



Metropolitan Development Commission (April 2, 2025) Meeting Notice

Meeting Details

Notice is hereby given that the Metropolitan Development Commission of Indianapolis-Marion County, IN, will hold public hearings on:

Date: Wednesday, April 02, 2025

Time: 1:00 PM

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

Business:

Adoption of Meeting Minutes: March 19, 2025

Special Requests

Policy Resolutions:

REAL ESTATE:

1. 2025-R-014

Authorizes DMD to enter into an agreement for services to support the planning process for the former Indiana Women's Prison site on the east side.

2. 2025-R-015

DMD is authorized to enter into agreement with the Shrewsberry & Associates, LLC for services to as Owner's Representative for the Indianapolis City Market Campus Project.

PLANNING:

3. 2025-P-004

Resolution to rescind 2024-P-010 and reappoint Judy Weerts Hall as the Marion County Hearing Examiner and amend compensation to an amount not to exceed \$35,000 for 2025. This resolution also allows DMD to enter into contract with the Marion County Alternate Hearing Examiner for an amount not to exceed \$5,000 for 2025.

Zoning Petitions:

PETITIONS OF NO APPEAL (RECOMMENDED FOR APPROVAL):

4. 2025-ZON-002 | 6120 East Thompson Road

Franklin Township, Council District #24

Thompson and Commerce Properties LLC, by Richard Henderson

Rezoning of 4.732 acres from the D-P (FF) district to the D-6 (FF) district to provide for residential uses.

5. 2025-ZON-007 | 2949, 2953, and 2959 Ruckle Street

Center Township, Council District #8
Modern Housing Solutions, Inc., by David Gilman

Rezoning of 0.349-acre from the D-5 district to the D-8 district to provide for an eight-unit multi-family residential development.

6. 2025-ZON-009 | 3813 North Sherman Drive

Washington Township, Council District #8
Haben Ghebremichael Davis

Rezoning of 0.79-acre from the D-3 (TOD) district to the C-3 (TOD) district to provide for commercial uses.

7. 2025-ZON-011 | 5220 Bluff Road

Perry Township, Council District #22
Burmese American Community Institute, Inc., by Andi M. Metzel

Rezoning of 1.3 acres from the D-A district to the SU-38 district to provide for a community center.

8. 2025-CZN-802 | 5801 Mills Road

Decatur Township, Council District #21
Grand Communities, LLC, by David Gilman

Rezoning of 16.5 acres from the SU-2 district to the D-4 district to provide for attached single-family dwellings.

PETITIONS OF NO APPEAL (RECOMMENDED FOR DENIAL):

9. 2024-CZN-853 | 420 West 40th Street

Washington Township, Council District #7
Edith Glover, by Lester Wiley Carver

Rezoning of 0.38-acre from the D-5 district to the C-3 district.

Petitions for Public Hearing

PETITIONS FOR PUBLIC HEARING:

10. REZONING PETITION RECOMMENDED FOR APPROVAL BY THE HEARING EXAMINER, APPEAL FILED BY REMONSTRATOR:

2024-ZON-144 | 7500 South Sherman Drive

Perry Township, Council District #24
Eugene and Elsie J. Daulton, by Elizabeth Bentz Williams and Russell L. Brown

Rezoning of 61.55 acres from the D-A district to the D-3 district.

11. REZONING PETITION RECOMMENDED FOR DENIAL BY THE HEARING EXAMINER, APPEAL FILED BY PETITIONER:

2025-ZON-005 | 8830 and 8850 Rockville Road

Wayne Township, Council District #17
HKZ Properties, LLC, by Ron Sears

Rezoning of 1.527 acres from the D-A and D-3 districts to the C-3 district to provide for commercial uses.

Additional Business:

12. ADOPTION OF NEGATIVE FINDINGS OF FACT FOR VARIANCE PETITION DENIED ON FEBRUARY 5, 2025

2024-CVR-834 (3rd Amended) | 6650 South Meridian Street

Perry Township, Council District #22

D-A
Chin United Pentecostal Church, by Katlyn Grey

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for religious uses on proposed Lot One.

**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.

Indiana Women’s Prison
Planning-related Services
Urban Land Institute

**METROPOLITAN DEVELOPMENT COMMISSION
OF
MARION COUNTY, INDIANA
Resolution No. 2025-R-014**

WHEREAS, the Department of Metropolitan Development (“DMD”), by authority of and pursuant to I.C. 36-7-15.1, engages in redevelopment activities within the Marion County Redevelopment District Area, Marion County, Indiana, including the former Indiana Women’s Prison site recently acquired from the State and located at 401 N. Randolph St. (“Site”); and

WHEREAS, in that capacity the Metropolitan Development Commission (“MDC”) serves as the governing body of the City of Indianapolis Redevelopment District; and

WHEREAS, Indiana Code 5-22-6-1 allows a governmental body to purchase services using any procedure the governmental body or the purchasing body considers appropriate; and

WHEREAS, DMD requires planning services related to development of the Site and seeks to enter into a contract to carry out, a planning charette facilitated by an Urban Land Institute (“ULI”) Technical Assistance Panel to inform redevelopment of the Site (“Services”); and

WHEREAS, DMD seeks authority to enter into a contract for such Services (“Contract”) to be carried out within 2025 and for a budget not-to-exceed \$10,000.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The DMD is hereby authorized by the MDC to enter into a Contract for Services with ULI, as described above, in an amount not to exceed **\$10,000** to support planning for the former Indiana Women’s Prison site and to be paid from all available sources of funding.
2. The Director is hereby authorized to execute the necessary documents, with such terms and provisions as may be deemed necessary or appropriate to best accomplish the objectives set forth herein and all actions heretofore taken by any such official toward the completion thereof are hereby ratified, confirmed, and approved.

Approved as to Adequacy & Legal Form

Sheila Kinney

Sheila Kinney, Asst. Corp Counsel
Date: 3/24/2025

Metropolitan Development Commission

John J. Dillon III, President
Date: _____

**METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA
RESOLUTION NO. 2025-R-015**

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana ("MDC") serves as the Redevelopment Commission of the City of Indianapolis, Indiana ("City") under I.C. 36-7-15.1 (the "Redevelopment Act"); and

WHEREAS, the Commission is authorized to approve the employment of all persons engaged by contract to render professional or consulting services for the Department of Metropolitan Development ("DMD"); and

WHEREAS, DMD wishes to enter into an agreement for management of the renovation project at City Market, and has identified Shrewsberry & Associates, LLC, as a contractor with the requisite skills to perform such services; and

WHEREAS, DMD wishes to fund this agreement utilizing legally available resources.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, as follows:

1. The Commission hereby authorizes DMD to enter into an Agreement with Shrewsberry & Associates, LLC in an amount not to exceed \$435,674.00 to serve as Owner's Representative for the Indianapolis City Market Campus Project through the year 2026.
2. The Director of the Department of Metropolitan Development is hereby authorized and directed to take such further actions and to execute such documents as such Director deems necessary or advisable to effectuate the authorizations set forth in this Resolution,
3. This Resolution shall take effect immediately upon adoption by the Commission.

