



Metropolitan Development Commission Hearing Examiner (October 23, 2025) Meeting Agenda

Meeting Details

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

Date: Thursday, October 23, 2025

Time: 1:00 PM

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

Business:

Special Requests

PETITIONS REQUESTING TO BE CONTINUED:

1. 2025-APP-014 | 2010 West 86th Street

Washington Township, Council District #1

HD-2

2020 West 86th Street, LLC, by Katie Rarick

Hospital District Two Approval to provide for one freestanding sign and three building signs on existing buildings.

****Petitioner request for continuance for cause to November 13, 2025**

2. 2025-MOD-021 | 1010 East 86th Street, and 8685 and 8699 North Guilford Avenue

Washington Township, Council District #2

D-P

TM Crowley and Associates, LLC, by Joseph D. Calderon

Modification of Development Statement related to 2024-ZON-055 to provide for additional surface parking areas, commercial space, a reduction of residential units and elimination of a parking garage (previous development statement limited surface parking to 20 spaces, commercial space was limited to the proposed mixed-use building, proposed up to 473 dwelling units, and provided for a 686-space parking garage).

****Staff request for continuance for cause to November 13, 2025**

3. 2025-ZON-095 | 3641 South Lynhurst Drive

Decatur Township, Council District #21

Crossroad Engineers, by Gregory Ilko

Rezoning of 3.444 acres from the C-7 and I-4 districts to the I-4 district for heavy industrial uses, including outdoor storage and operations.

****Petitioner has withdrawn the Petition**

4. 2025-ZON-108 | 1360 East 30th Street

Center Township, Council District #8

Monon Development Group, LLC, by Christopher White

Rezoning of 0.98-acre from the I-2 district to the C-S district to provide for a mixed-use development consisting of commercial retail hotel, entertainment and recreational amenities.

****Staff request for continuance for cause to November 20, 2025, with Notice**

5. 2025-ZON-110 | 10302 East 38th Street

Lawrence Township, Council District #15
Desmonde Monroe, by Lindsey Wikstrom

Rezoning of 7.726 acres from the SU-1 (FF) district to the D-7 (FF) classification to provide for a multi-family residential development.

****Petitioner request for continuance for cause to November 13, 2025**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

6. 2025-APP-006 | 1701 and 2055 North Senate Avenue

Center Township, Council District #12
HD-1 (TOD) and HD-2 (TOD)
IU Health, by Blake Langley

Hospital District-One Approval and Hospital District-Two Approval to provide for two freestanding signs.

7. 2025-ZON-107 | 7560 East 71st Street

Lawrence Township, Council District #3
Apostolic Christian Church of Indianapolis, Inc., by John Lichtle

Rezoning of 0.682-acre from the D-A district to the SU-1 classification to provide for religious uses.

8. 2025-ZON-109 | 8631 and 8701 Lepart Court, 6350, 6359, 6360, 6408 and 6416 Shamel Drive, 8620, 8621, 8631, 8632, 8643, 8644, 8719, and 8720 Mariesi Drive, 8723 – 8909 Bergeson Drive, 6202 Bergeson Drive, and 6652 Residence Drive

Pike Township, Council District #1
Jeffrey M. Bellamy

Rezoning of 28.8 acres from the D-6II District to the D-4 District to provide to legally establish the existing detached single-family dwellings.

9. 2025-ZON-111 | 11207 East Washington Street

Warren Township, Council District #20
Indianapolis Public Transportation Corporation d/b/a IndyGo, by Brian J. Tuohy

Rezoning of 1.433 acres from the C-4 (TOD) district to the SU-9 (TOD) district to provide for supportive uses for a proposed IndyGo transit center.

10. 2025-CPL-843 (Amended) / 2025-CVR-843 | 8840 East Edgewood Avenue

Franklin Township, Council District #25
Forestar USA Real Estate Group, Inc., by Brian J. Tuohy

Approval of a Subdivision Plat to be known as Edgewood Farms West Section 2, dividing 27.687 acres into 80 lots, with a waiver to allow emergency vehicles to use four different local streets to reach their destination (emergency vehicles must not utilize more than two different local streets to reach their destination).

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for five-foot wide sidewalks along all streets (minimum six-foot wide sidewalks permitted along all streets).

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

11. 2025-APP-003 / 620 East 21st Street

Center Township, Council District #13
PK-2
DeQuan Branch, by Jorge Gonzales

Park District-Two Approval to provide for a three-story single-family dwelling with an attached garage.

12. 2025-ZON-074 | 8221 and 8351 South Mitthoefer Road, 10100, 10550, and 10600 Maze Road

Franklin Township, Council District #25

Christopher D. Reed, Kimberly K. Reed, Paul L. Walton, Cheryl H. Walton, Maze Family Farm, LLC, John Levinsohn, Alan Retherford and Shirley Retherford, by Tony Bagato

Rezoning of 273.127 acres from the D-4 (FF) (FW) and I-3 (FF) (FW) districts to the D-4 (FF) (FW) district to provide for a single-family residential development.

13. 2025-ZON-091 | 6154 Michigan Road

Washington Township, Council District #2

Lan Thi Thanh Pham and Tung Ba Huynh

Rezoning of 0.6-acre from the D-2 district to the C-1 district to provide for commercial office uses.

14. 2025-ZON-094 | 2505 South Arlington Avenue

Warren Township, Council District #20

Sky Real Estate, Inc., by David Gilman

Rezoning of 8.264 acres from the C-3 district to the I-1 district to provide for restricted industrial uses.

15. 2025-CPL-825 / 2025-CVR-825 | 7140 and 7142 East Washington Street Avenue

Warren Township, Council District #14

C-4 (TOD)

Fieldstone Financial, LLC, by Joseph D. Calderon

Approval of a Subdivision Plat to be known as Wawa Shortridge Primary Plat, subdividing 9.4 acres into three lots.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an automobile fueling station, with 16 pump islands/service areas (eight permitted), with portions of a surface parking area in front of the front building line, with a parking area having a minimum 15-foot setback from Washington Street with parking area behind the front building line encompassing 88.1 percent of the lot width (surface parking areas required behind the front building line, 25 feet required, maximum 40 percent lot width for parking permitted behind front building line), with a front building line encompassing 37.1 percent of the lot width (60 percent required) and deficient first floor transparency (40 percent required).

16. 2025-CZN-832 / 2025-CVR-832 (Amended) | 1140 East 46th Street, 4644, 4646, 4648, 4710, and 4716 Carvel Avenue

Washington Township, Council District #7

D-5 (W-1), D-P (W-1), and I-3 (W-1)

Arrow Street Development, LLC, by Joseph D. Calderon

Rezoning of 3.65 acres, from the D-5 (W-1), D-P (W-1), and I-3 (W-1) districts to the MU-2 (W-1) district to provide for a mixed-use development consisting of multi-family dwellings, commercial uses, a parking garage, and resident amenities.

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a large mixed-use building type (small mixed-use building type permitted), with the front building line in excess of ten feet along 46th Street (front building line range of zero-foot to 10 feet required), a 24-foot-wide driveway width along 46th Street (maximum 16-foot-wide driveway width permitted), a commercial building line of 60% of the frontage along 46th Street (minimum 80% required), zero-foot transitional yard to the east (either a minimum 15-foot transitional yard, or an opaque wall, berm, fence, or dense (at least 75% opacity) vegetative screen of at least six feet tall required), no primary entrances along 46th Street (minimum one primary entry features for every 50 feet required), a surface parking lot with a 15-foot east side yard setback (minimum 25-foot setback required), structured parking of 100% of street wall at first level of the building along Carvel Avenue (maximum 30% of street wall permitted).

17. 2025-ZON-105 | 3147 and 3155 North California Street

Center Township, Council District #8

Landmark Development Group, LLC, by Enrique Martinez

Rezoning of 0.48-acre from the D-5 district to the D-8 district to provide for a small apartment development consisting of three to 12 dwelling units.

18. 2025-CZN-844 / 2025-CVR-844 | 127 East 34th Street

Center Township, Council District #8

Hoosier Outreach, Inc., by Craig McCormick

Rezoning of 0.11-acre from the C-1 (TOD) district to the D-5 (TOD) district to provide for a multi-unit house consisting of four units.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a multi-unit house with a zero-foot east side yard setback for a surface parking area (minimum three-foot side yard setback required).

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	01/01/2025-12/31/2025
David DiMarzio (Alternate)	MDC	01/01/2025-12/31/2025

This meeting can be viewed live at <https://www.indy.gov/activity/channel-16-live-web-stream>. The recording of this meeting will also be archived (along with recordings of other City/County entities) at <https://www.indy.gov/activity/watch-previously-recorded-programs>.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 23, 2025

Case Number: 2025-APP-014
Property Address: 2010 West 86th Street (approximate address)
Location: Washington Township, Council District #1
Petitioner: 2020 West 86th Street, LLC, by Katie Rarick
Current Zoning: HD-2
Request: Hospital District Two Approval to provide for one freestanding sign and three building signs on existing buildings.
Current Land Use: Vacant commercial buildings
Staff Recommendations: To be determined.
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

The petitioner submitted a written **continuance for cause from the October 23, 2025 hearing to the November 13, 2025 hearing** to allow them additional time to provide revised plans for review.

STAFF RECOMMENDATION

Staff recommendation to be determined.

PETITION OVERVIEW

This petition is to be continued to the November 13, 2025 hearing.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 23, 2025

Case Number: 2025-MOD-021

Property Address: 1010 East 86th Street, and 8685 and 8699 North Guilford Avenue

Location: Washington Township, Council District # 2

Petitioner: TM Crowley and Associates, LLC, by Joseph D. Calderon

Request: Modification of Development Statement related to 2024-ZON-055 to provide for additional surface parking areas, commercial space, a reduction of residential units and elimination of a parking garage (previous development statement limited surface parking to 20 spaces, commercial space was limited to the proposed mixed-use building, proposed up to 473 dwelling units, and provided for a 686-space parking garage).

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the October 9, 2025 hearing, to the October 23, 2025 hearing, at the request of staff, to provide additional time for further discussion with the petitioner and their representative related to the modification request.

Staff is requesting a **continuance from the October 23, 2025 hearing, to the November 13, 2025 hearing**, to provide additional time for ongoing discussions with the petitioner and their representative.



Department of Metropolitan Development
Division of Planning
Current Planning

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER

October 23, 2025

Case Number: 2025-ZON-095
Property Address: 3641 South Lynhurst Drive
Location: Decatur Township, Council District #21
Petitioner: Crossroad Engineers, by Gregory Ilko
Request: Rezoning of 3.444 acres from the C-7 and I-4 districts to the I-4 district for heavy industrial uses, including outdoor storage and operations.
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 September 25, 2025 hearing, to the October 23, 2025 hearing.

On September 25, 2025, an e-mail from the petitioner's representative was received indicating that the **petition was withdrawn**. This would require acknowledgement from the Hearing Examiner.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 23, 2025

Case Number: 2025-ZON-108
Property Address: 1360 East 30th Street
Location: Center Township, Council District #8
Petitioner: Monon Development Group, LLC, by Christopher White
Request: Rezoning of 0.98 acre from the I-2 district to the C-S district to provide for a mixed-use development consisting of commercial retail, hotel, entertainment, and recreational amenities.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

Staff is requesting a **continuance from the October 23, 2025 hearing, to the November 20, 2025 hearing**, to amend the request and provide new notice.



Department of Metropolitan Development
Division of Planning
Current Planning

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER

October 23, 2025

Case Number: 2025-ZON-110
Property Address: 1360 East 30th Street
Location: Lawrence Township, Council District #15
Petitioner: Desmonde Monroe, by Lindsey Wikstrom
Request: Rezoning of 7.726 acres from the SU-1 (FF) district to the D-7 (FF) district to provide for a multi-family residential development.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The petitioner's representative is requesting a **continuance from the October 23, 2025 hearing, to the November 13, 2025 hearing**, to provide additional time for discussions with staff.



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

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 23, 2025

Case Number: 2025-APP-006
Property Address: 1701 and 2055 North Senate Avenue
Location: Center Township, Council District #12
Petitioner: IU Health, by Blake Langley
Current Zoning: HD-1 (TOD) / HD-2 (TOD)
Request: Hospital District-One Approval and Hospital District-Two Approval to provide for two freestanding signs.
Current Land Use: Hospital Campus
Staff Recommendations: Approval.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This the first hearing on this petition

STAFF RECOMMENDATION

Approval, subject to substantial compliance with the site plan and sign elevations file-dated September 24, 2025.

PETITION OVERVIEW

This 0.46-acre site, zoned HD-1 (TOD) and HD-2 (TOD), is developed with a hospital campus. It is surrounded by medical offices to the north, zoned HD-2 (TOD); a parking garage to the south, zoned HD-1 (TOD); hospital and medical offices to the east, zoned HD-1 (TOD) and HD-2 (TOD), respectively; and Senate Avenue / I-65 Ramp right-of-way to the west, zoned HD-1 (TOD) and HD-2 (TOD).

HD-1 / HD-2 APPROVAL

The request would provide for way finding signs generally related to the location of the Neuroscience Center and location of the parking for the Center and other destinations within the campus.

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.



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

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.”

As proposed, staff believes that the request would meet all the goals of the HD-1 / HD-2 district listed above. The site layout and sign elevations shown on the submitted documents would be appropriately integrated with the existing signage throughout the campus and provide information and directions to medical facilities within this area of the campus.

Overlays

This site is also located within an overlay, specifically the Transit Oriented Development (TOD). “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.”



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

The Transit-Oriented Development (TOD) overlay is intended for areas within walking distance of a transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.

GENERAL INFORMATION

Existing Zoning	HD-1 (TOD / HD-2 (TOD)	
Existing Land Use	Hospital Campus	
Comprehensive Plan	Regional Special Use	
Surrounding Context	Zoning	Land Use
North:	HD-2 (TOD	Medical offices
South:	HD-1 (TOD)	Parking garage
East:	HD-1 (TOD) / HD-2 (TOD)	Single-family dwelling
West:	HD-1 (TOD) / HD-2 (TOD)	North Senate Avenue right-of-way
Thoroughfare Plan		
North Senate Avenue	Primary Collector / I-65 Ramp	Existing 395-foot right-of-way and proposed 56-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes – Transit Oriented Overlay (TOD)	
Wellfield Protection Area	No	
Site Plan	September 24, 2025	
Site Plan (Amended)	N/A	
Elevations	September 24, 2025	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	June 12, 2025	
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 for this. “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.”



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

Long Range Planning staff should provide guidance regarding any property use changes in this lane use. 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.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Red Line Transit-Oriented Development Strategic Plan (2021).

This site is located within a ½ mile walk of the transit stop located at the intersection of North Meridian Street and West 18th Street, with a Community Center typology.

Community Center stations are located within commercial hubs with varying types of commercial developments, from large strip centers to shopping malls, along arterial corridors. Development opportunities vary from redevelopment into mixed-use, walkable patterns to multi-family residential infill development.

Characteristics of the Community Center typology are:

- A dense mixed-use neighborhood center
- Minimum of two stories at core
- No front or side setbacks a core; 0-10-foot front setbacks and 0-10-foot side setback at the periphery
- Multi-family housing with a minimum of three 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.



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

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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ZONING HISTORY

2011-CZN-805 / 2011-CVR-805; 1355, 1421, 1515, 1801 and 2055 North Senate Avenue; 1515, 1919 and 2055 North Capitol Avenue, 227 West 14th Street, 102 East 16th Street, 269 West 16th Street, and 1615 and 1621 Hall Street, requested rezoning of 45.8 acres from the HD-1 (W-5), HD-2 (W-5), C-1 (W-5) and C-3 (W-5) Districts to the HD-1 (W-5) classification to provide for hospital uses and 33 replacement signs and a variance of development standards of the Sign Regulations to provide for sign height exceeding permitted height and reduced setbacks, **approved and granted**.

