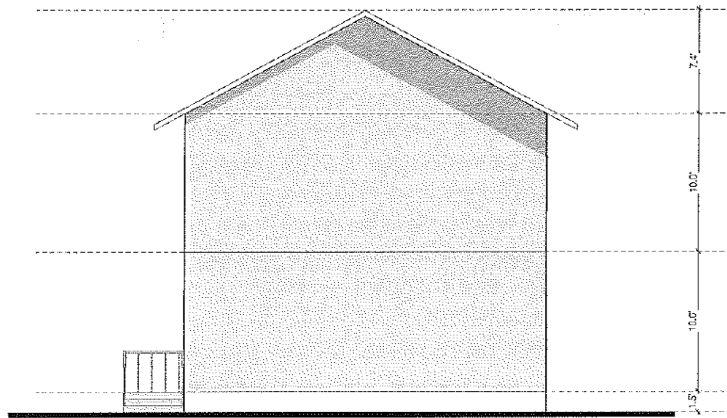




**NORTH ELEVATION,
 FRONT VIEW**

ARCHITECTURAL
 PLAN
 NORTH ELEVATION

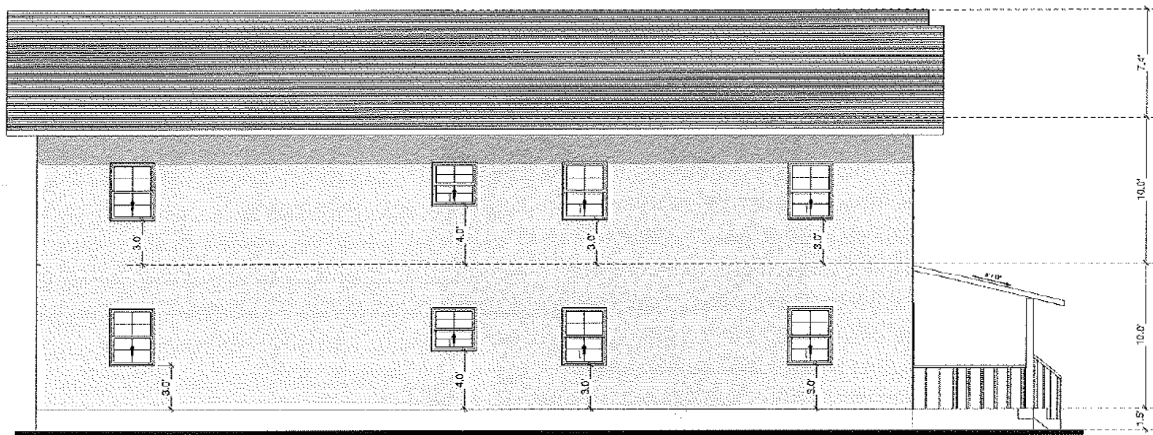
ADDRESS	SCALE	PAGE
1719 Roosevelt Ave EYE CONSTRUCTION LLC <small>1127 1/2 St. Fargo, ND 58103 701.725.1111</small>	3/8" = 1'-0"	A2



**SOUTH ELEVATION,
REAR VIEW**

ARCHITECTURAL
PLAN
SOUTH ELEVATION

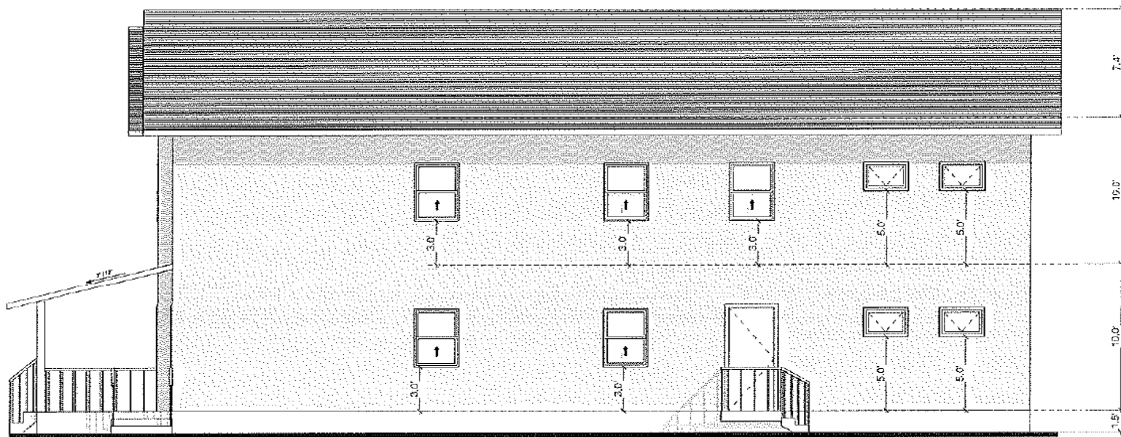
ADDRESS	SCALE	PAGE
1719 Roosevelt Ave EVE CONSTRUCTION LLC <small>1000 1st St. Indianapolis, IN 46202 764-2722 eveconstruction.com</small>	3/8" = 1'-0"	A5



**EAST ELEVATION,
LEFT VIEW**

ARCHITECTURAL
PLAN
EAST ELEVATION

ADDRESS	SCALE	PAGE
1719 Roosevelt Ave EVE CONSTRUCTION LLC <small>1011 East Main Street Tulsa, Oklahoma 74104</small>	3/8" = 1'-0"	A3



**WEST ELEVATION,
RIGHT VIEW**

ARCHITECTURAL
PLAN
WEST ELEVATION

ADDRESS	SCALE	PAGE
1719 Roosevelt Ave EVE CONSTRUCTION LLC 110 East Michigan Street Indianapolis, IN 46204	3/8" = 1'-0"	A4



View looking north along Roosevelt Avenue



View looking south along Roosevelt Avenue



View looking west along East 18th Street



View of site looking south across East 18th Street



View of site looking south across East 18th Street



View of site looking east across Roosevelt Avenue



View of adjacent property to the south looking east across Roosevelt Avenue



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 28, 2026

Case Number:	2026-ZON-033
Property Address:	4200 South Harding Street (<i>approximate address</i>)
Location:	Perry Township, Council District #22
Petitioner:	Hanson Aggregates, Midwest, Inc., by Misha Rabinowitch
Current Zoning:	I-4 (FF)
Request:	Rezoning of 20.18 acres from the I-4 (FF) district to the I-4 (FF) (GSB) district to provide for mining operations.
Current Land Use:	Mining Operations
Staff Recommendations:	Staff recommends approval of this petition.
Staff Reviewer:	Michael Weigel, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

LAND USE

The 20.18-acre site is comprised of two parcels (5000182 and 5036519) currently associated with an existing excavation operation. The site is surrounded by excavation operations on each side (zoned I-4, I-4 GSB, and SU-23 GSB), an easement to the east, and has proximity to I-465 to the south. Mining operations at the site have previously been permitted by several zoning petitions (see Zoning History).

REZONING

The request would rezone the site to the I-4 (FF) (GSB) district. "The I-4 district is for those heavy industrial uses which present an elevated risk to the general public and are typically characterized by factors that would be exceedingly difficult, expensive or impossible to eliminate. These industries are therefore buffered by a sizeable area to minimize any detrimental aspects. The development standards and performance standards reflect the recognition of these problems. Location of this district should be as far as possible from protected districts and environmentally sensitive areas as practical and never be adjacent to protected districts."



**Department of Metropolitan Development
Division of Planning
Current Planning**

Recommended land uses in this typology include light industrial, heavy industrial, heavy commercial, small-scale offices, retailing, and personal or professional services; and wind / solar farms.

The GSB overlay district allows for the extraction of sand, gravel, mineral or other earthen materials within Marion County, in addition to uses allowed by the primary I-4 zoning district.

The Comprehensive Plan recommends Heavy Industrial typology for the site.

COMPREHENSIVE PLAN OVERLAYS

This site is also located within an overlay, specifically the Environmentally Sensitive Areas (ES) Overlay. “Overlays are used in places where the land uses that are allowed in a typology need to be adjusted. They may be needed because an area is environmentally sensitive, near an airport, or because a certain type of development should be promoted. Overlays can add uses, remove uses, or modify the conditions that are applied to uses in a typology.”

The Environmentally Sensitive Areas (ES) Overlay is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected. The purpose of this overlay is to prevent or mitigate potential damage to these resources caused by development. This overlay is also appropriate for areas that present an opportunity to create a new environmental asset. This overlay is not intended for the preservation of open space.

The entire site is located within the 100-year floodplain of the White River.

FLOODWAY FRINGE

This site has a secondary zoning classification of Floodway Fringe (FF). The Floodway Fringe (FF) is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (I-4 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance and all other applicable City Ordinances.

STAFF ANALYSIS

This site and surrounding land uses have historically been used for excavation operation. The Ordinance defines excavation as “breaking of ground, digging, mining, removal, or displacement of the natural surface of the earth, whether sod, dirt, soil, sand, gravel, stone, loam, rock, clay, silt, or other naturally deposited material, whether alone or in combination.”

Staff supports this rezoning request because of past and current operations, surrounding heavy industrial land uses and the consistency with the Plan recommendation of heavy industrial typology.



GENERAL INFORMATION

Existing Zoning	I-4 (FF)	
Existing Land Use	Mining Operations	
Comprehensive Plan	Heavy Industrial	
Surrounding Context	Zoning	Surrounding Context
	North:	North: Mining Operations
	South:	South: Mining Operations
	East:	East: Mining Operations
	West:	West: Mining Operations
Thoroughfare Plan		
	Harco Way	Private Drive 60-foot existing right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	Yes	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	03/15/2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Heavy Industrial typology provides for industrial, production, distribution, and repair uses that are intense and may create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding building or groups of buildings, often within industrial parks. Outdoor operations and storage are common. Typical uses include food processing, milling, storage of petroleum products, recycling, welding, and concrete mixing. Industrial or truck traffic should be separated from local/residential traffic. Heavy industrial land uses such as mining are contemplated for this typology when located on arterial streets and when both industrial uses and traffic are kept separate from residential areas.
- The Environmentally Sensitive Areas (ES) overlay is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected. The purpose of this overlay is to prevent or mitigate potential damage to these resources caused by development. Heavy Industrial uses are removed as recommended uses when within this overlay.

Red Line / Blue Line / Purple Line TOD Strategic Plan



Department of Metropolitan Development
Division of Planning
Current Planning

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.



ZONING HISTORY

ZONING HISTORY – SITE

2005SE1001, special exception of the Industrial Zoning Ordinance to provide for a temporary asphalt plant, **approved**.

2004LNU026, Certificate of Legally Non-Confirming Use for a Gravel/Sand extraction and processing use, **approved**.

92-Z-51, Rezoning of 12.05 acres, being in the I-3-S/FP/FW District, to the C-7/FP/FW classification to provide for the sales and service of semi-tractors and trailers, **approved**.

90-SE2-25, special exception of the Industrial Zoning Ordinance to permit the construction of a concrete pipe manufacturing facility, without the required loading dock; with outdoor storage in excess of 75%; with outdoor storage on a gravel area (hard surface required); with a 6 foot high security fence within the front yard; and to permit a zero foot setback from the rear property line (30 foot transitional yard required), **approved**.

ZONING HISTORY – VICINITY

2026DV3012 ; 4200 South Harding Street (northeast of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a new building related to the existing extraction use located within the Floodway Fringe (not permitted) and with deficient landscaping (landscaping required), **approved**.

2025ZON122 ; 1650 Harco Way (east of site), Rezoning of 71.753-acres from I-4 district to the I-4 (GSB) districts to provide for gravel sand burrow operations, **approved**.

99-V3-52 ; 4550 South Harding Street (east of site), variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a truck wash facility with a flood protection grade at the base flood elevation of 680 feet (flood protection grade of 682 feet required, 2 feet above the base flood elevation, **approved**.

97-SE1-5 ; 4602 South Harding Street (east of site), special exception of the Industrial Zoning Ordinance to provide for the temporary placement of facilities for the processing and production of asphalt and concrete, **approved**.

96-V3-39 ; 4750 South Harding Street (west of site), variance of developments standards of the Industrial Zoning Ordinance to provide for the construction of a recycling operation for the staging, sorting, baling, and loading of non-toxic, recyclable construction and demolition materials, including the composting of yard materials and biodegradable construction materials accessed via a private street, with approximately 17 acres of outside operations and storage of materials, zero loading docks provided, gravel maneuverability and parking areas, a berm six to eight feet in height along the north,



Department of Metropolitan Development
Division of Planning
Current Planning

south, and southwest property lines, and a chain-link fence, six feet in height along Belmont Avenue in the required setback area, **approved**.

96-UV1-33 ; 4530 South Harding Street (east of site), variance of use and development standards of the Commercial Zoning Ordinance to provide for an asphalt and cold mix process facility (not permitted) with zero feet of public street frontage provided with access to be gained by a 60 foot wide access easement (minimum 50 feet of frontage on a street right-of-way required), **approved**.

96-SE1-7 ; 4400 South Harding Street (east of site), special exception of the Industrial Zoning Ordinance to provide for the extraction, aggregate washing and screening process for sand and gravel, **approved**.

92-UV1-79 ; 2709 West Epler Avenue (south of site), variance of use and development standards of the Dwelling Districts Zoning Ordinance and Flood Control Ordinance to permit extraction of sand, gravel and earthen minerals, **approved**.

91-AP2-10; 4720 South Belmont Avenue (west of site), modification of conditions and site plan pursuant to petition 90-SE2-25 to permit the manufacturing of concrete prestressed building products to occur outdoors, the outdoor storage of steel forms and rolls of wire mesh, and the storage of material in excess of the six-foot-tall security fence, **approved**.

90-SE2-25; 4720 South Belmont Avenue (west of site), Special Exception of the Industrial Zoning Ordinance to permit the construction of a concrete pipe manufacturing facility without the required loading dock, outdoor storage in excess of 75% of enclosed buildings, a gravel surface for outdoor storage, and to permit a zero-foot setback from the property line, **granted**.

90-UV1-61; 2103 West Epler Avenue (south of site); variance of use from the SU-23 district to permit a temporary asphalt plant for a period of two years; **granted**.

85-Z-88; 4530 South Harding Street (east of site); rezoning of 5.0 acres, being in the I-4-S district, to the C-6 classification to provide for the construction of a budget motel, **approved**.

84-AP-190; 1851 West Thompson Road (south of site); modification of commitments made in 81-Z-71 and 82-Z-72 to allow relocation of a landscape strip; **approved**.

82-Z-72; 1801-2399 West Thompson Road (south of site); rezoning of 140 acres, being in the A-2 District, to the GSB Secondary classification, to permit excavation of sand and gravel; **approved**.

81-Z-71; 1801-2399 West Thompson Road (south of site); rezoning of 140 acres, being in the I-3-S district, to the SU-23 classification, to permit excavation of sand and gravel; **approved**.

EXHIBITS

2026ZON033 ; Aerial Map



2026ZON033 ; Photographs



Photo 1: Parcel 5036519 From North



Photo 2: Parcel 5000182 From West

2026ZON033 ; Photographs (continued)



Photo 3: Adjacent Property to Southwest



Photo 4: Adjacent Property to Northwest

2026ZON033 ; Photographs (continued)



Photo 5: Adjacent Property to Northeast



Photo 6: Access Road Leading to Subject Property Looking West (August 2025)



MDC HEARING EXAMINER

May 28, 2026

Case Number:	2026-ZON-037
Property Address:	23 Woodland Drive (<i>approximate address</i>)
Location:	Center Township, Council District #18
Petitioner:	Keyon Johnson, by RG Development (Josh Smith)
Current Zoning:	C-7 (TOD)
Request:	Rezoning of 0.081 acres from the C-7 (TOD) district to the D-5 (TOD) district to allow for the construction of a single-family home.
Current Land Use:	Undeveloped
Staff Recommendations:	Staff recommends approval of this petition.
Staff Reviewer:	Josh Levesque, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- 23 Woodland Drive is an undeveloped plot of land roughly 0.081-acre in size. Currently zoned C-7, it sits midblock on Woodland between Ohio and Washington Streets. The entirety of the block, along with the immediately adjacent east and west blocks are all zoned C-7, despite their residential character.
- Historic aerial images show a house on this property until some time between 2015 and 2016, when, according to the petitioner, the property was lost to a fire. According to property record cards, the house immediately to the south of the subject site was built in 1912. The closest house to the north appears to have been built around 1910. While it is unclear as to when the previous property was built, it appears that the property was legally established in 1998 via 98-HOV-14, further emphasizing its residential history.
- The Ordinance does allow for the restoration of nonconformities not in a flood control district to be restored to their original footprint. However, any deviation from the original footprint would require development to adhere to current Ordinance standards. As the property is currently zoned C-7, this would prohibit the construction of a single-family home. Staff has discussed with the petitioner that while rezone to the D-5 district will allow them to build a single-family home by right, all development standards of the D-5 district must be met. Staff is working with the petitioner to either amend their existing plans or to file for subsequent variances as needed.



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- The current C-7 classification does not fit with the current context of the block, nor does it align with the Comprehensive Plan’s vision for this area as a “Traditional Neighborhood”. Furthermore, Infill Housing Guidelines stress the importance of considering the context of the block. This block is residential in nature. Rezoning to a D-5 would represent a corrective rezoning allowing for development that is appropriate to the surrounding context. As such, staff recommends approval of this petition.

GENERAL INFORMATION

Existing Zoning	C-7	
Existing Land Use	Undeveloped	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North: C-7	North: Residential
	South: C-7	South: Residential
	East: C-7	East: Residential
	West: C-7	West: Residential
Thoroughfare Plan		
Woodand Drive	Local Street	30-foot existing right-of-way and 48-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	4/1/2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book assigns this property the “Traditional Neighborhood” living typology. This typology “includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding businesses when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- This property is within a quarter mile of the proposed Blue Line stop at Washington and Sherman. The Blue Line Strategic Plan envisions the typology as a community center. Characteristics of this typology include:
 - A dense mixed-use neighborhood center
 - Minimum 2 stories at core
 - No front or side setbacks at core; 0-10-foot front setbacks and 0-10-foot side setbacks at the periphery
 - Multi-family housing with a minimum of 3 units
 - Structured parking at the core and attractive surface parking at the periphery

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.



ZONING HISTORY

ZONING HISTORY – SITE

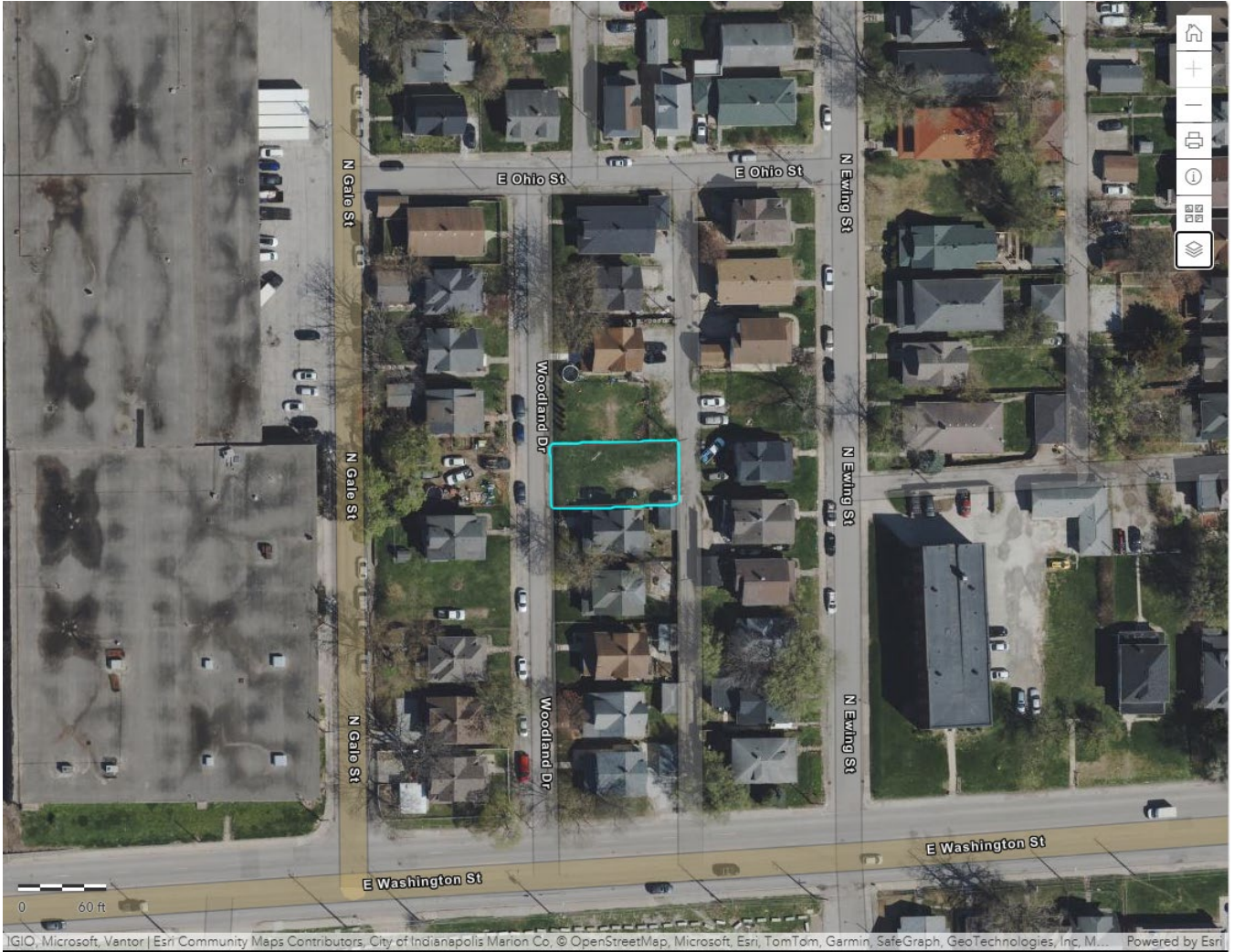
98-HOV-14; 23 Woodland Drive, Variance of Use of the Commercial Zoning Ordinance to provide for an existing single-family residence (not permitted).

ZONING HISTORY – VICINITY

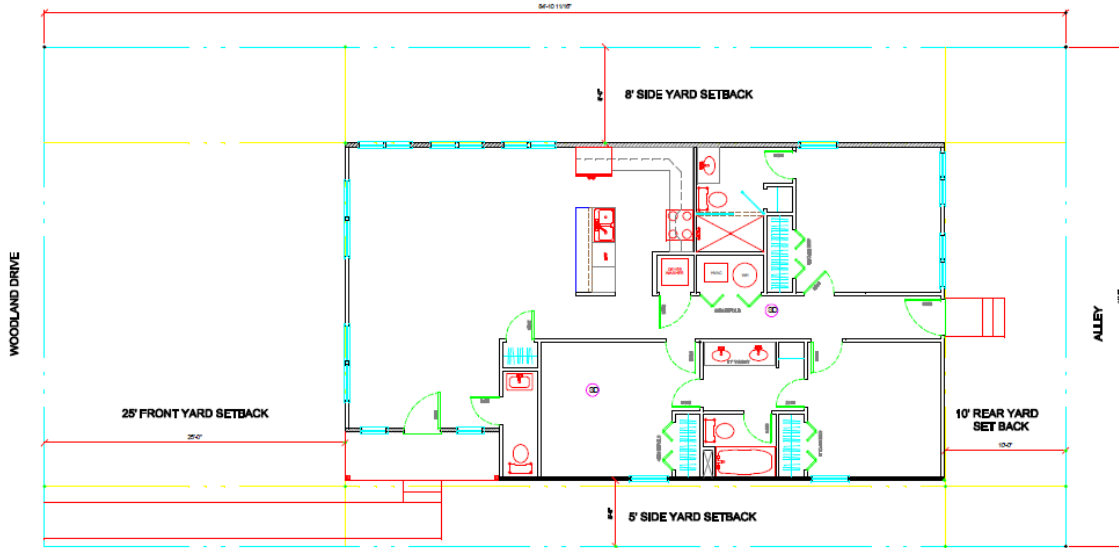
2004-HOV-048; 28 North Ewing Street, Variance of Use of the Commercial Zoning Ordinance to legally establish a 780-square foot single-family dwelling (not permitted), **approved**.

2012-ZON-065; 3525 and 3547 East Washington Street, Rezoning of 4.5 acres from the I-4U district to the D-8 district, **approved**.

EXHIBITS
2026ZON037; Aerial Map



2026ZON037; Site Plan



SITE PLAN
SCALE: 1/4" = 1'-0"

2026ZON037; Photographs



Photo 1: Looking towards subject site from Woodland Drive

2026ZON037; Photographs (continued)



Photo 2: Looking at subject from alley facing Woodland Drive

2026ZON037; Photographs (continued)



Photo 3: Looking north on Woodland Drive

2026ZON037; Photographs (continued)



Photo 4: Looking west across Woodland Drive

2026ZON037; Photographs (continued)



Photo 5: Looking south on Woodland Drive towards Washington Street



METROPOLITAN DEVELOPMENT COMMISSION **May 28, 2026**
HEARING EXAMINER

Case Number: 2026-CAP-811 / 2026-CVR-811
Property Address: 1258 Windsor Street
Location: Center Township, Council District #13
Petitioner: Indianapolis Film Project, by Justin Kingen
Current Zoning: MU-2 (FF)

Request: Modification of Commitments associated with 2018-MOD-008, relative to the subject site, to terminate all commitments, and to replace them with updated commitments for the existing use on the site and new commitments to provide for a proposed pocket park, with pedestrian features. The proposed commitments include restrictions for signage, façade and material guidance, and use of site as a theatre, family friendly restaurant and a gathering or event space.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for an outdoor seating area without the required fence, wall or similar barrier between the outdoor seating area and the right-of-way (a fence, wall or similar barrier required), and encroachment of outdoor seating and park amenities within the clear-sight triangle (not permitted).

Current Land Use: Commercial uses
Staff Recommendations: No recommendation of the modification and approval of the variances.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing for these petitions.

STAFF RECOMMENDATION

Staff has no recommendation on the modification.

Staff recommends approval of the variances, subject to substantial compliance with the site plan file dated May 18, 2026, and the issuance of an Encroachment License. If the Encroachment License is not issued, the requested variances are no longer supported by staff.



PETITION OVERVIEW

This 0.81-acre site, zoned MU-2 (FF), is developed with commercial uses. It is surrounded by a park to the north, across Commerce Avenue and Nowland Avenue, zoned PK-1 (FF); a single-family dwelling to the south, zoned D-8 (FF); single-family dwellings and a library to the east, across Windsor Street, zoned MU-1 (FF) and SU-37 (FF), respectively; and commercial uses to the west, zoned MU-2 (FF).