Approved as to legal form and adequacy:

Metropolitan Development Commission:

By: Sheila Kinney

By: _____

Sheila Kinney, Asst. Corp. Counsel

John J. Dillon III, President

Date: 3/26/2025

Date: _____

**METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA
RESOLUTION NO. 2025-P-004**

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana (the "Commission"), serves as the Plan Commission of the Consolidated City of Indianapolis and Marion County, Indiana, under Indiana Code § 36-7-4-202; and

WHEREAS, the Commission is empowered to designate hearing examiners to conduct any public hearing required to be held by the Commission or make any decision required to be made by the Commission, or both, under Indiana Code § 36-7-4-402; and

WHEREAS, the Commission designated Judy Weerts Hall as hearing examiner for the period of January 1, 2025, through December 31, 2025, in Resolution 2024-P-010, adopted on November 20, 2024; and

WHEREAS, the Commission now seeks to increase the total not-to-exceed amount previously approved; and

WHEREAS, the Commission designated David DiMarzio as the alternate hearing examiner for the period of January 1, 2025, through December 31, 2025, in resolution 2025-P-003; and

NOW THEREFORE BE IT RESOLVED THAT:

1. In adopting this resolution, the Commission rescinds Resolution 2024-P-010.
2. The Commission hereby designates Judy Weerts Hall as hearing examiner for the period from January 1, 2025, through December 31, 2025.
3. The Commission directs the Department of Metropolitan Development ("DMD") to amend its 2024 professional services agreement with Judy Weerts Hall, (i) to provide an additional payment amount of Fifteen Thousand Dollars (\$15,000.00), the total not to exceed amount for this contract is Thirty-Five Thousand Dollars (\$35,000.00); and (ii) to extend the term of service to terminate on December 31, 2025.
4. The Commission directs DMD to enter into an agreement with David DiMarzio to serve as an alternate hearing examiner in an amount not to exceed Five Thousand Dollars (\$5,000.00).
5. The Director of DMD is hereby authorized and directed to take such further actions and execute such documents as deemed necessary or advisable by such Director to effectuate the authorizations set forth in this Resolution.
6. This Resolution shall take effect immediately upon adoption by the Commission.

Approved as to legal form and adequacy:

Metropolitan Development Commission

Ethan L. Hudson, Asst. Corp. Counsel

John J Dillon III, President

Date: 03/26/2025

Date: _____



METROPOLITAN DEVELOPMENT COMMISSION **April 2, 2025**

Case Number: 2024-ZON-144
Property Address: 7500 South Sherman Drive
Location: Perry Township, Council District #24
Petitioner: Eugene and Elsie J. Daulton, by Elizabeth Bentz Williams
Current Zoning: D-A
Request: Rezoning of 61.55 acres from the D-A district to the D-3 district
Current Land Use: Undeveloped land
Staff Recommendations: Approval, subject to the commitments noted below:
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the timely automatic continuance filed by a remonstrator that continued this petition from the January 23, 2025 hearing, to the February 27, 2024 hearing.

This petition was heard by the Hearing Examiner on February 27, 2025. After a full hearing, the Hearing Examiner recommended approval of the rezoning. Subsequently, the remonstrator filed an appeal of the Hearing Examiner’s decision. A memorandum of her recommendation is attached.

The Metropolitan Development Commission continued this petition from the March 19, 2025 hearing, to the April 2, 2025 hearing, at the request of the remonstrators.

STAFF RECOMMENDATION

Approval, subject to the following commitments being reduced to writing on the Commission’s Exhibit "B" forms at least three days prior to the MDC hearing:

1. A tree inventory, tree assessment and preservation plan prepared by a certified arborist shall be submitted for Administrator Approval prior to preliminary plat approval and prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development; b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and e) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree’s dripline during construction activity). All trees proposed for removal shall be indicated as such.



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Division of Planning
Current Planning**

2. A technical assessment shall be conducted prior to the issuance of an Improvement Location Permit to provide for a wetlands delineation to determine the type and quality and how the area could be preserved and integrated into the development as an amenity.
3. 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.

PETITION OVERVIEW

This 61.55-acre site, zoned D-A, is undeveloped and surrounded by single-family dwellings to the north, zoned D-3; two-family dwellings and single-family dwellings to the south, zoned D-5II and D-P, respectively; single-family dwellings and amenity area to the east, zoned D-3; and single-family dwellings to the west, zoned D-A.

REZONING

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

The Comprehensive Plan recommends suburban neighborhood typology for the site.

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.



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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.

Much of this site is covered by high quality woodlands, specifically identified as Forest Alliance Woodlands, with wetlands scattered throughout the site.

Traffic Operation Analysis (TOA)

Because the proposed development would not meet the threshold for a Traffic Impact Study (TIS), a TOA was prepared. A TOA evaluates the performance of a road network or specific intersection, analyzing traffic flow, congestion levels, delays, and safety issues. See Exhibit A.

Based on the number of vehicles at each of the study intersections, the new development would not cause a negative effect to the existing neighborhoods or street system.

Tree Preservation / Heritage Tree Conservation

There are significant amounts of natural vegetation and trees covering most of the site. Due to their inherent ecological, aesthetic, and buffering qualities, the maximum number of these existing trees should be preserved on the site.

All development shall be in a manner that causes the least amount of disruption to the trees.

A tree inventory, tree assessment and preservation plan prepared by a certified arborist shall be submitted for Administrator Approval prior to preliminary plat approval and prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development, b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and e) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.



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If any of the trees are heritage trees that would be impacted, then the Ordinance requires that the Administrator, Urban Forester or Director of Public Works determine whether the tree(s) would be preserved or removed and replaced.

The Ordinance defines “heritage tree” as a tree over 18 inches Diameter at Breast Height (DBH) and one of the Heritage tree species. Heritage tree species include: Sugar Maple (*Acer saccharum*), Shagbark Hickory (*Carya ovata*), Hackberry (*Celtis occidentalis*), Yellowwood (*Cladrastus kentukea*), American Beech (*Fagus grandifolia*), Kentucky Coffeetree (*Gymnocladus dioica*), Walnut or Butternut (*Juglans*), Tulip Poplar (*Liriodendron tulipifera*), Sweet Gum (*Liquidambar styraciflua*), Black Gum (*Nyssa sylvatica*), American Sycamore (*Platanus occidentalis*), Eastern Cottonwood (*Populus deltoides*), American Elm (*Ulmus americana*), Red Elm (*Ulmus rubra*) and any oak species (*Quercus*, all spp.)