2010-APP-025; 1633, 1805, and 2010 North Capitol Avenue, 1801 and 2055 North Senate requested Hospital District One and Two Approval to provide for 43 signs, **approved**.

2005-APP-057; 1935 North Capitol Avenue, requested Hospital District-Two approval to provide for 24, two-foot-wide window awnings, two door awnings, and a 40-square foot illuminated wall sign, **approved**.

2001-APP-121; 1701 North Senate Boulevard, requested a modification of a previous Hospital District-One Approval, petition 99-AP-197, to provide for a 5.5-foot by 65.5-foot wall sign on the west elevation of parking garage two, **approved**.

2001-APP-079; 1702 North Senate Boulevard, requested Hospital District-One approval to provide for phase two of a monorail system, **approved**.

2001-APP-019; 1702 North Senate Boulevard, requested Hospital District-One approval to provide for phase one of a monorail system, **approved**.

94-AP-106; 1701 North Senate Boulevard, requested a modification and site plan approval of signage master plan, **approved**.

91-AP-89; 2007 North Capitol Avenue, requested Hospital District-Two approval for the replacement of an existing monument sign, **approved**.

88-APP-119; 2012 North Senate Boulevard, requested Hospital District-One approval to provide for two ground signs, **approved**.

88-APP-88; 2040-2066 North Capitol Avenue, requested Hospital District-Two approval to provide for the construction of a health education center and parking area, **approved**.

88-HOV-64; 2012 North Senate Boulevard, requested a variance of development standards of the Sign Regulations to provide for a nine-foot-tall pylon sign, **approved**.

88-HOV-57; 2040 North Capitol Avenue (site), requested a variance of development standards of the Sign Regulations to provide for identification and traffic control signs that exceed the maximum heights, sizes, with insufficient setbacks, **approved**.



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88-HOV-49; 1935 North Capitol Avenue, requested a variance of development standards of the Sign Regulations to provide for the erection of a second wall sign (one sign permitted), **approved**.

87-AP-187; 1935 North Capitol Avenue, requested Hospital District-Two approval for installation of an 8 by 3.5 wall sign, **approved**.

85-AP-50; 1604 North Capitol Avenue, requested Hospital District-Two approval for installation of identification and directional signs, **approved**.

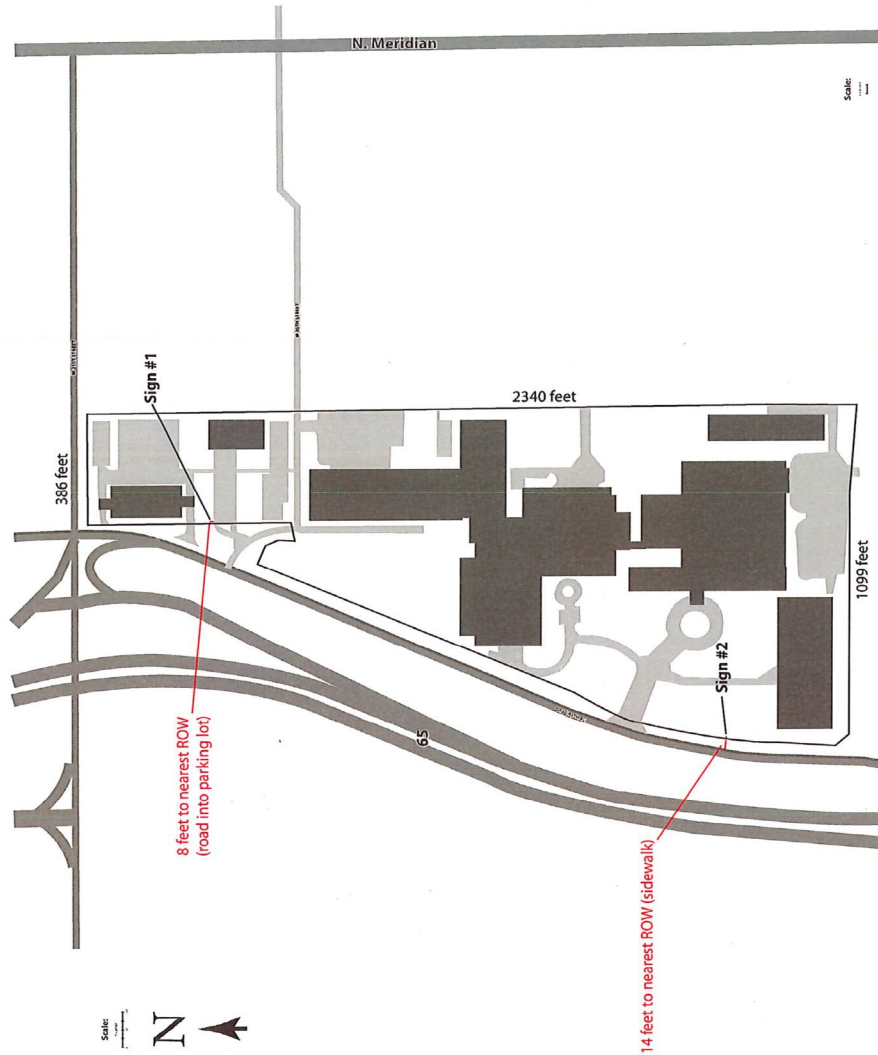
EXHIBITS



1701 and 2055 North Senate Avenue



0 0.027 0.055 0.11 0.165 0.22 Miles



NON-LIT DIRECTIONAL SIGNS

Site Map

1701 Senate Avenue
Indianapolis, IN 46202

Parcel #
1097245

Legal Description

PT NE 1/4 S35T16N R3E BEG NW COR CAPITOL AVE & 16TH
STREET N 1272.36' W 393.5' N 54' W 30' N 443.04' NW 47.70' W
65.22' SW 1030.26' SWRLY 666' E 513' S 234' E 228' SERLY 365'
TO BEG .28355 AC.

NON-LIT DIRECTIONAL SIGNS
Qty. 2: 74" w x 96" h x 4" d / double-sided / 49.33 SF each side

Sign 1: North Face

74" OAH

96" OAH

4" w

Side View

Sign 1: South Face

74" OAH

96" OAH

4" w

Sign 2: North Face

74" OAH

96" OAH

4" w

Sign 2: South Face

74" OAH

96" OAH

4" w

↑ EMERGENCY
Neuroscience Center

← Visitor Parking 1 & 2
Professional Centers
Cardiovascular Center
Senate Street Surgery

↑ Parking 4
I-65
Lilly Health Ed. Ctr.

↑ EMERGENCY
I-70
Neuroscience Center

→ Visitor Parking 1 & 2
Main Entrance
Professional Centers
Cardiovascular Center
Senate Street Surgery
↑ I-65

SIGN DETAILS:
Painted panels, reflective vinyl lettering
4" square, aluminum posts

SIGN SCOPE: Manufacture and Install

COLOR SPECS: Vinyl
■ Reflective Red
□ Reflective White

COLOR SPECS: Paint
■ SW 7674 Peppercorn

HOOSIER SIGN GUY
317-984-5500
4484 S. State Road 19, Tipton IN 46072
hsgsigns.com

DATE	04/03/2025	CLIENT	IU HEALTH - INDY HEALTH DISTRICT	LOCATION	INDIANAPOLIS, IN	ADD. NOTES	
JOB #	240607-04	PROJECT MANAGER	BLAKE L.	DESIGNER	ASHLEIGH F.		

DESIGN APPROVAL

CLIENT SIGNATURE X _____

DATE _____

Before signing this Artwork Approval Form, please be sure to review your proof carefully and confirm that every detail on your proof is correct including wording, dates, spelling, punctuation, capitalization, color choices, layout and graphics. We do our best to alert you to color choices we think will make wording difficult to read. Ultimately, it is the responsibility of the customer to choose their colors. Since all computer monitors and devices display color differently, we cannot guarantee print colors will match colors viewed on screen. For these reasons, we do not accept returns based on color nor do we accept returns for approved proof errors. If Pantone colors are specified, they will be matched according to Pantone specifications and be matched as close as possible. **All artwork is property of Hoosier Sign Guy and is protected by copyright laws. External distribution is prohibited.**



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

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 proposed non-illuminated directional signs, measuring 74 inches wide by 96 inches high and 4 inches deep, have been thoughtfully designed to enhance wayfinding while maintaining the visual and architectural integrity of the area. Their double-sided format and modest scale (49.33 square feet per side) ensure clear visibility without overwhelming the streetscape. The signs are consistent with the Comprehensive Plan's goals of promoting pedestrian-oriented design, preserving aesthetic cohesion, and supporting orderly development within the HD1/HD2 zoning districts of the Regional Center.

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 directional signs provide essential wayfinding in a clear, efficient, and non-intrusive manner, supporting both vehicular and pedestrian navigation throughout the site. Their placement has been strategically planned to maximize functionality while minimizing visual clutter. The signs' clean, professional design complements surrounding architectural styles and land uses within the HD1/HD2 zoning districts, enhancing overall site organization and user experience. As non-illuminated features, they maintain low energy impact while still delivering high functional value in an attractive and contextually appropriate format.

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

The proposed directional signs are strategically positioned to enhance navigation and circulation for all modes of transportation, including vehicular, pedestrian, and bicycle traffic. By clearly identifying access points, parking areas, and key destinations, the signage supports the efficient use of existing infrastructure and improves the overall accessibility of the site. Their integration into the site layout contributes to a well-organized and user-friendly environment, aligning with the development district's intent to promote multi-modal connectivity and reduce confusion for all users.

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

317-984-5500

Secretary@hoosiersignguy.com

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

The installation of the proposed non-illuminated directional signs requires minimal disturbance to existing infrastructure and does not adversely affect sanitation, drainage, or utility systems. Their design and placement have been planned to avoid interference with underground utilities and surface water flow, maintaining existing drainage patterns and utility access. As non-illuminated signs, they consume no electricity, aligning with sustainable, low-impact development practices appropriate for the HD1/HD2 zoning context.

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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:

Their placement considers existing topography and avoids interference with viewsheds, pedestrian paths, and vehicular circulation. The size, character, and orientation of the signs are appropriate for wayfinding purposes and complement both the functional layout and architectural context of the development. This thoughtful integration supports the Comprehensive Plan's objectives of creating orderly, accessible, and context-sensitive development within the HD1/HD2 zoning districts.

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 directional signs are strategically located to support pedestrian accessibility and enhance connectivity within the development and to surrounding public transit options.

The signage is placed near existing pedestrian pathways and sidewalks, ensuring clear directional guidance for those walking or cycling within the site and to transit stops.

Additionally, the design aligns with the required provisions for sidewalk installations and pedestrian transitions, helping integrate the site with the broader network of public streets and pedestrian amenities in accordance with the Comprehensive Plan and zoning requirements.

DECISION

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

Adopted this _____ day of _____, 20 _____

Commission President/ Secretary



View of proposed location of northern sign (Sign #1) looking south along North Senate Avenue



View of proposed location of northern sign (Sign #1) looking north across access drive



View of proposed location of northern sign (Sign #1) looking west from access drive



View of proposed location of southern sign (Sign #2) looking east across North Senate Avenue



View of proposed location of southern sign (Sign #2) looking east across North Senate Avenue



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**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 23, 2025

Case Number: 2025-ZON-107
Property Address: 7560 East 71st Street (Approximate Address)
Location: Lawrence Township, Council District #3
Petitioner: Apostolic Christian Church of Indianapolis, Inc., by John Lichtle
Current Zoning: D-A
Request: Rezoning of 0.682-acre from the D-A district to the SU-1 classification to provide for religious uses.
Current Land Use: Residential
Staff Recommendations: Approval with commitment.
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

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

A 45-foot half right-of-way shall be dedicated along the frontage of 71st Street, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).

PETITION OVERVIEW

LAND USE

The 0.682-acre subject site is developed with a single-family dwelling.

The site is bordered to by single-family dwellings to the south, zoned D-A, a church to the west and north, zoned SU-1, and a school to the east, zoned SU-2.



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REZONING

This petition would rezone the property from the D-A district to the SU-1 district to provide for religious uses.

The D-A district holds the agricultural lands of Marion County and provides for a variety of agricultural uses. It is intended to provide for animal and poultry husbandry, farming, cultivation of crops, dairying, pasturage, floriculture, horticulture, viticulture, apiaries, aquaculture, hydroponics, together with necessary, accompanying accessory uses, buildings, or structures for housing, packing, treating, or storing said products; or lands devoted to a soil conservation or forestry management program. 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. This district fulfills the very low-density residential classification of the Comprehensive General Land Use Plan. This district does not require public water and sewer facilities.

The SU-1 classification would permit religious uses.

DEPARTMENT OF PUBLIC WORKS

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 45-foot half right-of-way along 71st Street. This dedication would also be consistent with the Marion County Thoroughfare Plan.

STAFF ANALYSIS

Staff is recommending approval of the rezoning from the D-A district to the SU-1 district for religious uses since it would be associated with the church northwest of the site and would be compatible with the residential development in the immediate area.

The building is intended to be used for instructional programming for the church and the existing building is expected to be used without planned changes to the exterior of the building.

Development within the SU-1 District would require Administrator's Approval, prior to obtaining an Improvement Location Permit or Sign Permits if proposed. In accordance with the Special Use Districts section the Ordinance, the Administrator would use the development standards of the C-1 district as a guideline for development review and the SU sign regulations.

GENERAL INFORMATION

Existing Zoning	D-A	
Existing Land Use	Residential	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	SU-1	Religious Use
South:	D-A	Residential (Single-family dwellings)



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East:	SU-2	School
West:	SU-1	Religious Use
Thoroughfare Plan		
71 st Street	Primary Collector Street	90-foot proposed right-of-way and 50-foot existing right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	September 16, 2025	
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 (2019)
- Indy Moves Transportation Integration Plan (2018)

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends suburban neighborhood development 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.
Religious uses are compatible with residential areas since it is considered as a neighborhood serving institution.

Red Line / Blue Line / Purple Line TOD Strategic Plan



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- 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) proposed the existing 71st Street Multiuse Path that runs along 71st Street from Johnson Road to Hague Road.



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ZONING HISTORY

Zoning History – Site

2024-ZON-146; 7560 East 71st Street (subject site), Rezoning of 0.682-acre from the D-A district to the SU-1 classification to provide for religious uses, **withdrawn**.

71-Z-33; 7525 East 71st Street (subject site), Rezoning of 7.52 acres being in A-2 district to SU-1 classification to provide for the construction of a church and church related uses, **approved**.

EXHIBITS



Land Surveyors
8925 N. Meridian Street, Suite 120
Indianapolis, IN 46260
PHONE: (317) 846-0840 / (317) 846-4119
EMAIL: orders@hahnsurveying.com
www.hahnsurveying.com



Chad L. Brown
Registered Land Surveyor,
Indiana #21100002
Drawn By: DIG
Job No.: S23-20454
Sheet 2 of 3



Photo of the subject site.



Photo of the adjacent church that the property will be associated with.



Photo of the school east of the subject site.



Photo of the single-family dwellings south of the site.



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**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 23, 2025

Case Number: 2025-ZON-109

Property Address: 8631 and 8701 Lepart Court, 6350, 6359, 6360, 6408 and 6416 Shamel Drive, 8620, 8621, 8631, 8632, 8643, 8644, 8719, and 8720 Mariesi Drive, 8723 – 8909 Bergeson Drive, 6202 Bergeson Drive, and 6652 Residence Drive (Approximate Addresses)

Location: Pike Township, Council District #1

Petitioner: Jeffrey M. Bellamy

Current Zoning: D-6II

Request: Rezoning of 28.8 acres from the D-6II District to the D-4 District to provide to legally establish the existing detached single-family dwellings.