Petition 2018-MOD-008 modified the site plan and commitments related to 2017-CZN-816 / 2017-CVR-816.

MODIFICATION

The request would modify commitments associated with 2018-MOD-008 (See Exhibit A), relative to the subject site, to terminate all commitments, and to replace them with updated commitments for the existing use on the site and new commitments to provide for a proposed pocket park, with pedestrian features.

The request would include commitments that would include restrictions for signage, façade and material guidance, and use of site as a theatre, family friendly restaurant and a gathering or event space.

The commitments were originally the result of negotiation between the petitioner and the neighborhood. Because staff played no role in the negotiation of these subject commitments, staff would ordinarily provide no recommendation under such circumstances. Staff would note, however, that the neighborhood organization negotiated in good faith with the petitioner during the petition process, and their agreement was contingent upon all commitments being included with the rezoning petition.

Staff would note that signage would be subject to the Sign Regulations. Additionally, the termination of the 2018 commitments would also terminate the 2018 Plan of Operation.

VARIANCES OF DEVELOPMENT STANDARDS

The request would provide for an outdoor seating area without the required fence, wall or similar barrier between the outdoor seating area and the right-of-way and encroachment of outdoor seating and park amenities into the clear-sight triangle.

The Ordinance requires a fence, wall or similar barrier between the seating area and the right-of-way of at least three feet in height. Staff believes that due to visibility, the three-foot tall barrier could have a negative impact on the safety of pedestrians and vehicles.

The Ordinance prohibits obstructions from being “erected, placed, planted or allowed to grow in such a manner as to materially impede visibility between the heights of 2.5 feet and eight feet above grade level of the adjoining right-of-way within a clear sight triangular area.”



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Given the configuration of the site and the convergence of four streets, staff believes that relief from this provision would be supportable because the proposed amenities within this pocket park would be available to the public. Furthermore, due to rights-of-way, this area has few features that limit visibility.

GENERAL INFORMATION

Existing Zoning	MU-2 (FF)	
Existing Land Use	Commercial uses	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	Zoning	Land Use
North:	PK-1 (FF)	Park
South:	D-8 (FF)	Single-family dwelling
East:	MU-1 (FF) / SU-7(FF)	Single-family dwelling / Library
West:	MU-2 (FF)	Commercial uses
Thoroughfare Plan		
Windsor Street	Local Street	Existing 40-foot right-of-way and proposed 48-foot right-of-way.
Commerce Avenue	Primary Arterial	Existing 46-foot right-of-way and proposed 78-foot right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	Yes - 500-year unregulated floodplain of Pogues Run	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	March 5, 2026	
Site Plan (Amended)	May 18, 2026	
Elevations	March 5, 2026	
Elevations (Amended)	May 18, 2026	
Landscape Plan	May 18, 2026	
Findings of Fact	March 5, 2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Village Mixed-Use typology. “The Village Mixed-Use typology creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well as to



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promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.”

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

Conditions for All Land Use Types – Community Commercial Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- Where possible, contributing historic buildings should be preserved or incorporated into new development.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves
(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”

The following listed items describe the purpose, policies and tools:

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.

ZONING HISTORY

2018-MOD-008; 1625, 1631 and 1637 Nowland Avenue; 1701 and 1705 Commerce Avenue and 1248 and 1254 Windsor Street (1258-parcel), requested modification of the Site Plan and Commitments for 2017-CZN-816 / 2017-CVR-816 to Modify Commitment One requiring adherence to the Site plan file-dated September 27, 2017 and the Plan of Operation file-dated August 31, 2017 to provide for an amended site plan and eliminate renovation of the 14,000 square foot existing building, **approved**.

2017-CZN-816 / 2017-CVR-816 / 2017-CVC-816; 1625, 1631 and 1637 Nowland Avenue; 1701 and 1705 Commerce Avenue and 1248 and 1254 Windsor Street (1258-parcel), requested rezoning of 1.07 acres from the SU-1, D-8 and MU-1 districts to the MU-2 classification to provide for a community theater and a restaurant and bar and a variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an independent film house/theater and single-family dwellings at 1625, 1631 and 1637 Nowland Avenues, with 36 parking, and a zero-foot east front setback and front transitional setback along Windsor Street and six-foot front transitional setback along State Avenue and to provide for illuminated pylon / ground signs, with deficient front setbacks along Commerce and Nowland Avenues, and vacation of the first north-south alley, west of Windsor Street, **approved and granted**.

2007-AP3-002; 1258 Windsor Street, requested administrative appeal of the Administrator's determination that an on-site soup kitchen is a reasonable related accessory use to a religious use, **withdrawn**.

99-Z-158; 1248, 1252, 1254 Windsor Street, requested rezoning of 0.4 acre from the D-8 and C-2 Districts to the SU-1 classification to provide for religious uses, **approved**.

VICINITY

2004-ZON-087; 1601-1737 Massachusetts Avenue (north of site), requested rezoning of 2.9 acres from the I-4 U District to the SU-9 classification to provide for a work release correctional facility, **denied**.

97-HOV-85; 1801 Nowland Avenue (north of site), requests a variance of development standards of the Sign Regulations to provide for the placement of a four-foot tall nine-square foot sign, **granted**.

96-AP1-4; 1801 Nowland Avenue (east of site), requested modification of conditions related to petition 86-UV1-46 to modify condition #3 to provide for two double-faced signs, **withdrawn**.

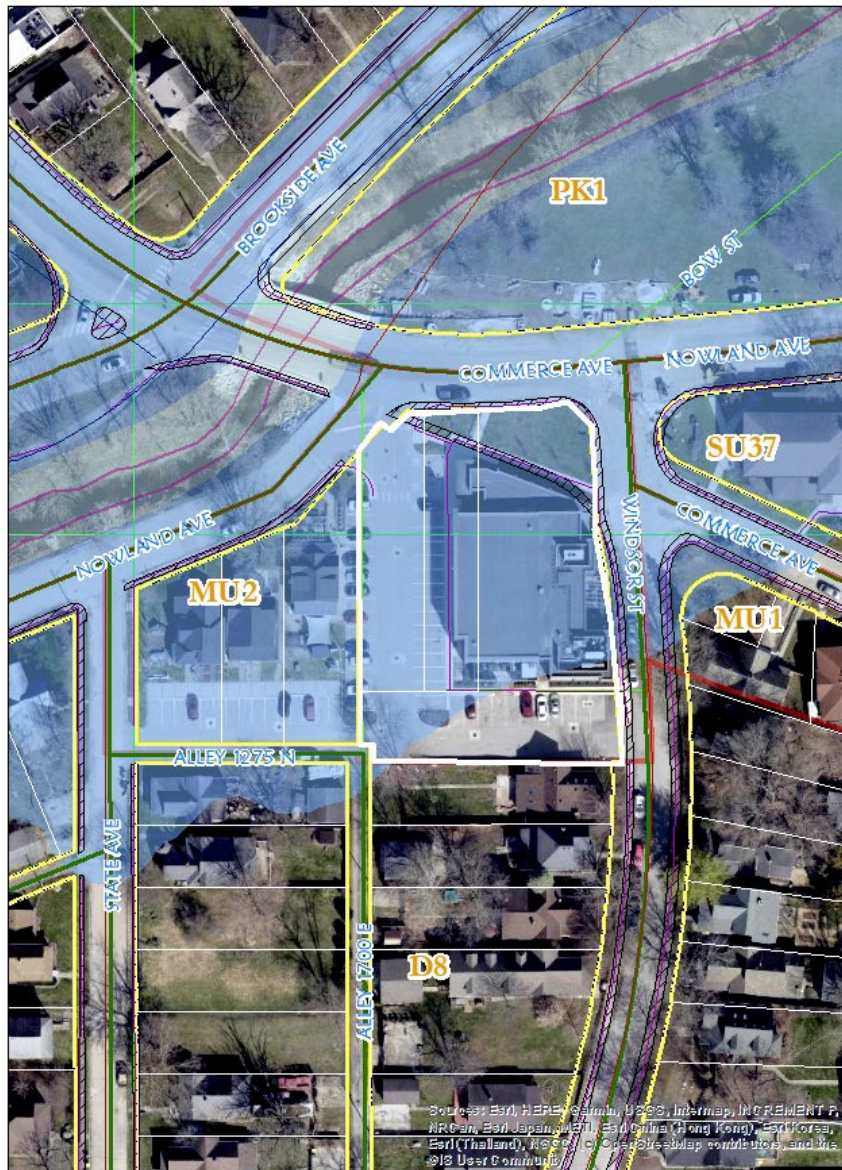
95-Z-197 (905-CV-34) 1338 and 1344 Commerce Avenue (north of site), requested rezoning of 0.23 acre from the C-e District to the C-ID classification, and a variance of development standards to permit construction of a building with a reduce front setback and side transitional yard, an access drive within 15 feet of a protected district and a gravel storage area, **approved and granted**



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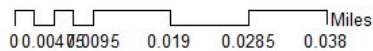
86-UV1-46; 1801 Nowland Avenue (east of site), requested a variance of use of the Dwelling Districts Zoning Ordinance and the Sign Regulations to provide for construction of a parking lot to serve an existing library and for a double-faced ground sign, **granted**.

EXHIBITS



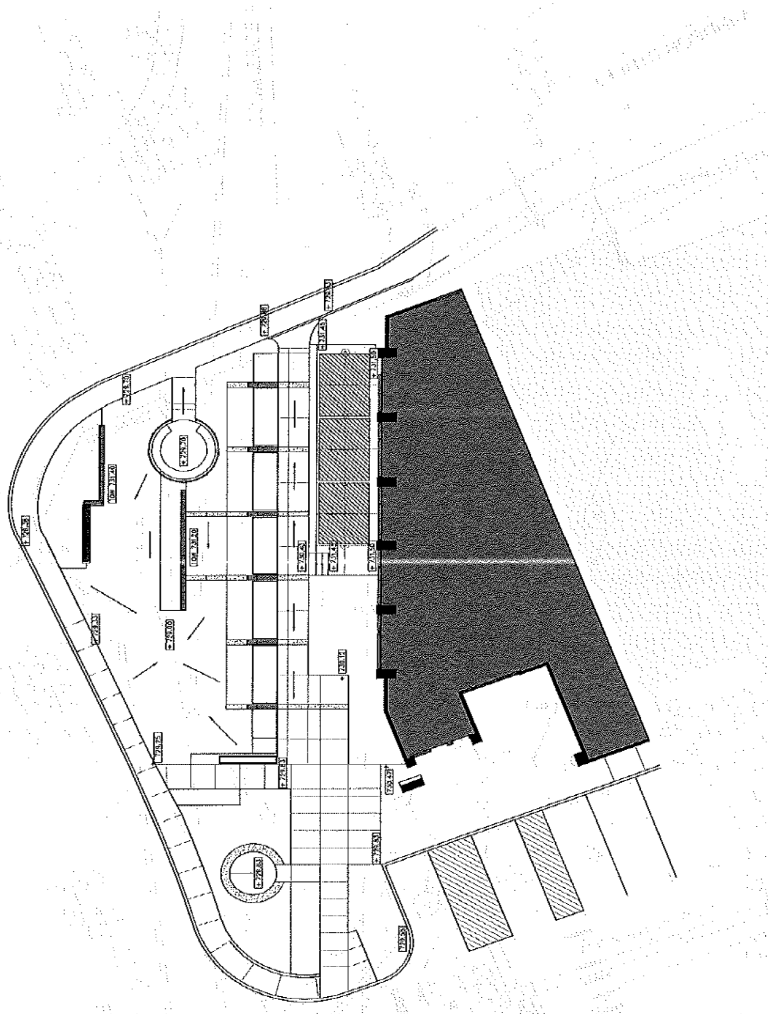
Sources: Esri, HERE, DeLorme, Swatch, Intermap, INCREMENT P, NRCan, Esri Japan, Swatch, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGS, © OpenStreetMap contributors, and the
© 2018 User Community

1258 Windsor Street



DATE: 03/01/26

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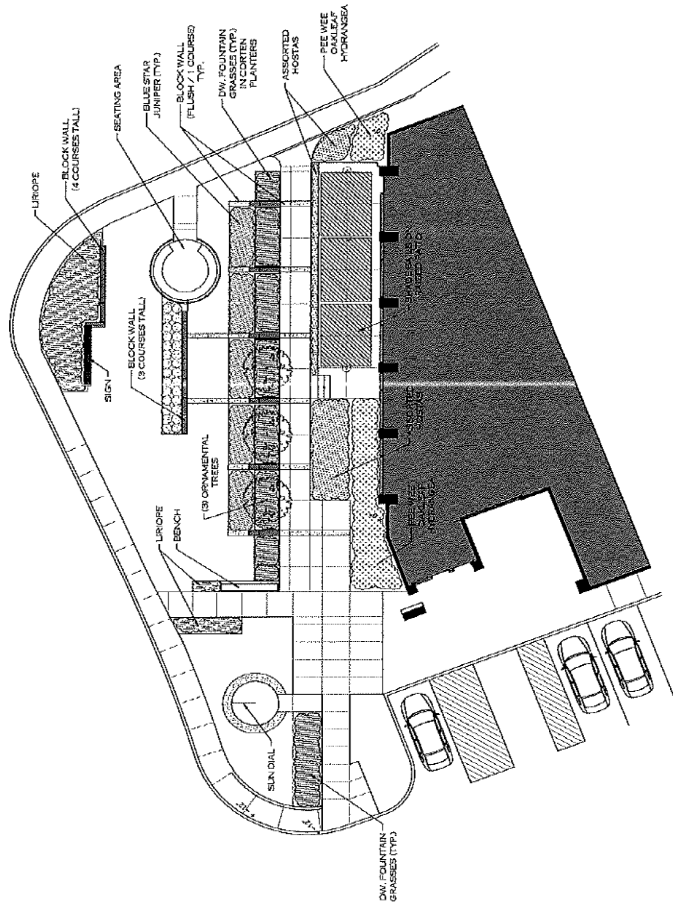


• SCALE: 1/8" = 1'-0" •

KAN KAN PLAZA CONCEPT
DRAINAGE PLAN
 DESIGNED BY ADAM GARVEY

DATE: 03/01/26

A3.0

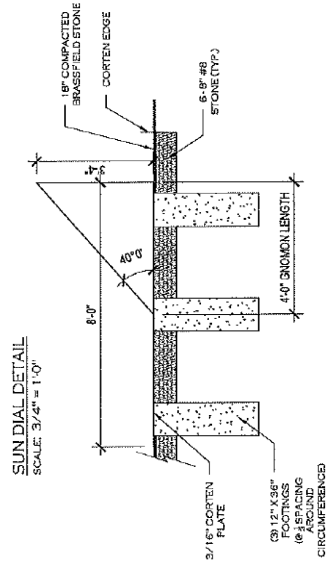
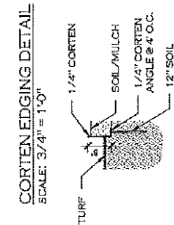
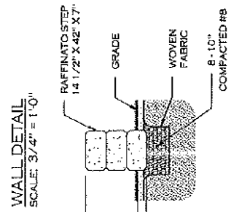
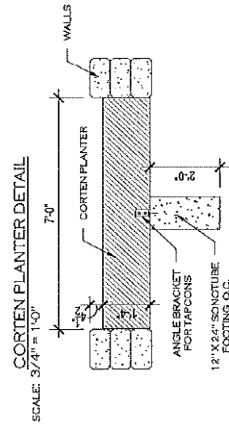
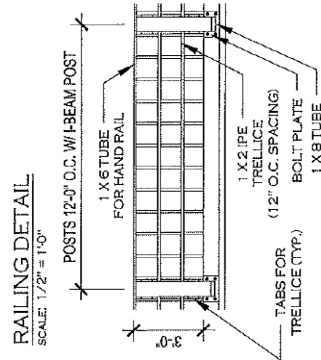
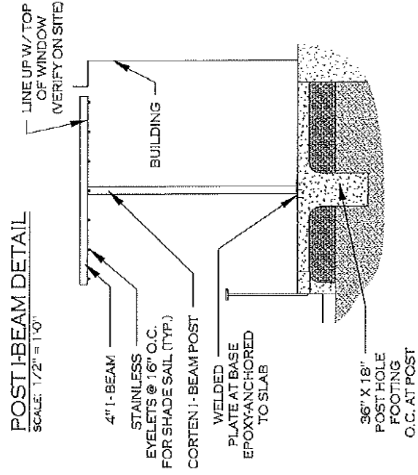


• SCALE: 1/8" = 1'-0"

KAN KAN PLAZA CONCEPT
LANDSCAPE PLAN
DESIGNED BY ADAM GARVEY

DATE: 03/01/26

D1.0



KAN KAN PLAZA CONCEPT
 DETAILS
 DESIGNED BY ADAM GARVEY



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EXHIBIT A

A201800110027 *ka*

10/29/2018 10:25 AM
KATHERINE SWEENEY BELL
MARION COUNTY IN RECORDER
FEE: \$ 40.00
PAGES: 20
By: SC

STATEMENT OF MODIFICATION OR TERMINATION
OF COVENANTS OR COMMITMENTS

COVENANTS OR COMMITMENTS MODIFYING OR TERMINATING EXISTING COVENANTS OR
COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN
CONNECTION WITH AN APPROVAL PETITION, REZONING OF PROPERTY, A VARIANCE PETITION
OR SPECIAL EXCEPTION PETITION

In accordance with I.C. 36-7-4-918.8 and I.C. 36-7-4-1015, the owner of the real estate located in Marion County, Indiana, which is described below, makes the following modification(s) or termination(s) of covenants or commitments concerning the use and development of that parcel of real estate:

Legal Description: See Attached Legal Description

Statement of MODIFICATION OR TERMINATION of Covenants or Commitments:

To allow for the Modification of the Site Plan and Commitments for 2017-CZN-816 / 2017-CVR-816 to Modify Commitment One of Instrument #2018-00034909, requiring adherence to the Site Plan file-dated September 27, 2017 and the Plan of Operation file-dated August 31, 2017 to provide for an amended site plan and eliminate renovation of the 14,000 square foot existing building (attached is the new commitment (#29) on Exhibit A along with the updated Exhibits B & C).

These COVENANTS or COMMITMENTS shall be binding on the owner, subsequent owners of the real estate and other persons acquiring an interest therein. These COVENANTS or COMMITMENTS may be modified or terminated by a decision of the Metropolitan Development Commission made at a public hearing after proper notice has been given.

COVENANTS or COMMITMENTS contained in this instrument shall be effective upon the adoption of modification or termination approved by the Metropolitan Development Commission in petition

2018-MOD-006.

These COMMITMENTS may be enforced jointly or severally by:

1. The Metropolitan Development Commission;
2. Owners of all parcels of ground adjoining the real estate to a depth of two (2) ownerships, but not exceeding six-hundred-sixty (660) feet from the perimeter of the real estate, and all owners of real estate within the area included in the petition who were not petitioners for the rezoning or approval. Owners of real estate entirely located outside Marion County are not included, however. The identity of owners shall be determined from the records in the offices of the various Township Assessors of Marion County

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which list the current owners of record. (This paragraph defines the category of persons entitled to receive personal notice of the rezoning or approval under the rules in force at the time the commitment was made);

These COVENANTS may be enforced by the Metropolitan Development Commission.

The undersigned hereby authorizes the Division of Planning of the Department of Metropolitan Development to record this Covenant or Commitment in the office of the Recorder of Marion County, Indiana, upon final approval of modification and/or termination of Covenant(s) or Commitment(s) of petition # 2018-MOD-006 by the Metropolitan Development Commission.

IN WITNESS WHEREOF, owner has executed this instrument this 10th day of OCTOBER, 2018.

Signature: [Signature]
Printed: EDWARD BATTISTA
Title /
Organization
Name: Windsor Arts, LLC

Signature: [Signature]
Printed: SAM B SUTPHIN
Title /
Organization
Name: Windsor Arts LLC

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared EDWARD BATTISTA & SAM B. SUTPHIN (MEMBERS / WINDSOR ARTS LLC) owner(s) (title / organization name) of the real estate who acknowledged the execution of the foregoing instrument and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 10th day of OCTOBER, 2018

[Signature]
Notary Public

Printed Name of Notary Public



MDC's Exhibit C -- page 2 of 3
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I affirm under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document unless required by law. -Justin Kingen

This instrument was prepared by Justin Kingen

This modification and/or Termination Agreement was approved by the Metropolitan Development Commission on the 19th day of SEPTEMBER, 2015.

Lena Ackett

 Secretary, Metropolitan Development Commission



Department of Metropolitan Development
Division of Planning
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2018 - MOD - 006
EXHIBIT A

ATTACHMENT "D"

1. Petitioner commits to the site plan file dated JUNE 21, 2018, and the Plan of Operation filed dated JULY 19, 2018.
2. Petitioner commits to support The Windsor Park Neighborhood Association, Inc. (WPNA) in any future effort to develop a residential permit parking system on area right-of-ways, within two (2) city blocks of the subject site.
3. Petitioner commits to work with the Department of Public Works, the Indianapolis Public Library, the Windsor Park Neighborhood Association, Inc. and other partners to cause adjoining rights-of-way to be improved with new crosswalks, parking stall striping and other similar markings, within the right of way.
4. The egress signage (directional sign) in the parking lot, fronting on Windsor Street will prohibit traffic from exiting onto Windsor Street. A sign (directional sign) located outside the right-of-way on Windsor Street will ask theatre patrons to park in the theatre parking lot; or on specifically designated streets; but not along Windsor Street.
5. Preparations/ arrangements/ and/ or easements will be made/ provided for emergency vehicle access through the alleys.
6. There will be no development, structure or permanent improvements on the to-be-vacated right-of-way on the north side of the existing building--; other than bike-racks, externally-lighted signage and landscape lighting, all subject to review and comment by the Windsor Park Neighborhood Association, Inc.
7. No freestanding, internally illuminated signs shall exist on the subject properties. All free standing signs may have light projected onto them, as long as the lighting is not directly oriented towards a dwelling unit.
8. Petitioner agrees to a landscape plan featuring low native plantings (supported by a maintenance agreement), and to a lighting plan, both subject to review and comment by the Windsor Park Neighborhood Association, Inc. and tied to the right-of-way vacation.
9. There will be no pole signage erected on the site.
10. There will be bike racks provided on the site for a minimum of thirty five (35) bicycles.
11. In an effort to minimize traffic through the neighborhood, the theatre's web site and related marketing materials will direct patrons to Brookside Avenue and

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Massachusetts Avenue as the recommended and preferred vehicular access route to the theatre, restaurant and artisan shops.

- 12. Those portions of the alley not vacated under these petitions and contiguous to the subject lots of these petitions, shall be improved with hard surface prior to the official grand opening of the theatre.
- 13. Any contracted trash pick-up shall be between the hours of 7 am and 8 pm.
- 14. All of the intended uses for the renovated structures at 1625, 1629 and 1637 Nowland Avenue shall be cultural or artisan in nature and complementary to the uses at 1258 Windsor Street.
- 15. The maximum size of the free standing sign at 1258 Windsor Street shall be six (6) feet in height, with no more than forty eight (48) square feet in surface, per side. The maximum size of the free standing signs at 1625, 1629 and 1637 Nowland Avenue shall be four feet in height.
- 16. At 1258 Windsor Street, Petitioner agrees to commit to three theatres with no more than three hundred (300) seats; a family friendly restaurant with a separate bar area; and an event/gathering space.
- 17. Petitioner agrees to a capacity of restaurant/patio/bar/event space at one hundred and fifty (150) patrons; including the patio.
- 18. Regarding the building façade and materials proposed for some of the former window openings, petitioner proposes to fit these areas with decorative aluminum plates--- cut, bent and profiled to lend interesting shadow lines to the exterior. The color palette would be chosen from a series of subdued earth tones, subject to review and comment by the Windsor Park Neighborhood Association, Inc.
- 19. On the grounds of the theatre, the retail areas, and on the patio, petitioner agrees to prohibit the use of outdoor speakers; public address technology and live entertainment.
- 20. Petitioner commits that if the primary use is discontinued for more than two years, the subsequent use will require approval from the appropriate Board, Commission, Council, or authorized agency with the City of Indianapolis.
- 21. Petitioner commits to use the property at 1258 Windsor Avenue for theatres, family friendly restaurant, bar and gathering/event space.
- 22. Petitioner commits to use the three commercial structures at 1625, 1631 and 1635 Nowland Avenue for neighborhood friendly and culturally appropriate artisan businesses; such as a café, bakery, artisan food and beverage, artisan

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- manufacturing and small market. Outdoor storage and alcohol sales will not be permitted on these three properties.
23. Petitioner commits to submitting to the Windsor Park Neighborhood Association, Inc. for review and comment, the Parking and egress plan
 24. Petitioner commits to submit information to the Windsor Park Neighborhood Association, Inc. for review and comment, information related to commitments 1 through 23, and to complete exterior building modifications, the landscaping and buffering improvements, parking improvements, and sign improvements prior to the grand opening of businesses at the subject property.
 25. Petitioner commits that the special events space, included in this request shall be restricted to one room with a seating capacity of twenty four (24) persons.
 26. Petitioner commits to recording an easement through the parking lot that shall be a minimum of fifteen (15) feet in width and shall commence from the turn of the existing north/south alley that turns to the west and proceeds to No. State Street, and the easement shall continue to the entrance to the parking lot on Nowland Avenue. The purpose of this recorded easement is to provide alternate means of access to and from the rear property line of the property owners from 1201 State Street to 1233 State Street and from 1202 Windsor Street to 1248 Windsor Street at all times in perpetuity.
 27. Petitioner agrees to restrict the number of free standing signs on the subject properties to four (4) with one each at 1258 Windsor Street, and one each at 1625, 1631 and 1637 Nowland Avenue.
 28. The bar, listed as a use, shall operate subordinate to the restaurant included as a use in the 1258 Windsor Street building and shall not operate as an independent bar at any future date.
 29. Petitioner commits to using the same or similar quality materials for the construction of the proposed building as presented to the Windsor Park Neighborhood Association. The documentation of the materials used will be filed with the City of Indianapolis as part of this petition.