The Ordinance also provides for replacement of heritage trees if a heritage tree is removed or dies within three years of the Improvement Location Permit (ILP) issuance date. See Exhibit A, Table 744-503-3: Replacement Trees.

Wetland Preservation

The aerial indicates possible wetlands located throughout the site.

The Environmental Protection Agency defines wetlands “as areas where water covers the soil or is present either at or near the surface of the soil all year or for varying periods of time during the year, including during the growing season. Water saturation (hydrology) largely determines how the soil develops and the types of plant and animal communities living in and on the soil. Wetlands may support both aquatic and terrestrial species. The prolonged presence of water creates conditions that favor the growth of specially adapted plants (hydrophytes) and promote the development of characteristic wetland (hydric) soils.”

The State of Indiana defines wetlands as “areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include: (1) swamps; (2) marshes; (3) bogs; and (4) similar areas.”

Staff believes that a technical assessment that would include a wetlands delineation would determine the type and quality of the wetland based on the presence or absence of wetlands characteristics, as determined with the *Wetlands Delineation Manual, Technical Report Y-81-1* of the United States Army Corps of Engineers.

If approved, staff would recommend that approval be subject to the following commitment:

A technical assessment shall be conducted prior to the issuance of an Improvement Location Permit to provide for a wetlands delineation to determine the type and quality and how the area could be preserved and integrated into the development as an amenity.



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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.

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 proposed rezoning to the D-3 district to provide for 137 lots for single-family dwellings would be consistent with the Comprehensive Plan recommendation of suburban neighborhood typology. The typical density of this typology is one to five units per acre. This proposed cluster development would provide 2.22 units per acre. It would also be compatible with the surrounding residential neighborhoods.



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Because of the woodlands, wetlands, and 175-foot-wide power line easement (southeast corner), a cluster subdivision is proposed. A cluster subdivision is defined as “a form of development for single-family residential subdivisions that permits a reduction in the minimum lot: area, width, setback and open space requirements and to concentrate development in specific areas of the subdivision while the remaining land is reserved in perpetuity. Recreational purposes, common open space and preservation of environmentally sensitive features are examples of some purposes of the remaining land.”

“Cluster subdivisions are intended to allow greater flexibility in design and development of subdivisions, in order to produce innovative residential environments, provide for more efficient use of land, protect topographical features, and permit common area and open space. To accomplish this purpose, the following regulations and exceptions shall apply only to cluster subdivisions.

The following criteria must all be fulfilled to be eligible for a cluster subdivision.

- Unique topographical features on the site, including but not limited to slopes, streams, and natural water features, are protected and preserved.
- Wooded areas, individual trees of significant size, wetlands, or other environmentally sensitive features are protected and preserved.
- Common open space and recreational areas accessible to residents of the subdivision including provisions for walkways and bikeways are provided.
- Innovative residential environment is produced.
- Alteration of the natural site features is minimized through the design and situation of individual lots, streets, and buildings.
- Diversity and originality in lot layout and individual building design achieves the best possible relationship between development and the land.
- The land area devoted to motor vehicle access is minimized.

Because the proposed rezoning supports and is consistent with the Comprehensive Plan recommendation of suburban neighborhood, compatible with the surrounding residential development, and would protect and preserve the woodlands and wetlands, staff supports this request.

GENERAL INFORMATION

Existing Zoning	D-A	
Existing Land Use	Undeveloped land	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
North:	D-3	Single-family dwellings
South:	D-5II / D-P	Two-family / single-family dwellings
East:	D-3	Single-family dwellings
West:	D-A	Single-family dwellings



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Thoroughfare Plan		
South Sherman Drive	Primary Collector	Existing 70-foot right-of-way and proposed 90-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Yes – Environmentally Sensitive Areas	
Wellfield Protection Area	No	
Site Plan	December 13, 2024	
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

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 one to five 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:



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- *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.
- *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.
- *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.

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

2004-ZON-054; 4226 Stop 11 Road (south of site), requested rezoning of 21.48 acres, being in the D-A district, to the D-5II classification to provide for residential development, **approved**.

99-Z-217 / 99-DP-34; 4620 East Stop 11 Road (south of site), requested rezoning of 68.8 acres from the D-A district to the D-P classification to provide for single-family residential development, **approved**.

88-Z-3; 4802 East Stop 11 Road (north and east of site), requested rezoning of 174.73 acres, being in the A-2 district, to the D-3 classification, to provide for single-family residences, **approved**.

MEMORANDUM OF EXAMINER’S DECISION

2024-ZON-144

7500 South Sherman Drive

The petition requests the rezoning of 61.55 acres from the D-A district to the D-3 district to provide for residential development.

Your Hearing Examiner visited the undeveloped site prior to the hearing and noted that it is surrounded by residential developments on all sides.

The petitioner’s representative explained that the wooded site was owned by a couple for about 60 years and was used as a plant nursery. During that time, subdivisions were developed on all sides of the site, rendering this site an infill development. Because the site contains woodlands and wetlands, a cluster development is the best option to maintain those features. With a maximum of 137 lots proposed for single family residences, the density of 2.44 units per acre is consistent and compatible with surrounding residential development.

Although the proposed development did not meet the warrants for a traffic impact study, a traffic operations analysis was done. The petitioner’s representative referenced that the rezoning request did not require fully engineered plans at this time, but careful consideration is being given to the woodlands and wetlands on the site.

About 30 remonstrators attended the hearing, and several letters of opposition were filed with staff. An online petition with about 600 signatures was presented, and several remonstrators spoke. The primary concerns are losing a wooded amenity, traffic congestion, drainage issues, emergency access, habitat fragmentation, and insufficient capacity in schools and hospitals.

Staff opined that the requested D-3 district is consistent with development surrounding the site and allows development that is in conformance with the Comp Plan. Staff also stated that the intent of the cluster option is being met and respected. Due to the natural amenities on the site, commitments were requested for a tree inventory, tree assessment, and tree preservation plan as well as wetlands delineation, to which the petitioner agreed.