Current Land Use: Residential (Single-family dwellings)

Staff Recommendations: Approval

Staff Reviewer: Marleny Iraheta Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends approval** of the request.

PETITION OVERVIEW

LAND USE

The 28.8-acre site is comprised of 38 lots with 36 developed with single-family dwellings and the remaining two are common areas for the homeowner's association.

The site is bordered to the east by I-465 and commercial and undeveloped land across the interstate, zoned C-S and I-4. There are single-family dwellings to the north, zoned D-2, single-family dwellings to the west, zoned D-4, and undeveloped land to the south, zoned D-2.

REZONING

The request would rezoning the single-family parcels from the D-6II district to the D-4 district.



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The D-6II district is intended principally for medium-intensity residential development as a transition between areas of high intensity uses and low-intensity uses, or land areas characterized by more challenging terrain or unusual land configuration, such as remnant parcels of land resulting from public works improvements, exhausted mining operations, and changed intensity factors (such as between interstate highway locations, commercial development, and lower-density residential areas). Consequently, the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage, and wildlife, should be incorporated into the development plans and to promote the environmental aesthetic.

The D-4 district is intended for low or medium-intensity single-family and two-family residential development. Land in this district needs good thoroughfare access, relatively flat topography, and nearby community and neighborhood services and facilities with pedestrian linkages. Provisions for recreational facilities serving the neighborhood within walking distance are vitally important. Trees fulfill an important cooling and drainage role for the individual lots in this district. The D-4 district has a typical density of 4.2 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 conditions, including vegetation, topography, drainage, and wildlife.

STAFF ANALYSIS

The request to rezone the property from the D-6II district to the D-4 district would align with the suburban neighborhood development recommendation of the Comprehensive Plan.

The D-4 district would be more appropriate for the low-intensity single-family development of the subject site than the existing D-6II district that was intended to be developed with four to six dwelling units per acre or 65 to 94 maximum units according to the land use plan proposed in the D-6II rezoning. The grant of the rezoning would nullify the previous commitments associated with the D-6II district per 89-Z-94C, as attached.

Additionally, the proposed D-4 district would conform the subject site with the western section of this subdivision.

For these reasons, staff is recommending approval of the request.

GENERAL INFORMATION

Existing Zoning	D-6II	
Existing Land Use	Residential (Single-family dwellings)	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-2	Residential (Single-family dwelling)
South:	D-2	Undeveloped
East:	C-S / I-4	I-465 /Commercial / Undeveloped

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West:	D-4	Residential (Single-family dwelling)
Thoroughfare Plan		
Lepart Court	Local Street	50-foot proposed and existing right-of-way.
Shamel Drive	Local Street	50-foot proposed and existing right-of-way.
Mariesi Drive	Local Street	50-foot proposed and existing right-of-way.
Bergeson Drive	Local Street	50-foot proposed and existing right-of-way.
Context Area	Metro	
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	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 (2019)

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends suburban neighborhood development 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



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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.

- **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 3 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**

- 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.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.



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Indy Moves

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

- Not Applicable to the Site.



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ZONING HISTORY

Zoning History - Site

91-Z-107; 6436 West 86th Street (subject site), Rezoning of 0.98 acre, being in the D-A district, to the D-4 classification to provide for single-family development, **withdrawn**.

89-Z-94C; 6410 West 86th Street (subject site), Rezoning of 28.8 acres, being in the A-2 district, to the D-6II classification, to provide for residential development, **approved**.

88-Z-152; 6352 West 86th Street (subject site), Rezoning of 55.185 acres, being in the A-2 district, to the D-6II classification to provide for multi-family development, **denied**.

Zoning History - Vicinity

2023-CZN-814 / 2023-CVR-814; 6419 West 86th Street, 6302, 6360 and 6424 West 79th Street (south of site), Rezoning of 200 acres from the D-A, D-1 and D-2 districts to the C-S classification to provide for a mixed-use development consisting of C-3 permitted uses, limited C-4 permitted uses, Artisan Manufacturing, Light Manufacturing, Research and Development uses, Live-Work units, multi-family dwellings and single-family attached dwellings, two-family dwellings and Triplex or Fourplex uses and Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 90-foot tall buildings on the eastern portion of the development (maximum 45-foot tall buildings permitted), **withdrawn**.

2003-ZON-102; 8750 and 9550 Zionsville Road (east of site), Rezoning of 57.42 acres, being in the C-3 and C-S district, to the C-S classification to provide for office, retail, a hotel, and theater uses, **approved**.

89-Z-94A; 6410 West 86th Street (north of site), Rezoning of 82.12 acres, being in the A-2 district, to the D-2 classification to provide for residential development, **approved**.

89-Z-94B; 6410 West 86th Street (west of site), Rezoning of 18.3 acres being in the A-2 and D-1 district, to the D-2 classification to provide for residential development, **approved**.

75-Z-32A; 8602 to 9600 Zionsville Road (east of site), Rezoning of 68.192-acres being in the I-2-S district to the I-4-S classification, **approved**.

75-Z-32B; (east of site), Rezoning to the C-S classification, **approved**.

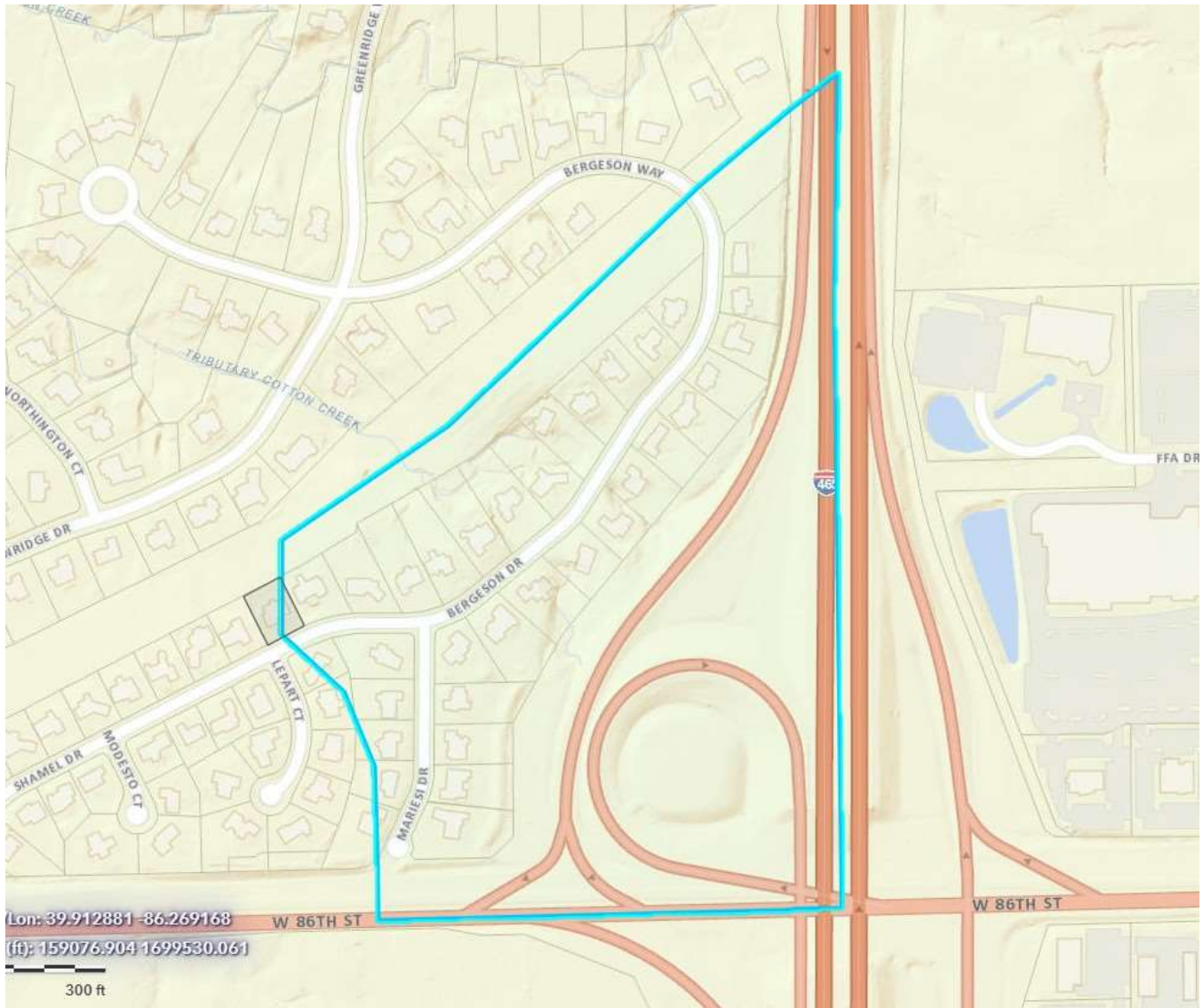
75-Z-86; 6800 West 86th Street (west of site), Rezoning of 70.60-acres, being in A-2 district, to D-2 classification, **approved**.

56-A-56; (south of site), Rezoning from the A-2 district to the R-1 classification, **approved**.

EXHIBITS



AERIAL MAP



D-6II DISTRICT TO BE REZONED



Department of Metropolitan Development
Division of Planning
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89-Z-94C COMMITMENTS

890049804

~~EXHIBIT 3~~

5/10/89
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62

NOTE: Article VI, Section 3(b) of the rules of the Metropolitan Development Commission requires use of this form in recording commitments made with respect to zoning and approval cases in accordance with I.C. 36-7-4-607. Resolution No. 85-R-69, 1985 of the Metropolitan Development Commission requires the owner to make Commitment #1.

COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE
MADE IN CONNECTION WITH A REZONING OF PROPERTY OR PLAN APPROVAL

In accordance with I.C. 36-7-4-607, the owner of the real estate located in Marion County, Indiana, which is described below, makes the following COMMITMENTS concerning the use and development of that parcel of real estate:

Legal Description:

See attached: Exhibit A ("D-611 Property")
Exhibit B ("D-2 Property")
Exhibit C ("D-4 Property")

89 MAY 26 AM 10:07
MARION COUNTY, INDIANA

Statement of COMMITMENTS:

1. The owner agrees to abide by the Open Occupancy and Equal Employment Opportunity Commitments required by Metropolitan Development Commission Resolution No. 85-R-69, 1985, which commitments are attached hereto and incorporated herein by reference as Attachment "A".

2. See Attachment B for additional Commitments.

3. _____

4. _____

5. _____

These COMMITMENTS shall be binding on the owner, subsequent owners of the real estate and other persons acquiring an interest therein; provided that Commitment #1 (Open Occupancy and Equal Opportunity Commitments) shall not be binding on an owner, subsequent owners or other persons acquiring an interest therein if such persons are exempt persons or are engaged in an exempt activity as defined on Attachment "A", which is attached hereto and incorporated herein by reference. These 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.



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89-Z-94C COMMITMENTS (Continued)

COMMITMENTS contained in this instrument shall be effective upon:

- (a) the adoption of rezoning petitions # 89-Z-94A, 89-Z-94B and 89-Z-95(C), respectively by the City-County Council changing the zoning classification of the real estate from an A-2 zoning classification to a D-2, D-4 and D-611 zoning classification respectively; or
- (b) the adoption of approval petition # N/A by the Metropolitan Development Commission;

and shall continue in effect for as long as the above-described parcel of real estate remains zoned to the D-2, D-4 or D-611 zoning classification or until such other time as may be specified herein.

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. Any person who is aggrieved by a violation of either of the Commitments contained in Commitment #1 (Open Occupancy and Equal Employment Opportunity Commitments);
4. Traders Point Civic Association, Inc. and Pike Township Residents Association, Inc.

The undersigned hereby authorizes the Division of Development Services of the Department of Metropolitan Development to record this Commitment in the office of the Recorder of Marion County, Indiana, upon final approval of petition # _____.

IN WITNESS WHEREOF, owner has executed this instrument this 15th day of May, 1989.
Signature _____ (Seal) SCM REAL ESTATE DEVELOPMENT CORP.
Signature _____ (Seal)

Printed _____ Printed By Sol C. Miller, President

STATE OF INDIANA)
COUNTY OF MARION) SS:

Before me, a Notary Public in and for said County and State, Sol C. Miller, President of SCM Real Estate Development Corp., personally appeared _____, owner(s) 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.



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89-Z-94C COMMITMENTS (Continued)

ATTACHMENT B

2. The D-611 Property shall be developed for residential uses at a maximum density of not more than 6 residential units per acre.
3. The D-2 Property and D-4 Property shall be developed for residential uses at a maximum density of not more than 164 residential units in the aggregate.
4. With respect to the density limitation set forth in paragraphs 2 and 3 above, (i) such maximum densities may be increased to any higher amount as would be consistent with the zoning classification development standards applicable thereto (as in effect on this date) upon obtaining the advance written consent of both the Trader's Point Civic Association, Inc. and the Pike Township Residents Association, Inc., or any successors thereto exercising similar functions, or (ii) such maximum densities may be so increased through a decision of the Metropolitan Development Commission made at a public hearing after proper notice has been given as set forth in these COMMITMENTS.
5. Except as may be otherwise agreed to by DOT, the Petitioner shall comply with the requests of the Department of Transportation as referenced in the staff comments and detailed in the memorandum from the DOT file-dated May 9, 1989.
6. Final street layout and design shall be subject to the approval of the Department of Transportation.
7. A tree inventory and preservation plan shall be submitted for Administrator's review and approval prior to the commencement of any site preparation or alteration; provided, however, that inventory and preservation plans shall not be required with respect to that portion of the Real Estate to be developed for public rights of-way for streets and/or utilities.
8. The final plats (or final development plan for the D-611 Property if the same is not platted) shall either (i) be in substantial conformance with the conceptual plan file-dated May 8, 1989, or (ii) subject to reasonable review and approval of the Administrator.
9. Final landscape plans shall be subject to the approval of the Administrator.
10. The final plat to be recorded as approved in connection with the case 89-P-56 (or any other plat of the property described therein) shall contain not more than 31 lots, and such final plat shall not thereafter be amended or replatted in any manner that would result in more than 31 lots on the real estate described therein.
11. For purposes of paragraph 8 hereof, (i) any proposed development of the D-611 Property for residential rental purposes (whether as apartments or condominiums) or any development thereof with more than 115 residential units shall be deemed to constitute development not in substantial conformance with the conceptual plan file dated May 8, 1989 and shall be subject to review and approval of the Administrator, and (ii) any time the Administrator's review and approval is required, advance written notice shall be given to Trader's Point Civic Association, Inc. and Pike Township Residents Association, Inc.

8900-19804



Photo of 6202 Bergeson Drive looking northeast.



Photo of 6202 Bergeson Drive looking southeast



Photo looking south along Bergeson Drive.



Photo looking southwest along Bergeson Drive.



Photo of 8723 Bergeson Drive on the left looking south along Mariesi Drive.



Photo of Mariesi Drive looking north.



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Photo of 8701 Lepart Court on the left looking south along Lepart Court.



Photo of 6416 Shamel Drive which is the western most property to be rezoned to the D-4 district.



Single-family dwellings west of 6416 Shamel Drive that are zoned D-4.



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**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 23, 2025

Case Number: 2025-ZON-111
Property Address: 11207 East Washington Street
Location: Warren Township, Council District #20
Petitioner: Indianapolis Public Transportation Corporation d/b/a/ IndyGo, by Brian J. Tuohy
Current Zoning: D-5 (TOD)
Request: Rezoning of 1.433 acres from the D-5 (TOD) district to the SU-9 (TOD) district to provide for supportive uses for a proposed IndyGo transit center.
Current Land Use: Undeveloped
Staff Recommendations: Approval, subject to the commitments noted below.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first public hearing on this petition.