Metropolitan Development

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Division of Planning

ATTACHMENT "E":

Excluded uses:

1. Bar/ Tavern as primary use
2. Laundromat
3. Liquor Store
4. Methadone clinic or treatment center
5. Check cashing facility
6. Mortuary
7. Light manufacturing (other than artisan manufacturing)
8. Animal care, boarding, vet services
9. Substation and/or utility distribution facility
10. Wireless communication tower
11. Outdoor advertising sign/ billboard
12. Drive thru facility
13. Group home
14. Lodge or fraternal club

Indoor Recreation & Entertainment

15. Amusement Arcade
16. Bowling Alleys
17. Billiard Parlor
18. Ballroom
19. Bathhouse
20. Bingo Establishment
21. Dancing
22. Firing (Gun) Range
23. Gymnasium
24. Instruction in Baseball
25. Instruction in Basketball
26. Instruction in Gymnastics
27. Miniature Golf
28. Ice or Roller Skating Rink
29. Substation & Utility Distribution
30. Commercial Parking Garage or Commercial Parking Lot as Primary Use
31. Transit Center
32. Transportation Facilities & Accessories
33. Game Courts
34. Portable Storage
35. Recycling Distribution Point

Metropolitan Development

OCT 16 2018

Division of Planning

7.23.18



2018-MOD-006
EXHIBIT B

Plan of Operation

Windsor Arts LLC
Windsor Park Theatre and Artisan Shops

Buildings

1. The primary structure of the Windsor Arts development will be located at 1258 Windsor Street. After demolishing the existing 3 story structure, a newly constructed 2 story building will contain a community movie theater with 3 screens and seating capacity for up to 300 patrons in total; also included in the building will be a 3,500 SF family restaurant with an attached bar area; upstairs there will be a small room that is used for a special events/meeting area.
2. Three (3) freestanding retail/commercial structures at 1625, 1631 and 1635 Nowland Avenue will contain approximately nine hundred to one thousand square feet (900-1,000 SF) of boutique artisan shops; catering specifically to arts-oriented neighborhood services and/or maker spaces.

Regular Hours of Operation

1. Theater / Restaurant: 10AM-11PM, seven (7) days a week
2. Artisan shops: 7AM-7 pm, Sundays thru Thursdays; 7am-11PM, Fridays, Saturdays and holidays.

Parking

1. Theater/Restaurant/Artisan shops: Petitioner has agreed to provide a minimum of fifty nine (59) off-street parking spaces, on-site.
2. Fourteen (14) contiguous on-street parking spaces will be available in front of the property along Windsor Street and Nowland Avenue.
3. Petitioner has a letter of agreement with Teagen Development to utilize up to 10 spaces in the parking lot of the Circle City Industrial Complex, 1125 Commerce Avenue.
4. Petitioner has a letter of agreement with Riley Area Development Corporation to lease up to six parking spaces for theatre employees at 1417 Commerce Avenue. Metropolitan Development

OCT 16 2018

7.19.18

Division of Planning



Proposed Modification – March 5, 2026

**STATEMENT OF MODIFICATION OR TERMINATION
OF COVENANTS OR COMMITMENTS**

**COVENANTS OR COMMITMENTS MODIFYING OR TERMINATING EXISTING COVENANTS OR
COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN
CONNECTION WITH AN APPROVAL PETITION, REZONING OF PROPERTY, A VARIANCE PETITION
OR SPECIAL EXCEPTION PETITION**

In accordance with I.C. 36-7-4-918.8 and I.C. 36-7-4-1015, the owner of the real estate located in Marion County, Indiana, which is described below, makes the following modification(s) or termination(s) of covenants or commitments concerning the use and development of that parcel of real estate:

Legal Description: See attached legal description

Statement of MODIFICATION OR TERMINATION of Covenants or Commitments:

1. Petitioner seeks to modify previously approved commitments associated with 2018-ZON-068, as recorded in Instrument No. 2018-00110027, and to replace the prior commitments in their entirety with the Updated Commitments for 1258 Windsor Street, dated January 22, 2026, which are incorporated herein by reference.
2. The updated commitments reflect current site conditions and proposed improvements associated with the installation of a pocket park area including seating, pedestrian features, buffering/safety elements, lighting, and signage.



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These COVENANTS or COMMITMENTS shall be binding on the owner, subsequent owners of the real estate and other persons acquiring an interest therein. These COVENANTS or COMMITMENTS may be modified or terminated by a decision of the Metropolitan Development Commission made at a public hearing after proper notice has been given.

COVENANTS or COMMITMENTS contained in this instrument shall be effective upon the adoption of modification or termination approved by the Metropolitan Development Commission in petition _____.

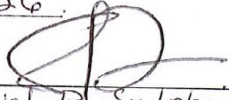
These COMMITMENTS may be enforced jointly or severally by:

1. The Metropolitan Development Commission;
2. Owners of all parcels of ground adjoining the real estate to a depth of two (2) ownerships, but not exceeding six-hundred-sixty (660) feet from the perimeter of the real estate, and all owners of real estate within the area included in the petition who were not petitioners for the rezoning or approval. Owners of real estate entirely located outside Marion County are not included, however. The identity of owners shall be determined from the records in the offices of the various Township Assessors of Marion County which list the current owners of record. (This paragraph defines the category of persons entitled to receive personal notice of the rezoning or approval under the rules in force at the time the commitment was made);
3. _____
4. _____

These COVENANTS may be enforced by the Metropolitan Development Commission.

The undersigned hereby authorizes the Division of Planning of the Department of Metropolitan Development to record this Covenant or Commitment in the office of the Recorder of Marion County, Indiana, upon final approval of modification and/or termination of Covenant(s) or Commitment(s) of petition # _____ by the Metropolitan Development Commission.

IN WITNESS WHEREOF, owner has executed this instrument this 23rd day of February, 2026.

Signature: 
 Printed: Samuel B. Sutphin
 Title / Executive Director

Signature: _____
 Printed: _____
 Title / _____



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Organization _____
Name: Indianapolis Film Project, Inc.

Organization _____
Name: _____

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared _____ owner(s) (title / organization name) of the real estate who acknowledged the execution of the foregoing instrument and who, having been duly sworn, stated that any representations therein contained are true.



Witness my hand and Notarial Seal this
23rd day of February, 20 26

Notary Public
Victor MacDonald
Printed Name of Notary Public
My Commission expires: 08-06-2031
My County of residence: Marion

I affirm under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document unless required by law. -Justin Kingen

This instrument was prepared by Justin Kingen

This modification and/or Termination Agreement was approved by the Metropolitan Development Commission on the _____ day of _____, 20 ____.

Secretary, Metropolitan Development Commission

1258 Windsor Street (Kan-Kan) – Commitments

1. Petitioner commits to the site plan file dated _____, and the Plan of Operation filed dated _____.
2. Petitioner commits to support The Windsor Park Neighborhood Association, Inc. (WPNA) in any future effort to develop a residential permit parking system on area right-of-ways, within two (2) city blocks of the subject site.
3. Petitioner commits to work with the Department of Public Works, the Indianapolis Public Library, the Windsor Park Neighborhood Association, Inc. and other partners to cause adjoining rights-of-way to be improved with new crosswalks, parking stall striping and other similar markings, within the right of way.
4. The egress signage (directional sign) in the parking lot, fronting on Windsor Street will prohibit traffic from exiting onto Windsor Street. A sign (directional sign) located outside the right-of-way on Windsor Street will ask theatre patrons to park in the theatre parking lot; or on specifically designated streets; but not along Windsor Street.
5. Preparations/ arrangements/ and/ or easements will be made/ provided for emergency vehicle access through the alleys.
6. Improvements within the vacated right-of-way may include patio/hardscape, seating, planters/landscaping, pedestrian features, buffering/safety elements, lighting, and signage, substantially consistent with the approved Site Plan. Plans may be provided to WPNA for review and comment prior to installation.
7. There will be no pole signage erected on the site.
8. There will be bike racks provided on the site for a minimum of thirty-five (35) bicycles.
9. In an effort to minimize traffic through the neighborhood, the theatre's web site and related marketing materials will direct patrons to Brookside Avenue and Massachusetts Avenue as the recommended and preferred vehicular access route to the theatre, restaurant and artisan shops.
10. Those portions of the alley not vacated under these petitions and contiguous to the subject lots of these petitions, shall be improved with hard surface prior to the official grand opening of the theatre.
11. Any contracted trash pick-up shall be between the hours of 7 am and 8 pm.



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12. All of the intended uses for the renovated structures at 1625, 1629 and 1637 Nowland Avenue shall be cultural or artisan in nature and complementary to the uses at 1258 Windsor Street.
13. The maximum size of the free standing sign at 1258 Windsor Street shall be six (6) feet in height, with no more than forty eight (48) square feet in surface, per side. The maximum size of the free standing signs at 1625, 1629 and 1637 Nowland Avenue shall be four feet in height.
14. Petitioner agrees to a capacity of restaurant/patio/bar/event space at one hundred and fifty (150) patrons, including the patio.
15. Regarding the building façade and materials proposed for some of the former window openings, petitioner proposes to fit these areas with decorative aluminum plates--- cut, bent and profiled to lend interesting shadow lines to the exterior. The color palette would be chosen from a series of subdued earth tones, subject to review and comment by the Windsor Park Neighborhood Association, Inc.
16. Petitioner commits that if the primary use is discontinued for more than two years, the subsequent use will require approval from the appropriate Board, Commission, Council, or authorized agency with the City of Indianapolis.
17. Petitioner commits to use the property at 1258 Windsor Avenue for theatres, family friendly restaurant, bar and gathering/event space.
18. Petitioner commits to use the three commercial structures at 1625, 1631 and 1635 Nowland Avenue for neighborhood friendly and culturally appropriate artisan businesses; such as a café, bakery, artisan food and beverage, artisan manufacturing and small market. Outdoor storage and alcohol sales will not be permitted on these three properties.
19. Petitioner commits to submitting to the Windsor Park Neighborhood Association, Inc. for review and comment, the Parking and egress plan
20. Petitioner commits to submit information to the Windsor Park Neighborhood Association, Inc. for review and comment, information related to commitments 1 through 23, and to complete exterior building modifications, the landscaping and buffering improvements, parking improvements, and sign improvements prior to the grand opening of businesses at the subject property.
21. Petitioner commits to recording an easement through the parking lot that shall be a minimum of fifteen (15) feet in width and shall commence from the turn of the existing north/south alley that turns to the west and proceeds to No. State Street, and the easement shall continue to the entrance to the parking lot on Nowland Avenue. The purpose of this recorded easement is to provide alternate means of



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access to and from the rear property line of the property owners from 1201 State Street to 1233 State Street and from 1202 Windsor Street to 1248 Windsor Street at all times in perpetuity.

22. Petitioner agrees to restrict the number of free standing signs on the subject properties to four (4) with one each at 1258 Windsor Street, and one each at 1625, 1631 and 1637 Nowland Avenue.

12.22.26

ATTACHMENT "E":

Excluded uses:

1. Bar/ Tavern as primary use
2. Laundromat
3. Liquor Store
4. Methadone clinic or treatment center
5. Check cashing facility
6. Mortuary
7. Light manufacturing (other than artisan manufacturing)
8. Animal care, boarding, vet services
9. Substation and/or utility distribution facility
10. Wireless communication tower
11. Outdoor advertising sign/ billboard
12. Drive thru facility
13. Group home
14. Lodge or fraternal club

Indoor Recreation & Entertainment

15. Amusement Arcade
16. Bowling Alleys
17. Billiard Parlor
18. Ballroom
19. Bathhouse
20. Bingo Establishment
21. Dancing
22. Firing (Gun) Range
23. Gymnasium
24. Instruction in Baseball
25. Instruction in Basketball
26. Instruction in Gymnastics
27. Miniature Golf



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- 28. Ice or Roller-Skating Rink
- 29. Substation & Utility Distribution
- 30. Commercial Parking Garage or Commercial Parking Lot as Primary Use
- 31. Transit Center
- 32. Transportation Facilities & Accessories
- 33. Game Courts
- 34. Portable Storage
- 35. Recycling Distribution Point

12.22.26



Department of Metropolitan Development
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Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The addition of a park along this thoroughfare is a continuation of the linear park that currently exists along the north side of Commerce Avenue, and therefore, does not introduce a new land use. The existing improvements are intended to improve the quality of life of nearby residents and visitors to this noteworthy gateway into the Windsor Park neighborhood. The types of improvements are similar to those provided by parks generally, and are intended to provide a place to rest and relax for pedestrians. The proximity of such structures to a public right-of-way is common for parks and a benefit for the intended and potential users.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The request does not propose a new land use typology to this portion of the corridor and is intended to represent an effort to improve the quality of life of nearby residents and visitors.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

While the Ordinance permits parks in all districts, it does not afford the same leniency to siting that it affords to non-residential outdoor seating areas, even though they are intended to provide similar amenities. The Ordinance also provides for a maximum setback of 20 feet for all structures, where this may be more appropriate for primary buildings, but certainly does not contemplate restrictive siting of community infrastructure. The proposed improvements do not impede the Department of Public Works clear sight triangle, and the sites location along a curvilinear road imposes a significant challenge for a corner lot to comply with that of the Zoning Ordinance.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____



View of site looking southwest across intersection of Commerce Avenue and Windsor Street



View of site looking west along Windsor Street



View of site looking southeast



View of site looking south along Windsor Street



View of site looking east



View of site looking north along Windsor Street



View of site looking west across Windsor Street



View looking northwest along Commerce Avenue



METROPOLITAN DEVELOPMENT COMMISSION **May 28, 2026**
HEARING EXAMINER

Case Number: 2026-CZN-817 / 2026-CPL-817
Property Address: 2504-2542 (even) and 2511-2511 (odd) Walker Place
Location: Center Township, Council District #19
Petitioner: SUESON AW3, LLC, IHR Builders, LLC, and Walker Place Equity Fund, LLC, by Joseph D. Calderon
Current Zoning: D-P (FW) (FF)

Requests a rezoning of 4.597 acres from the D-P (FW) (FF) district to the D-5II (FW) (FF) district to provide for single-family attached dwellings.

Request: Approval of a Subdivision Plat to be known as Replat of Lots 1-13 Walker Place Subdivision, dividing 4.597 acres into 26 lots, with a waiver of the open space requirements in Chapter 741, Article III, Section 10 B of the Consolidated Zoning and Subdivision Ordinance.

Current Land Use: Undeveloped land

Staff Recommendations: Approval of the rezoning request and the replat.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing for these petitions.

STAFF RECOMMENDATION

Staff recommends that the Hearing Examiner approve and find that the plat, file dated March 23, 2026, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provides a bond as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
2. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
4. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
5. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
6. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.



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7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
11. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.
12. That the plat shall be recorded within two (2) years after the date of conditional approval by the Hearing Examiner.

PETITION OVERVIEW

This 4.597-acre site, zoned D-P (FW) (FF), is primarily undeveloped. It is surrounded by single-family dwellings to the north, across Walker Avenue, zoned D-5; single-family dwellings to the south and west, zoned D-4 (FW) (FF); and religious uses to the east, zoned SU-1 (FW) (FF).

Petitions 2001-ZON-143 / 2001-DP-017 rezoned this site to the D-P district to provide for the construction of 13 two family dwellings at a density of 5.65 units per acre. Petitions 2008-ZON-028 / 2008-DP-001; requested rezoning to the DP (FW) (FF) classification to provide for the construction of 43 attached dwelling units at a density of 9.35 units per acre, but no final approval documents are in the file.

REZONING

The request would rezone the site to the D-5II district to provide for residential uses. “The D-5II district is intended for small-lot housing formats, primarily for small, detached houses, but also including a mix of small-scale multi-unit building types. This district can be used for new, walkable suburban neighborhoods or for infill situations in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood or Traditional Neighborhood Typologies of the Land Use Pattern Book.”

“To advance the Livability Principles of this Code, the D-5, **D-5II**, D-8, D9 and D-10 districts implement walkable, compact neighborhoods within a well-connected street network and block structure, using slow neighborhood streets, walkable connectors, and multi-mode thoroughfares. Access to parks and recreation, transit and neighborhood services within walking distance is important. Street trees, landscape and trees along private frontages, and an active amenity zone create comfortable walking environment and add appeal to neighborhoods. These districts require urban public and community facilities and services to be available. These districts may be used in combination to supply critical mass of residents to support nearby commercial and transit investments.”



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The purpose of the Walkable Neighborhood design standards and objectives is to advance the Livability Principles of this code, and to promote walkable neighborhoods. Any exceptions to the standards in the Ordinance, or discretionary review processes related to a specific application, shall be judged against these design objectives, in addition to any other criteria in this code for the application.

The Comprehensive Plan recommends suburban neighborhood typology for the site.

Recommended land uses in this typology include detached housing; attached housing; multi-family housing; assisted living facilities/nursing home; group homes; bed and breakfast; small-scale offices, retailing, and personal or professional services; small- and large- scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; small-scale parks; and community farms / gardens.

As proposed, this request would be consistent with and align with the Plan recommendation of suburban neighborhood.

Floodway / Floodway Fringe – Bean Creek

This site has a secondary zoning classification of a Floodway (FW) and Floodway Fringe (FF). The Floodway (FW) is the channel of a river or stream and those portions of the floodplains adjoin the channels which are reasonably required to efficiently carry and discharge the peak flood flow of the base flood of any river or stream. The Floodway Fringe (FF) is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.

The purpose of the floodway district is to guide development in areas identified as a floodway. The Indiana Department of Natural Resources (IDNR) exercises primary jurisdiction in the floodway district under the authority of IC 14-28-1.

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (**D-5II** in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance and all other applicable City Ordinances.

PLAT

This request would provide for approval of a Subdivision Plat, to be known as Replat of Lots 1-13 Walker Place Subdivision, dividing 4.597 acres into 26 lots.

Site Plan

Except for two lots developed with duplexes at the northwest corner of the site, this site is undeveloped. All of the lots would have frontage on Walker Place and gain access from this street.



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The southern portion of the site is located within the floodway and floodway fringe and would remain undeveloped.

Streets

Walker Place is approximately a 425-foot street that terminates in a cul-de-sac. No new street is proposed.

Sidewalks

Sidewalks would be required.

Waivers

Waiver of the open space requirement as required by Chapter 741, Article III, Section 10 B of the Consolidated Zoning and Subdivision Ordinance.

Due to the history of this site and the approval of the previous rezoning and plat petitions, staff supports this waiver of open space because approval of these petitions occurred prior to the current subdivision standards. It also appears that infrastructure may have been installed in preparation for development in accordance with the previously approved plat. Furthermore, the configuration of the site limits the ability to comply with the current Ordinance.

GENERAL INFORMATION

Existing Zoning	D-P (FW) (FF)	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-5	Single-family dwellings
South:	D-4 (FW) FF)	Single-family dwellings
East:	SU-1 (FW) (FF)	Religious uses
West:	D-4 (FF)	Single-family dwellings
Thoroughfare Plan		
Walker Place	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	Yes – Floodway / Floodway Fringe of Bean Creek	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	March 23, 2026	



Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	March 23, 2026 – Subdivision Waiver
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Suburban Neighborhood typology. The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

Conditions for All Land Use Types – Suburban Neighborhood Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.
- Hydrological patterns should be preserved wherever possible.
- Curvilinear streets should be used with discretion and should maintain the same general direction.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.



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Conditions for All Housing

- A mix of housing types is encouraged.
- Developments of more than 30 housing units must have access to at least one arterial street of three or more continuous travel lanes between the intersections of two intersecting arterial streets.
- Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
- Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
- Developments with densities higher than 5 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.

Attached Housing (defined as Duplexes, triplexes, quads, townhouses, row houses, stacked flats, and other, similar legally complete dwellings joined by common walls and typically with each unit on its own lot or part of a condominium)

- Duplexes should be located on corner lots, with entrances located on different sides of the lot or otherwise interspersed with detached housing.
- Duplexes should be architecturally harmonious with adjacent housing.
- Townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood-serving retail.

Detached Housing (detached housing refers to detached single-family homes. While this type of housing may include a secondary dwelling unit (such as a mother-in-law suite or carriage house), the secondary dwelling unit is usually smaller than the primary home and the entire property is under a single ownership).

- The house should extend beyond the front of the garage.
- Lots should be no more than 1.5 times the size (larger or smaller) of adjacent/surrounding lots, except in cases where lots abut existing residential lots of one acre or more in size. In those cases, lots should be no smaller than 10,000 square feet and no larger than 1.5 times the size of the abutting lot.
- Lots should be no more than 1.5 times the size (larger or smaller) of adjacent/surrounding lots, except in cases where lots abut existing residential lots of one acre or more in size. In those cases, lots should be no smaller than 10,000 square feet and no larger than 1.5 times the size of the abutting lot.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.



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Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”

The following listed items describe the purpose, policies and tools:

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.



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ZONING HISTORY

2008-ZON-028 / 2008-DP-001; 2504 – 2543 Walker Place, requested rezoning of 4.597 acres, from the DP (FW) (FF) District, to the DP (FW) (FF) classification to provide for the construction of 43 attached dwelling units at a density of 9.35 units per acre, **pending**.

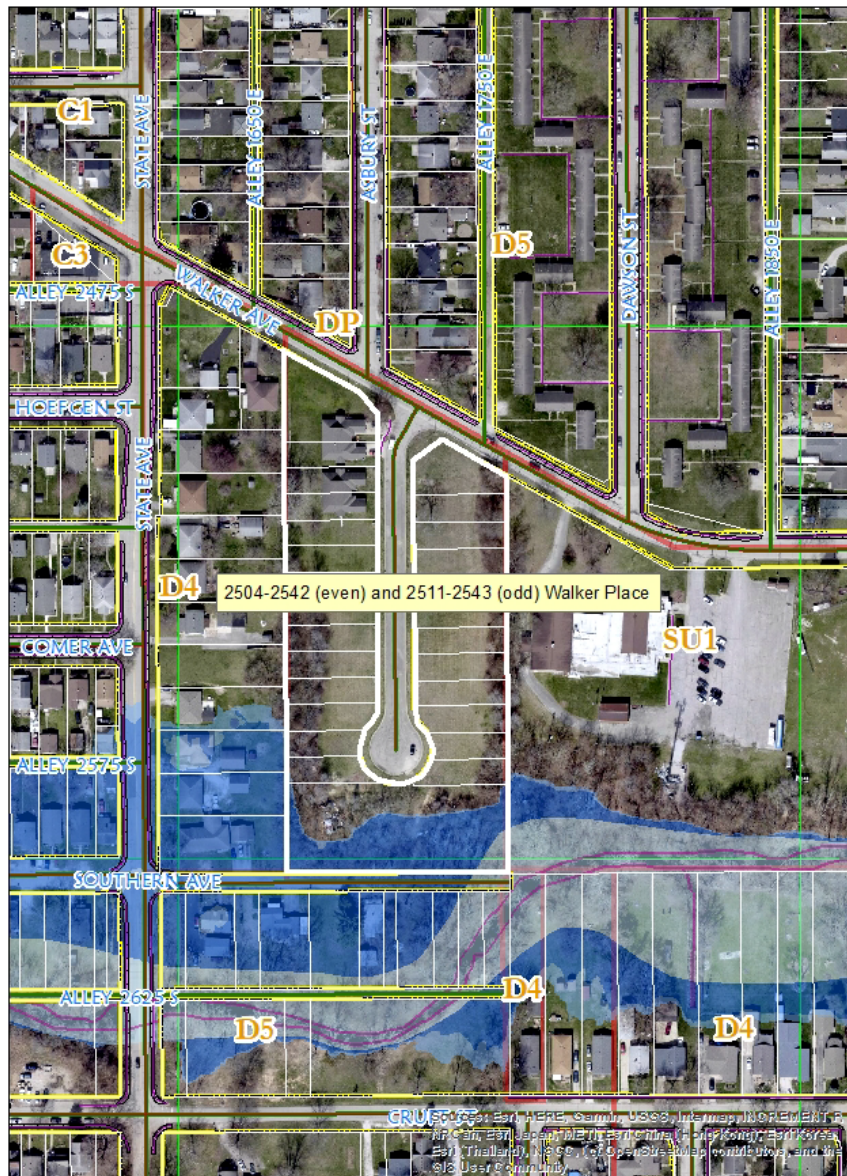
2001-PLT-088; 1701 Walker Avenue, requested subdivision approval of a 4.597 acres into 13 lots, **approved**.

2001-ZON-143; 1701 Walker Avenue, requested a rezoning of 4.61 acres, being in the D-4 Dwelling District, to the D-P classification, to provide for the development 13 two-family dwellings at a density of 5.65 units per acre, **approved**.

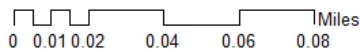
VICINITY

78-Z-12; 1731 Walker Avenue, (east of subject site), requested a rezoning of 7.95 acres, being in the D-4 Dwelling District to the SU-1 classification to provide for religious uses, **approved**.

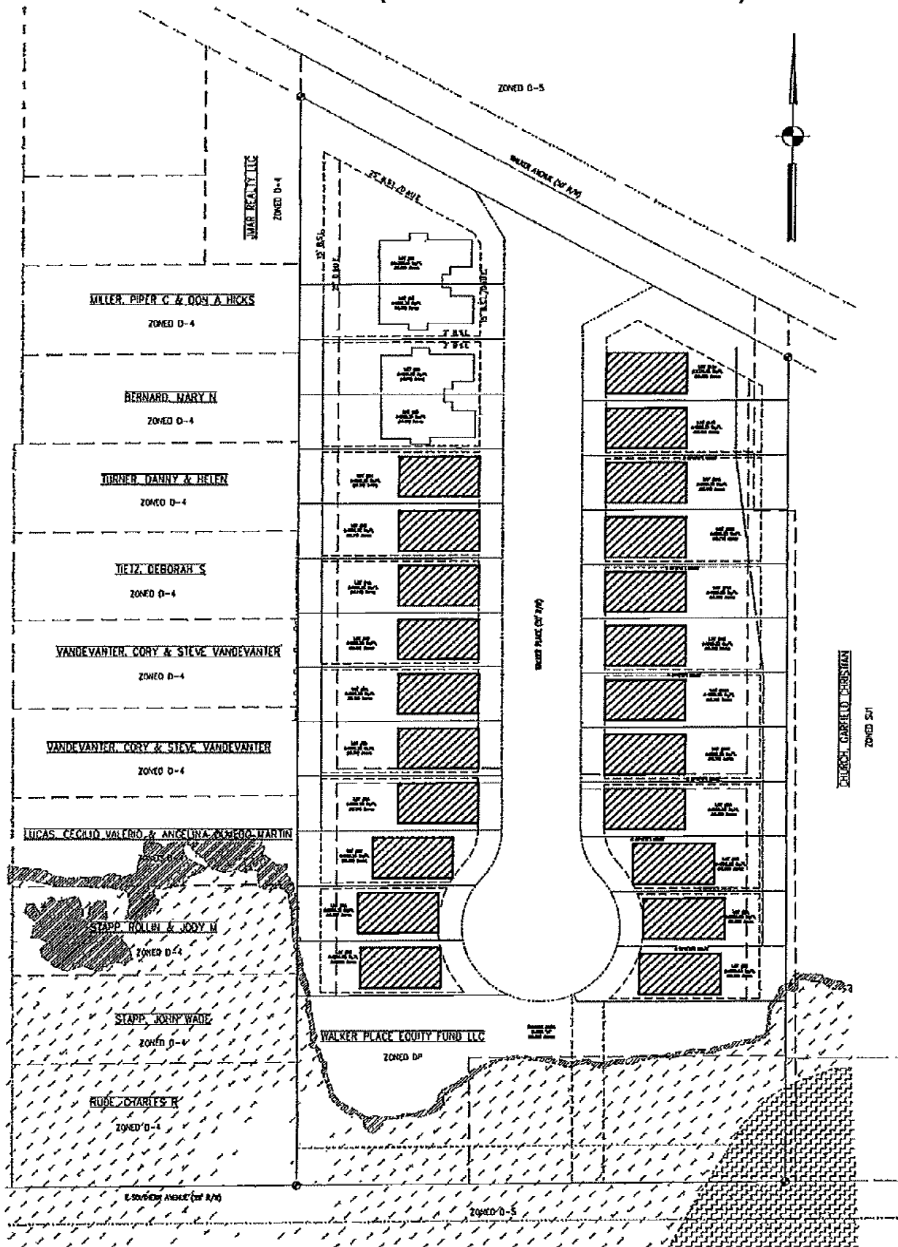
EXHIBITS



2504-2542 (even) and 2511-2543 (odd) Walker Place



WALKER PLACE
27' X 51' BLDG FOOTPRINT
26 LOTS (2 EXISTING DUPLEXES)



MARCH 13, 2026
NO SCALE



Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

REQUESTED WAIVER: Open Space

**METROPOLITAN DEVELOPMENT COMMISSION
PLAT COMMITTEE
HEARING EXAMINER
OF MARION COUNTY, INDIANA**

**WAIVER OF THE SUBDIVISION REGULATIONS
FINDINGS OF FACT**

1. The granting of the waiver or modification will not be detrimental to the public health, safety, or welfare or injurious to other property because:

the subdivision was platted, and infrastructure was placed without the open space requirement, and the replat does not change the lot layout.