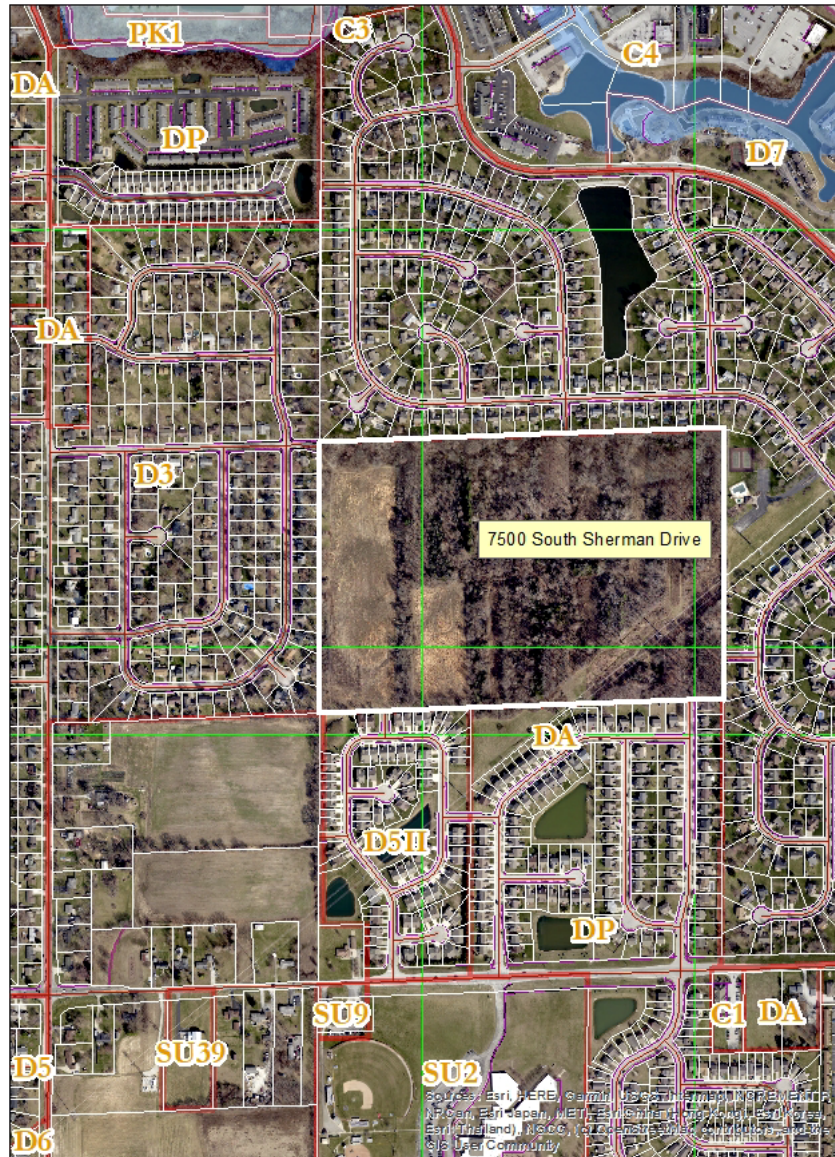


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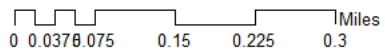
In your Hearing Examiner's opinion, the requested D-3 district will allow development of the infill site that is compatible and consistent with the hundreds of residences surrounding it. By using the cluster option and agreeing to commitments requested by staff, the development will be sensitive to the special environmental qualities. Approval of this petition was recommended.

For Metropolitan Development Commission Hearing on March 19, 2025

EXHIBITS



7500 South Sherman Drive





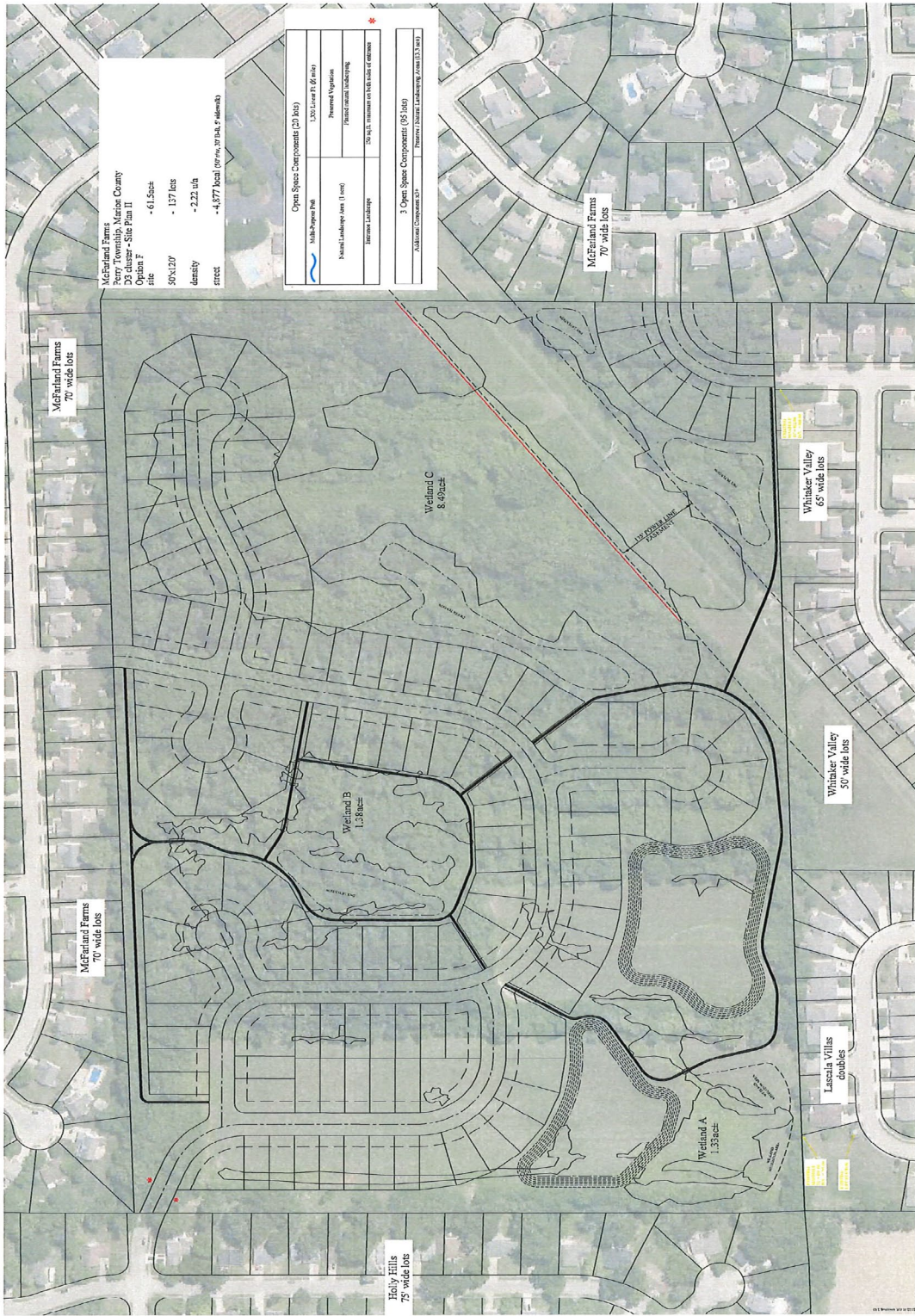




EXHIBIT A – Traffic Operational Analysis



8365 Keystone Crossing, Suite 201
 Indianapolis, Indiana 46240
 (317) 202-0864
 www.af-eng.com

February 7, 2025

Mr. Mark St. John
 Administrator – Planning & Compliance
 DPW, City of Indianapolis
 200 E. Washington Street
 Indianapolis, IN 46204
 mark.stjohn@indy.gov