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. 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. The site shall be in substantial compliance with the site plan, file dated September 30, 2025.
3. 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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PETITION OVERVIEW

This 1.433-acre site, zoned D-5 (TOD), is the southern portion of an adjoining parcel to the east. It is surrounded by commercial uses to the north, zoned D-5 (TOD); undeveloped land / Pennsy Trail to the south, zoned C-4 (TOD); commercial uses and access drive to the east, zoned C-4 (TOD); and undeveloped land to the west, zoned SU-9 (TOD).

Petition 2025-ZON-027 rezoned the abutting property to the west to the SU-9 (TOD) district to provide for an IndyGo Transit Center.

REZONING

The request would rezone the site to the SU-9 (Buildings and grounds used by any department of town, city, township, county, state or federal government) district to provide for an IndyGo transit Center. "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 or approved by the Commission, as hereinafter provided. Such request shall be in the form of an application for an Improvement Location Permit, following all requirements for plan submission and documentation."

Site and development plans in the SU-9 district would be reviewed and approved, by applying the development standards of the C-1 district.

The proposed use that would provide for an access drive between the proposed IndyGo Eastside Mobility Hub and the commercial development to the east would be consistent with the Cumberland Comprehensive 2031 Plan (2014) recommendation of commercial typology for the site.

Site Plan

The site plan provides for the construction of an access drive at the southeast corner of the abutting property (IndyGo Mobility Hub) that would connect to the internal drive to the east that serves the commercial use to the east.

A north / south sidewalk would also be installed along the eastern site boundary that would connect to the Pennsy Trail to the south, with painted pedestrian crossings at the north and south terminuses.

Tree Preservation / Heritage Tree Conservation

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



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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.

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.

Overlays

This site is also located within an overlay, specifically the Transit Oriented Development (TOD). “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 Transit-Oriented Development (TOD) overlay is intended for areas within walking distance of a transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.

This site is located within a ¼ mile walk (approximately 945 feet) of a proposed transit stop located at the intersection of East Washington Street and Woodlark Drive (East Terminus), with a District Center typology.



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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

Staff believes the proposed development would generally align with the Cumberland Comprehensive Plan recommendation. As previously noted, the Plan recommends commercial uses but does not provide details regarding the type of commercial uses or supportive services.

Staff believes that the proposed drive and sidewalk would improve the circulation and integration of the proposed mobility hub with the surrounding land uses along the Blue Line transit corridor and Pennsy Trail, as well as improve services for both IndyGo staff and customers.



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It would also support the purpose and goals of the Blue Line to maximize the economic development and public benefit of the investment, promote more in-demand (and under-supplied) walkable urban villages, and promote economic mobility for those who can most benefit from the educational and employment opportunities the Blue Line connects.

GENERAL INFORMATION

Existing Zoning	D-5 (TOD)	
Existing Land Use	Undeveloped	
Comprehensive Plan	Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-5 (TOD)	Commercial uses
South:	C-4 (TOD)	Pennsy Trail
East:	C-4 (TOD)	Commercial uses / Undeveloped land
West:	SU-9 (TOD)	Undeveloped land
Thoroughfare Plan		
East Washington Street	Primary arterial	Existing 104-foot right-of-way and proposed 78-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Yes – Transit-Oriented Development (TOD)	
Wellfield Protection Area	No	
Site Plan	September 19, 2025	
Site Plan (Amended)	September 30, 2025	
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

Not Applicable to this Site.



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Pattern Book / Land Use Plan

Not Applicable to the Site

Red Line / Blue Line / Purple Line TOD Strategic Plan

Blue Line Transit-Oriented Development Strategic Plan (2018)

District Center stations are located at the center of regionally significant districts with several blocks of retail or office at their core. Development opportunities include infill and redevelopment, dense residential, employment near transit stations, neighborhood retail and a focus on walkability and placemaking.

Characteristics of the District Center typology are:

- A dense mixed-use hub for multiple neighborhoods with tall buildings
- Minimum of three stories at core with no front or side setbacks
- Multi-family housing with a minimum of five units
- Structured parking only with active first floor

Neighborhood / Area Specific Plan

The Cumberland 2031 Comprehensive Plan (2014) recommends commercial uses but provides little detail regarding this use.

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

2025-ZON-027; 11135 East Washington Street (west of site), requested rezoning of 5.28 acres from the C-4 (TOD) district to the SU-9 (TOD) district to provide for an IndyGo transit center, **approved**.

2001-ZON-060; 1151 East Washington Street (east of site), requested a rezoning 5.53 acres from D-5 to C-5 to provide for commercial development, **approved**.

98-UV1-77; 11119 East Washington Street (west. of the site), requested a variance of use of the Dwelling Districts Zoning Ordinance and a variance of development standards of the Sign Regulations to provide for a lawnmower sales and display business, with a 3 by 4-foot sign, **granted**.

EXHIBITS



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



11207 East Washington Street

00.000 0.015 0.03 0.045 0.06 Miles

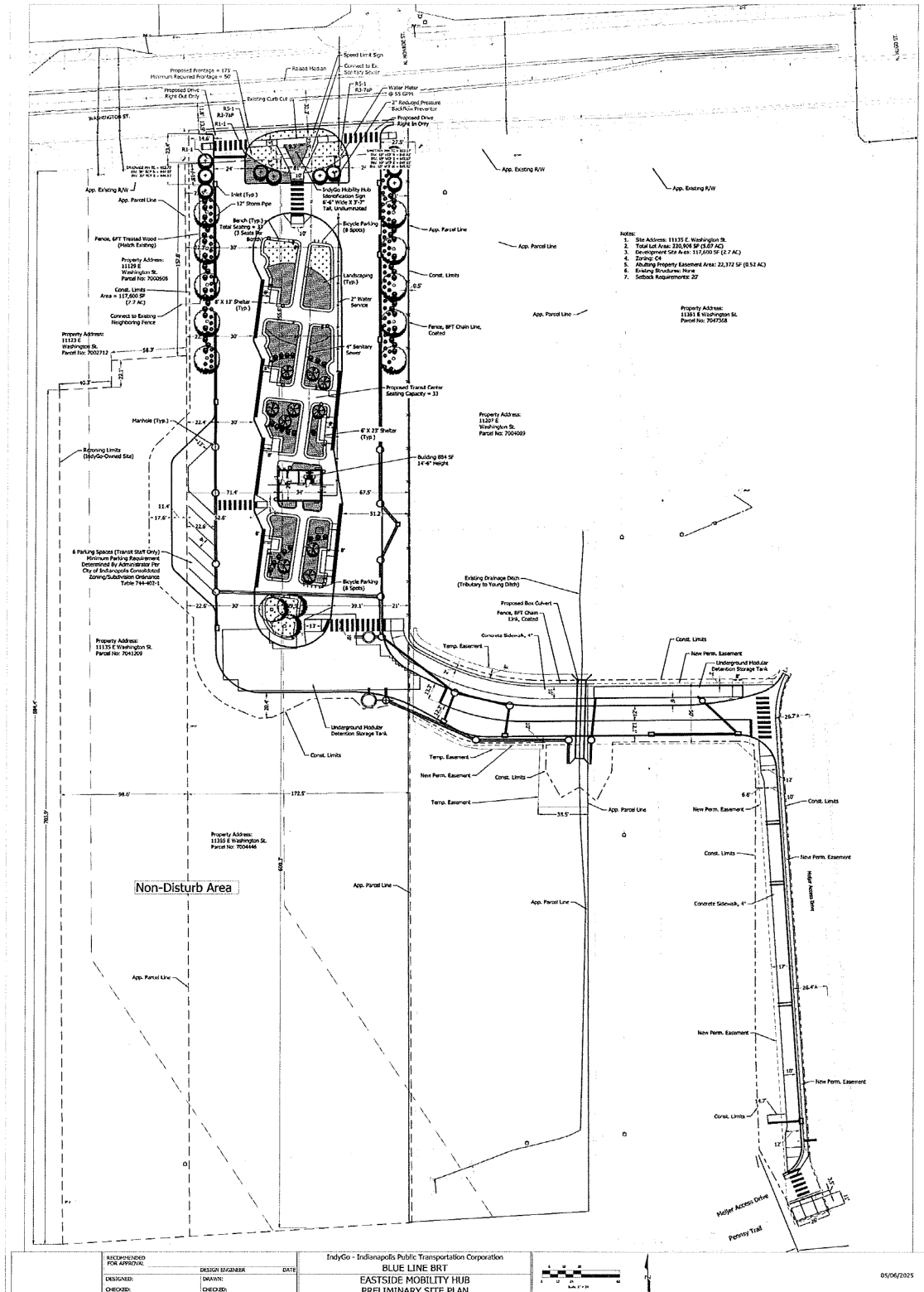


EXHIBIT A

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 looking west along east / west access drive along the southern boundary



View looking north across intersection of two access drives



View of site looking north from east / west access drive north of the Pennsy Trail



View of site looking north across east / west access drive north of the Pennsy Trail



View of site looking north across east / west access drive north of the Pennsy Trail

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 23, 2025

Case Number: 2025-CPL-843 (Amended) / 2025-CVR-843

Property Address: 8840 East Edgewood Avenue (Approximate Address)

Location: Franklin Township, Council District #25

Petitioner: Forestar USA Real Estate Group, Inc., by Brian J. Tuohy

Zoning: D-4

Request: Approval of a Subdivision Plat to be known as Edgewood Farms West Section 2, dividing 27.687 acres into 80 lots, with a waiver to allow emergency vehicles to use four different local streets to reach their destination (emergency vehicles must not utilize more than two different local streets to reach their destination).

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for five-foot wide sidewalks along all streets (minimum six-foot wide sidewalks permitted along all streets).

Waiver Requested: Yes

Current Land Use: Undeveloped Land

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This is the first hearing for this plat petition.

STAFF RECOMMENDATION

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

Staff recommends that the Hearing Examiner **approve** and find that the plat, file-dated August 21, 2025, complies with the standards of the Subdivision regulations, subject to the following conditions:

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

6. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
7. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
10. 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.
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 waiver be approved.
13. That the plat shall be recorded within two (2) years after the date of conditional approval by the Hearing Examiner.

PETITION OVERVIEW

VARIANCE OF DEVELOPMENT STANDARDS

This request would allow five-foot-wide sidewalks along all streets when the Ordinance requires sidewalk to be six feet in width.

SITE PLAN AND DESIGN

This 27.687-acre site, zoned D-4, is undeveloped and was included in rezoning petition 2021-ZON-122 that rezoned 62.82 acres to the D-4 district. It is surrounded by single-family dwellings to the north currently being developed, zoned D-4, single-family dwellings to the east, zoned D-4, undeveloped land to the west, zoned I-2, and a single-family dwelling and agricultural land to the south, zoned D-A and D-4.

As proposed, approval of the request would allow for a new Subdivision Plat to be known as Edgewood Farms West Section 2 consisting of 80 lots.

Total amenities include: a five-foot wide multi-purpose trail measuring 2,065 linear feet and a 3,500 square-foot playground. It would also include 2.06 acres of common area.

Access to this site would be gained from proposed local streets to the north and Jagger Lane to the east.

The waiver request would allow emergency vehicles to use four different local streets to reach their destination when the Subdivision Regulations require no more than two different streets to reach their destination.

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

STREETS

The lots would gain primary access from Edgewood Drive through Trail Boulevard and Jagged Lane. New streets are proposed as part of this petition.

Secondary access would derive from South Franklin Road through a network of local streets.

SIDEWALKS

Sidewalks are required as a part of this plat and would need to be installed.

If the variance is granted, the sidewalk width would be five feet.

STAFF ANALYSIS

This plat (Section 2) is included in a larger subdivision (Edgewood Farms West). Other sections of this subdivision have been approved and five-foot wide sidewalks constructed, which comply with the sidewalk standards of the Department of Public Works (DPW). Consequently, staff supports the one-foot reduction in the sidewalk width because it would maintain a standard sidewalk width throughout the subdivision and would comply with DPW standards.

Staff had concerns with emergency vehicles having to use multiple streets to reach their destination due to possible delays in response time, but after receiving confirmation from the Indianapolis Fire Department that they would not object to using three or four local streets for access, staff was comfortable with recommending approval of the waiver request.

The plat petition was filed because a similar plat petition, 2022-PLT-006, was approved on April 1, 2022, that included a condition that the plat be recorded two years after the date of conditional approval by the Plat Committee. See Exhibit A, Number 13, and Exhibit B.

Petition 2022-PLT-006 also granted the waiver to allow emergency vehicles to use three different local streets to reach their destination. See Exhibit A, Number 12.

For these reasons, staff is recommending approval of the variance request and the plat petition subject to specific conditions.

GENERAL INFORMATION

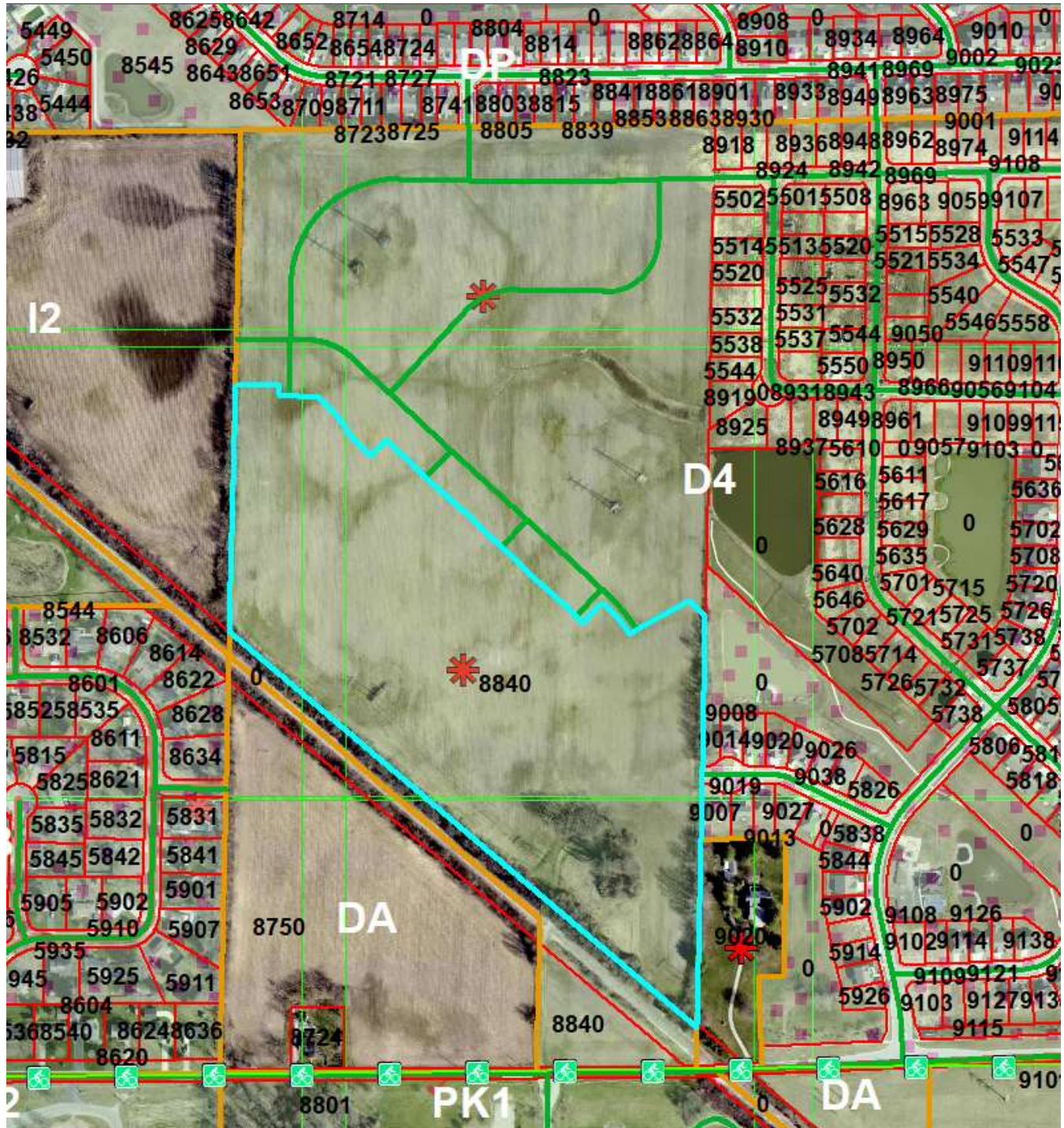
Existing Zoning	D-4	
Existing Land Use	Undeveloped Land	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-4	Single-family dwellings
South:	D-A / D-4	Single-family dwelling / Agricultural land
East:	D-A / D-5	Single-family dwellings
West:	I-2	Industrial / Undeveloped