2. The conditions upon which the request is based are individual to the property for which the relief is sought and are not applicable generally to other property because:

the property has already been developed from a subdivision and infrastructure standpoint, which is unique to this subdivision.

3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out:

the narrow and deep shape of the property is not conducive to meet the open space requirements, notwithstanding the fact that the subdivision was previously platted and infrastructure installed.

4. The resulting subdivision fulfills the purpose and intent of these regulations at an equal or higher standard than what would have been possible without the deviation because:

the subdivision is typical for the area and even without open space, is small enough for residents to enjoy the cul-de-sac and intimate setting.

5. The relief sought shall not in any manner vary from the provisions of the Zoning Ordinance, or official zoning base maps, except as those documents may be amended in the manner prescribed by law because:

the subdivision lots will otherwise meet the requirements of the D-5ii zoning district.

DECISION

IT IS THEREFORE the decision of this body that this WAIVER of the Subdivision Regulations be granted, subject to any conditions stated in the minutes (which conditions are incorporated herein by reference and made a part of this decision).

Adopted this _____ day of _____, 20 ____



View looking north along Walker Place



View of site looking northeast



View of site looking southeast



View of site looking southeast



View of site looking south



View of site looking southwest



View of site looking northwest



View of site looking northwest



View of site looking west at new development



METROPOLITAN DEVELOPMENT COMMISSION **May 28, 2026**
HEARING EXAMINER

Case Number: 2026-CAP-818 / 2026-CVR-818
Property Address: 1440 East County Line Road
Location: Perry Township, Council District #23
Petitioner: Community Health Network Inc., and Community Health Network Foundation, by Timothy Button
Current Zoning: HD-2

Hospital District Two Approval to provide for a sign program for a medical facility.

Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a canopy sign that would exceed the maximum width of the canopy (signs limited to 45% of the width of the canopy) and for a pylon sign that would exceed 15 feet in height (maximum height of 15 feet permitted).

Current Land Use: Hospital Campus

Staff Recommendations: Approval of the approval and variance requests.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing on these petitions.

STAFF RECOMMENDATION

Staff recommends approval of the Hospital District Two approval to provide for a Sign program, subject to substantial compliance with all related documents file dated March 23, 2026.

Staff recommends approval of the variance of development standards.

PETITION OVERVIEW

This 33.588-acre site, zoned HD-2 is comprised of two parcels, developed with a healthcare facility. It is surrounded by multi-family dwellings to the north, zoned D-P; single-family dwellings to the south, across East County Line Road (Johnson County); a hospital campus to the east, across Healthcare Drive, zoned HD-1; and parking lots and land under development to the west, zoned HD-2.



**Department of Metropolitan Development
Division of Planning
Current Planning**

HOSPITAL DISTRICT TWO APPROVAL

This request would provide for Hospital District Two Approval to provide a Sign Program.

Land in the development plan districts is subject to the following site and development requirements. In review of the proposed Site and Development Plan, the Commission must assess whether the Site and Development Plan, proposed use, buildings, and structures must:

- a. Be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan;
- b. Create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the development plan district and with adjacent uses;
- c. Provide sufficient and adequate multi-modal access, such as parking and loading areas, transit provisions, and bicycle facilities;
- d. Integrate a multi-modal transportation network using active and passive traffic control with the existing and planned public streets and interior roads;
- e. Provide adequately for sanitation, drainage and public utilities in a sustainable, low-impact manner;
- f. Allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan; and
- g. Provide pedestrian accessibility and connectivity, which may be paths, trails, sidewalks, or combination thereof. Pedestrian accessibility to available public transit must be provided. Sidewalks along eligible public streets consisting of the walkway and any curb ramps or blended transitions must be provided. If sidewalks are required to be installed, the Administrator or the Commission must be guided by the provisions of Section 744-304 for the installation of sidewalks.

“The Commission may consider and act upon any such proposed use and Site and Development Plan, approve the same in whole or in part, and impose additional development standards, requirements, conditions, or commitments thereon at any public hearing of the Commission. The Commission must, also make written findings concerning any decision to approve or disapprove a Site and Development Plan.”

This request would allow for a Sign Program for the medical facility (Cancer Center) that is undergoing expansion of the building and services.

As proposed, the Sign Program would provide identification of the facility, navigation throughout the site and general wayfinding for patients. Staff also believes the proposed signage would be integrated and compatible with the existing signs within this hospital campus.



Floodway / Floodway Fringe

This site has a secondary zoning classification of a Floodway (FW) and Floodway Fringe (FF). The Floodway (FW) is the channel of a river or stream and those portions of the floodplains adjoin the channels which are reasonably required to efficiently carry and discharge the peak flood flow of the base flood of any river or stream. The Floodway Fringe (FF) is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.

The purpose of the floodway district is to guide development in areas identified as a floodway. The Indiana Department of Natural Resources (IDNR) exercises primary jurisdiction in the floodway district under the authority of IC 14-28-1.

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (HD-2 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance and all other applicable City Ordinances.

This site is located within the unregulated 500-year floodplain of Fountain Creek throughout the site.

VARIANCE OF DEVELOPMENT STANDARDS

This request would provide signs that would exceed the width of a canopy sign and height of a pylon sign. The Ordinance limits signage to 45% of the width of the canopy and limits the height of a pylon sign to 15 feet.

Because the proposed signs would be located internally to the campus, the impact would be minimal on surrounding land uses. Additionally, larger signs would provide the appropriate identification for those traveling to the facility for medical services and who may be unfamiliar with the large campus and its location.

GENERAL INFORMATION

Existing Zoning	HD-2 (FF)	
Existing Land Use	Healthcare Facility / parking lots	
Comprehensive Plan	Regional Special Use	
Surrounding Context	Zoning	Land Use
North:	D-P	Multi-family dwellings
South:	N/A (Johnson County)	Single-family dwelling
East:	HD-1 (FF)	Hospital Campus
West:	HD-2 (FF)	Parking lots / undeveloped land



**Department of Metropolitan Development
Division of Planning
Current Planning**

Thoroughfare Plan		
East County Line Road	Primary Arterial	Existing 90-foot right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	Yes – unregulated 500-year floodplain of Fountain Creek	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	March 23, 2026	
Site Plan (Amended)	N/A	
Elevations	March 23, 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	March 23, 2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Regional Special Use, which is a non-typology land use. These stand-alone land uses are mapped outside of the typology system due to their scale or the nature of their use.

“This category provides for public, semi-public and private land uses that serve a specific institutional purpose for a significant portion of the county. Examples are large-scale, generally stable institutional uses such as cemeteries, hospitals, universities, high schools, government complexes, large museums, the Indiana State Fairgrounds, and the Indianapolis Motor Speedway.

Long Range Planning staff should provide guidance regarding any property use changes in this typology. Partial property changes should remain thematically or economically supportive of the special use while also being contextually sensitive to adjacent existing development and land use plans. Redevelopment, use changes, or other significant changes to the entire property must be informed by a planning study conducted by Department of Metropolitan Development to determine Land Use Plan recommendations.”

Pattern Book / Land Use Plan

Not Applicable to the Site.



Department of Metropolitan Development
Division of Planning
Current Planning

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”

The following listed items describe the purpose, policies and tools:

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.



ZONING HISTORY

2025-APP-002; 1550 East County Line Road and 8615 Shelby Street, requested Hospital District One and Hospital District Two Approval to provide for a proposed driveway from Shelby Street and new lighting, **approved**.

2024-APP-003; 1550 County Line Road and 8615 Shelby Street, requested Hospital District Two Approval to provide for a 58,576-square-foot expansion of the existing Cancer Center and additional parking, **approved**.

2019-APP-001; 1550 East County Line Road, requested Hospital District Two Approval to provide for building additions and accessory site modifications to an existing cancer center, **approved**.

2018-APP-019; 1402, 1502 and 1550 East County Line Road, requested Hospital District One Approval to provide for a 7,000-square foot addition to the main hospital, with modifications to the adjoining parking lot and pedestrian areas, **approved**.

2017-APP-020; 1550 (1440 – building) East County Line Road requested Hospital District-Two Approval to provide for a wall sign, **approved**.

2014-APP-002 / 2014-VAR-002, 1550 (1440-building) East County Line Road requested Hospital District Two approval for three freestanding signs and a four wall signs and a variance of development standards of the Sign Regulations to provide for a 4.5-foot-tall sign within 170 feet of a protected district and two freestanding signs exceeding the permitted height and square footage, **approved and granted**.

2012-APP-016; 1350 East County Line Road, requested HD-2 approval to provide for the construction of a 57,500-square foot medical office building, **approved**.



Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
OF MARION COUNTY, INDIANA
PETITION FOR UNIVERSITY QUARTER ONE/TWO APPROVAL
PETITION FOR PARK DISTRICT ONE/TWO APPROVAL
PETITION FOR HOSPITAL DISTRICT ONE/TWO APPROVAL**

FINDINGS OF FACT

The Metropolitan Development Commission finds that the site and development plan file-dated _____, 20__

A. Has been designed to create a superior land development plan, in conformity with the Comprehensive Plan because:

the substantial traffic flows around the Community Health Network South Campus, which includes the Community Health MD Anderson Cancer Center ("Cancer Center") requires sufficiently sized and visible signage to meet the needs of patients, their caregivers and medical services providers, especially due to the age and vision challenges that many such patients and their caregivers face.

B. Creates and maintains a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the development plan district and with adjacent uses because:

the quality of the signage presented is consistent with and improves upon the existing signage for the Cancer Center with most of the proposed signage only visible from within the hospital campus.

C. Provides sufficient and adequate multi-modal access, such as parking and loading areas, transit provisions, and bicycle facilities because:

this was appropriately addressed in 2024-APP-003 which approved the building additions to the Cancer Center and 2025-APP-012, which approved the new Shelby Street entrance to the Cancer Center.

D. Integrates a multi-modal transportation network using active and passive traffic control with the existing and planned public streets and interior roads because:

this was appropriately addressed in 2024-APP-003 which approved the building additions to the Cancer Center and 2025-APP-012, which approved the new Shelby Street entrance to the Cancer Center.

E. Provides adequately for sanitation, drainage, and public utilities in a sustainable, low-impact manner because:

the signs are either placed on the Cancer Center or within the interior roadways of the hospital campus.



**Department of Metropolitan Development
Division of Planning
Current Planning**

F. Allocates adequate sites for all uses proposed, - the design, character, grade, location, and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan, because:

the signs are placed and sized appropriately and consistent with the existing Cancer Center and hospital campus sign program.

G. Provides pedestrian accessibility and connectivity, which may be paths, trails, sidewalks (If sidewalks are required to be installed, the Administrator or the Commission must be guided by provisions of Section 744-304 for the installation of sidewalks), or combination thereof; provides pedestrian accessibility to available public transit; and provides sidewalks along eligible public streets consisting of the walkway and any curb ramps or blended transitions because:

this was appropriately addressed in 2024-APP-003 which approved the building additions to the Cancer Center and 2025-APP-012, which approved the new Shelby Street entrance to the Cancer Center.

DECISION

IT IS THEREFORE the decision of this body that this APPROVAL petition is APPROVED.

Adopted this _____ day of _____, 20 ____

Commission President/ Secretary



Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:
the proposed variances are for signs internal to the Community Hospital South campus and will not be visible from outside of the hospital campus and are appropriate given their location on the Community Health MD Anderson Cancer Center which has unique needs for signage that meets the needs of its patients and caregivers who are often older with vision and other health concerns.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:
the requested signage will not be visible from adjacent property owners therefore having no meaningful impact on adjacent properties.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:
the requested variances are to allow for larger signs than the sign ordinance provides aiding in the wayfinding for patients and their caregivers, strict application of the zoning ordinance would make it more challenging for patients and their caregivers to locate the proper entrances to utilize for their cancer treatments.

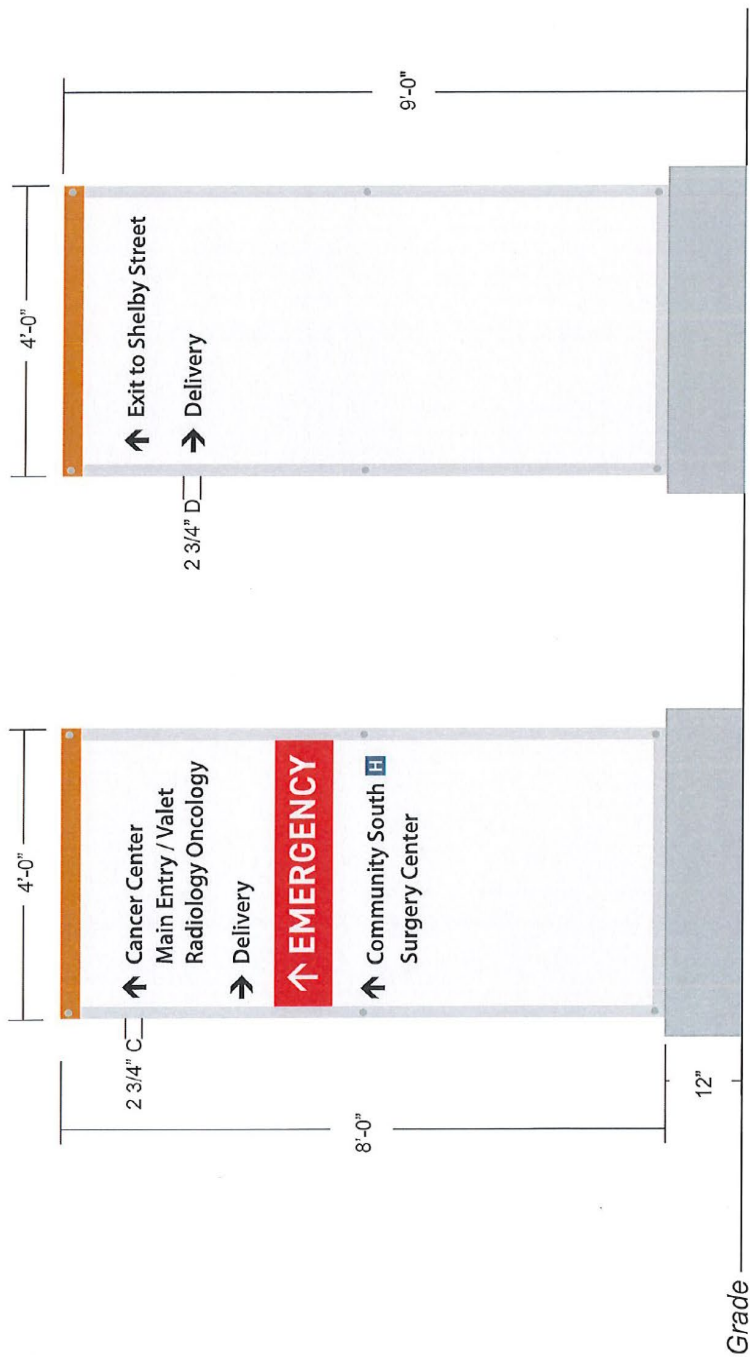
DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____

Directional Sign 1

Internally Illuminated



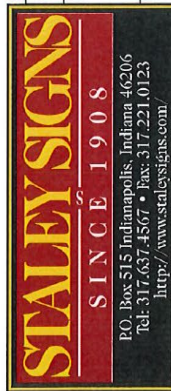
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Customer:	Community Cancer Center South	Notes:	Page
Project:	Directional Sign 1	• Colors shown are representative only, and are not intended for purposes of exact matching.	1 of 4
Date:	10-30-2025	Rep'D. Staley Jr.	Option:
			Scale: 1/2"=1'-0"

Directional Sign 2

Internally Illuminated

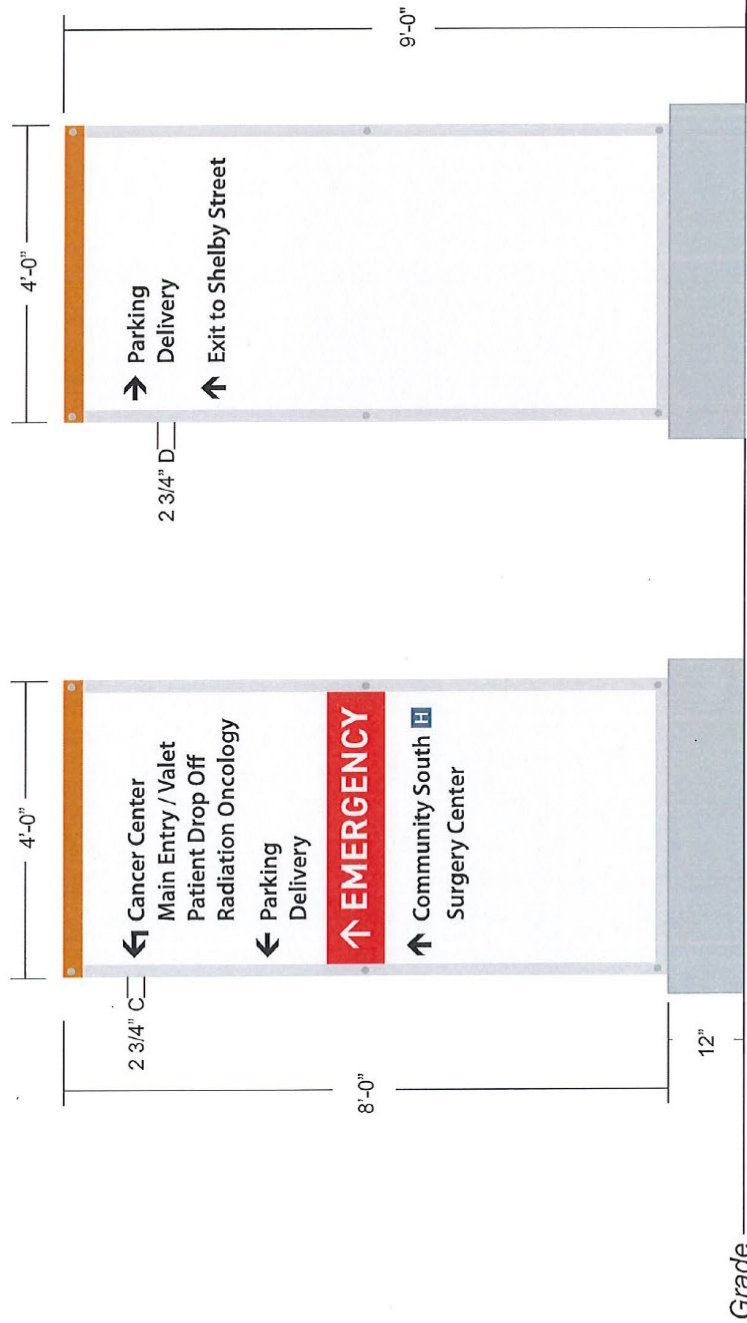
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Customer: Community Cancer Center South	Notes: • Colors shown are representative only, and are not intended for purposes of exact matching.	Page 2 of 4
Project: Directional Sign 2	Options: -	Scale: 1/2" = 1'-0"
Date: 10-30-2025 Rep: D. Staley Jr.		

Directional Sign 3

Internally Illuminated



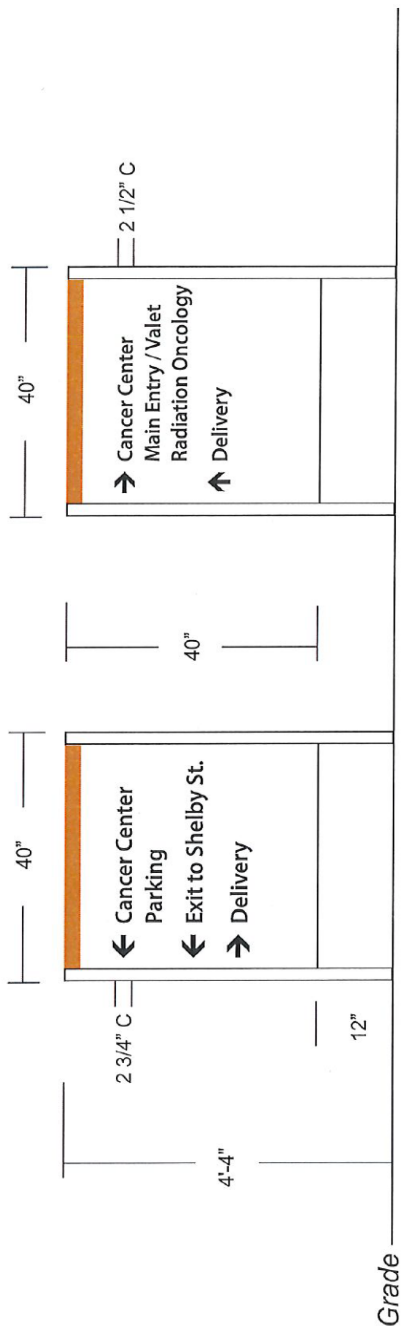
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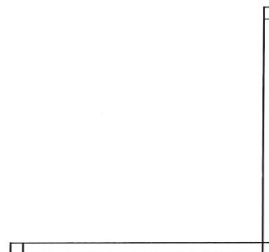
Customer:	Community Cancer Center South	Notes:	Page
Project:	Directional Sign 3	• Colors shown are representative only, and are not intended for purposes of exact matching.	3 of 4
Date:	10-30-2025	Prepared by: D. Staley Jr.	Option:
			Scale: 1/2" = 1'-0"

Directional Sign 4

Non-Illuminated



Top View



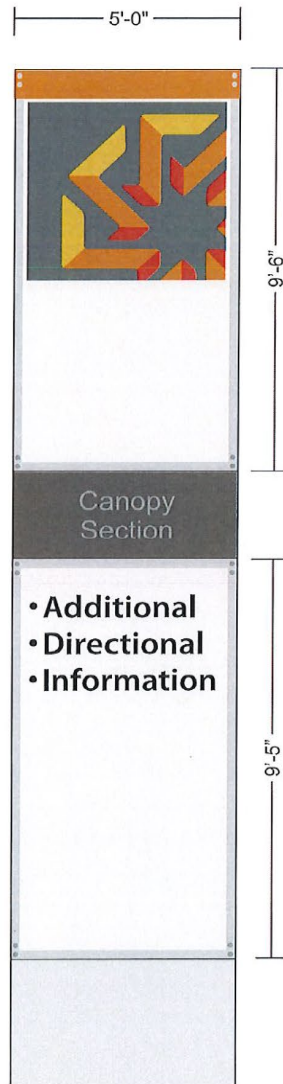
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Customer: Community Cancer Center South	Notes: • Colors shown are representative only, and are not intended for purposes of exact matching.	Page 4 of 4
Project: Directional Sign 4		Option: -
Date: 10-30-2025 Rep: D. Staley Jr.		Scale: 1/2" = 1'-0"