Re: McFarland Farms
 Traffic Analysis

Dear Mr. St. John,

The purpose of this analysis will be to determine the increased traffic at the following study area intersections:

- Sherman Drive & E. Stop 10 Road
- Southport Road & McFarland Boulevard
- Emerson Avenue & McFarland Boulevard

Scope of Work

In order to determine the effect of the traffic generated by the new subdivision will have on the above-mentioned study intersections, the following tasks were conducted:

- Traffic counts were conducted at study area intersections during AM peak hour and PM peak hour. The AM peak hours that were counted were 6Am-9AM and PM peak hours were counted were 2:30PM – 7:30PM.
- The number of trips that will be anticipated from the additional single-family residences were calculated. The following table illustrates those trips

Land Use	Size	Trip Generation			
		AM Peak		PM Peak	
		Entry	Exit	Entry	Exit
Single-Family / Detached Housing	130 Dwelling Units	24	71	80	47

- New calculated trips will be assigned to each of the study intersections to determine a new volume of traffic that will be added at those locations.

EXPERIENCE. REPUTATION. RELATIONSHIPS



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Existing Traffic Volumes

The following tables are the summary of the existing traffic volumes that were counted at each of the study intersections. The highest volumes at each of the intersections were used for this analysis. The count summaries are enclosed with this memorandum.

Sherman Drive & E. Stop 10 Road									
	Northbound			Southbound			Westbound		
	L	T	R	L	T	R	L	T	R
AM Peak Hour (7:30 AM – 8:30 PM)	-	304	4	11	264	-	7	-	14
PM Peak Hour (3:30 PM – 4:30 PM)	-	360	6	14	459	-	6	-	17

Southport Road & McFarland Boulevard												
	Northbound			Southbound			Eastbound			Westbound		
	L	T	H	L	T	R	L	T	R	L	T	R
AM Peak Hour (7:30 AM – 8:30 PM)	69	38	197	60	35	7	9	580	106	89	543	50
PM Peak Hour (4:30 PM – 5:30 PM)	132	81	178	50	39	19	19	711	186	325	967	91

Emerson Avenue & McFarland Boulevard												
	Northbound			Southbound			Eastbound			Westbound		
	L	T	R	L	T	R	L	T	R	L	T	R
AM Peak Hour (7:15 AM – 8:15 PM)	24	520	62	104	678	74	107	48	96	11	5	5
PM Peak Hour (4:15 PM – 5:15 PM)	97	991	24	48	703	123	106	19	136	85	50	91

Percentage Increase of Traffic

The following table is a summary of the percentage of traffic and new vehicles that will be increased at each of the study intersections:

Increase of Traffic				
Intersection	Percentage Increase		New Vehicles	
	AM	PM	AM	PM
Sherman Drive & E. Stop 10 Road	3.1%	2.9%	19	25
Southport Road & McFarland Boulevard	2.9%	2.4%	51	68
Emerson Avenue & McFarland Boulevard	1.6%	1.4%	25	34



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Conclusion

Based on the number of vehicles at each of the study intersections, the new development will not cause a negative effect to the existing neighborhoods or street system.

Sincerely,
A&F Engineering Co., LLC


Steven J. Fehribach, P.E.
President
/cmc

/enclosed



Exhibit B

Heritage Tree Conservation

Removal of any Heritage Tree is prohibited unless any of the following determinations are made before removal:

1. The Administrator or the city’s Urban Forester determines that the tree is dead, significantly and terminally diseased, a threat to public health or safety, or is of an undesirable or nuisance species.
2. The Director of the Department of Public Works determines that the tree interferes with the provision of public services or is a hazard to traffic.
3. The Administrator determines that the location of the tree is preventing development or redevelopment that cannot be physically designed to protect the tree.
4. The site from which the tree is removed is zoned D-A and the tree is harvested as timber or similar forestry product.

Table 744-503-3: Replacement Trees		
Size of tree removed or dead (inches)	Number of Trees to be planted to replace a Heritage Tree	Number of Trees to be planted to replace an existing tree
Over 36 DBH	15	10
25.5 to 36 DBH	11	8
13 to 25 DBH	8	6
10.5 to 12.5 DBH	6	4
8.5 to 10 DBH	5	4
6.5 to 8	3	2
4 to 6	2	2
2.5 to 3.5	1	1



View of site looking east from Stop 10 Road



View of site looking northeast from Stop 10 Road



View of site looking northeast from Lascala Boulevard



View of site looking northeast from Lascala Boulevard



View of site looking north along Lasacala Boulevard



View of site looking west along Whitaker Valley Drive



View of site looking northwest from Mint Drive



View of site looking south from Mint Drive



METROPOLITAN DEVELOPMENT COMMISSION **April 2, 2025**

Case Number: 2025-ZON-005

Property Address: 8830 and 8850 Rockville Road (Approximate Addresses)

Location: Wayne Township, Council District #17

Petitioner: HKZ Properties, LLC, by Ron Sears

Current Zoning: D-A

Request: Rezoning of 1.527 acres from the D-A and D-3 districts to the C-3 district to provide for commercial uses.

Current Land Use: Residential

Staff Recommendations: **Denial**

Staff Reviewer: Desire Irakoze, Principal Planner II

PETITION HISTORY

The petitioner requested and was granted a continuance for cause from the February 27, 2025, hearing to the March 13, 2025.

This petition was heard by were heard by the Hearing Examiner on March 13, 2025. After a full hearing, the Hearing Examiner recommended denial of the rezoning. Subsequently, the petitioner’s representative filed an appeal of the Hearing Examiner’s decision. A memorandum of her recommendation is attached.

STAFF RECOMMENDATION

Staff **recommends denial** of the request.

PETITION OVERVIEW

LAND USE

The 0.37-acre subject site is developed with a commercial building and associated parking lot.

The surrounding land use are as follows.