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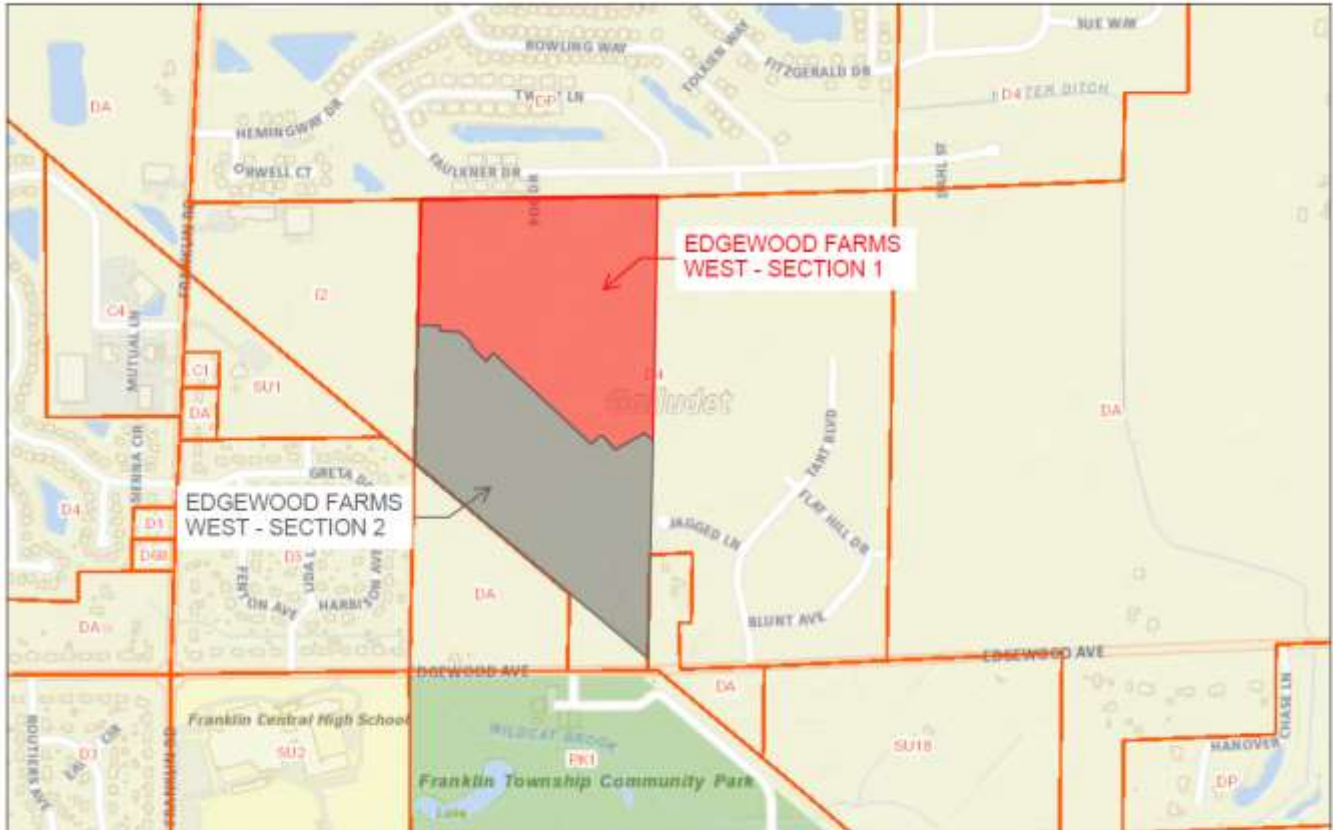
Thoroughfare Plan		
Edgewood Avenue	Secondary Arterial Street	32 to 80-foot existing right-of-way range and 90-foot proposed
Petition Submittal Date	August 21, 2025	

EXHIBITS



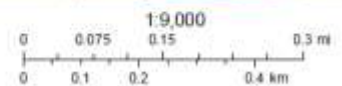
AERIAL MAP

Edgewood Farms West - Zoning/Area Map



2/12/2024

Zoning



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

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[illegible]

Preliminary Plat



Preliminary Plat (Continued)





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Preliminary Plat (Continued)





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Traffic Plan



Amenities Plan





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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 grant of the variance will not be detrimental to the public health, safety, or welfare or injurious to other property because the 5'
proposed sidewalk width within the property meets the Americans with Disabilities Act requirements and will therefore provide safe and
easy access for all.

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 Edgewood Farms West subdivision is accessible through three existing local streets from two existing adjoining subdivisions.
The three connection points to Edgewood Farms West all meet the typical local street section (DPW Figure 101.01), which shows a
5' sidewalk within the 50' ROW cross-section. Also, there are no major paths or pedestrian routes out of Edgewood Farms West aside
from the 5' sidewalks. Having 5' walks within the subdivision would therefore not restrict access or adversely effect neighboring
subdivisions as they would match the existing amenities within those subdivisions.

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

Without the waiver, the sidewalks within Edgewood Farms West Section 2 will have a different width from Edgewood Farms West Section
1. Also, given the ROW cross-section within the Edgewood Farms West, which features a wider pavement width to match the adjoining
streets, a 3' planting strip would remain between the back of curb and walk, which would constrict street trees and force the water main
under the sidewalk.

DECISION

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

Adopted this _____ day of _____, 20 ____

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

Petition Number _____

REQUESTED WAIVER:

**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 grant of the waiver will not be detrimental to the public health, safety, or welfare or injurious to other property because the street's pavement width within the property complies with the required minimum pavement width for a local street in a residential subdivision.

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 conditions of the site are very unusual and individual to the property because the only access to Edgewood Farms West is through three existing local streets from two existing adjoining subdivisions. The three connecting streets to Edgewood Farms West all have 50' of right-of-way ("ROW") which is the ROW of a "local street". However where the three connecting streets connect to Edgewood Farms West, the pavement width actually exceeds the required minimum pavement width standard of a local street in a residential 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:

Because the existing adjacent subdivisions have connecting streets of 50' ROW and because there is a railroad track with no crossing that runs the length of the south border of the property, a hardship will result if the waiver is not granted. Without the waiver, the streets within Edgewood Farms West Section 2 will have a different ROW from the streets within Edgewood Farms West Section 1 and any of the three adjoining streets that connect to Edgewood Farms West.

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:

Where the streets within the resulting subdivision connect to the adjoining subdivisions, the streets will have the same width of pavement as the connecting streets from the adjacent subdivisions. The proposed street pavement width in the resulting subdivision will also meet the required minimum pavement width of a local street in a residential subdivision. Additionally, Edgewood Farms West has three separate points of ingress and egress to adjoining subdivisions.

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 granting of the requested waiver will not change or vary the Zoning Ordinance and/or the permitted use of the site as a single family residential subdivision. The Zoning Base Map for this site will not be varied in any manner by the granting of the requested waiver.

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 ____



Department of Metropolitan Development
Division of Planning
Current Planning

EXHIBIT A



April 1, 2022

Rick Ellis
Weihe Engineers, Inc.
10505 North College Avenue
Indianapolis, IN 46280

Re: 2022-PLT-006 8840 East Edgewood Avenue, Indianapolis, Franklin Township
Edgewood Farms West

Dear Mr. Ellis:

You are hereby notified that after a public hearing on March 9, 2022, Plat application 2022-PLT-006, file-dated March 3, 2022 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
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 waiver be approved.
13. The plat shall be recorded within two (2) years after the date of conditional approval by the Plat Committee.

If you have any questions regarding this matter, please contact me at Allison.Richardson@Indy.Gov.

Sincerely,

Allison Richardson
Senior Planner

AR: hss



Division of Current Planning | Department of Metropolitan Development
1842 City County Building, 200 E. Washington Street, Indianapolis, IN 46204



PHOTOS



Photo of the railroad looking north that borders the subject site on the southern property boundary.



Photo of a single-family dwelling at the rear that is east of the subject site.

Department of Metropolitan Development
Division of Planning
Current Planning



Photo of Edgewood Farms where the subject site will gain access to Edgewood Avenue.



Photo of Jagged Lane looking west where the proposed plat will connect to the existing subdivision.

Department of Metropolitan Development
Division of Planning
Current Planning



Photo of the existing sidewalk condition to be continued with the proposal.



Photo of the subject site looking south.

Department of Metropolitan Development
Division of Planning
Current Planning



Photo of the subject site looking west.



Photo of the subject site looking north.

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 23, 2025

Case Number: 2025-APP-003 (Amended)
Property Address: 620 East 21st Street
Location: Center Township, council District #13
Petitioner: DeQuan Branch, by Jorge Gonzales
Current Zoning: PK-2
Request: Park District Two Approval to provide for a 2½ -story single-family dwelling with an attached garage.
Current Land Use: Vacant
Staff Recommendations: Approval.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the September 25, 2025 hearing, to the October 23, 2025 hearing, at the request of staff to provide additional time to meet with the petitioner and their representative.

On October 14, 2025, updated documents were submitted. After reviewing the documents, staff believes that development of the site with a single-family dwelling in accordance with the documents would be supportable. Based on the site plan and elevations the project would align with the PK-2 Ordinance provisions, including conformity with the Comprehensive Plan, compatibility with the surrounding neighborhood, pedestrian connectivity, and sufficient parking.

For these reasons, staff is **recommending approval** of this request.

The Hearing Examiner continued this petition from the August 14, 2025 hearing, to the September 25, 2025 hearing, at the request of the petitioner's representative. No updated documents have been provided but if those are submitted in time for review, staff will provide comments at hearing.

Based upon the updated documents, file dated August 9, 2025, the height of the dwelling has been decreased by 5.48 feet to 2½ stories. Staff, however, is concerned that a more detailed site plan that provides for pedestrian connection from the dwelling to the existing sidewalk along East 21st Street, as well as providing features (such as a front porch) that are common throughout the neighborhood.

The Hearing Examiner continued this petition from the July 24, 2025 hearing, to the August 14, 2025 hearing, to provide additional time for further discussions with the petitioner's representative.

The Hearing Examiner continued this petition from the August 14, 2025 hearing, to the August 28, 2025 hearing, at staff's request, to provide additional time for submittal and review of amended documents. Staff has reviewed the amended documents and continues to recommend denial because the site plan does not provide site access in terms of sidewalk and a driveway. Staff believes that the development does not align with the Ordinance requirements for the PK-2 development district that would provide appropriate integration into the neighborhood development pattern.

STAFF RECOMMENDATION

Approval.

PETITION OVERVIEW

This 0.03-acre site, zoned PK-2, is vacant and surrounded by single-family dwellings to the east and west and a detached garage to the north, all zoned PK-2 and a park to the south, across East 21st Street, zoned PK-1.

This site was included in Petition 70-Z-260 that rezoned 80 acres to the PK-2 district.

Park District One Approval

The Ordinance classifies Park District One and Two as Development Plan Districts. "No use, building or structure shall hereafter be established, constructed or used on any land in a Development Plan district for any purpose, until a Site and Development Plan for such land, including the proposed use or uses, has been filed with and approved by the Commission in accordance with this zoning ordinance."

"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."

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;

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- 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 Site and Development Plan must include layout and elevation plans for all proposed buildings and structures, and must indicate:

- a. Proposed uses, buildings and structures.
- b. All existing uses, buildings, and structures, in addition to any proposed to be demolished.
- c. Proposed buildings and structures and the use of each.
- d. Elevations of all sides of each building.
- e. Zoning and existing land uses of adjacent properties.
- f. Off-street vehicle and bicycle parking layouts with summary table of the number of required off-street parking, loading, and stacking spaces.

Because the proposed dwelling would not be compatible with the surrounding neighborhood and the established architectural character, the Infill Housing Guidelines should be reviewed and considered as this site is redeveloped. Staff would note that historically the dwelling occupied the entire parcel, which would not be acceptable but the request, as submitted, would not be supportable.

The dwellings in this area are typically two-story with detached garages and larger footprints than the proposed dwelling. Admittedly, the site presents development challenges but in staff's opinion, the proposed site plan and elevations are not acceptable and do not align with the Ordinance or the Infill Housing Guidelines.

GENERAL INFORMATION

Existing Zoning	PK-2	
Existing Land Use	Vacant	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	PK-2	Detached garage
South:	PK-1	Park
East:	PK-2	Single-family dwelling
West:	PK-2	Single-family dwelling

Thoroughfare Plan		
East 21 st Street	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	June 16, 2025	
Site Plan (Amended)	August 9, 2025 / October 14, 2025	
Elevations	June 27, 2025	
Elevations (Amended)	August 9, 2025 / October 14, 2025	
Landscape Plan	N/A	
Findings of Fact	May 15, 2025	
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 five 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* (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. 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:

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:

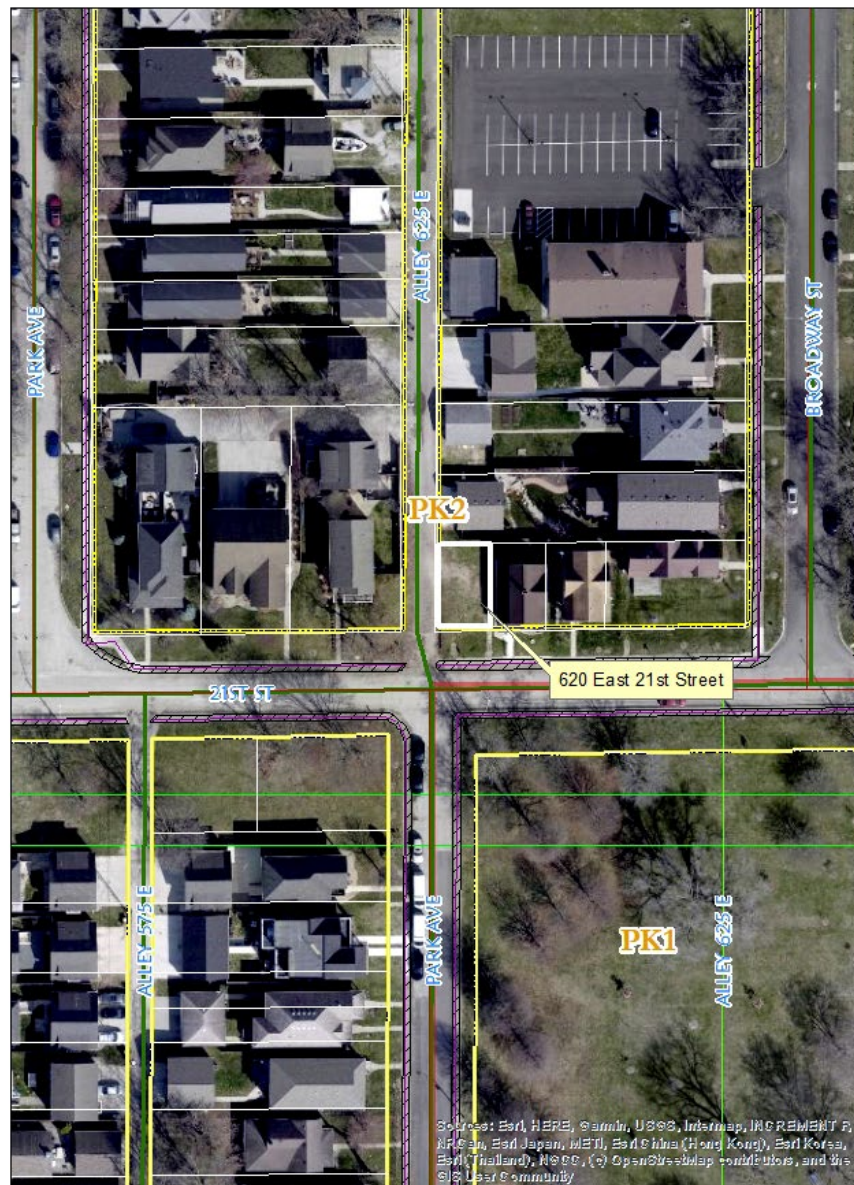
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- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for 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