Internally Illuminated

West Side



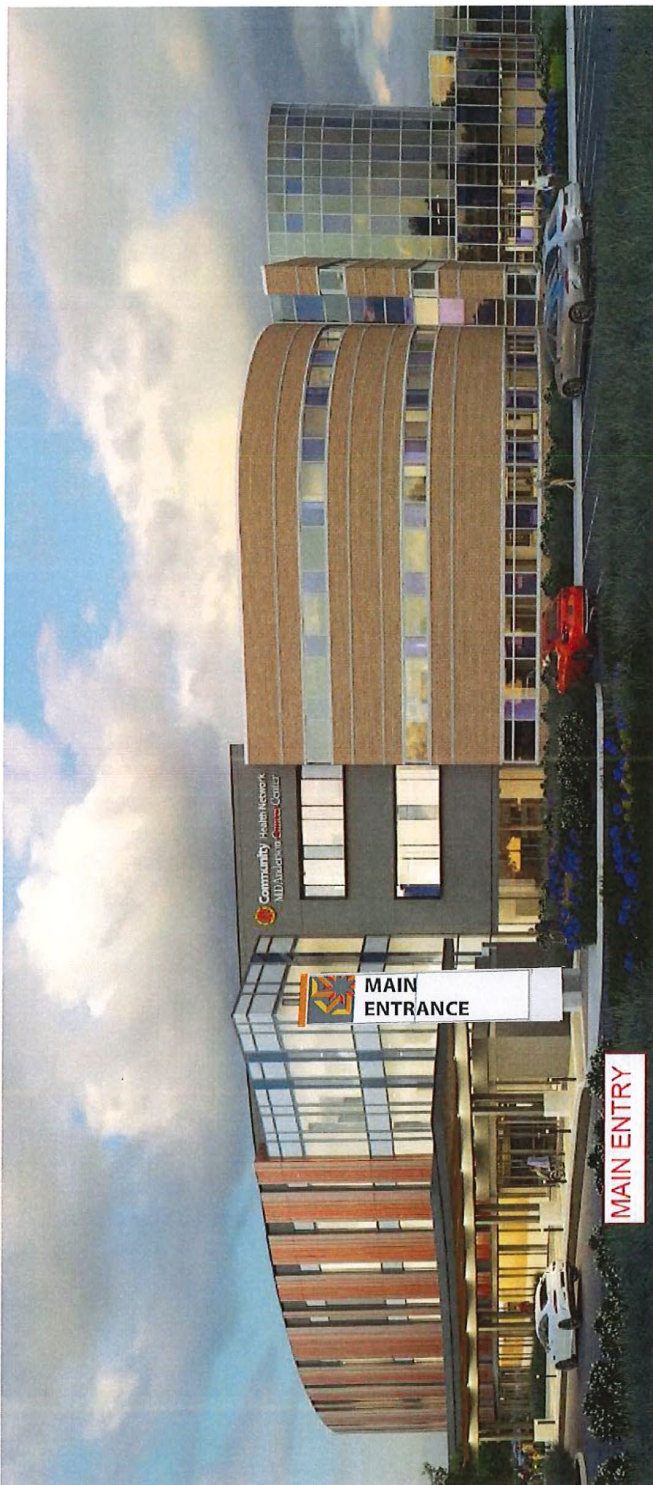
East Side



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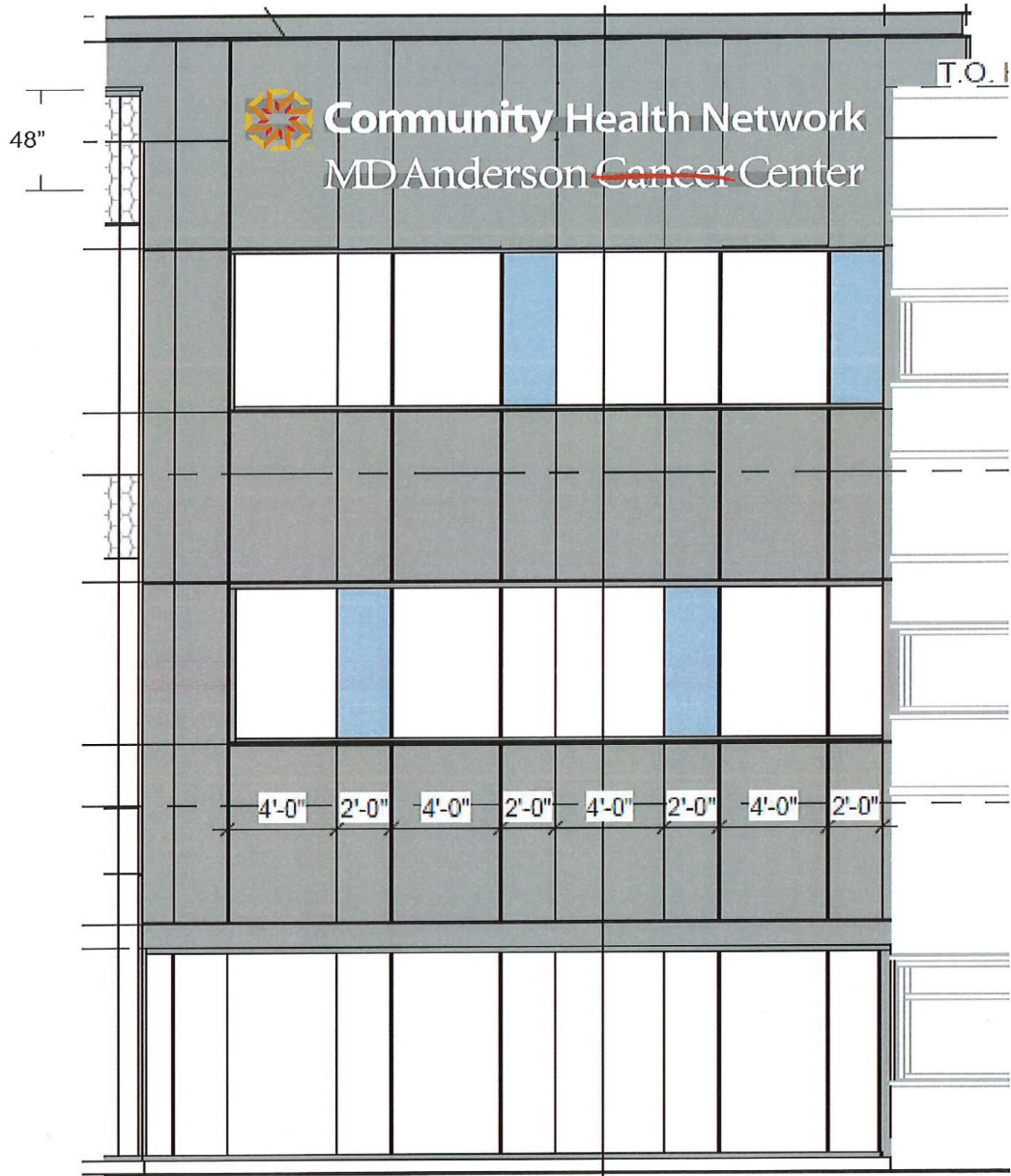
Customer:	MDA Cancer Center		Page
Project:	Canopy Sign		1 of 2
Date:	01-21-2026	Rep: D. Staley Jr.	Option: -
			Scale: 3/8"=1'-0"



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Client: MDA Cancer Center		Page: 2 of 2
Project: Canopy Sign		Options: -
Date: 01-21-2026	By: D. Staley Jr.	Scale: NTS

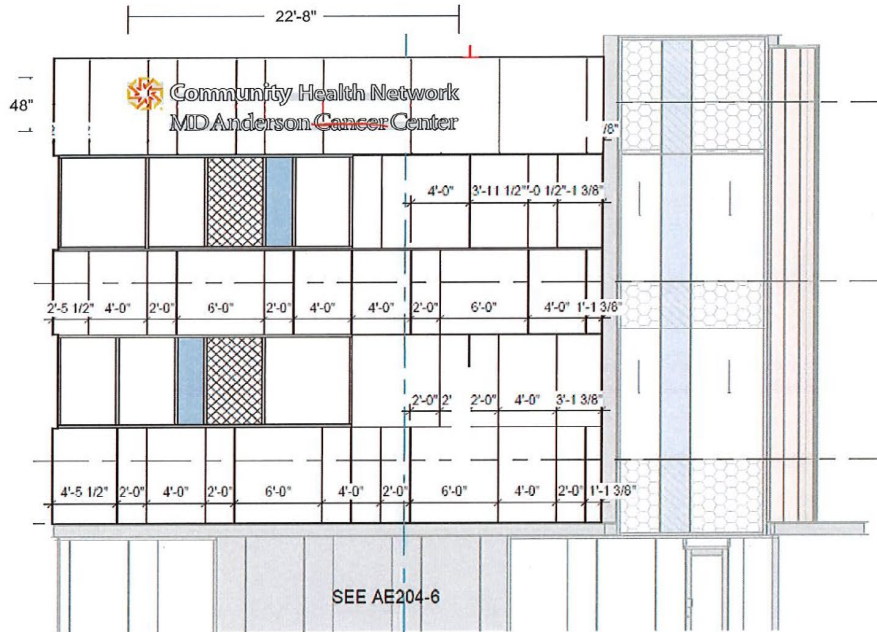
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Customer:	MDA Cancer Center		Page
Project:	South Elevation Wall Sign		1 of 4
Date:	10-02-2025	Rep: D. Staley Jr.	Option: -
			Scale: 3/16" = 1'-0"



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	Customer:	MDA Cancer Center
	Project:	West Elevation Wall Sign
	Date:	10-02-2025 ^{Rep:} D. Staley Jr.
	Page 1 of 4	Option: -
	Scale: 1/8" = 1'-0"	

Department of Metropolitan Development
 Division of Planning
 Current Planning



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Customer:	MDA Cancer Center	Page	4 of 4
Project:	West Elevation Wall Sign - Conceptual	Option:	-
Date:	10-02-2025 ^{Rep'D. Staley Jr.}	Scale:	1" = 1'-0"

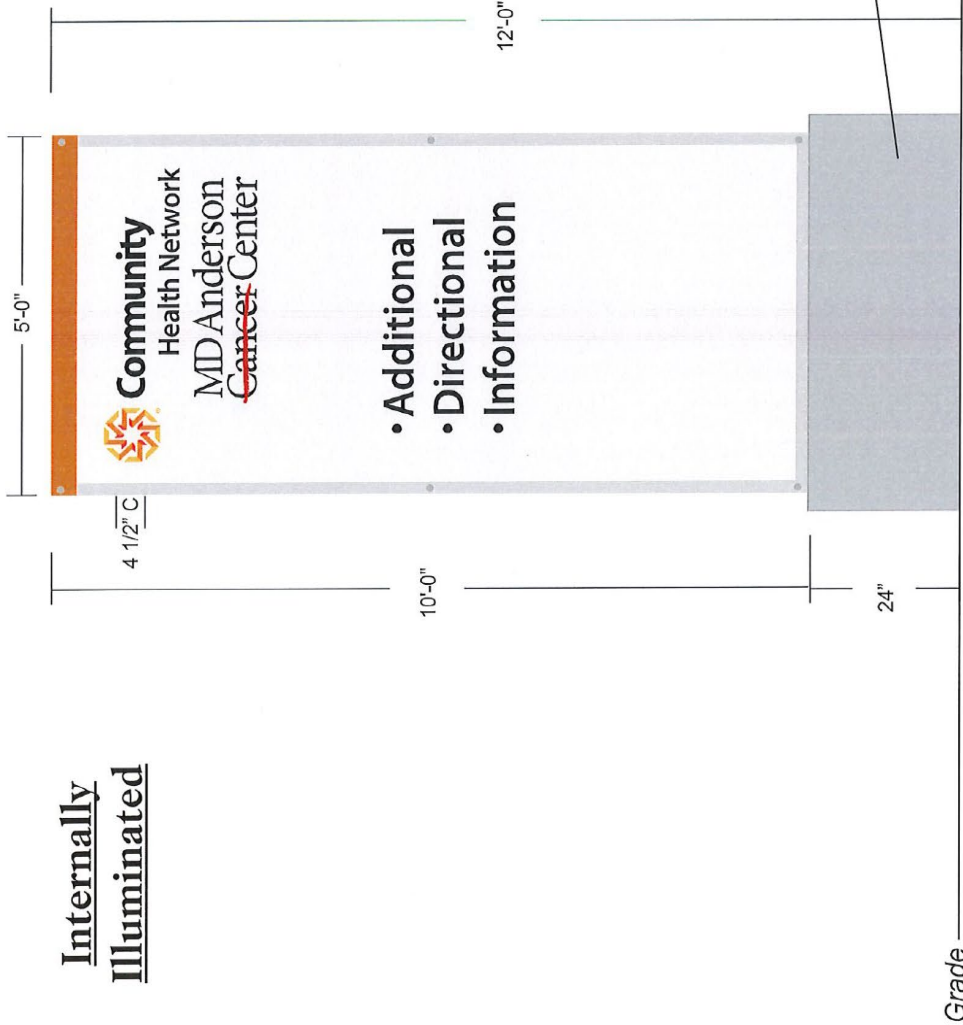

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18 1/2" O/H

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<p>Customer: Community Cancer Center South</p>	<p>Notes: • Colors shown are representative only, and are not intended for purposes of exact matching.</p>
<p>Project: Radiation Oncology Sign</p>	<p>Option: -</p>
<p>Date: 01-21-2026 Rep'D. Staley Jr.</p>	<p>Scale: 1/8" = 1'-0"</p>
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Customer:	Community Cancer Center South	Notes:	Page
Project:	West Entrance Pylon	• Colors shown are representative only, and are not intended for purposes of exact matching.	1 of 1
Date:	01-21-2026	Rep: D. Staley Jr.	Option:
			Scale: 1/2" = 1'-0"



View of site looking east



View of site looking northeast



View of site looking east



View of site looking northeast



View of site looking east



View of site looking northwest



View of site looking northwest



View of site looking west towards Shelby Street entrance



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 28, 2026

Case Number: 2026-MOD-001
Property Address: 7536 South Emerson Avenue
Location: Perry Township, Council District #24
Petitioner: HSL Emerson, LLC, by Joseph D. Calderon
Current Zoning: D-P

Request: Modification of the site plan and Development Statement related to 2023-ZON-050 to remove age restriction of head of household (head of household being at least 55 years of age); allow multi-family units within five buildings (multi-family units limited to a single building); remove all references to Lot A; provide for a clubhouse and pool as a permitted accessory use; reduce accessory use setback along southern property line to 10 feet (accessory use setback along southern property line required 20 feet); provide for no less than 200 parking spaces (no less than 130 parking spaces allowed); provide for required bicycle parking spaces; and amend site plan in accordance with the amended Development Statement.

Current Land Use: Undeveloped.

Staff Recommendations: Approval;

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the automatic continuance filed by a registered neighborhood organization that continued this petition from the March 26, 2026 hearing, to the April 23, 2026 hearing.

The Hearing Examiner continued this petition from the April 23, 2026 hearing, to the May 28, 2026 hearing, at the request of the petitioner's representative.

STAFF RECOMMENDATION

Approval.

PETITION OVERVIEW

This 5.67-acre site, zoned D-P, is developed with parking lots and accessory buildings associated with the religious uses to the south. It is surrounded by multi-family dwellings to the north, zoned D-6; religious uses to the south, zoned SU-1; the right-of-way of South Emerson Avenue to the east, zoned C-S; and open space and parking lots to the west, zoned D-6II.



Department of Metropolitan Development
Division of Planning
Current Planning

MODIFICATION

The request would modify site plan and Development Statement related to 2023-ZON-050. See Exhibit A.

The site plan would be modified to provide for development of the site for 132 multi-family units within five buildings, rather than one building with 135 units. See Exhibit B.

Setbacks along the southern property line would be reduced from 20 feet to 10 feet.

Parking spaces would be increased from no less than 130 parking spaces to no less than 200 parking spaces, with the required bicycle parking spaces.

The amenities for this development would include a clubhouse and pool, in addition to games courts, playgrounds, community garden, pathways, sidewalks, benches and open space. The previous Development Statement included active / passive recreation space and a community room with a kitchenette.

The 2023 Development Statement required that the head of the household be at least 55 years of age. The use, as it relates to a multi-family development, would remove the age restriction of head of household.

Finally, all references to Lot A would be removed from the 2023 Development Statement

Planning Analysis

The proposed modification request would continue to be consistent with the Comprehensive Plan recommendation of Suburban Neighborhood. Additionally, development would be compatible with surrounding development that consists of single-family dwellings and multi-family dwellings. It should also be noted that the abutting site to the west is zoned D-6II, which would anticipate multi-family development.

Furthermore, nearby commercial development to the north would provide for convenient services for the proposed residential uses.

Staff would note that infrastructure improvements, including sidewalks and additional drive lanes, along this portion of the South Emerson Avenue have been completed. Additionally, the development should provide for internal sidewalks that would connect to those located within the public rights-of-way to provide for safe pedestrian access and connections.

Staff would also note that IndyGo, Route #16, would provide transit service to this development via the route along South Emerson Avenue and a bus stop south of this development.



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GENERAL INFORMATION

Existing Zoning	D-P	
Existing Land Use	Accessory buildings and parking lot	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
	North: D-6	Multi-family development
	South: SU-1	Religious uses
	East: C-S	South Emerson Avenue right-of-way
	West: D-6II	Open space / parking lots
Thoroughfare Plan		
McFarland Boulevard	Local Street	Existing 68-foot right-of-way and proposed 50-foot right-of-way.
South Emerson Avenue	Primary arterial	Existing 168-foot right-of-way and proposed 119-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	February 6, 2026	
Site Plan (Amended)	N/A	
Elevations	February 6, 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	February 6, 2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Suburban Neighborhood. “The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for



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development. Streets should be well connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.”

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

Conditions for All Land Use Types

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.
- Hydrological patterns should be preserved wherever possible.
- Curvilinear streets should be used with discretion and should maintain the same general direction.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.

Conditions for All Housing

- A mix of housing types is encouraged.
- Developments of more than 30 housing units must have access to at least one arterial street of three or more continuous travel lanes between the intersections of two intersecting arterial streets.
- Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
- Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
- Developments with densities higher than five dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.



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Multi-family Housing

- Should be located along arterial or collector streets, parks, or greenways.
- Parking should be either behind or interior to the development.
- Individual building height, massing, and footprint should gradually transition from adjacent developments. Specifically, buildings located adjacent to existing residential developments should be no more than one and a half times the height and no more than twice the average footprint of the existing adjacent residential buildings.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”

The following listed items describe the purpose, policies and tools:

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.



ZONING HISTORY

2023-ZON-050; 7525 McFarland Boulevard, requested rezoning of 6.43 acres from the SU-1 district to the D-P classification to provide for a senior independent living facility, **approved**.

2021-ZON-146; 7525 McFarland Boulevard, requested rezoning of 13.614 acres from the SU-1 district to the D-P classification to provide for a senior independent living facility and multifamily housing, **denied**.

90-Z-201; 7610 South Emerson, requested rezoning of 27.92 acres, being in the D-6 and C-1 Districts, to the SI-1 classification to provide for the development of a church, **approved**.

VICINITY

2025-ZON-047; 7525 McFarland Boulevard (west of site), requested rezoning of 7.46 acres from the SU-1 district to the D-6II district to provide for a multi-family residential development, **approved**.

88-Z-217; 7451 McFarland Boulevard (north of site), requested rezoning of 1.413 acre, being in the D-3 District, to the D-6 classification to provide for residential development, **approved**.

88-Z-216; 7439 McFarland Boulevard, (north of site), requested rezoning of 1.24 acres, being in the D-3 District, to the D-7 classification to provide for residential development, **approved**.

88-Z-7; 7702 South Emerson Avenue (south of site), requested rezoning of 20 acres, being in the A-2 District, to the C-1 classification to provide for kindergarten, day nursery, nursing and convalescent home uses, **approved**.

88-Z-6; 5002 East Stop Eleven Road (south of site), requested rezoning of 11.64 acres, being in the A-2 District, to the C-2 classification to provide for neighborhood retail development, **approved**.

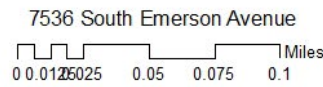
88-Z-5; 4601 East Southport Road (north of site), requested rezoning of 51.89 acres, being in the A-2 District, to the D-7 classification to provide for multi-family residential development, **approved**.

88-Z-4; 7502 South Emerson Avenue (south of site), requested rezoning of 21.53 acres, being in the A-2 District, to the D-6 classification to provide for multi-family residential development, **approved**.

88-Z-3; 4802 Stop Eleven Road (west of site), requested rezoning of 174.73 acres, being in the A-2 District, to the D-3 classification to provide for single-family residential development, **approved**.

EXHIBITS

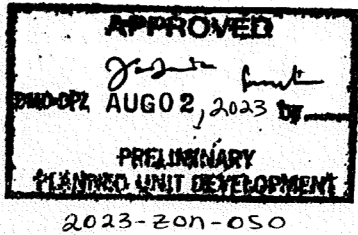
AERIAL





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EXHIBIT A - 2023 DEVELOPMENT STATEMENT



Preliminary DP Plan
7525 McFarland Boulevard

Jeb Introduction

Homestead Development LLC ("Homestead") is seeking to develop a portion of property commonly addressed as 7525 McFarland Boulevard (the "Subject Property"). Homestead's development is proposed on a 6.43 acre parcel fronting on South Emerson Avenue and is shown on the preliminary site plan and referred to herein as Lot A. The Subject Property is zoned SU-1, and is partially improved. Homestead is proposing a senior multifamily community on Lot A, as generally shown on the preliminary site plan submitted with and attached to this Preliminary DP Plan as Exhibit "A" (the "Preliminary Site Plan").

The Proposed Development/Permitted Uses

A. Lot A Permitted Uses: The Lot A development proposes approximately 135 attached multifamily residential units located in a single building containing three (3) stories and a footprint of approximately 47,600 s.f. on a parcel of approximately 6.43 acres. Both primary and accessory uses permitted by this Preliminary DP Plan are those which are either referenced or defined in Chapter 743, Article II, Table 743-1 "Use Table" of the Consolidated Zoning/Subdivision Ordinance of the City of Indianapolis, Marion County (the "Zoning Ordinance").

Permitted Primary uses on Lot A shall include:

- 1. Attached Multifamily units, limited to a single building and restricted for senior living, defined as the head of household being at least 55 years of age, in compliance with federal housing laws.

Permitted Accessory uses for Lot A may include:

- 1. Outdoor Recreation, which may include a green space, game courts, playgrounds, etc.
- 2. Community Garden.
- 3. Minor Residential Features, including pathways, sidewalks, benches and the like.
- 4. Surface Parking and Garages

Lot A Development Standards/Setbacks: Attached multifamily buildings and accessory structures (other than sidewalks, pathways and similar features) constructed on Lot A shall meet the following minimum setbacks:

- 1. Front Yard (East Property Line): Buildings: Fifty feet (50') from the proposed right-of-way line of Emerson Avenue;
Accessory Uses: Ten feet (10') from proposed right-of-way line of Emerson Avenue, except that a portion of the access driveway near the south property line may be located as close as three feet (3') from the proposed right-of-way line of Emerson Avenue as shown on the Preliminary Site Plan.
- 2. North and South Property Lines: Buildings: Fifty feet (50');
Accessory Uses: Ten feet (10') from north property line; Twenty feet (20') from south property line;
- 3. West Property Line: Buildings: Forty feet (40'); and
Accessory Uses: Ten (10) feet



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- 4. Maximum Height of Multifamily Building: Forty-Five feet (45'), measured from grade to roof peak.

Utilities/Drainage: All utilities are available to the site. There will be no utility poles located on the Subject Property, unless already existing and financially impractical to bury. Storm drainage will be professionally engineered to meet all City of Indianapolis requirements with respect to runoff rate and quantity, as well as water quality. A retention pond with more than sufficient capacity for the improvements proposed on Lot A is shown on the Preliminary Site Plan.

Signs: The following signs shall be permitted:

- 1. Freestanding (for the benefit of Lot A):
 One (1) monument sign, not to exceed 6 feet in height and 13' in length, to be located near the Emerson Avenue entrance, as shown on the Preliminary Site Plan.
- 2. Secondary:
 - a) Vehicle Entry Point;
 - b) Incidental.
- 3. Wall

Where not specified herein, sign dimensions and locations shall be governed by the Sign Regulations of Marion County, as applied to mixed use districts, set forth in Chapter 744, Art. XI of the Zoning Ordinance.

Landscaping: A detailed landscaping plan for Lot A shall be submitted for Administrator's Approval prior to obtaining an Improvement Location Permit. In addition to the perimeter yards, areas between the building and parking lots shall feature landscaping and the interior of the parking lot shall meet the requirements for interior parking lot landscaping as set forth in the Zoning Ordinance.

Miscellaneous

Amenities: The development of Lot A, at a minimum, shall provide the following amenities:

- 1. Active and passive recreation space, on-site management office, secure entry, community room with kitchenette.

Parking:

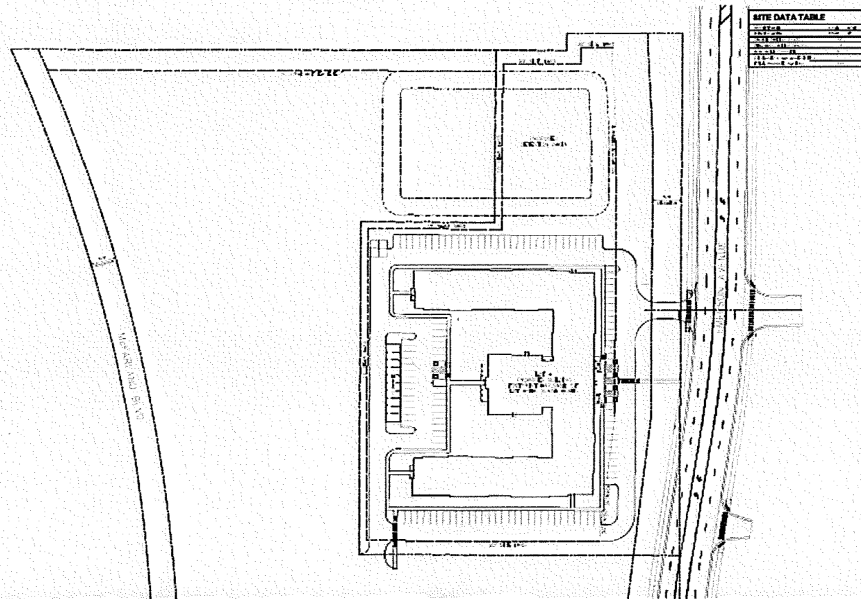
- 1. There shall be no less than 130 on-site parking spaces (surface and garage).

Access: One (1) proposed curb cut on Emerson Avenue.

Administrative Approval of Final Site Plan: The Administrator shall have the right to issue final approval of a final site and development plan so long as the final site and development plan is consistent with the permitted uses, development standards, and landscaping requirements set forth in this Preliminary DP Plan.

23618675.5

EXHIBIT "A"





Scale: 1" = 40'
 July 20, 2023

Site Exhibit
 Homestead Emerson
 Indianapolis, IN



STRUCOR
 2021-0155

A-1



EXHIBIT B – 2026 AMENDED DEVELOPMENT STATEMENT

Amended and Restated Preliminary DP Plan

7536 South Emerson Avenue

Introduction

HSL Emerson LLC (“Homestead”) is seeking to develop a portion of property commonly addressed as 7536 South Emerson Avenue (the “Subject Property”). Homestead’s development is proposed on a 5.67 acre parcel fronting on South Emerson Avenue and is a platted lot. The Subject Property is zoned DP pursuant to 2023-ZON-050. In 2023, Homestead proposed a senior multifamily community on the Subject Property, but has not found a market for senior restricted housing in the area, and is now requesting a multifamily community without the senior leasing restriction. The proposed multifamily community will share virtually the same development requirements submitted with and attached to this Preliminary DP Plan as Exhibit “A” (the “Preliminary Site Plan”).

The Proposed Development/Permitted Uses

A. **Permitted Uses:** The development proposes approximately 132 attached multifamily residential units located in 5 separate buildings containing three (3) stories. A separate clubhouse building is also planned. Both primary and accessory uses permitted by this Preliminary DP Plan are those which are either referenced or defined in Chapter 743, Article II, Table 743-1 “Use Table” of the Consolidated Zoning/Subdivision Ordinance of the City of Indianapolis, Marion County (the “Zoning Ordinance”).