- To the north: A single-family dwelling, zoned D-3.
- To the east: A commercial property, zoned C-1.
- To the south: A mix of commercial and residential properties, zoned C-S and D-2.
- To the west: Residential properties, zoned D-A and D-3



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REZONING

The petitioner seeks to rezone the property from the D-A and D-3 districts to the C-3 district to provide for drive-through related commercial uses.

D-A (Dwelling Agriculture District): which holds the agricultural lands of Marion County and provides for a variety of agricultural uses. Most agricultural uses (farms) are permitted in this District. A single-family dwelling is intended to be permitted as a part of such agricultural uses. A secondary provision of this district is large estate development of single-family dwellings. The district does not require public water and sewer facilities.

D-3 (Dwelling District Three): Which provides for low or medium intensity residential development at typically 2.6 units per acre. Land in this district should have good thoroughfare access, be relatively flat in topography, and be afforded pedestrian linkages to community and neighborhood services and facilities. Two-family dwellings are permitted on corner lots only.

C-3 (Neighborhood Commercial District): Which is characterized extensive range of retail sales and personal, professional and business services required to meet the demands of the residential neighborhood in proximity. C-3 generally does not allow those businesses that require the outdoor display, sale or storage of merchandise; or require outdoor operations.

STAFF ANALYSIS

Per 2021-ZON-128 staff report: “The site has long history of land use petitions. The western parcel has been the subject of six previous petitions spanning the period from 1983 to 2006. In 1983, variance petitions were approved for a detached a garage and for use of a garage for a gift shop. Other variances have been granted for the site’s use as an office. Petitions for lawnmower sales and service and for a rezoning to the C-1 district were withdrawn.”

Concerns:

1. **Uses Restricts: Per Sec. 744-210 Table 743-1,** Automobile and Light Vehicle Wash is not permitted in the C-3 Zoning District – However, the submitted site plan dated (11/02/2021) is for a Carwash.
2. **Previous Staff Determination:** the 2021-ZON-128 staff report stated, “In staff’s opinion, this is not an appropriate site for the C-4 district in general and a car wash specifically. The petition does not meet the criteria of the Comprehensive Land Use, the use is too intense for a mid-block site that abuts a day care and single-family dwellings, and the site is too small for the use and the district.” Staff maintains this opinion.
3. **Pedestrian Access: Per Sec. 744-301-F.1,** walkways must connect the sidewalk system to public pedestrian entrances. The submitted site plan does not include such a walkway.
4. **Proximity to Protected Districts:** Per Sec. 743-305. D.3, the proposed use must not be located within 100 feet of a protected district. The property abuts a protected district.



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5. **Driveway Length Requirement:** Per Sec. 743-305. D.4, exit drives must be at least 100 feet in length from the car wash exit to the street. The site plan shows only 67 feet.
6. **Drive-Through Circulation:** Per Sec. 774-406. C.5, sites in the Metro Context area with stacking spaces must include a bypass aisle or other circulation design. Staff is concerned that the site cannot adequately accommodate a drive-through use.
7. **Drive-Through Location Restrictions:** Per Sec. 744-406. C.7, drive-through service units must not be located on the side or rear of a building abutting a protected district unless they meet landscaping and screening requirements. The site plan does not demonstrate compliance.
8. **Fence Height Violation:** Per Sec. 744-510.B, Table 744-510-2, the maximum permitted fence height in the rear and side yards of a C-3 district is 6 feet. The site plan proposes an 8-foot fence in these areas.

In staff’s opinion, approval of the request would be inappropriate and would not align with the context of the surround area. As previously noted in 2021-ZON-128, the proposed use does not align with the Comprehensive Land Use Plan, is too intense for a mid-block location adjacent to a daycare and single-family residences, and the site is undersized for the proposed use.

For these reasons, staff is recommending **denial** of the request.

GENERAL INFORMATION

Existing Zoning	D-A and D-3	
Existing Land Use	Residential	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-3	Residential (Single-family dwellings)
South:	D-2 and C-S	Commercial
East:	D-A and D-3	Residential (Single-family dwellings)
West:	C-1	Commercial
Thoroughfare Plan		
Rockville Road	Primary Arterial	135 to 150 -foot existing right-of-way and 110-foot proposed right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Yes- Airspace Secondary Zoning District.	
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	N/A	



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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)
- The Wayne Township Comprehensive Plan (2018)

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends light industrial and suburban neighborhood development of the site.

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.

- **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.

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)

- Thoroughfare Plan 2019



ZONING HISTORY

ZONING HISTORY – SITE

2021ZON128; 8830 and 8850 Rockville Road (subject site), Rezoning of 1.53 acres from the D-A and D-3 districts to the C-4 district to provide for a car wash facility. **Withdrawn.**

2006-UV1-051; 8850 Rockville Road, requested a variance of use to provide for an office in a dwelling district, **Approved.**

2006-ZON-091; 8850 Rockville Road, requested a rezoning of 0.8 acre from the D-A and D-3 districts to the C-1 district, **Withdrawn.**

87-UV1-143; 8850 Rockville Road, requested a variance of use for a dentist office and a variance of development standards to provide for a pylon sign. **Approved.**

86-UV2-105; 8850 Rockville Road, requested a variance of use to provide for the sale and service of lawnmowers, **Withdrawn.**

83-V1-156; 8850 Rockville Road, requested a variance of use to provide for a detached garage, **Approved.**

83-UV3-38; 8850 Rockville Road, requested a variance of use to provide for a gift shop in a garage, **Approved.**

ZONING HISTORY – VICINITY

2005-ZON-015; 8801-8835 Rockville Road (south of site), requested the rezoning of 2.9 acres from the D-2 district to the C-1 district, **Approved.**