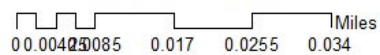
ZONING HISTORY

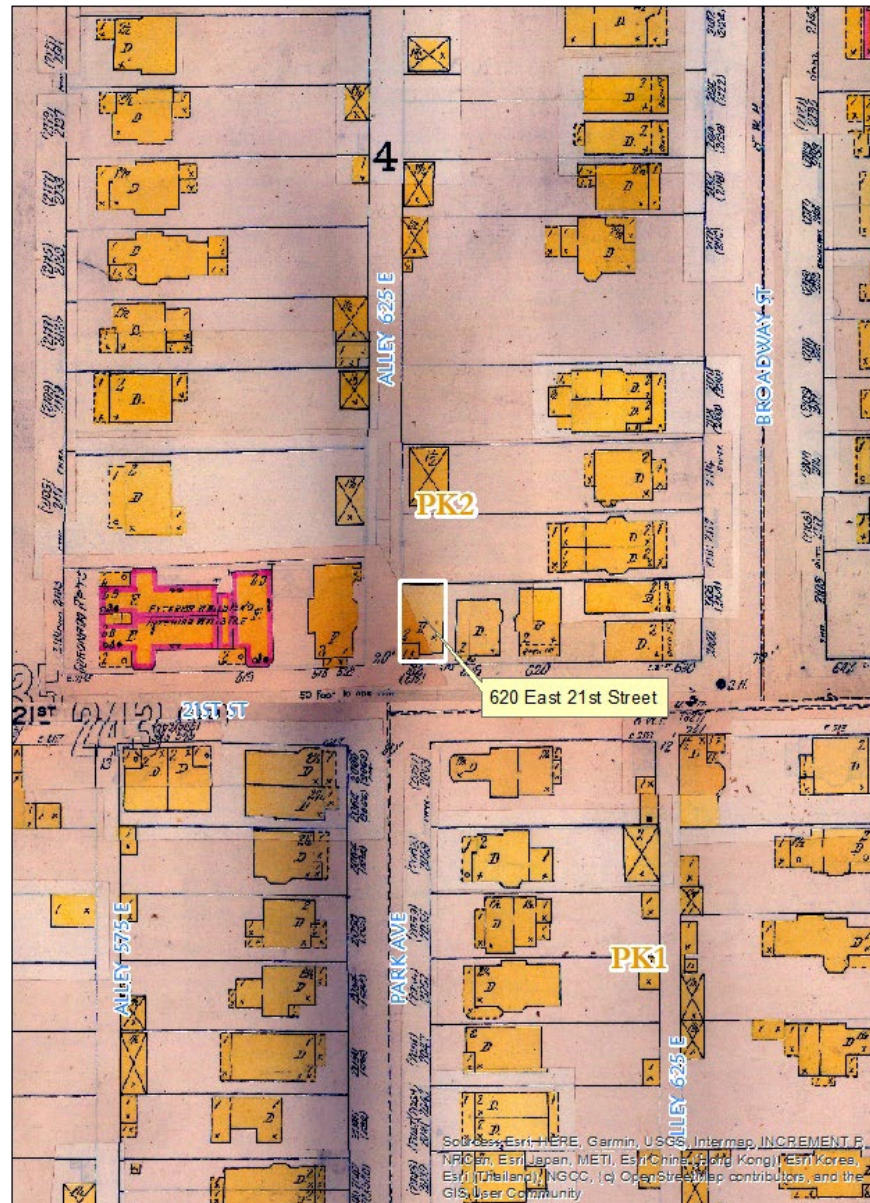
70-Z-40; Park Avenue / Broadway Street and 17th / 21st Streets, requested rezoning of 12.88 acres, being in the D-8 and PK-1 districts to the PK-1 classification to provide for park use, **approved**.

70-Z-260; 16th / 22nd Streets and Central Avenue / College Avenue, requested rezoning of 8-0 acres, being in the C-3, C-3, C-4 and D-8 districts, to the PK-2 classification, **approved**.



620 East 21st Street





620 East 21st Street

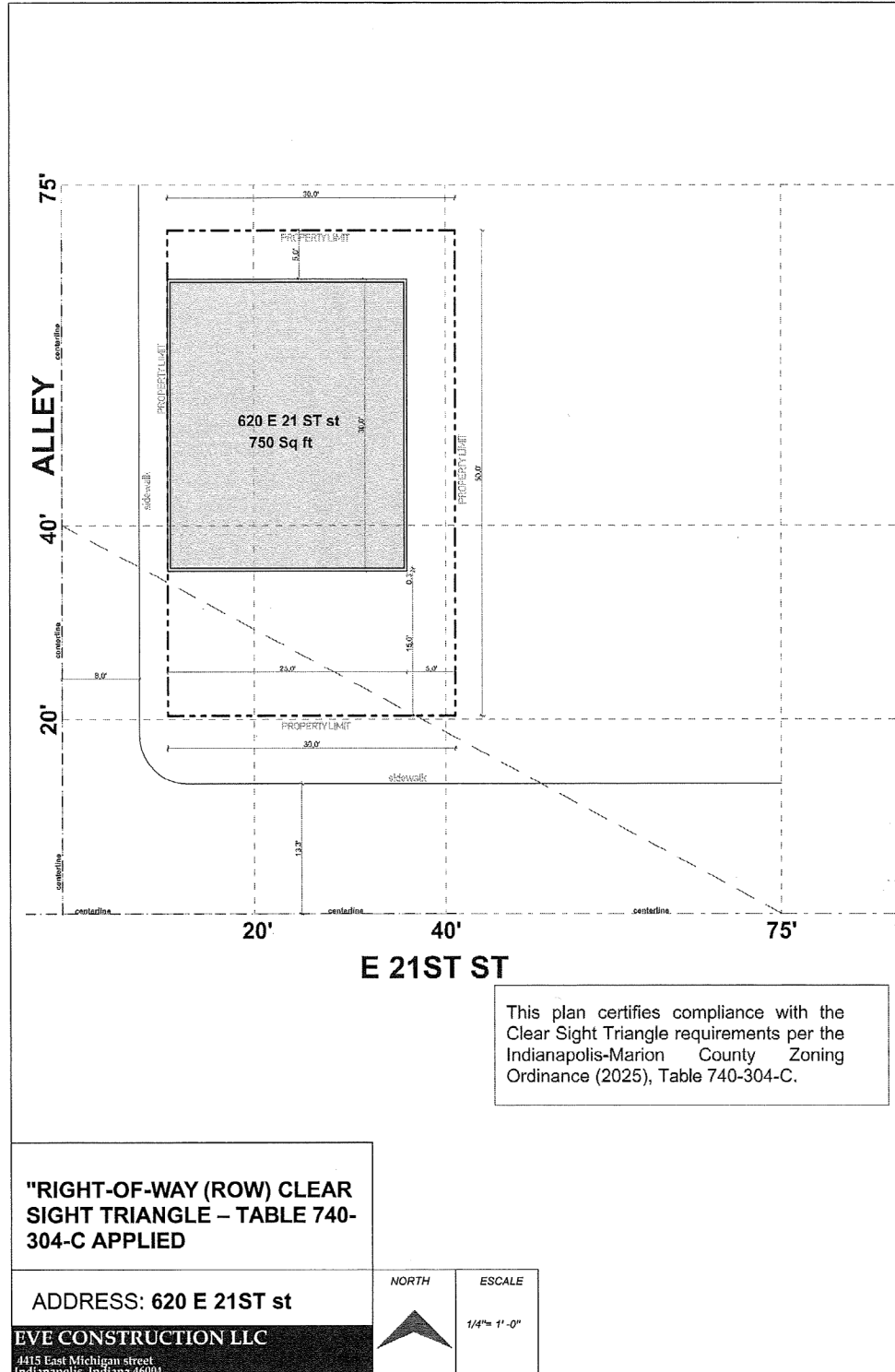
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Elevations – October 14, 2025



Site Plan - June 27, 2025

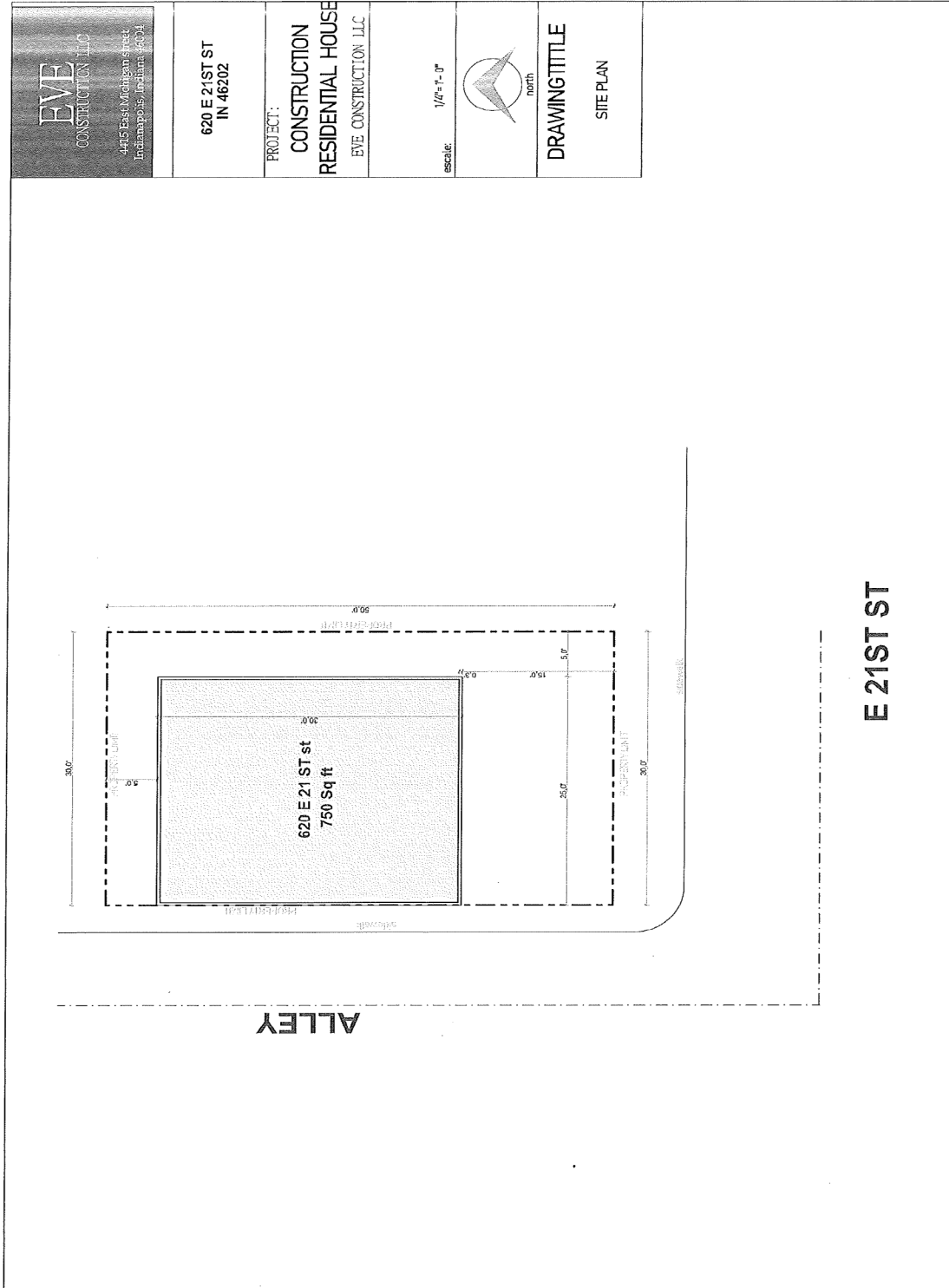


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Elevations -June 24, 2025



Site Plan – August 9, 2025



Elevations – August 9, 2025



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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 project aligns with the Comprehensive Plan by maximizing efficient land use and integrating harmoniously with the nearby park. This location enhances the quality of life for residents by providing direct access to green space and promoting a healthy, sustainable environment.

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 project optimizes land use by combining efficiency and aesthetics. Being near a park ensures compatibility with adjacent uses, creating an attractive and functional environment for residents and the community. Loading areas, and nearby public transit options. Additionally, bicycle facilities are incorporated, promoting sustainable and accessible transportation choices for all users.

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

The project is designed to ensure easy and efficient access through various modes of transportation, including adequate parking, loading areas, and nearby public transit options. Additionally, bicycle facilities are incorporated, promoting sustainable and accessible transportation choices for all users.

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 project design ensures the integration of a multi-modal transportation network by effectively linking with existing and planned public streets as well as internal roads. Traffic control measures, both active and passive, are included to ensure smooth and safe traffic flow, enhancing accessibility and connectivity within and outside the development.

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

The project is designed to meet sanitation, drainage, and public utility requirements using sustainable, low-impact solutions. Efficient stormwater management systems, proper drainage infrastructure, and reliable public utility services will be implemented without compromising the natural environment, promoting responsible and environmentally respectful development.

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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 project is designed so that the sites allocated for each proposed use are appropriately located, considering existing and proposed topographical conditions and other environmental factors. The design, orientation, and character of each area are suitable for the intended uses, ensuring harmonious integration with the surrounding environment. Additionally, the layout follows the principles of the Comprehensive Plan, promoting a coherent and sustainable development.

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 project ensures efficient and safe pedestrian connectivity through the installation of paths, trails, and sidewalks in accordance with required regulations. Pedestrian accessibility to public transit and internal spaces of the development is prioritized, promoting sustainable and accessible transportation options for all users. Additionally, sidewalks along eligible public streets are provided, ensuring barrier-free accessibility and safe movement for pedestrians.

DECISION

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

Adopted this _____ day of _____, 20 ____

Commission President/ Secretary

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View looking east along East 21st Street



View of site looking northeast across East 21st Street

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View of site looking north across East 21st Street



View of site looking east across abutting north / south alley

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View looking west along East 21st Street east of site

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 23, 2025

Case Number: 2025-ZON-074

Property Address: 8221 and 8351 South Mitthoefer Road, 10100, 10550, and 10600 Maze Road

Location: Franklin Township, Council District #25

Petitioner: Christopher D. Reed, Kimberly K. Reed, Paul L. Walton, Cheryl H. Walton, Maze Family Farm, LLC, John Levinsohn, Alan Retherford and Shirley Retherford, by Tony Bagato

Current Zoning: D-4 (FF)(FW) and I-3 (FF)(FW)

Request: Rezoning of 273.127 acres from the D-A (FF)(FW) and I-3 (FF)(FW) districts to the D-4 (FF)(FW) district to provide for a single-family residential development.