Permitted Primary uses on the Subject Property shall include:

- 1. Attached Multifamily units.

Permitted Accessory uses for Lot A may include:

- 1. Outdoor Recreation, which may include a green space, game courts, playgrounds, etc.
- 2. Community Garden.
- 3. Minor Residential Features, including pathways, sidewalks, benches and the like.
- 4. Surface Parking and Garages
- 5. Clubhouse and pool

Development Standards/Setbacks: Attached multifamily buildings and accessory structures (other than sidewalks, pathways and similar features) constructed on the Subject Property shall meet the following minimum setbacks:

- 1. Front Yard (East Property Line): Buildings: Fifty feet (50’) from the proposed right-of-way line of Emerson Avenue;
Accessory Uses: Ten feet (10’) from proposed right-of-way line of Emerson Avenue.
- 2. North and South Property Lines: Buildings: Fifty feet (50’);
Accessory Uses: Ten feet (10’) from north and south property lines;
- 3. West Property Line: Buildings: Forty feet (40’); and
Accessory Uses: Ten (10) feet
- 4. Maximum Height of Multifamily Buildings: Forty-Five feet (45’), measured from grade to roof peak.



Utilities/Drainage: All utilities are available to the site. There will be no utility poles located on the Subject Property, unless already existing and financially impractical to bury. Storm drainage will be professionally engineered to meet all City of Indianapolis requirements with respect to runoff rate and quantity, as well as water quality. A retention pond is shown on the Preliminary Site Plan.

Signs: The following signs shall be permitted:

1. **Freestanding:**
 One (1) monument sign, not to exceed 6 feet in height and 13' in length, to be located near the Emerson Avenue entrance, as shown on the Preliminary Site Plan.
2. **Secondary:**
 - a) Vehicle Entry Point;
 - b) Incidental.
3. **Wall**

Where not specified herein, sign dimensions and locations shall be governed by the Sign Regulations of Marion County, as applied to mixed use districts, set forth in Chapter 744, Art. XI of the Zoning Ordinance.

Landscaping: The Preliminary Site Plan shows intended areas of landscaping. A detailed landscaping plan for the Subject Property shall be submitted for Administrator's Approval prior to obtaining an Improvement Location Permit. In addition to the perimeter yards, areas between the building and parking lots shall feature landscaping and the interior of the parking lot shall meet the requirements for interior parking lot landscaping as set forth in the Zoning Ordinance.

Miscellaneous

Amenities: The development of Lot A, at a minimum, shall provide the following amenities:

1. Clubhouse with pool.

Parking:

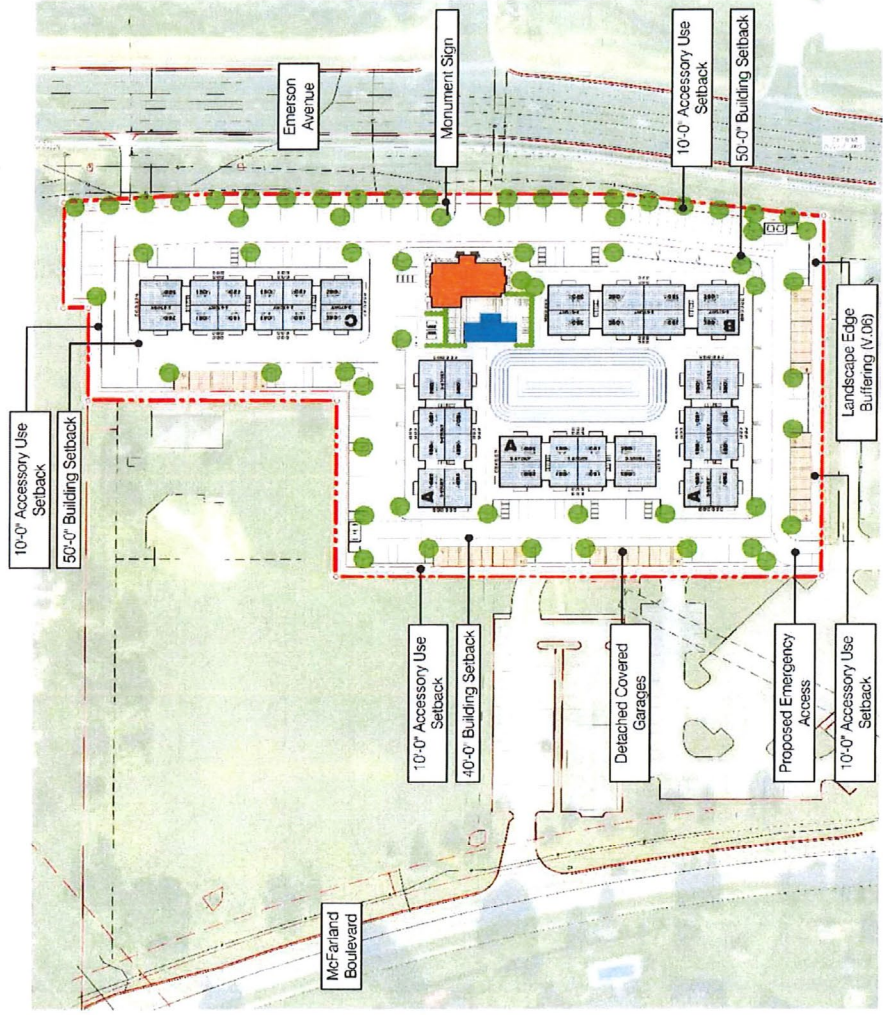
1. There shall be no less than 200 on-site parking spaces (surface and garage).
2. There shall be no less than the minimum number of bicycle parking spaces.

Access: One (1) proposed curb cut on Emerson Avenue.

Administrative Approval of Final Site Plan: The Administrator shall have the right to issue final approval of a final site and development plan so long as the final site and development plan is consistent with the permitted uses, development standards, and landscaping requirements set forth in this Preliminary DP Plan.

50617838.1

EXHIBIT "A"



Site Data

Site Zoning	DP
Site Acreage	05.69 ac
Units	135 Approved 132 Proposed
Parking Spaces	130 Approved 221 Proposed
Bicycle Spaces	014 Required 014 Provided

Code References

- Street Frontage Landscaping :**
 01 Shade Tree per 35 feet of street frontage
 03 Large shrubs per 25 feet of street frontage (Table 744-505-1)
- Required Interior Landscape Area :**
 9% of all uncovered vehicle areas
 8 feet minimum width of landscape areas
 1 / 180 SF of interior landscaping area for minimum number of shade trees (Table 744-505-2)
- Minimum Bicycle Parking Spaces :**
 10% of required off-street parking spaces
 132 vehicle parking spaces required - 14 bicycle spaces required
 09 bicycle spaces to be covered (Table 744-402-1)

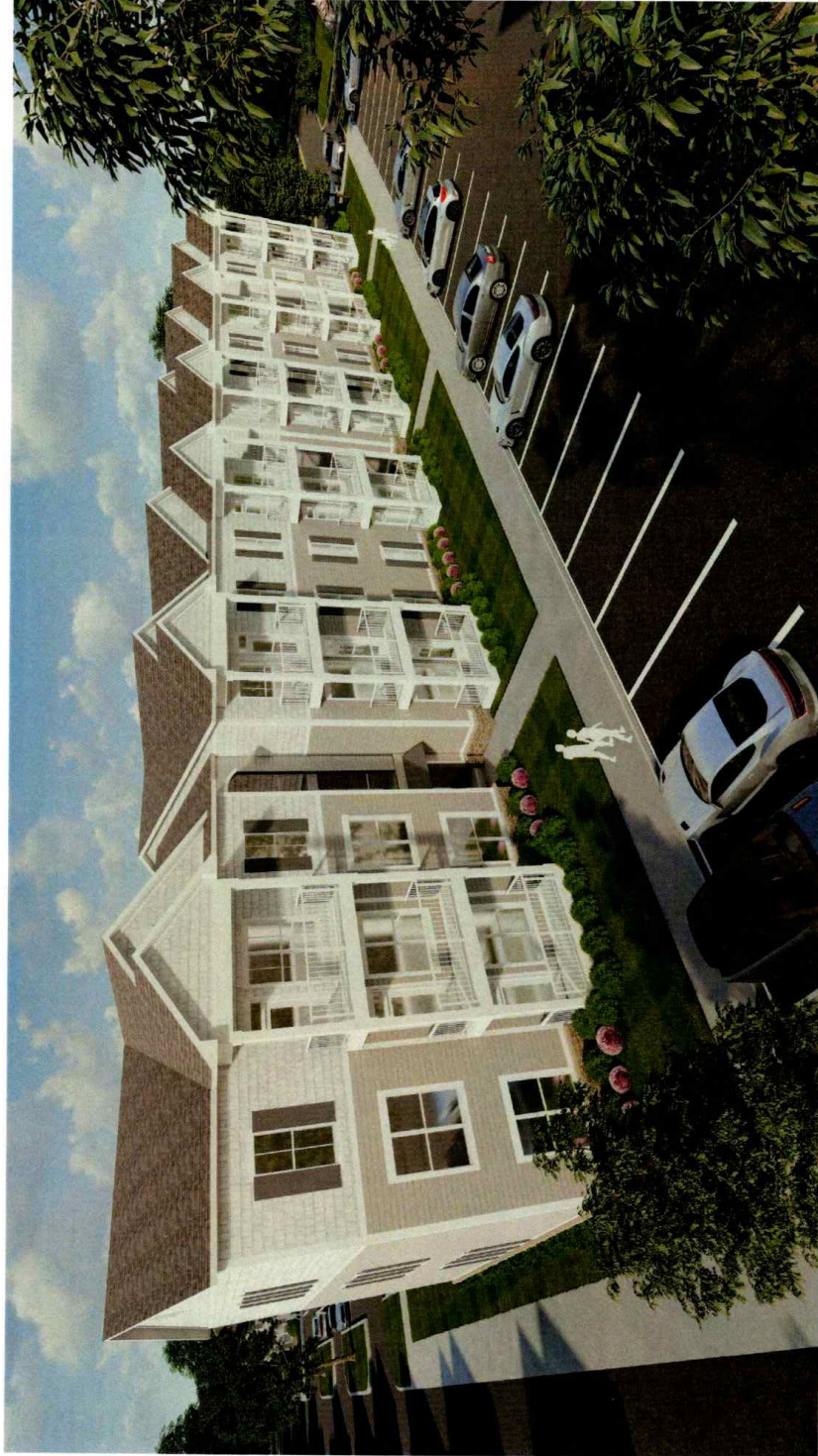
Proposed Site Plan
 SCALE 1" = 40'-0"
 10 6 4 2 0

HOMESTEAD COMPANIES
archall

Homestead - Emerson Indianapolis // Proposed Site Plan
 JANUARY 22, 2025
 © 2025 HMC, ALL RIGHTS RESERVED

A-1

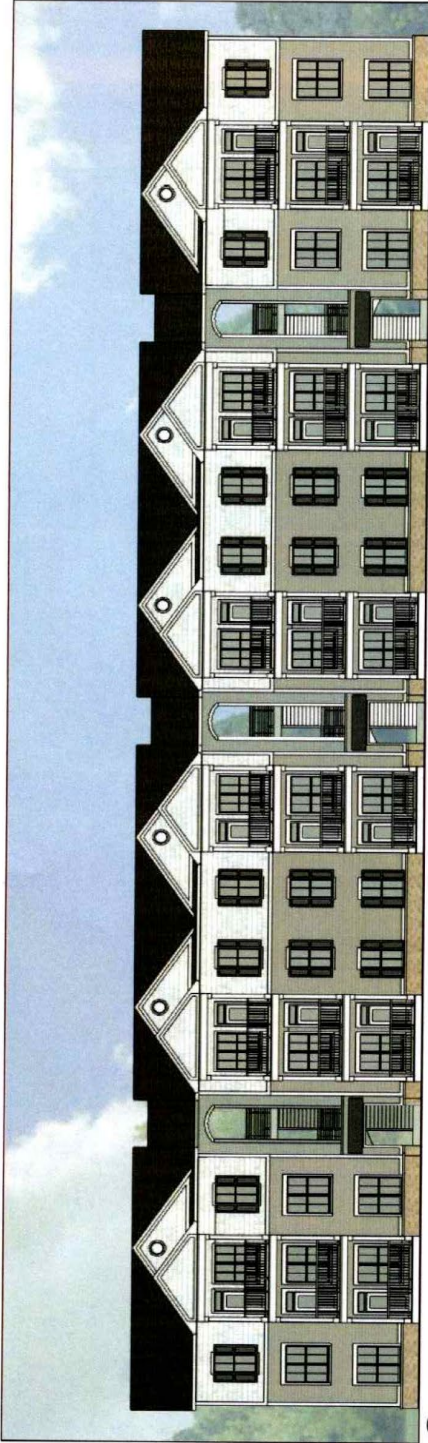
Residential Building Aerial View



Homestead - Emerson Indianapolis
DECEMBER 22, 2025

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Building Elevations



1 Front / Back Elevation



2 Side Elevation

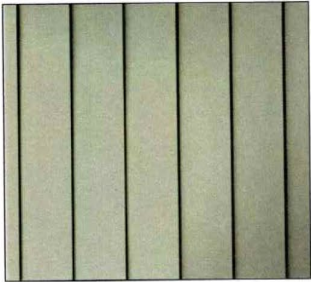
HOMESTEAD COMPANIES
archall

Homestead - Emerson Indianapolis
 DECEMBER 22, 2025

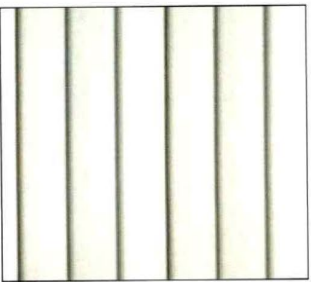
Materials



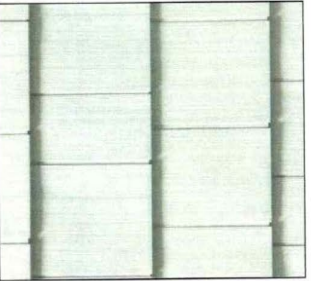
STONE 01
PRODUCT: STONE
MANUFACTURER: LINDSAY
STYLE: BREWSTER
COLOR: WHITE GROUT
INSTALL:



SIDING 01
PRODUCT: VINYL SIDING
MANUFACTURER: ALSIDE CO/ENTRY
STYLE: LAP SIDING
COLOR: PLATINUM GRAY
INSTALL: DOUBLE 5" CLAPBOARD



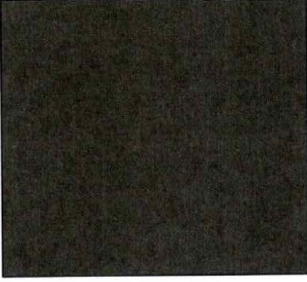
SIDING 02
PRODUCT: VINYL SIDING
MANUFACTURER: ALSIDE CO/ENTRY
STYLE: LAP SIDING
COLOR: GLACIER WHITE
INSTALL: DOUBLE 5" CLAPBOARD



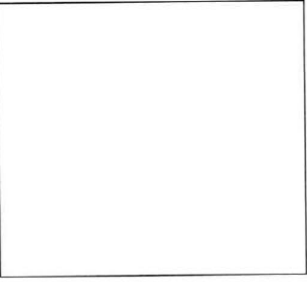
SIDING 03
PRODUCT: VINYL SIDING
MANUFACTURER: ALSIDE ARCHITECTURAL CLASSICS
STYLE: SHINGLE SIDING
COLOR: GLACIER WHITE
INSTALL:



ROOF
PRODUCT: ASPHALT SHINGLE
MANUFACTURER: TAMKO
STYLE: WEATHERED WOOD
COLOR:
INSTALL:



SHUTTERS
PRODUCT: VINYL SIDING
MANUFACTURER: ALSIDE CO/ENTRY
STYLE: NIGHT OWL (87061)
COLOR:
INSTALL:



TRIM
PRODUCT: VINYL SIDING
MANUFACTURER: ALSIDE CO/ENTRY
STYLE: GLACIER WHITE
COLOR:
INSTALL:



View looking south along Mc Farland Boulevard



View looking north along Mc Farland Boulevard



View of site looking north



View of site looking north



View of site looking north



View of site looking northwest



View of site looking west



View of site looking west



View of site looking west



View of site looking south



View looking northeast at proposed location of retention pond



View of site looking east at approximate location of proposed building



View of sidewalk looking east at approximate location of proposed building



View of site looking east at approximate location of proposed building



View of site looking southeast at adjacent church



METROPOLITAN DEVELOPMENT COMMISSION **May 28, 2026**
HEARING EXAMINER

Case Number: 2026-ZON-016 / 2026-VAR-005
Address: 3030 Southeastern Avenue (*Approximate Address*)
Location: Center Township, Council District #18
Petitioner: JO & CE Real Estate LLC, by Dylan Seesman
Request: Rezoning of 0.34-acre from D-5 (FF) to MU-2 (FF), for an existing building to be renovated for commercial retail uses and up to six dwelling units on the second floor.
Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a zero-foot front transitional yard from English Avenue (12-foot front transitional yard required), a zero-foot west transitional side yard (15-foot side transitional yard required), with vehicle maneuvering of three parking spaces within the right-of-way of Southeastern Avenue (not permitted).
Current Land Use: Mixed Use
Staff Recommendations: Staff recommends **approval** of the Rezoning request.
Staff recommends **approval** of the Variance request to provide for a zero-foot front transitional yard from English Avenue, and a zero-foot west transitional side yard.
Staff recommends **denial** of the Variance request to provide vehicle maneuvering of three parking spaces within the right-of-way of Southeastern Avenue.
Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

Petition 2026-ZON-016 was previously continued for cause by Staff, to the May 26, 2026, hearing, in order for it to be heard together with associated petition 2026-VAR-005.

STAFF RECOMMENDATION

Staff recommends **approval** of the Rezoning request.
Staff recommends **approval** of the Variance request to provide for a zero-foot front transitional yard from English Avenue, and a zero-foot west transitional side yard.



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Staff recommends **denial** of the Variance request to provide vehicle maneuvering of three parking spaces within the right-of-way of Southeastern Avenue.

PETITION OVERVIEW

LAND USE

The 0.34-acre site is comprised of a parcel developed with a mixed-use building, and parking area. The site is adjacent to commercial uses zoned C-3 and D-5, and single-family dwellings zoned D-5.

REZONING

The request would rezone the property to the MU-2 district to allow for the redevelopment of a combined mix of commercial and residential uses that are not permitted in the existing D-5 district.

The D-5 district is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situation in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood and Traditional Neighborhood Typologies of the Land Use Pattern Book

The MU-2 District is intended to meet the daily needs for surrounding neighborhoods and include small social spaces that serve as neighborhood gathering places. The district includes primarily neighborhood-serving businesses and institutions, including a wide range of small-scale retail and service uses that typically do not draw customers from beyond the adjacent neighborhoods, and employment, institutional and residential uses that complement the compact, walkable development pattern. The MU-2 District is implemented as a small node or on busy corridors in the Traditional Neighborhood or City Neighborhood Typologies of the Land Use Pattern Book, or as a Village Mixed Use Typology. The typical size of a district is from 2 to 20 acres (1 to 4 blocks) but depends on the context and what integrates best into surrounding neighborhoods and complimentary zoning districts.

VARIANCE OF DEVELOPMENT STANDARDS

The request would allow for a zero-foot front transitional yard from English Avenue, a zero-foot west transitional side yard, and vehicle maneuvering of three parking spaces within the right-of-way of Southeastern Avenue.

STAFF ANALYSIS

The request would rezone the property to the MU-2 district to allow for the redevelopment of a combined mix of commercial and residential uses.

Staff is supportive of the rezoning because it would remove a legacy D-5 zoning that is not compatible with the existing commercial uses and would allow for the redevelopment of the existing building that is compatible with the surrounding area and would align with the Village Mixed Use recommendation of the Comprehensive Plan.



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Staff is supportive of the variance request for the zero-foot west side transitional yard setback, as it is adjacent to a commercial use that is zoned D-5 and permitted by Variance. Therefore, a zero-foot side setback would be appropriate between two commercial uses.

Staff is supportive of the variance request for the zero-foot front transitional yard from English Avenue, as the building would be setback approximately 60 feet from the parcel line. English Avenue would provide additional separation from the single-family dwellings on the north side of the street from the subject site.

Staff does recommend denial of the request to allow vehicle maneuvering of three parking spaces within the right-of-way of Southeastern Avenue. Southeastern Avenue was recently improved and is a secondary arterial between downtown and the newly opened Justic Center. Allowing vehicles to back out into this busy throughfare would be inappropriate. Staff recommends the curb cut be removed, and an off-site parking arrangement be made to provide for the three displaced parking spaces along the south of the building.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Mixed-use building	
Comprehensive Plan	Village Mixed Use	
Overlay	N/A	
Surrounding Context	Zoning	Surrounding Context
	North: D-5	Single-family dwellings
	South: C-4	Commercial restaurant
	East: C-4	Undeveloped
	West: D-5	Commercial use
Thoroughfare Plan		
Southeastern Avenue	Secondary Arterial	70-foot existing right-of-way and 78-foot proposed right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	100-year flood plain	
Wellfield Protection Area	N/A	
Site Plan	April 6, 2026	
Elevations	N/A	
Landscape Plan	N/A	
Commitments	N/A	
Findings of Fact	April 6, 2026	
C-S / D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS
Comprehensive Plan

The Marion County Land Use Plan Pattern Book recommends the Village Mixed-Use typology that creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well



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Division of Planning
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as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

Conditions for All Land Use Types – Village Mixed Use Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- Where possible, contributing historic buildings should be preserved or incorporated into new development.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

Not Applicable to the Site.



ZONING HISTORY

2017-UV3-017; 3009 English Avenue (west of site), requested a Variance of Use and Development Standards to provide for a tire shop, and a zero-foot north front yard, without landscaping, and a zero-foot south front yard, with deficient landscaping, and to provide for four parking spaces, with insufficient maneuvering, within the front yard setback, **granted**

2015-ZON-069; 2815 English Avenue (west of site), requested the Rezoning of 4.18 acres, from the D-5 and C-4 districts to the D-10 classification to provide for multi-family uses, **approved**.

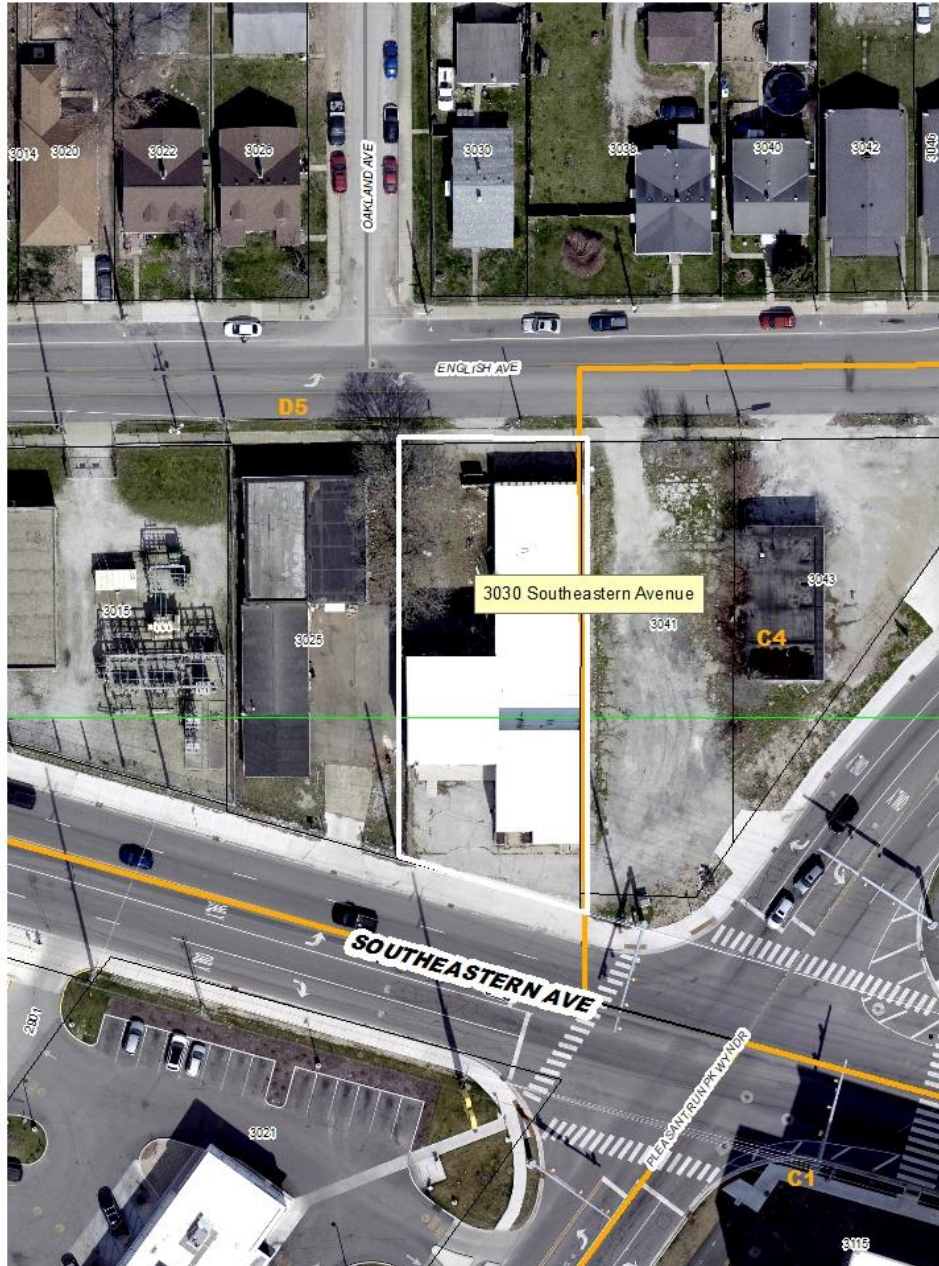
99-Z-160; 3009 English Avenue (subject site), requested the Rezoning of 0.23 acre from D-5 to C-3 to conform to the recommendation of the Southeastside Neighborhood Plan, **approved**.

87-UV2-18; 3025 English Avenue (west of site), requested a Variance of Use of the Dwelling Districts Zoning Ordinance to provide for a machine shop, **granted**.