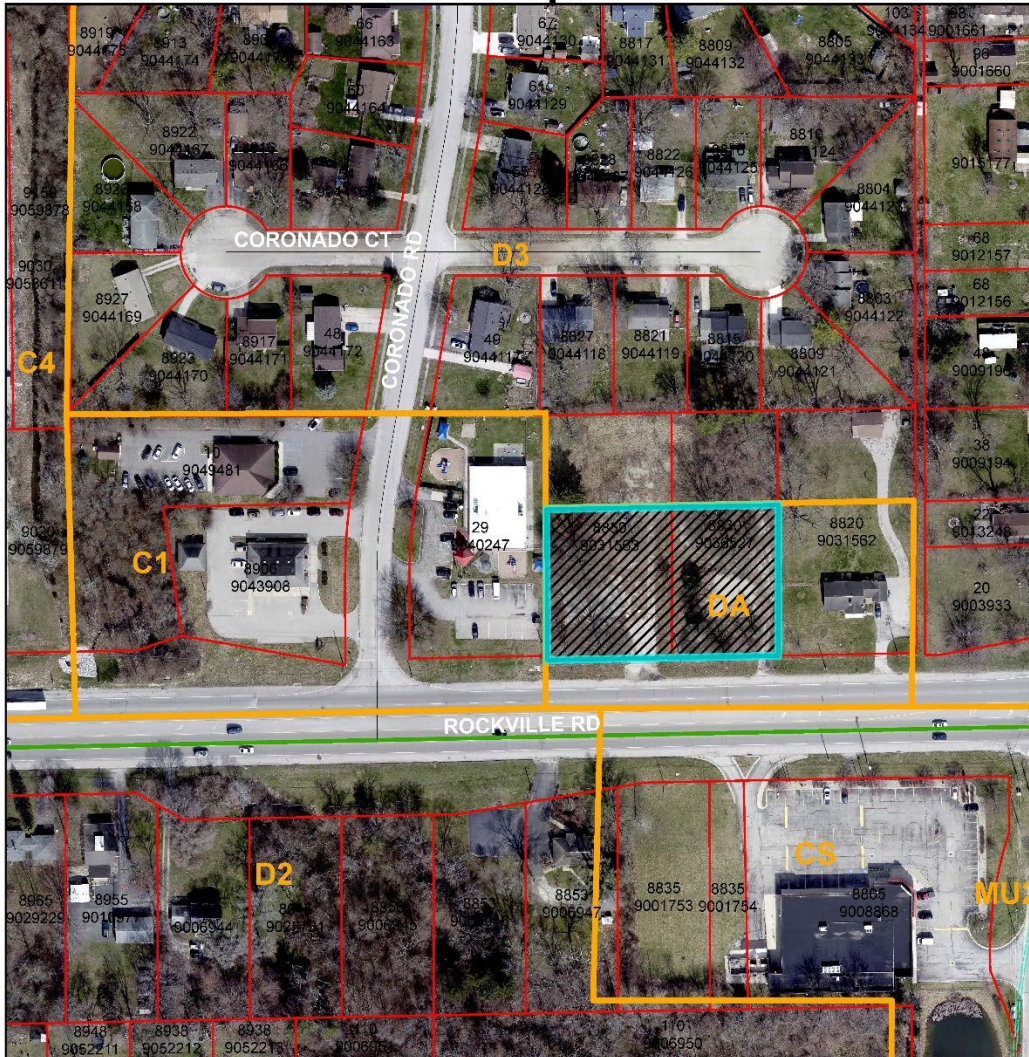
98-UV2-97; 8853 Rockville Road (southeast of site), requested a variance of use to provide for a dentist office and a variance of development standards to provide for a pylon sign, **Approved.**

95-UV1-59; 8853 Rockville Road (south of site), requested a variance of use to provide for an office in a D-2 district and a variance of development standards to provide for a pylon sign, **Approved.**

87-Z-7; 8801 Rockville Road (southeast of site), requested the rezoning of 1.1 acre from the D-2 district to the C-4 district, **Withdrawn.**

EXHIBITS

Aerial Map



-  Docket Cases
-  CCGIS.ZONING
-  CCGIS.PARCELS



MEMORANDUM OF EXAMINER'S DECISION**2025-ZON-005****8830, 8850 Rockville Road**

The petition requests the rezoning of 1.53 acres from the D-A and D-3 districts to the C-3 district to provide for commercial use.

Your Hearing Examiner visited the undeveloped site prior to the hearing and noted residential uses north and east of it. A day care is west of it, and a mixture of commercial and residential uses are south of Rockville Road.

The petitioner's representative explained that the two residences on the site were demolished. He opined that, due to high traffic counts on Rockville Road and a proposed median installation, the site is not appropriate for residential development. Although a site plan was submitted for a car wash, he stated that the intent is to develop a strip center on the site; however, because the petitioner did not want to incur the cost of a site plan, he submitted a site plan for a car wash from a previous petition.

Staff stated that the requested C-3 district would not be consistent with surrounding zoning and would allow uses that are not compatible with surrounding land uses. Staff also questioned if development standards could be met.

In your Hearing Examiner's opinion, the requested C-3 district is neither consistent nor compatible with adjacent residential development. While an office buffer use may be appropriate on this site, C-3 uses are not. Denial of this petition was recommended.

For Metropolitan Development Commission Hearing on April 2, 2025

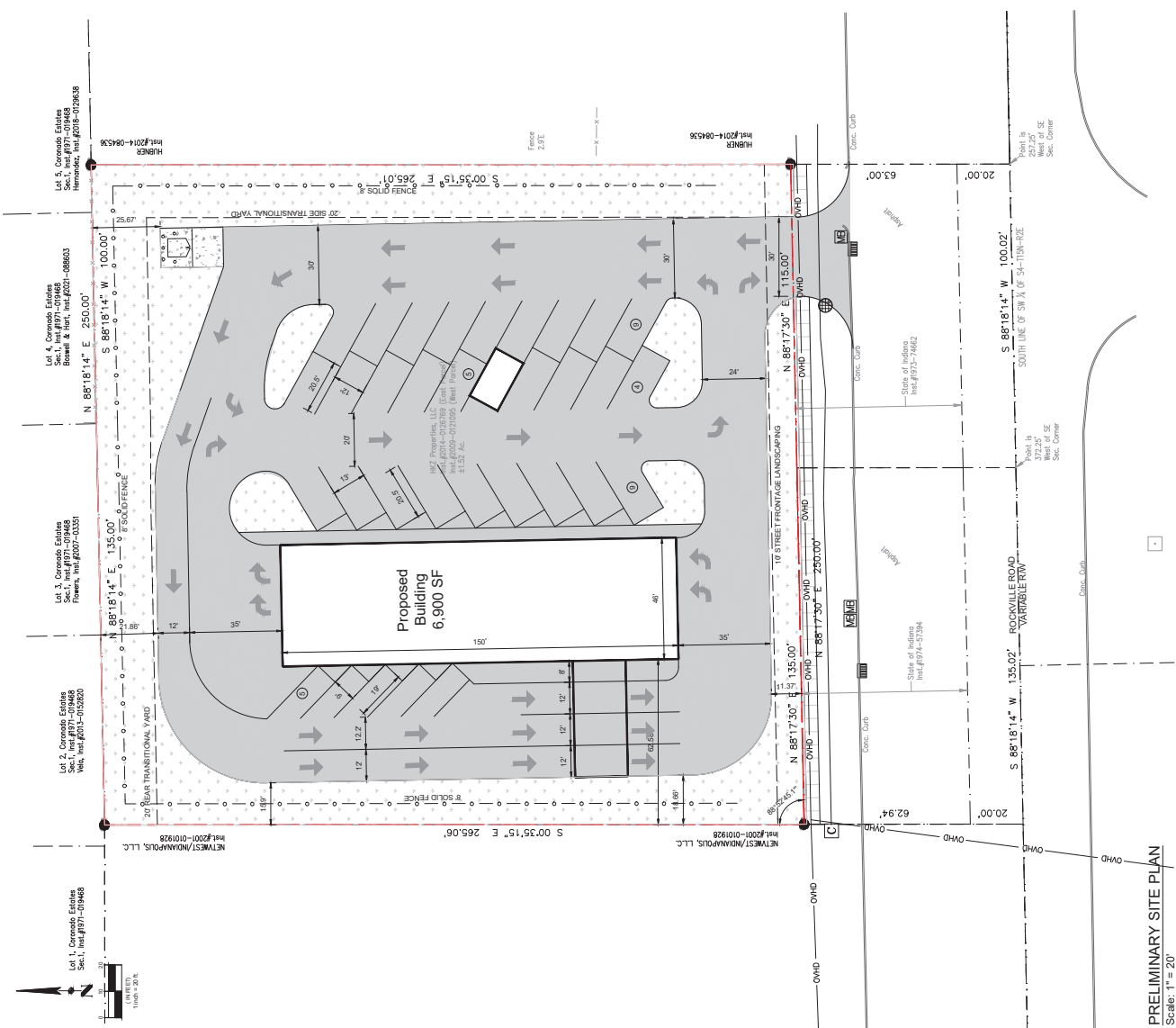
SITE LAYOUT NOTES:

1. INDICATED DIMENSIONS MUST CONFORM TO THE CITY OF INDIANAPOLIS DESIGN STANDARDS AND SPECIFICATIONS.
2. ALL PAVEMENTS ARE TO BE 4" PAVED UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO EDGE OF PAVEMENT OR FACE OF CURB, WHERE APPLICABLE.
4. WHERE APPLICABLE, CONTRACTOR TO BE PER TO ARCHITECTURAL DRAWINGS.
5. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND ELEVATIONS IN THE PLANS AND FIELD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DIMENSIONS AND ELEVATIONS. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND ELEVATIONS IN THE PLANS AND FIELD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DIMENSIONS AND ELEVATIONS.
6. PROVIDE SMOOTH TRANSITION FROM ASPHALT PAVED AREAS TO EXISTING GRASS AND SOFT PAVEMENTS. PROVIDE 12" MIN. RADIUS OF CURVE AT ALL TRANSITIONS. PROVIDE 12" MIN. RADIUS OF CURVE AT ALL TRANSITIONS.
7. ASPHALT PAVEMENT IS TO BE CONSTRUCTED IN ALL NECESSARY AREAS. PROVIDE 4" ASPHALT OVER 4" GRANULAR FILL. PROVIDE 4" GRANULAR FILL OVER 4" GRANULAR FILL. PROVIDE 4" GRANULAR FILL OVER 4" GRANULAR FILL.
8. RESURFACE OR RECONSTRUCT AT LEAST TO ORIGINAL CONDITIONS ALL AREAS DAMAGED DURING CONSTRUCTION. PROVIDE 4" GRANULAR FILL OVER 4" GRANULAR FILL. PROVIDE 4" GRANULAR FILL OVER 4" GRANULAR FILL.
9. ALL UTILITY TRENCHES WITHIN 5 FEET OF PAVEMENT SHALL BE COMPLETELY BACKFILLED WITH GRANULAR MATERIAL.
10. ALL RAISE INDICATED SHALL BE CONSTRUCTED AS CIRCULAR ARCS.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND BE RESPONSIBLE FOR RESTORATION OF ANY NECESSARY.

DEVELOPMENT SUMMARY

TOTAL SITE AREA = 1.52 AC.±
 ZONING = C-1 REGIONAL COMMERCIAL
 PARKING CALCULATIONS - PROVIDED
 5 EMPLOYEE SPACES PROVIDED
 PROPOSED VACUUM SPACES = 35

LEGEND



PRELIMINARY SITE PLAN
 Scale: 1" = 20'

RED BARN ENGINEERING COMPANY, LLC
 CIVIL ENGINEERING CONSULTING SERVICES
 317.677.6797
 WWW.REDBARNENGINEERINGCO.COM
 CHMS@REDBARNENGINEERINGCO.COM

Prepared For:
 Mr. Tony Vidya - 317.658.1316

PROPOSED CARWASH
 8830 & 8850 Rockville Road
 Indianapolis, Indiana 46234

Certified By

Date: 11/02/2021

Project Number
 21-36-01

Item 11.

Petition Number 2024-CVR-834 (3rd Amended)

**METROPOLITAN DEVELOPMENT COMMISSION
OF MARION COUNTY, INDIANA**

PETITION FOR RELIGIOUS USE SPECIAL EXCEPTION

NEGATIVE FINDINGS OF FACT

1. Based on the evidence submitted, the petitioner failed to meet its burden of proof to show that the proposed use meets the definition of that use in Chapter 740, Article II because the required documents for the petition were not submitted.
2. Based on the evidence submitted, the petitioner failed to meet its burden of proof that the proposed use would not injure or adversely affect the adjacent area or property values in that area because the site plan and plan of operation did not include development details and features that would protect the adjacent area or property values of the residential neighborhood.
3. Based on the evidence submitted the petitioner failed to meet its burden of proof that the grant would not materially and substantially interfere with the lawful use and enjoyment of adjoining property because the site plan and plan of operation did not include development details and features that would protect the lawful use and enjoyment of the adjoining residential properties.
4. Based on the evidence submitted the petitioner failed to meet its burden of proof that the proposed use would be compatible with the character of the district, land use authorized therein and the Comprehensive Plan for Marion County because information was not submitted that could be reviewed to determine compatibility with the character of and compatibility of the use with the residential district.
5. Based on the evidence submitted the petitioner failed to meet its burden of proof that the proposed use conforms to the development standards in Chapter 744 applicable to the zoning district in which it is located because the site plans submitted did not conform with the development standards of the D-A district.
6. Based on the evidence submitted the petitioner failed to meet its burden of proof that the proposed use conforms to all provisions of the Zoning Ordinance, including the performance standards in Chapter 740 and the development standards in Chapter 744 applicable to the zoning district in which it is located because the site plans submitted did not include details that indicated compliance with the performance standards or development standards of the Zoning Ordinance.
7. Based on the evidence submitted the petitioner failed to meet its burden of proof that the proposed use conforms to all of the use-specific standards in Chapter 743 for that use, including any Special Exception standards for current zoning and meets the standards set forth because the documents submitted did not include the required information to determine whether use specific and special exception standards would be met.

DECISION

IT IS THEREFORE the decision of this body that this SPECIAL EXCEPTION petition is denied.

_____	_____
_____	_____
_____	_____
_____	_____