Current Land Use: Agricultural uses / Single-family dwelling

Staff Recommendations: Approval

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the automatic continuance that was filed by a registered neighborhood organization that continued this petition from September 25, 2025 hearing, to the October 23, 2025 hearing.

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 40-foot half right-of-way shall be dedicated along the frontage of Mitthoefer Road, a 45-foot half right-of-way shall be dedicated along the frontage of Mc Gregor Road and a 40-foot half right-of-way shall; be dedicated along the frontage of Maze 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).
2. Developer shall coordinate and consult with the Department of Public Works as the following recommended infrastructure improvements are installed and constructed: **A)** Infrastructure improvements recommended in the Traffic Impact Study file dated July 7, 2025, noted below. **B)** Additional infrastructure improvements to be installed shall include the following: 1) Maze Road

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(west access drive) – a passing blister for the east bound, left turn movement; 2) Mc Gregor Road (west access drive) – a passing blister for the west bound, left turn movement (if the north parcel is developed at the same time, the west bound deceleration lane for traffic entering the north parcel can also serve as the passing blister for the west bound left turn movement into the south parcel) and developer shall compare the relative dimensions of the passing blister and deceleration lane to ensure the larger design value is satisfied; 3) traffic calming elements shall be installed on the proposed east / west road north of Mc Gregor Road.

3. A tree inventory, tree assessment and preservation plan of all existing trees over 2.5 inches in diameter, shall be prepared by a certified arborist and shall be submitted for Administrator Approval prior to preliminary plat approval and / or 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) identify all heritage trees, e) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and f) 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.
4. 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.

PETITION OVERVIEW

This 273.127-acre site, zoned D-A (FF)(FW) and I-3 (FF)(FW), is developed with a single-family dwelling and agricultural uses. It is surrounded by a solar farm to the north, zoned I-3; single-family dwellings and agriculture uses to the south, across Maze Road, zoned D-A (agriculture preservation); undeveloped land and single-family dwellings to the east, zoned D-A (FW)(FF) and D-P (FW)(FF), respectively; and single-family dwellings and agricultural uses to the west, zoned D-A (FW)(FF).

Petition 2024-ZON-147 requested rezoning of 195.766 acres to the D-4 (FW)(FF) district to provide for residential development but was withdrawn. This current rezoning request included the acreage of the prior petition and increased the acreage by approximately 77.4 acres for the D-4 (FW)(FF) district.

REZONING

The request would rezone the site to the D-4 (FW)(FF) district to provide for a single-family residential development. "The D-4 district is intended for low or medium intensity single-family and two-family residential development. Land in this district needs good thoroughfare access, relatively flat topography, and nearby community and neighborhood services and facilities with pedestrian linkages. Provisions for recreational facilities serving the neighborhood within walking distance are vitally important. Trees fulfill an important cooling and drainage role for the individual lots in this district. The D-4 district has a typical density of 4.2 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

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aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage and wildlife.”

The Comprehensive Plan recommends rural or estate neighborhood typology for the site.

As proposed, this request would generally be consistent with the recommended housing typology. The typical density of this typology is one unit per acre. However, housing can be clustered to preserve natural features such as woodlands, wetlands, streams, and open space.

Conceptual Site Plan

The conceptual site plan filed dated June 30, 2025, provides for three different lot sizes for a total of 421 lots. There would be 236 “Arbor Lots” (55 feet by 130 feet); 101 “Silverthorn Lots” (70 feet by 140 feet); and 84 “Destination Lots” (64 feet by 140 feet). Density would be approximately 1.54 units per acre.

Common areas would be approximately 129.5 acres, with ponds throughout the site totaling approximately 13.3 acres.

The D-4 development standards require a lot area of 7,200 square feet. The proposed “Arbor Lots” are 7,150 square feet. Because of the environmentally sensitive areas within this site, the cluster option should be considered and could address the proposed deficient lots. “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.”

Staff would note that this petition request is only for the rezoning and approval of this request is limited to the rezoning and not the conceptual site plan that would be required to go through the platting process and comply with the Subdivision Regulations.

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.

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Tree canopy, and naturalized areas such as prairies, wetlands, and naturalized stream corridors have many benefits to the environmental health of Marion County. They can reduce flooding, provide natural habitat for wildlife, shade neighborhoods, repair soil, and improve air quality.

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 D-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.

Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 40-foot half right-of-way along Mitthoefer Road, a 45-foot half right-of-way along McGregor Road and a 40-foot half right-of-way along Maze Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.

Traffic Impact Study – July 7, 2025

The parameter used to evaluate traffic operation conditions is referred to as the level-of-service (LOS). There are six LOS (A through F) categories, which relate to driving conditions from best to worst, respectively. LOS directly relates to driver discomfort, frustration, fuel consumption and lost travel time. Traffic operating conditions at intersections are considered to be acceptable if found to operate at LOS D or better.

The scope included turning movement traffic volume counts between the hours of 6:30 a.m. to 9:00 a.m. and 3:30 p.m. to 6:30 p.m. during a typical school day in September 2024 at the following intersections:

- Mitthoefer Road and McGregor Road
- Mitthoefer Road and Maze Road
- Acton Road/Hamlyn Drive and McGregor Road
- Acton Road and Maze Road

Capacity analysis occurred for three different scenarios. Scenario One is based on 2025 traffic volumes. Scenario Two is based on 2035 background traffic volumes by applying a 3.0% per year annual growth rate to the year 2025 traffic volumes. Scenario Three is based on the 2035 background traffic volumes and generated traffic volumes from the proposed development.

Conclusions and Recommendations:

Mitthoefer Road and Mc Gregor Road - Capacity analyses for all traffic volume scenarios have shown that all approaches at the intersection currently operate and will continue to operate at acceptable levels of service during the AM and PM peak hours with existing intersection conditions. Therefore, no improvements are recommended at this intersection.

Mitthoefer Road and Maze Road - Capacity analyses for all traffic volume scenarios have shown that all approaches at this intersection currently operate and will continue to operate at acceptable levels of service during the AM and PM peak hours with existing intersection conditions. Therefore, no improvements are recommended at this intersection.

Acton Road and Mc Gregor Road/Hamlyn Road - Due to the layout of this intersection, HCM 7th Edition and Synchro 12 capacity calculations and level-of-service results cannot be calculated. Therefore, this intersection was analyzed as a four- legged intersection with the southwest bound and northwest bound legs being combined to create single westbound leg. Under these conditions, capacity analyses for all traffic volume scenarios have shown that all approaches at this intersection currently operate and will continue to operate at acceptable levels of service during the AM and PM peak hours with existing intersection conditions. Therefore, no improvements are recommended at this intersection.

Acton Road and Maze Road - Capacity analyses for all traffic volume scenarios have shown that all approaches at this intersection currently operate and will continue to operate at acceptable levels of service during the AM and PM peak hours with existing intersection conditions. Therefore, no improvements are recommended at this intersection.

Mc Gregor Road and Proposed East Access Drive - Capacity analyses have shown that all approaches to this intersection will operate at acceptable levels of service during the AM and PM peak hours with the following intersection conditions:

- Construction of the southbound full access drive with one inbound and one outbound lane.
- The intersection should be stop controlled with the access drive stopping for McGregor Road.

Mc Gregor Road and Proposed West Access Drive - Capacity analyses have shown that all approaches to this intersection will operate at acceptable levels of service during the AM and PM peak hours with the following intersection conditions:

- Construction of the northbound full access drive with one inbound and one outbound lane.
- Construction of the southbound full access drive with one inbound and one outbound lane.
- The intersection should be stop controlled with the access drive stopping for McGregor Road.

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Maze Road and Proposed East Access Drive - Capacity analyses have shown that all approaches to this intersection will operate at acceptable levels of service during the AM and PM peak hours with the following intersection conditions:

- Construction of the southbound full access drive with one inbound and one outbound lane.
- The intersection should be stop controlled with the access drive stopping for Maze Road.

Maze Road and Proposed West Access Drive - Capacity analyses have shown that all approaches to this intersection will operate at acceptable levels of service during the AM and PM peak hours with the following intersection conditions:

- Construction of the southbound full access drive with one inbound and one outbound lane.
- The intersection should be stop controlled with the access drive stopping for Maze Road

Tree Preservation / Heritage Tree Conservation

There are significant amounts of natural vegetation and trees located throughout 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 of all existing trees over 2.5 inches in diameter, shall be prepared by a certified arborist and shall be submitted for Administrator Approval prior to preliminary plat approval and / or 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) identify all heritage trees, e) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and f) 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.

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 along Wildcat Run and Maze Creek, as well as the two densely wooded areas.

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.

Stream Protection Corridor

A stream protection corridor consists of a strip of land, extending along both sides of all streams, with measurements taken from the top of the bank on either side. The width of the corridor is based upon whether the stream is designated as a Category One or Category Two. Category One streams have a corridor width of 60 feet in the compact context area and 100 feet in the metro context area. Category Two streams have a corridor width of 25 feet in the compact context area and 50 feet in the metro context area.

Construction projects over one (1) acre are subject to the requirements of the Environmental Protection Agency (EPA) General Permit and Indiana Department of Environmental Management (IDEM) Construction Stormwater General Permit (CSGP).

The vegetative target for the Stream Protection Corridor is a variety of mature, native riparian tree and shrub species that can provide shade, leaf litter, woody debris, and erosion protection to the stream, along with appropriate plantings necessary for effective stream bank stabilization.

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The Stream Protection Corridor is defined as:

“A vegetated area, including trees, shrubs, and herbaceous vegetation, that exists or is established to protect a stream system, lake, or reservoir, and where alteration is strictly limited. Functionally, stream protection corridors provide erosion control, improve water quality (lower sedimentation and contaminant removal) offer flood water storage, provide habitat, and improve aesthetic value.”

Stream is defined as “a surface watercourse with a well-defined bed and bank, either natural or artificial that confines and conducts continuous or periodic flowing water.”

Stream Bank is defined as “the sloping land that contains the stream channel and the normal flows of the stream.”

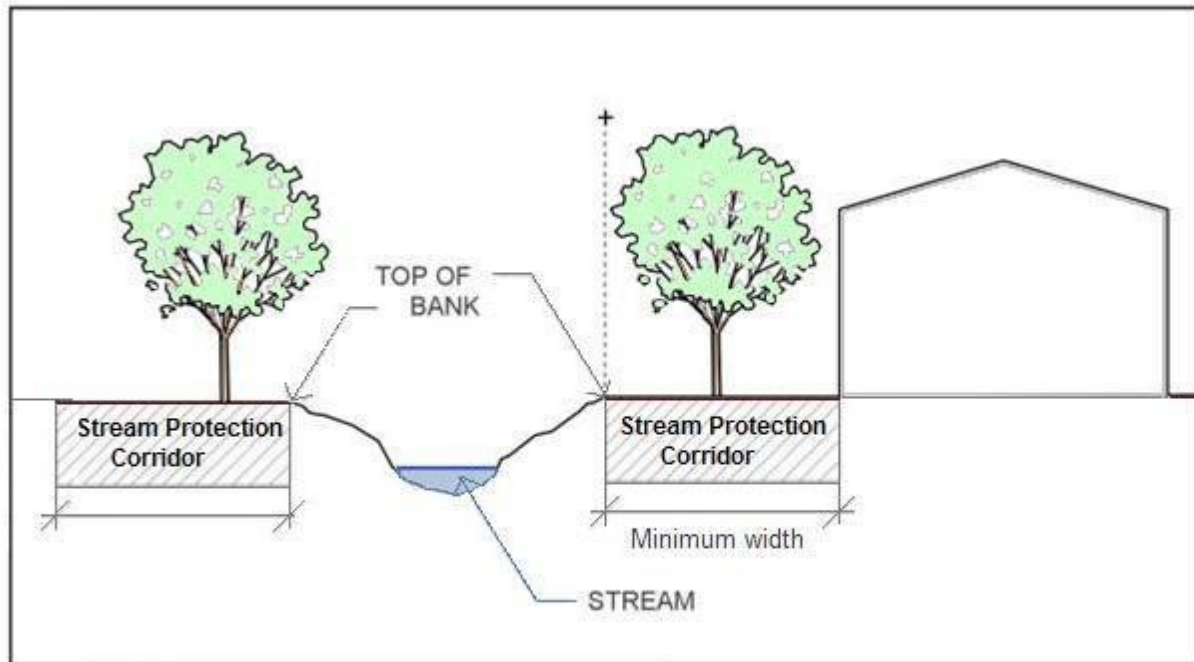
Stream Channel is defined as “part of a watercourse that contains an intermittent or perennial base flow of groundwater origin.”

There are two types of categories of Streams: Category One Streams and Category Two Streams. Category One Stream is defined as: “A perennial stream that flows in a well-defined channel throughout most of the year under normal climatic conditions. Some may dry up during drought periods or due to excessive upstream uses. Aquatic organism such as some fish are normally present and easily found in these streams. The Category One Streams are listed in Table 744-205-2: Category One Streams.”

A Category Two Stream is defined as: “An intermittent stream that flows in a well-defined channel during wet seasons of the year but not necessarily for the entire year. These streams generally exhibit signs of water velocity sufficient to move soil, material, litter, and fine debris. Aquatic organisms, such as fish, are often difficult to find or not present at all in these streams. These streams are identified on the United States Geological Survey (USGS) topographic maps and on the Department of Natural Resources Conservation Service (NRCS) soils maps.”

There are 34 Category One streams listed in the Ordinance. The stream protection corridor is a strip of land on both sides of the stream whose width varies according to whether it is within the Compact or Metro Context Area and whether it is a Category One or Category Two Stream.

Wildcat Run and Maze Creek lie within the Metro Context Area and are located along the northern and southeastern portion of the site. Both are designated as a Category One stream requiring a 100-foot-wide stream protection corridor on both sides of the stream, as measured parallel from the top of the bank. Top of the bank is not defined by the Ordinance, other than by Diagram UU, Stream Protection Corridor Cross-section, as shown below.



Stream Protection Corridor

GENERAL INFORMATION

Existing Zoning	D-A (FW)(FF) / I-3	
Existing Land Use	Single-family dwellings / Agricultural uses	
Comprehensive Plan	Rural or Estate Neighborhood	
Surrounding Context	Zoning	Land Use
North:	I-3	Solar Farm / Floodplain
South:	D-A	Single-family dwellings / Agricultural uses
East:	D-A (FW)(FF)	Undeveloped land / Single-family dwellings / Floodplain
West:	D-A ((FW)(FF)	Single-family dwellings / Agricultural uses / Floodplain
Thoroughfare Plan		
South Mitthoefer Road	Primary Collector	Existing 30-foot right-of-way and proposed 80-foot right-of-way.
Mc Gregor Road	Primary Collector	Existing 30-foot right-of-way and proposed 90-foot right-of-way.
Maze Road	Secondary Arterial	Existing 25-foot right-of-way and proposed 80-foot right-of-way.
Context Area	Metro	

Floodway / Floodway Fringe	Yes – Wildcat Run and Maze Creek
Overlay	Yes – Environmentally Sensitive Areas
Wellfield Protection Area	No
Site Plan	June 30, 2025
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 Rural or Estate Neighborhood typology. The Rural or Estate Neighborhood typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space.

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:

- *Detached Housing – Rural or Estate Neighborhood Typology*
 - Should preserve open space.
 - In older, established historic areas, lots should be deep and narrow with deep setbacks. This allows for city services such as streets and sewer lines to be used more efficiently. Mature trees should be preserved whenever possible.
 - In more rural areas, the protection of open space is even more critical. Lots should be both deep and wide.