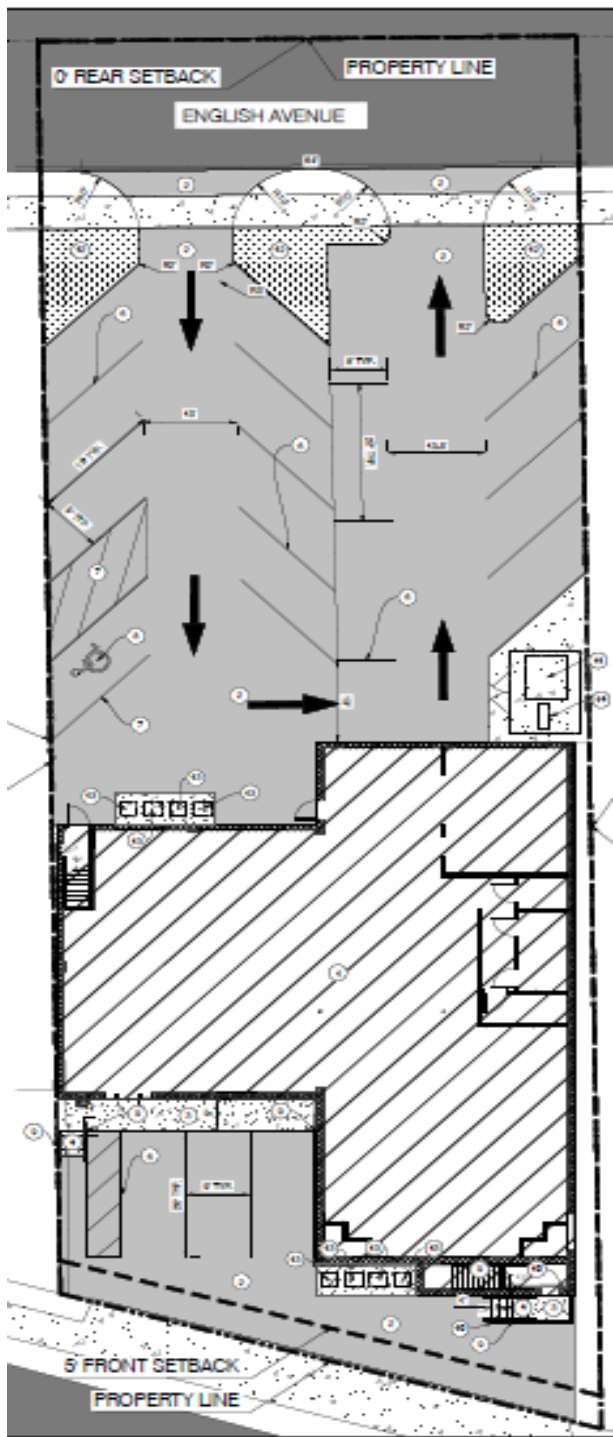
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EXHIBITS

LOCATION MAP



SITE PLAN





FINDINGS OF FACT

Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA**

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

We are requesting a variance to the Indianapolis Marion-County Zoning Ordinance Parking Standards noted in Table 744-402-1, which requires the site to have 19 parking spaces. The existing site is an abandoned apartment complex. With our proposed improvements of a mixed-use building of retail and apartment units, we will positively impact the surrounding community through the revitalization of the existing site and the increase of business to the community.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The adjacent properties are abandoned buildings and therefore would not negatively be impacted by our proposed improvements.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

The project site is a 0.31 acre site, so with the addition of a 4,000 sq-ft building and other site requirements like dumpster locations and ADA accessibilities added the current parking requirements of 19 spaces is not possible. We are proposing the site to have 16 standard parking spaces, 1 ADA space with a van unloading spot, and 1 compact parking space, which we believe to be adequate parking for the proposed use of the site.

PHOTOS



Subject site, looking South from English Avenue.



Subject site looking north from Southeastern Avenue.



Adjacent commercial use to the west of subject site, zoned D-5, looking south.



Adjacent commercial use to the south.



Adjacent residential property on English to the north.



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 28, 2026

Case Number: 2026-ZON-023
Address: 5436 Brookville Road (*Approximate Address*)
Location: Warren Township, Council District #14
Petitioner: Brew Brothers Inc, by Baldeep Baidwan
Request: Rezoning of 1.6 acres from the C-3 district to the I-2 district to provide for light industrial uses, including warehousing and distribution.
Staff Recommendations: Denial
Current Land Use: Undeveloped
Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was previously automatically continued by a registered Neighborhood Organization, from the April 23, 2026, hearing to the May 28, 2026.

STAFF RECOMMENDATION

Staff recommends **denial** of the request.

PETITION OVERVIEW

LAND USE

The 1.6-acre subject site is an undeveloped parcel.

REZONING

The request would rezone the property to the I-2 district to allow for light industrial uses including warehousing that are not permitted in the existing C-3 district.

The C-3 (Neighborhood Commercial) zoning 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 use include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail, and personal and professional service establishments.

The I-2 district is for those industries that present minimal risk and typically do not create objectionable characteristics (such as dirt, noise, glare, heat, odor, etc.) that extend beyond the lot lines. Outdoor operations and storage are completely screened if adjacent to protected districts and are limited throughout the district to a percentage of the total operation. Whenever possible, this district is located between a protected district and a heavier industrial area to serve as a buffer.



STAFF ANALYSIS

Although the Comprehensive Plan recommendation is for light industrial uses, Staff feels that this recommendation is outdated and a remnant from other heavy commercial uses that are no longer in the area. The Navistar Foundry was previously located across Brookville Road from the subject site and was appropriately zoned I-4. The subject site received its Comprehensive Plan light industrial recommendation at the time of the Foundry’s existence, to provide for a step down in intensity of uses.

The Navistar Foundry was fully demolished and removed in 2018. On its site, a large light industrial warehouse distribution center has been developed more recently, which would normally be permitted in the I-2 district. Staff feels the proposed site should be a step down in use from this large warehouse distribution center and not an extension of its light industrial use across Brookville Road. Maintaining the C-3 zoning would provide for that step down from Industrial uses to Commercial uses.

Staff acknowledges there are a fair number of other light industrial uses to the east and south of the subject site. These sites have a greater separation from adjoining residential uses, than the subject site does. There are several single-family dwellings and a religious use adjacent to the west of the subject site. There are other parcels and dwellings to the north of the site as well.

Staff is also concerned that the approval of this I-2 zoning would allow for industrial uses to continue to creep up Brookville Road further west and north into a larger residential area. Keeping the C-3 zoning for this site would stop that industrial encroachment and act as a step down in intensity from those existing light industrial uses to the east and south.

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Undeveloped	
Comprehensive Plan	Light Industrial	
Overlay	N/A	
Surrounding Context	Zoning	Surrounding Context
	North: D-5	Undeveloped / Single-family dwellings
	South: I-4	Regional Warehouse Distribution
	East: C-7	Automobile sales
	West: C-3 / D-5	Single-family dwellings / Religious use
Thoroughfare Plan		
Brookville Road	Primary Collector	77-foot existing right-of-way and 88-foot proposed right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	N/A	
Wellfield Protection Area	N/A	
Site Plan	N/A	
Elevations	N/A	
Landscape Plan	N/A	
Commitments	N/A	
Findings of Fact	N/A	
C-S / D-P Statement	N/A	



COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Infill Housing Guidelines (2021)

Pattern Book / Land Use Plan

- Comprehensive Plan recommends Light Industrial development of the 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.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

Not Applicable to the Site.

ZONING HISTORY

2022-CZN-867; 5400 and 5430 Greenfield Avenue and 400 Burgess Avenue (north of site), Rezoning of 2.71 acres from the D-5 district to the D-7 district to provide for multi-family development, **pending.**



**Department of Metropolitan Development
Division of Planning
Current Planning**

2022-CZN-840 / 2022-CVR-840; 5436 Brookville Road (subject site), Rezoning of 1.60 acres from the C-3 district to the C-S district to provide for a truck retail and repair facility with related parking and limited C-4 uses and Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for loading bays in the front yard, **withdrawn**.

2008-UV2-017; 441 South Ritter Avenue (northeast of site), Variance of Use and Development Standards of the Industrial Zoning Ordinance to provide for a counseling center/meeting place for Alcoholics Anonymous in an existing 8,520-square foot building, legally establish the 8,520-square foot building with an eight-foot front setback, without landscaping in the required front yard along Ritter Avenue (landscaping required), and to legally establish a 1,392-square foot storage building with a zero-foot west side setback, Variance of Use of the Dwelling Districts Zoning Ordinance to provide for a paved, commercial drive aisle and a portion of a storage building (not permitted), **granted**.

2006-UV1-025; 441 South Ritter Avenue (east of site), Variance of Use of the Commercial Zoning Ordinance and the Dwelling Districts Zoning Ordinance to provide for the expansion of an existing roofing contractor's business permitted by variance petition 91-UV1-55, with the construction of a 2,150-square foot building for use as a metal fabrication shop (not permitted) and a Variance of Development Standards of the Commercial Zoning Ordinance to provide for a three-foot landscape strip along South Ritter Avenue, **granted**.

2006-ZON-022; 471 South Ritter Avenue (east of site), Rezoning of 0.5 acre, from the C-5 District to the C-S classification to provide for all C-4 uses, roofing contracting, catering, auto restoration, and sheet metal fabrication uses, **withdrawn**.

2002-ZON-139; 5424 Brookville Road (southwest of site), Rezoning from the D-5 district to the C-5 classification, **denied**.

2002-ZON-134; 5536 Brookville Road (southeast of site), Rezone 0.78 acres, being in the C-1, C-5 and D-5 Districts, to C-5 classification to provide for a truck repair facility and storage, **approved**.

2000-ZON-043; 5402 Brookville Road (west of site), Rezoning from the D-5 district to the SU-1 classification, **approved**.

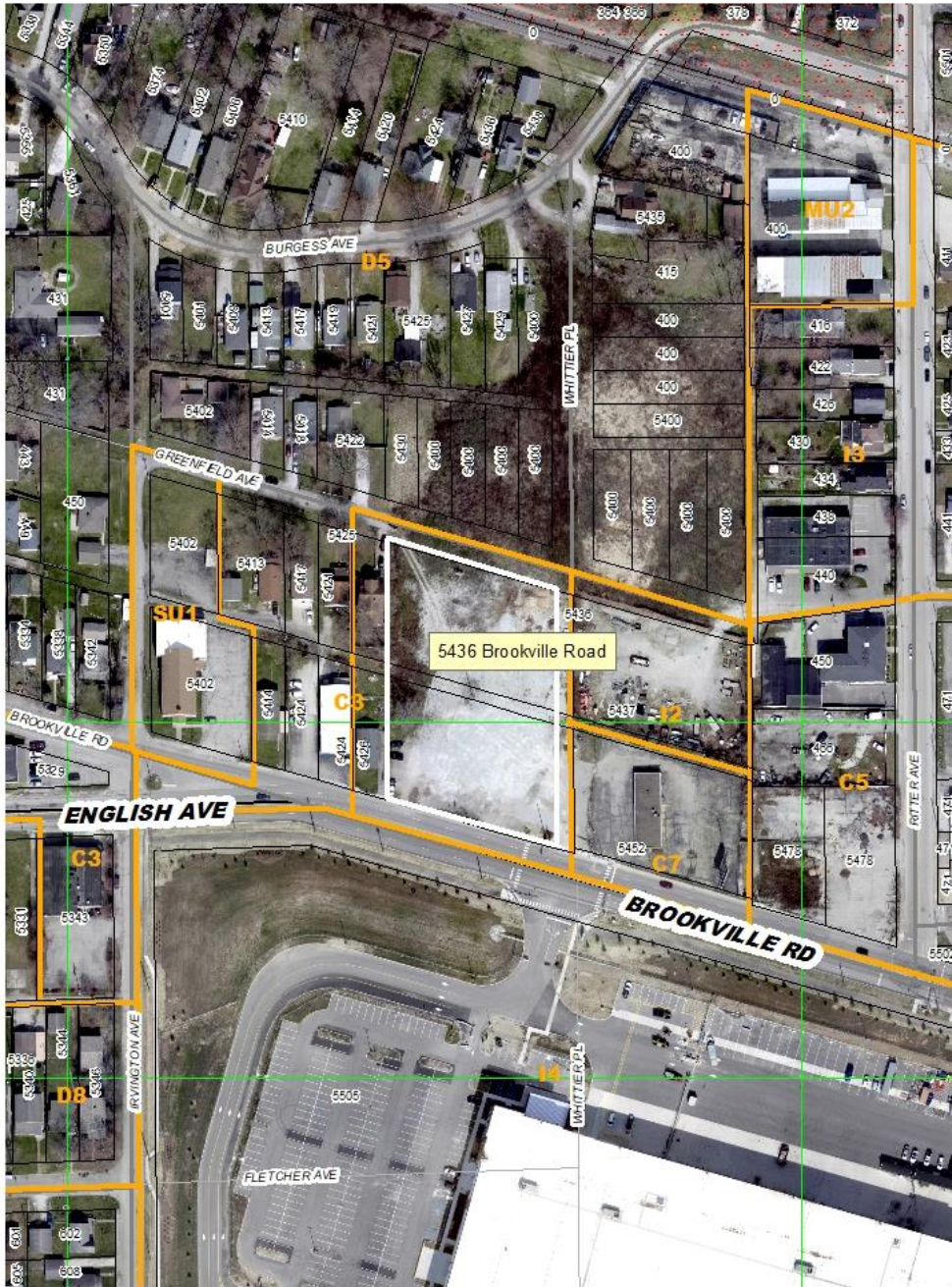
89-HOV-103; 5346 Brookville Road (southwest of site), Variance to provide for a pricing sign on the canopy within the required 70-foot setback from the street centerline in the C-3 district, **granted**.

87-V1-29; 5436 Brookville Road (subject site), requested a Variance to provide for a gas station canopy with a 1.5-foot setback in the C-3 district, **granted**.

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EXHIBITS

LOCATION MAP



PHOTOS



Subject site, looking north



Single family dwelling and neighborhood commercial to the west of subject site, looking north.



Automobile sales use to the east of site, looking northeast.



Light industrial warehouse distribution center to the south.



METROPOLITAN DEVELOPMENT COMMISSION **May 28, 2026**
HEARING EXAMINER

Case Number: 2026-CZN-816 / 2026-CVR-816
Property Address: 4511 Allisonville Road
Location: Washington Township, Council District #8
Petitioner: Broad Ripple Construction, LLC, by Joseph D. Calderon
Current Zoning: MU-1 (FF) (W-1)

Rezoning of 0.21-acre from MU-1 (FF) (W-1) to C-S (FF) (W-1) to provide for a contractor’s office, offices, light manufacturing, artisan manufacturing, research and development, consumer services and repair of consumer goods, vocational, technical, or industrial school, medical or dental offices, hair and body salon, financial and insurance offices, and a day care.

Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a reduction of the transparency requirement of the front façade between three feet and eight feet of the wall surface, within 50 feet of a primary entrance (minimum 40% transparency required), and to provide for a six-foot tall fence within the front yard (maximum height of 3.5 feet permitted).

Current Land Use: Parking lot.

Staff Recommendations: Denial of both requests.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner, on her own motion, continued these petitions from the May 14, 2026 hearing, to the May 28, 2026 hearing, to provide time for the petitioner’s representative to submit additional information related to the exterior building materials, fencing and proposed uses.

On May 21, 2026, a rendering of the building was submitted. No other information has been submitted and included in this report, but staff understands additional information would be submitted prior to the hearing. Staff will provide comments as appropriate at the hearing.

STAFF RECOMMENDATION

Staff recommends denial. If approved, staff would request that approval be subject to the following commitments being reduced to writing on the Commission's Exhibit "B" form at least three days prior to the MDC hearing:



**Department of Metropolitan Development
Division of Planning
Current Planning**

1. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.
2. A 63-foot half right-of-way shall be dedicated along the frontage of Shelbyville 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).
3. A landscape plan shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).

PETITION OVERVIEW

This 0.26-acre site, zoned MU-2 (FF) (W-1), is developed with a parking lot. It is surrounded by a commercial office to the north, zoned MU-1 (W-1); a commercial office to the south, zoned C-S (FF) (W-1); a commercial office to the east, zoned C-S (FF) (W-1); and single- and multi-family dwellings to the west, across Allisonville Road, zoned D-7 (W-1).

REZONING

The request would rezone the site to the C-S district to provide for a commercial contractor. “The C-S District is designed to permit, within a single zoning district, multi-use commercial complexes or land use combinations of commercial and noncommercial uses, or single-use commercial projects. The primary objective of this district is to encourage development which achieves a high degree of excellence in planning, design or function, and can be intermixed, grouped or otherwise uniquely located with maximum cohesiveness and compatibility. The district provides flexibility and procedural economy by permitting the broadest range of land use choices within a single district, while maintaining adequate land use controls. The C-S District can include high-rise or low-rise developments, can be applied to large or small land areas appropriately located throughout the metropolitan area, and can be useful in areas of urban renewal or redevelopment.”

The Comprehensive Plan recommends office commercial typology for the site.

Recommended land uses in the office commercial typology include large-scale offices, small-scale offices, retailing, and personal or professional services; small-scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; and small-scale parks.

As proposed, this request would not be consistent with the Comprehensive Plan recommendation.

Site Plan – March 23, 2026

The site plan and elevations depict a 2,400-square-foot building. Except for the front façade, the building would have solid walls without any openings. Five parking spaces would be provided between the building and Allisonville Road. Sidewalks would be required but are not shown on the site plan.



**Department of Metropolitan Development
Division of Planning
Current Planning**

C-S Statement - March 23, 2026

The C-S Statement identifies eleven primary uses and nine accessory uses that would be permitted on this site.

Development of the site, including landscaping, would be consistent with the provisions of the C-S district and the Ordinance. Because the landscaping plan has not been fully developed, it would be submitted for Administrator Approval.

The sign program would be either a monument or ground sign, wall signs and signs that would be permitted in accordance with the Sign Regulations.

The Statement indicates that the site plan would generally be developed in accordance with the conceptual site plan.

Wellfield Protection Secondary Zoning

A wellfield is an area where the surface water seeps into the ground to the aquifer and recharges the wells that are the source of our drinking water. This secondary zoning district places closer scrutiny on uses and activities that might contaminate the underground drinking water supply.

There are two wellfield district designations. An area identified as W-1 is a one-year time-of-travel protection area. The W-5 is a five-year time-of-travel protection area. All development within these districts is subject to Commission approval. The filing of a site and development plan is required and subject to approval, on behalf of the Commission, by a Technically Qualified Person (TQP), unless exempted by the Ordinance.

“Because of the risk that hazardous materials or objectionable substances pose to groundwater quality, it is recognized that the further regulation of the manufacturing of, handling, transfer, disposal, use or storage of hazardous materials or objectionable substances related to nonresidential use activities is essential in order to preserve public health and economic vitality with Marion County.”

All uses permitted in the applicable primary zoning district shall be those uses permitted in the W-1 and W-5 zoning districts, unless otherwise prohibited by the Ordinance, and provided no other secondary zoning district prohibits the use.

“No building, structure, premises or part thereof shall be altered, constructed, converted, erected, enlarged, extended, modified, or relocated except in conformity with this Section, and not until the proposed Site and Development Plan has been filed with and approved on behalf of the Commission by the Technically Qualified Person (TQP). Regulations found in Chapter 742, Article II, Section 4 shall apply to all land within the Wellfield Protection Zoning Districts. The entire site shall be subject to review by the TQP. These regulations shall be in addition to all other primary and secondary zoning district regulations applicable to such land, and in case of conflict, the more restrictive regulations shall apply.”



**Department of Metropolitan Development
Division of Planning
Current Planning**

The subject site is located within the W-1 Fall Creek wellfield protection area and any use or development within a wellfield protection district would be subject to the Technically Qualified Person (TQP) review and approval, unless and until the property owner provides sufficient justification that the type of use, type of facility, and chemical quantity limits, independent of the land use would be exempt from the requirements for filing a development plan. Otherwise, a development plan would be required to be filed and approved on behalf of the Metropolitan Development Commission by the (TQP). Contaminants that would have an adverse effect would include chemicals that are used in the home, business, industry, and agriculture. Chemicals such as furniture strippers, lawn and garden chemicals, cleaning chemical and solvents, gasoline, oil, and road salt can all contaminate groundwater supplies if poured on the ground or improperly used or stored.

Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 63-foot half right-of-way along Allisonville Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.

Environmental Public Nuisances

The purpose of the Revised Code of the Consolidated City and County, Sec.575 (Environmental Public Nuisances) is to protect public safety, health and welfare and enhance the environment for the people of the city by making it unlawful for property owners and occupants to allow an environmental public nuisance to exist.

All owners, occupants, or other persons in control of any private property within the city shall be required to keep the private property free from environmental nuisances.

Environmental public nuisance means:

1. Vegetation on private or governmental property that is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and that has attained a height of twelve (12) inches or more;
2. Vegetation, trees or woody growth on private property that, due to its proximity to any governmental property, right-of-way or easement, interferes with the public safety or lawful use of the governmental property, right-of-way or easement or that has been allowed to become a health or safety hazard;
3. A drainage or stormwater management facility as defined in Chapter 561 of this Code on private or governmental property, which facility has not been maintained as required by that chapter; or
4. Property that has accumulated litter or waste products, unless specifically authorized under existing laws and regulations, or that has otherwise been allowed to become a health or safety hazard.



**Department of Metropolitan Development
Division of Planning
Current Planning**

Staff would request a commitment that emphasizes the importance of maintaining the site in a neat and orderly manner at all times and provide containers and receptacles for proper disposal of trash and other waste.

Planning Analysis

The Special Commercial district (C-S) is established for the following purposes:

1. To encourage a more creative approach in land planning, superior site and structural design and development and an efficient and desirable use of open space.
2. To provide for a use of land with high functional value.
3. To assure compatibility of land uses, both within the C-S district and with adjacent areas.
4. To permit special consideration of property with outstanding features, including, but not limited to, historical, architectural or social significance, unusual topography, landscape amenities, and other special land characteristics.
5. To provide maximum adaptability and flexibility in zoning and development controls to meet the changing and diverse needs of the metropolitan area.

Staff believes that development of this site for a building contractor does not align with any of the above purposes that the Ordinance outlines for the C-S district. If approved this request would allow for a minimum of 20 primary and accessory uses, some of which would be industrial uses and many of which would not be compatible with the surrounding land uses.

Staff believes the proposed development of this site, along with the requested variances would result in an industrial use within an industrial compound surrounded by commercial office and residential uses.

VARIANCES OF DEVELOPMENT STANDARDS

This request would provide for two variances of development standards related to building transparency and a six-foot tall fence.

The Ordinance requires a minimum of 40% transparency on the front façade between three feet and eight feet of the wall surface. The front façade would have an overhead door with a narrow horizontal line of windows located approximately in the center of overhead door. There would be two pedestrian doors and a small window between these two doors. It is not clear from the documents whether the doors would be solid or provide some transparency.

The second variance would allow for six-foot-tall fence with an electric gate. The Ordinance limits the height of fences in the front yard to 3.5 feet. The documents do not provide a clear location of the fence. Presumably, the fence would be installed around the perimeter of the site to provide security as noted in the Findings of Fact.

Staff believes these variances and the building architecture would introduce an industrial use and appearance that would negatively impact and be detrimental to the surrounding land uses and the existing character of this area.



Department of Metropolitan Development
Division of Planning
Current Planning

GENERAL INFORMATION

Existing Zoning	MU-1 (FF) (W-1)	
Existing Land Use	Parking lot	
Comprehensive Plan	Office Commercial	
Surrounding Context	Zoning	Land Use
North:	MU-1 (W-1)	Commercial office
South:	C-S (FF) (W-1)	Commercial office
East:	C-S (FF) (W-1)	Commercial office
West:	D-7 (W-1)	Multi-family dwellings
Thoroughfare Plan		
Allisonville Road	Secondary Arterial	Existing 84-foot right-of-way and proposed 126-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes – Fall Creek	
Overlay	No	
Wellfield Protection Area	Yes – Fall Creek (W-1)	
Site Plan	March 23, 2026	
Site Plan (Amended)	N/A	
Elevations	March 23, 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	March 23, 2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	March 23, 2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Office Commercial typology. “The Office Commercial typology provides for single and multi-tenant office buildings. It is often a buffer between higher intensity land uses and lower intensity land uses. Office commercial development can range from a small freestanding office to a major employment center. This typology is intended to facilitate establishments such as medical and dental facilities, education services, insurance, real estate, financial institutions, design firms, legal services, and hair and body care salons.”



**Department of Metropolitan Development
Division of Planning
Current Planning**

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

Conditions for All Land Use Types – Office Commercial Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.
- Master-planned developments in excess of two acres should include pedestrian amenities for passive and active recreation internal to the development.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”



**Department of Metropolitan Development
Division of Planning
Current Planning**

The following listed items describe the purpose, policies and tools:

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.



ZONING HISTORY

2023-ZON-100; 4509 and 4585 Allisonville Road and 2828 E 45th Street (north of site), requested of 7.40 acres from the MU-1 (FF) district to the C-S (FF) district to provide for the following permitted uses: Vocational, Technical or Industrial School or Training Facility; Office: Business, Professional or Government; Financial & Insurance Services; and Club or Lodge, **approved**.

2021-ZON-044; 2943 East 46th Street (northeast of site), requested rezoning of 0.28 acre from the MU-1 (W-1) (W-5) district to the C-3 (W-1) (W-5) district, **approved**.

2018-ZON-133 / 2018-VAR-005; 2511 East 46th Street (west of site), requested rezoning of 8.5 acres from the C-3 (W-1) and C-5 (W-1) districts to the D-7 (W-1) classification to provide for approximately 135 multi-family units within existing and new buildings and Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a multi-family building with decks and balconies with a 13-foot perimeter yard and to legally establish the perimeter yards of the existing buildings and to permit the minimum livability space ratio to be less than 0.95 (20-foot perimeter yards and minimum livability space ratio of 0.95 required), **approved and granted**.

2000-ZON-868 / 2000-VAR-868; 2902 East 46th Street (north of site), requested rezoning of 8.59 acres from the C-4 District to the C-S classification to provide for neighborhood retail uses and warehousing and a variance of development standards of the Commercial Zoning Ordinance to provide for a portion of an interior access drive to be seven feet from the north side transitional property line, **approved and granted**.

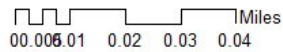
90-Z-87; 2611 East 46th Street (north of site), requested rezoning of 0.5 acre, being in the D-5 District, to the C-3 classification to conform zoning with the Keystone Avenue Corridor Study, **approved**.

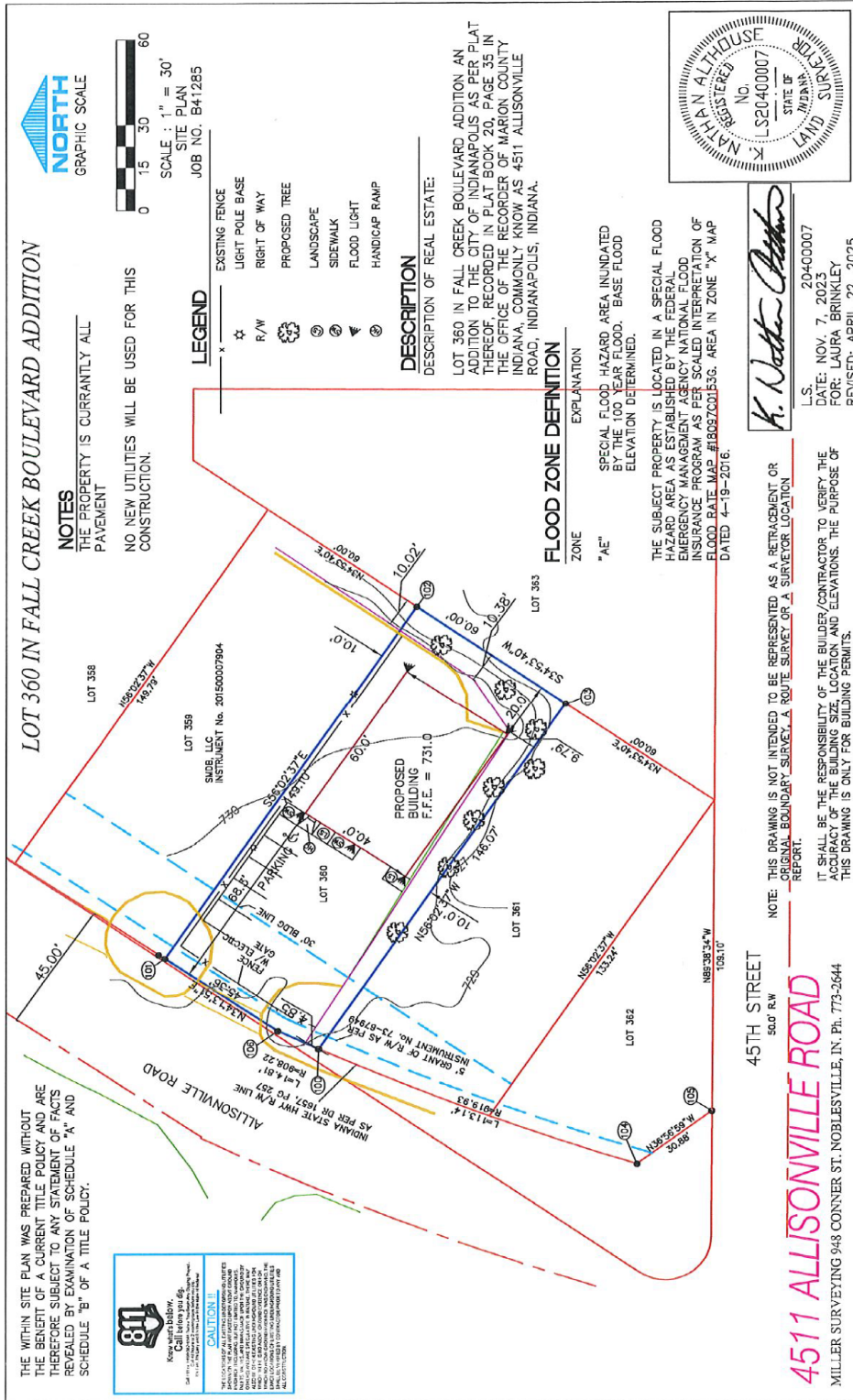
88-Z-268; 4456 Allisonville Road (west of site), requested rezoning of 0.66 acre, being in the C-3 district, to the C-5 classification to provide the continued operation of a night club, withdrawn.

EXHIBITS



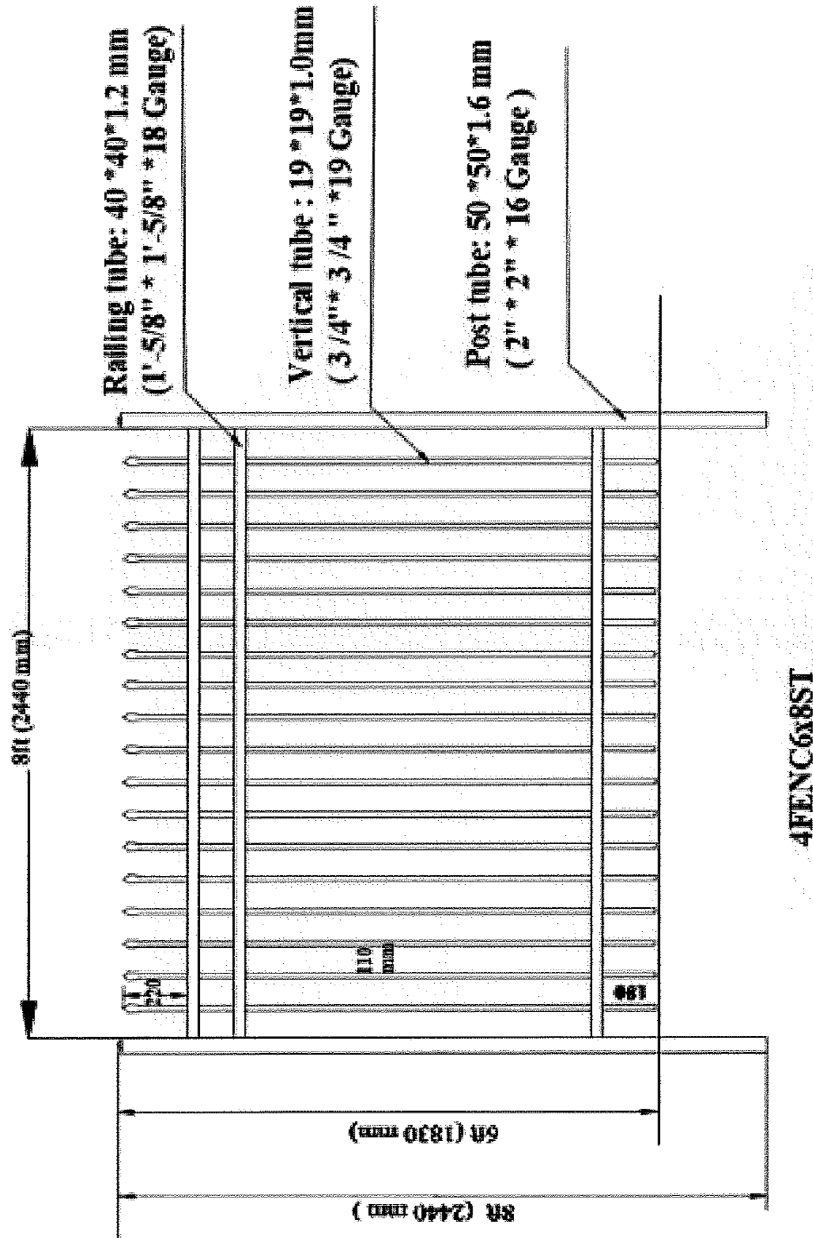
4511 Allisonville Road





Building Rendering – May 21, 2026







C-S Development Statement

Introduction: Petitioner, Broad Ripple Construction, LLC, seeks to rezone approximately 0.21 acres of property commonly known as 4511 Allisonville Road (the “Subject Property”) as shown on the Concept Plan attached as Exhibit “A” in order to facilitate redevelopment of the Subject Property, initially for light industrial use as a contractor’s office.

Zoning: The Subject Property is currently zoned MU-1, a residential/commercial reuse district. Petitioner proposes to rezone the Subject Property from MU-1 to C-S to allow Petitioner to construct and occupy the Subject Property as a contractor’s office, as well as facilitate potential future commercial and industrial uses.

Proposed Permitted Primary Use shall be as follows, as described in the City of Indianapolis Consolidated Zoning/Subdivision Ordinance in effect as of January 8, 2025 (the “Zoning Ordinance”):

- a) Commercial and Building Contractor
- b) Offices (Business, Professional or Government)
- c) Light Manufacturing, Artisan Manufacturing
- d) All Research and Development
- e) Flex type office/industrial use
- f) Consumer Services, repair of Consumer Goods
- g) Vocational, technical or industrial school or training facility
- h) Medical or Dental Office, Center, or Clinic
- i) Hair and Body Care Salon or Service
- j) Financial and Insurance Services
- k) Day Care Center, Nursery School

Permitted Accessory Uses of the Subject Property shall include the following:

- 1) Wireless Communication Facilities
- 2) Game Courts
- 3) Outdoor Storage (limited to a maximum of twenty-five percent (25%) of total square footage of building)
- 4) Outdoor Display and Sales, Temporary
- 5) Outdoor Seating or Patio



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- 6) Renewable Energy Facility, Solar, Geothermal or Wind
- 7) Satellite Dish Antenna
- 8) Sign(s)
- 9) Temporary Construction Yard, Office, or Equipment Storage

Development Standards:

Petitioner hereby incorporates the Lot and Building Dimensions for properties in the C-S zoning district set forth in Chapter 744; Art. II, Section 01.C, Table 744-201-3 of the Zoning Ordinance.

Landscaping plans are not yet fully developed. Prior to obtaining an improvement location permit for a new building, a detailed landscaping plan, consistent with that required for commercial uses set forth in Ch. 744, Art. V of the Zoning Ordinance, shall be submitted for Administrator’s Approval. Off-street parking shall conform to the requirements set forth in Ch. 744, Art. IV of the Zoning Ordinance.

Signs:

The following sign types shall be permitted:

- 1) One (1) Monument (Business identification) Sign not to exceed eight (8) feet in height
- 2) One (1) Ground (Business identification) Sign, in lieu of a Monument Sign
- 3) Wall Signs, Awning, Canopy and Window Signs
- 4) Incidental, Temporary, and Other Signs as would otherwise be permitted in a commercial zoning district

Development:

The project may be developed as generally shown on the conceptual site plan submitted with the C-S Rezoning Petition and this C-S Development Statement (the “Concept Plan”).

51211613.1



Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

- 1) the proposed fence in the front yard and side will be a continuation of the existing fence on the south and east sides and will not encroach into the clear sign triangle, and will promote safety and security; and
- 2) the transparency requirement is not needed for a non-retail type business, and will promote safety and security.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

Neither the proposed fence nor building, without the required transparency, will interfere with access to or from any adjacent property.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

The Zoning Ordinance focuses on aesthetics versus security with respect to the fence limitations and the transparency requirements.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____



View looking south along Allisonville Road



View looking north along Allisonville Road



View of site looking southwest



View of site looking east



View of site looking southwest along Allisonville Road



View from site looking west across Allisonville Road



METROPOLITAN DEVELOPMENT COMMISSION **May 28, 2026**
HEARING EXAMINER

Case Number: 2026-CZN-819 / 2026-CVC-819

Property Address: 5849 Crittenden Avenue

Location: Washington Township, Council District 7

Petitioner: Roman Catholic Archdiocese of Indianapolis Properties, Inc., as Trustee,
Bishop Chatard High School, Inc., by Brian J. Tuohy

Current Zoning: D-5

Rezoning of 0.48-acre from the D-5 district to the SU-2 district to provide for school uses.

Request: Vacation of a portion of East Northgate Street, being 50 feet wide, from the east right-of-way line of Crittenden Avenue (also being the northwest corner of Lot 100 of Northdale, an addition to the City of Indianapolis), 279 feet to a point (also being the northeast corner of Lot 30 in said subdivision).

Current Land Use: Educational uses and public street

Staff Recommendations: Approval of the rezoning request and the vacation.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing for these petitions.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning and the vacation request.

PETITION OVERVIEW

This 0.48-acre site, zoned D-5, is developed with a single-family dwelling and public street. It is surrounded by educational uses to the north, zoned SU-2; a single-family dwelling to the south, zoned D-5; a parking lot to the east, zoned SU-2; and a single-family dwelling to the west, across Crittenden Avenue, zoned D-5.



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REZONING

This request would rezone the site to the SU-2 district to provide for school uses.

“No building, structure, premises or part thereof shall be constructed, erected converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this article and until the proposed Site and Development Plan and landscape plan have been filed with and approved on behalf of the Commission by the Administrator.”

All land use within the Special Use districts shall be limited to the use or uses as identified in the Ordinance.

The Comprehensive Plan recommends suburban neighborhood typology for the site.

Recommended land uses in this typology include detached housing; attached housing; multi-family housing; assisted living facilities/nursing home; group homes; bed and breakfast; small-scale offices, retailing, and personal or professional services; small- and large- scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; small-scale parks; and community farms / gardens.

As proposed, this request would be consistent with and align with the Plan recommendation of suburban neighborhood that allows large-scale schools.

VACATION

This request would vacate a portion of East Northgate Street being 50 feet wide, from the east right-of-way line of Crittenden Avenue (also being the northwest corner of Lot 100 of Northdale, an addition to the City of Indianapolis), 279 feet to a point (also being the northeast corner of Lot 30 in said subdivision)

The request would permit adjacent properties, to the north and south, to be combined and incorporated into the school campus without an intervening public street, which could improve the safety of students.

Procedure

Neither the Division of Planning nor the Plat Committee, Hearing Examiner or Metropolitan Development Commission determines how vacated right-of-way is divided. The approval of a vacation petition only eliminates the public right-of-way. The vacation approval does nothing more. A petitioner will not receive a deed or other document of conveyance after the approval of a vacation.

The general rule under Indiana case law is that when a street or highway is vacated or abandoned the title to the land reverts to the abutting property owners. This rule exists by virtue of the fact that the abutting landowner owns to the center of the street or highway subject only to an easement for the public to the use of the street or highway. *Gorby v. McEndarfer* 135 Ind.App. 74, *82, 191 N.E.2d 786, **791 (Ind.App.1963). However, there are possible exceptions to this general rule.



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After a vacation of public right-of-way the county assessor determines how the vacated right-of-way will be assessed for tax purposes.

Petitioners and abutters of the vacated right-of-way should consult their own attorneys for advice regarding the ownership of the vacated right-of way.

RECOMMENDED MOTION: That the Hearing Examiner find that the proposed vacation is in the public interest; that a hearing upon the assessment of benefits be held on June 11, 2026; that the Hearing Examiner confirm and ratify the adoption of Declaratory Resolution 2026-CVC-819; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Single-family dwelling and public street	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
North:	SU-2	Educational uses
South:	D-5	Single-family dwelling
East:	SU-2	Parking lot
West:	D-5	Single-family dwelling
Thoroughfare Plan		
Crittenden Avenue	Local Street	Existing 60-foot right-of-way and proposed 48-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	N/A	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	April 3, 2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Suburban Neighborhood typology. “The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or parks.”

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

Conditions for All Land Use Types – Suburban Neighborhood Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.
- Hydrological patterns should be preserved wherever possible.
- Curvilinear streets should be used with discretion and should maintain the same general direction.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for Longer Blocks, Are Encouraged.

Large-Scale Schools, Places of Worship, and Other Places of Assembly (defined as schools, places of worship, and other places of assembly that are generally more than five acres in size. particularly large centers of education such as township high schools and universities would not be included in this definition, and are considered to be regional special use).

- Should be located along an arterial street.
- If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
- Schools should not be within 1000 feet of a highway, freeway, or expressway.



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- Should be located within one-half mile of a bus or rapid transit stop, unless there is no bus service within the institution's service area.
- In predominantly platted, single-family neighborhoods, site should be at least as wide as it is deep.
- Should be in harmony with the surrounding neighborhoods and site and screen their parking, service, and emergency vehicle areas to buffer surrounding residential uses.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

The Marion County Thoroughfare Plan (2019) "is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area."

The following listed items describe the purpose, policies and tools:

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.



ZONING HISTORY

2025-CZN-829 / 2025-CVC-828; 5802, 5808, 5814, and 5820 Evanston Avenue (east of site), requested rezoning of 1.56 acres from the D-5 district to the SU-2 district to provide for school uses and a vacation of Evanston Avenue, **approved**.

2018-ZON-016; 5824, 5830, 2834, and 5840 Evanston Avenue (east of site), requested rezoning of 0.8 acre, from the D-4 districts to the SU-2 classification, **approved**.

2004-ZON-818; 5714-5745 Evanston Avenue and 2019 Northdale Lake Drive (southeast of site), requested rezoning of 2.25 acres being in the D-6II District, to the D-P classification to legally establish multi-family residential development with a density of 10.70 units per acre, **approved**.

2000-ZON-069; 5885 Crittenden Avenue (north of site), requested rezone 10.6 acres from the D-5 to SU-2 to legally establish an existing high school and related athletic facilities, **approved**.

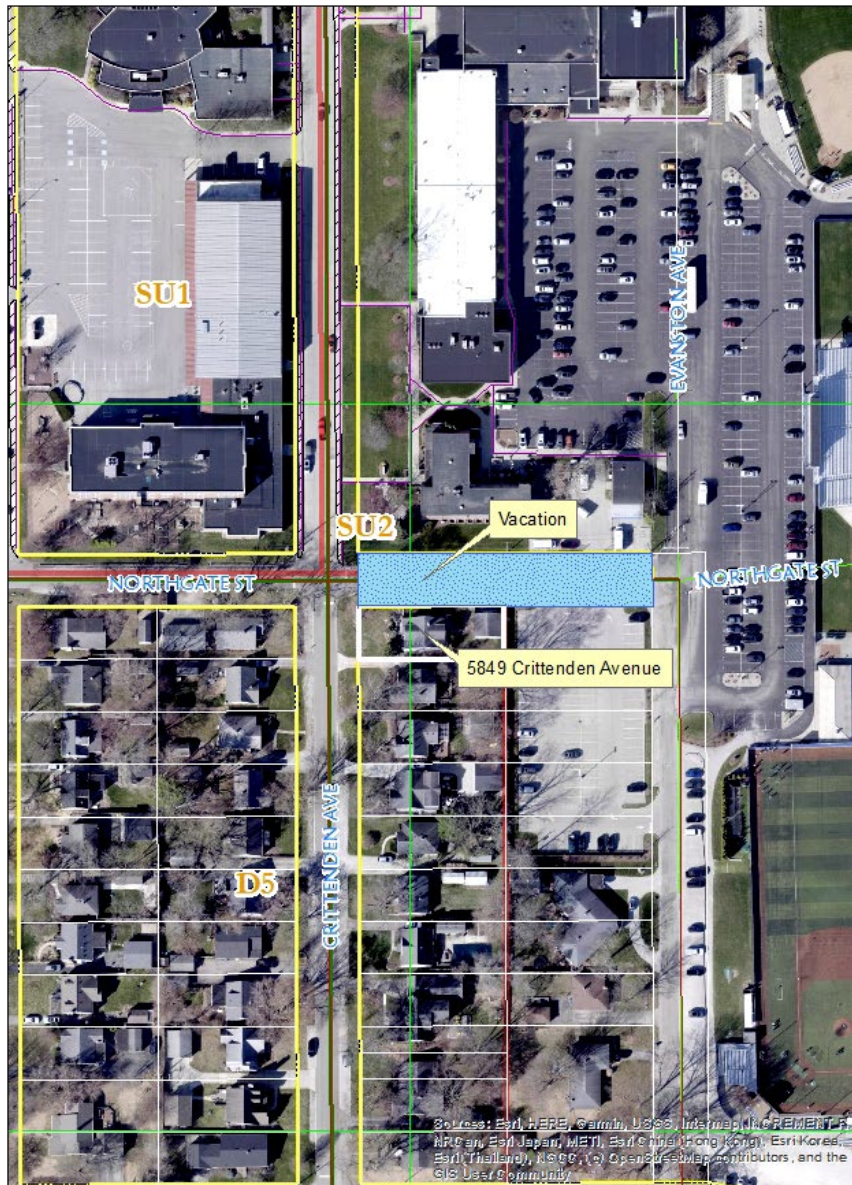
91-P-60; 2002 East 56th Street (east of site), requested approval of subdivision plat to be known as Northdale Subdivision, dividing 3.3+ acre into 4 lots, **approved**.

70-Z-56; 1700 – 1900 East 54th Street (south of site), requested rezoning of 55.75 acres being in the D-4 and D-5 districts to the D-6II classification to provide for the construction of an apartment and townhouse development, **approved**.

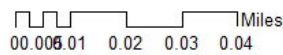
70-Z-52; South side of Kessler Boulevard, East Drive, between Crittenden and Norwaldo Avenues (north of site), requested rezoning 3.70 acres from the D-5 district to the SU-1 classification to provide for the construction of a new church building with off street parking as per plans filed, **approved**.

67-Z-105; All lots east of Evanston and lots on west and east of Caroline Between and including lots facing East 58th Street and Northgate Street (east of site), requested rezoning of approximately 6.573 acres being in the D-5 district to Special Use (2) classification to permit recreational purposed, **approved**.

EXHIBITS

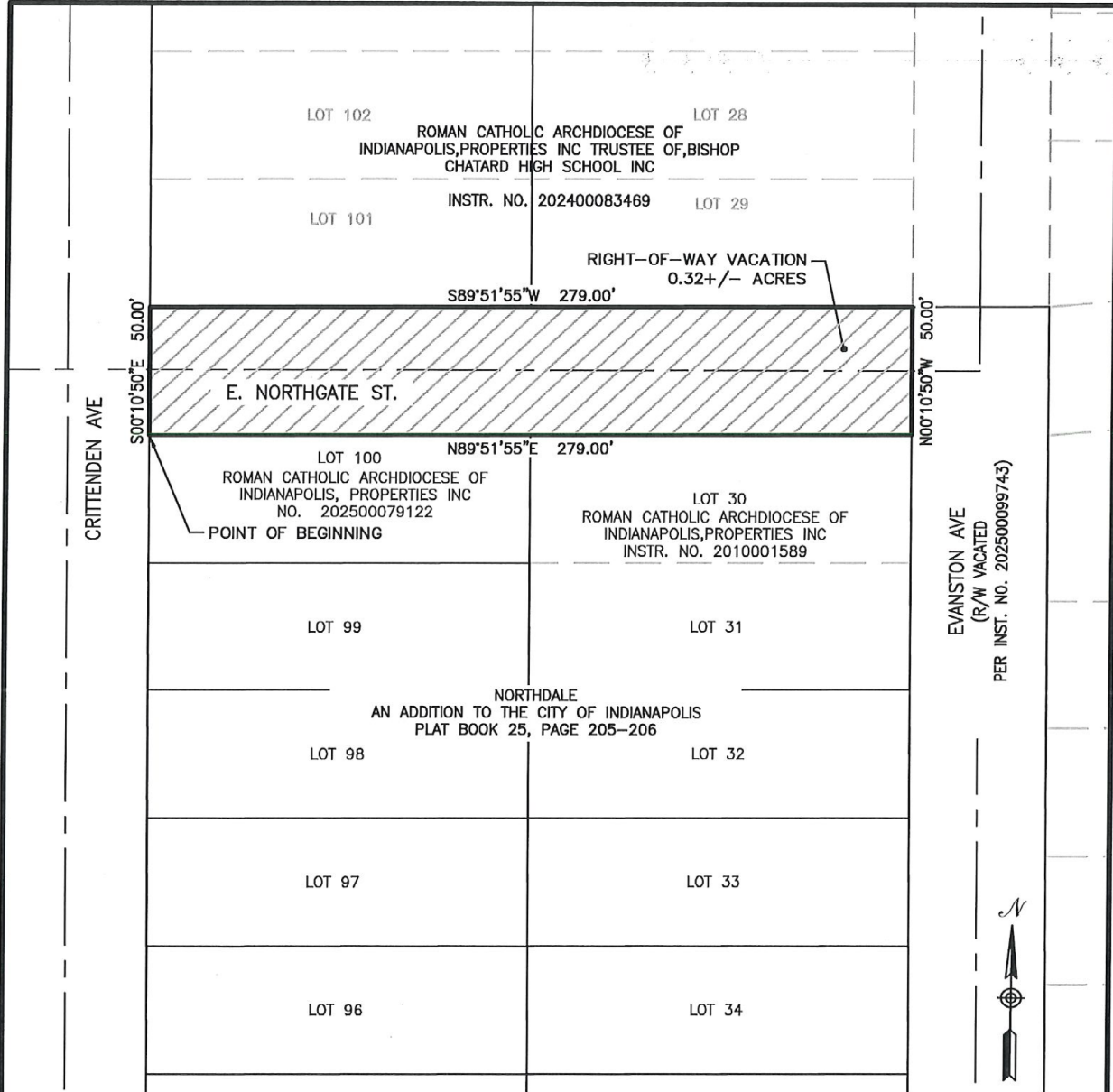


5849 Crittenden Avenue





Department of Metropolitan Development
Division of Planning
Current Planning



PREPARED BY:



PO BOX 70
ZIONSVILLE, IN 46077
(317)344-2822

THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT.



SHEET 1 OF 2

PROJECT NO.: 240301
DRAWN BY: AM
DATE: 03/27/2026

A&F ENGINEERING
Transportation & Site Engineering
8365 KEYSTONE CROSSING, SUITE 201
INDIANAPOLIS, IN 46240

RIGHT-OF-WAY VACATION
PROJECT:
BISHOP CHATARD
HIGHSCHOOL
INDIANAPOLIS, INDIANA



Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
PLAT COMMITTEE
HEARING EXAMINER
OF MARION COUNTY, INDIANA

PETITION FOR VACATION OF A PUBLIC WAY, EASEMENT OR PUBLIC PLACE

FINDINGS OF FACT

1. THE PROPOSED VACATION IS IN THE PUBLIC INTEREST because:
The vacation will allow the Petitioner to develop and improve the site with a parking area and related improvements for use by Chatard High School. The portion of Northgate Street to be vacated terminates at the entrance of the school's parking lot and is not a through street. Additionally, Petitioner owns the parcels on both sides of the portion of Northgate Street to be vacated. The vacation allows for the connection of school owned property without an intervening public street and promotes safety by separating school traffic from neighborhood traffic. The vacation will allow for substantial investment in the area and off street parking for the school.

DECISION

IT IS THEREFORE the decision of this body that this VACATION petition is APPROVED, subject to any conditions stated in the minutes (which conditions are incorporated herein by reference and made a part of this decision).

Adopted this _____ day of _____, 20 ____



View looking east along East Crittenden Avenue



View looking west along East Crittenden Avenue



View of school campus looking north from East Crittenden Avenue



View of school campus looking north from East Crittenden Avenue



View of school campus looking north from East Crittenden Avenue



View of school campus looking northeast from East Crittenden Avenue



View of school campus looking east from East Crittenden Avenue



View looking southeast across recently vacated Evanston Avenue



View looking south along recently vacated Evanston Avenue



View of campus looking south across East Crittenden Avenue



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Division of Planning
Current Planning**