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- Denser development is appropriate only if the houses are clustered together and public open space is provided.
- “Flag lots” (lots that are behind other lots, buildings, or otherwise not visible from the road) should be avoided.
- Lots should be no larger than one and a half times the adjacent lots.
- *Modified Uses – Environmentally Sensitive Areas*
 - Detached Housing - Should be oriented to minimize impact on the natural environment, including trees, wetlands, and exceptional topography. Housing is significantly discouraged in floodplains. Additionally, development should preserve or add at least 30% of the entire parcel as tree canopy or naturalized area.

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.



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Pedal Indy is part of Indy Moves, the City of Indianapolis' Transportation Integration Plan. Building on the 2012 Indianapolis Bicycle Master Plan, Pedal Indy provides a roadmap for our residents and City and County officials to improve and further develop our bicycle network.

- A Multi-Use Path is proposed along Mc Gregor Road.

ZONING HISTORY

2005-ZON-824 / 2005-PLT-824 (2005-DP-005) (east of site), requested rezoning of 26.952 acres, being in the D-A (FF) District, to the D-P (FF) classification to provide for a single-family residential development, with a density of 0.37 units per acre and approval of a subdivision plat to be known as Walsh Addition, dividing 26.952 acres into ten lots, with a waiver of sidewalks and curbs along Shain Lane, **approved**.

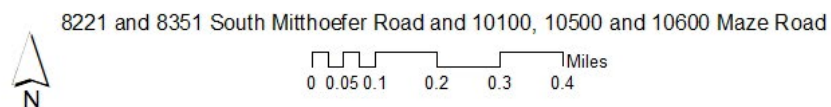
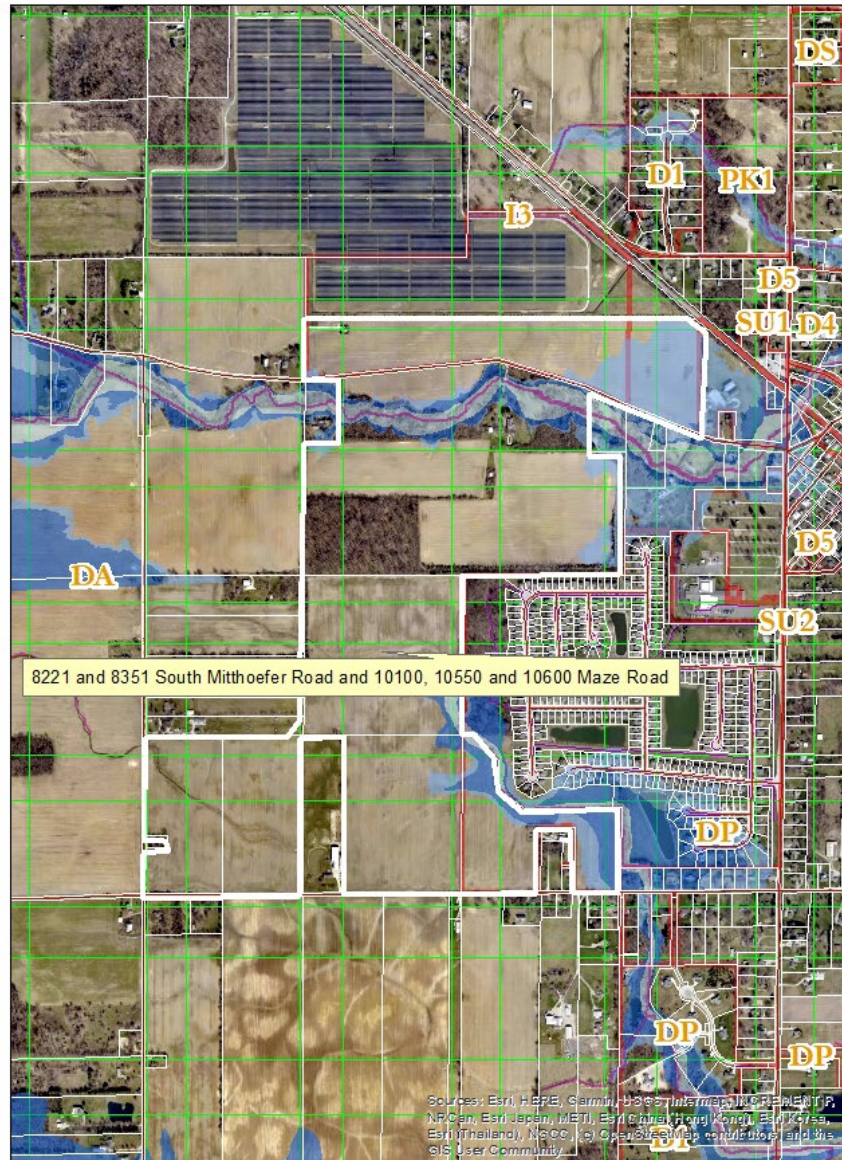
2002-ZON-085, 8020 Acton Road (east of site), requested rezoning of 148.8 acres from D-A to DP classification to provide for single-family residential development, **approved**.

98-V3-24, 10655 Maze Road (east of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a single-family residence with a decreased lot width, and street frontage and access via an access easement, **granted**.

91-Z-79, 8904 Acton Road (east of site), requested rezoning of 20 acres in the D-A to D-1 classification to provide for a single-family residence, **approved**.

76-Z-75; 10850 Mc Gregor Road (east of site), requested rezoning of 8.69 acres being in the A-2 district to the SU-1 classification to permit church related uses, **approved**.

EXHIBITS



CONCEPT PLAN MAZE LANDING

INDIANAPOLIS, INDIANA



**ARBOR
 HOMES**

Silverthorne
 HOMES

DESTINATION
 BY ARBOR HOMES

EXHIBIT A

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 across South Mitthoefer Road



View of site looking east across South Mitthoefer Road



View of site looking east across South Mitthoefer Road



View looking north along South Mitthoefer Road



View looking east along Maze Road



View of site looking north across Maze Road



View of site looking north across Maze Road



View of site looking north across Maze Road



View looking north across Maze Road



View looking north across Maze Road



View looking north across Maze Road

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 23, 2025

Case Number: 2025-ZON-091
Property Address: 6154 Michigan Road (Approximate Address)
Location: Washington Township, Council District #2
Petitioner: Lan Thi Thanh Pham and Tung Ba Huynh
Current Zoning: D-2
Request: Rezoning of 0.6-acre from the D-2 district to the C-1 district to provide for commercial office uses.
Current Land Use: Vacant residential building
Staff Recommendations: Approval
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

ADDENDUM FOR OCTOBER 23, 2025

This petition was continued for cause from the September 25, 2025 hearing to the October 23, 2025 hearing at the request of a remonstrator.

September 25, 2025

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends approval** of the request.

PETITION OVERVIEW

LAND USE

The 0.6-acre site is developed with a vacant residential building and associated paved parking in the front yard.

The site is surrounded by a single-family dwelling to the west, zoned D-2, a single-family dwelling to the south, zoned D-2, a commercial business to the north, zoned D-2, and a library to the east, zoned SU-37.

REZONING

The request would rezone the property from the D-2 district to the C-1 district to allow for commercial office uses, which are not permitted in the existing dwelling district.

The D-2 district is intended for use in suburban areas. Ample yards, trees and passive open spaces easily serving each individual lot are envisioned for this district. The D-2 district has a typical density of 1.9 units per gross acre. Two-family dwellings are permitted on corner lots in this district. This district fulfills the lowest density recommendation of the Comprehensive General Land Use Plan. Public water and sewer 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 conditions, including vegetation, topography, drainage and wildlife.

The C-1 District is designed to perform two (2) functions: act as a buffer between uses, and provide for a freestanding area that office uses, compatible office-type uses, such as medical and dental facilities, education services, and certain public and semipublic uses may be developed with the assurance that retail and other heavier commercial uses with incompatible characteristics will not impede or disrupt those uses. Since the buildings for office, office-type and public and semi-public uses are typically much less commercial in appearance, landscaped more fully and architecturally more harmonious with residential structures, this district can serve as a buffer between protected districts and more intense commercial or industrial areas/districts - if designed accordingly. This district, with its offices and other buffer type uses, may also be used along certain thoroughfares where a gradual and reasonable transition from existing residential use should occur.

STAFF ANALYSIS

The site is situated along a heavily-trafficked, primary arterial street and next to a long-established commercial business to the north. While there is still residential development west and south of the site, staff is supportive of office uses adjacent to residential uses when located at intersections, along areas with an existing mix of uses, and where the intended use could be seen as a transitional buffer for residential dwellings.

Because the Comprehensive Plan is a recommendation for development and not a set rule to adhere to, staff can consider the context of the surrounding area when evaluating rezoning petitions. In this instance the C-1 district would be supportable at this location due to the library use to the east and commercial uses north of the site that create a commercial node at this intersection.

Although there were previous zoning violations on site for the storage of commercial vehicles, the grant of this rezoning would not permit such outdoor storage of commercial vehicles and would be limited solely to the permitted uses within the proposed C-1 district that do not provide high traffic volumes or outdoor storage and operations.

Development of the site would still require the development standards of the Ordinance to be met regarding paved parking, landscaping, lighting, etc.

GENERAL INFORMATION

Existing Zoning	D-2	
Existing Land Use	Vacant residential building	
Comprehensive Plan	Rural or Estate Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-2	Commercial
South:	D-2	Residential (Single-family dwelling)
East:	SU-37 / D-3	Library / Residential
West:	D-2	Residential
Thoroughfare Plan		
Michigan Road	Primary Arterial Street	102-foot proposed right-of-way and 100-foot existing right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	August 14, 2025	
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 (2019)

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends Rural or Estate Neighborhood development.
- The Rural or Estate Neighborhood typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space.

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 – Vicinity

2018-UV1-003; 2245 West 62nd Street (west of site), Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the storage of commercial vehicles (not permitted) within an 8,000-square foot gravel storage area (not permitted), **denied**.

2016-CZN-839; 2147 West 63rd Street (east of site), Rezoning of 4.45 acres from the SU-1 district to the SU-37 classification, **approved**.

88-UV3-110; 6190 North Michigan Road (north of site), Variance of Use of the Dwelling Districts Zoning Ordinance to provide for a locksmith shop in an existing building and to provide for the construction of an accessory storage building for equipment vehicles, **granted**.

87-UV1-142; 6202 North Michigan Road (north of site), Variance of Use of the Commercial Zoning Ordinance to provide for the erection and use of an automatic teller machine, **granted**.

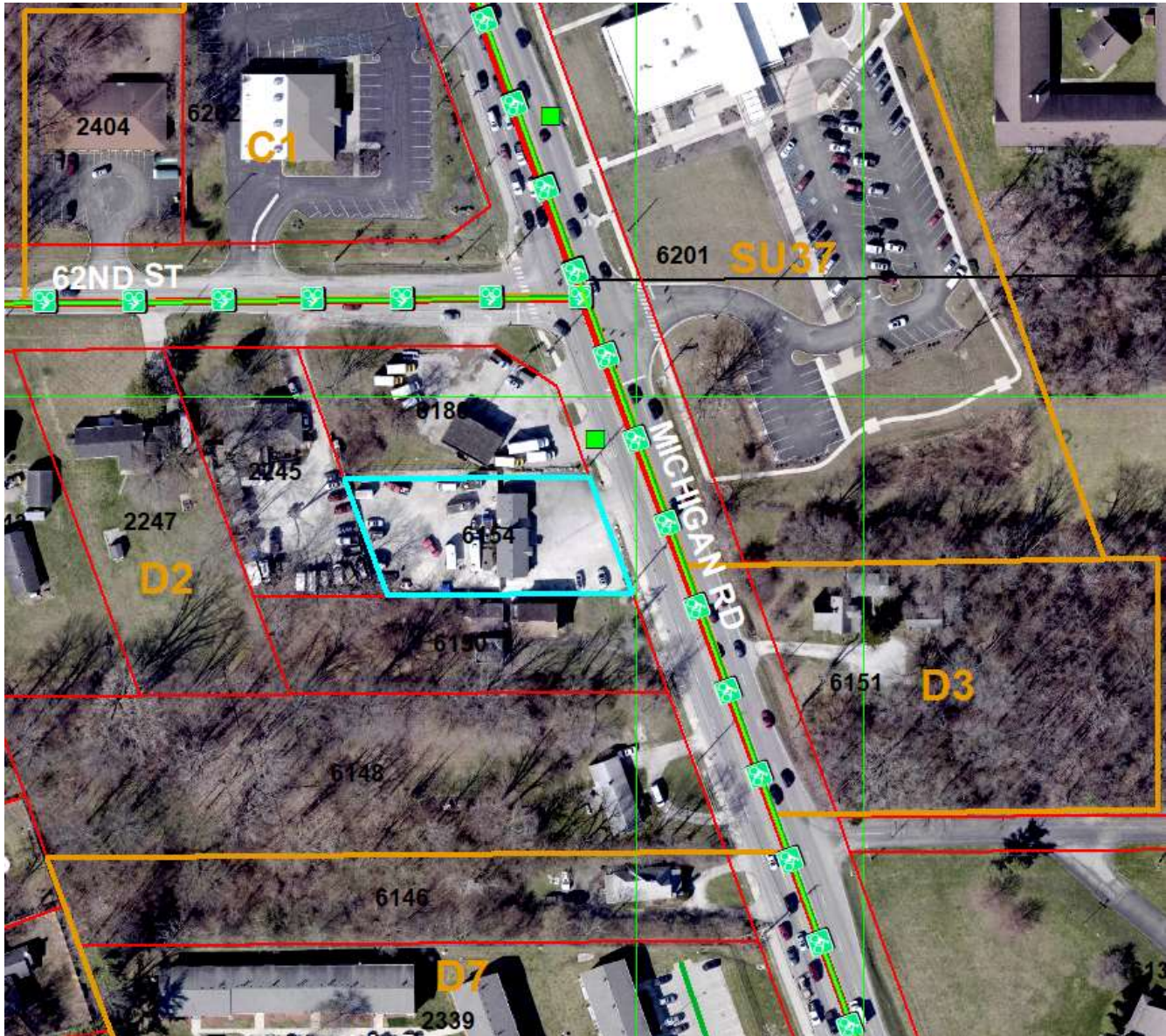
84-Z-163; 6201 Michigan Road (northeast of site), Rezoning of 10 acres from the D-7 and D-2 districts to the SU-1 district to provide for religious uses, **granted**.

85-Z-75; 6191 Michigan Road (east of site), Rezoning of 5.4 acres from the D-3 district to the SU-1 district to provide for religious uses, **granted**.

74-Z-104; 6202 Michigan Road (north of site), Rezoning of 6 acres from the A-2 district to the C-1 district to provide for office park uses, **granted**.

67-Z-190; Located between West 62nd Street and West 63rd Street (northeast of site), Rezoning of 7.70 acres, being in B-2 district, to D-7 classification to provide for Multi-Family Dwellings, **approved**.

EXHIBITS



AERIAL MAP

SITE PLAN

Address: 6154 Michigan Rd
 City, State, ZIP: INDIANAPOLIS
 Country: USA
 Scale 1":20'



SITE PLAN



Photo of the subject site.



Photo of the subject site's rear yard looking west.

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Current Planning



Photo of the southern property boundary of the subject site.



Photo of a single-family dwelling south of the site.



Photo of the commercial property north of the site.



Photo of the library property east of the site.

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 23, 2025

Case Number: 2025-ZON-094
Property Address: 2505 South Arlington Avenue
Location: Warren Township, Council District #20
Petitioner: Sky Real Estate, Inc., by David Gilman
Current Zoning: C-3
Request: Rezoning of 8.264 acres from the C-3 district to the I-1 district to provide for restricted industrial uses.
Current Land Use: Undeveloped
Staff Recommendations: Denial.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the September 25, 2025 hearing, to the October 23, 2025 hearing, at the request of the petitioner's representative.

On October 13, 2025, the petitioner's representative submitted documents, including proposed commitments, site plan and building elevations.

The site plan proposes four industrial buildings totaling 80,000 square feet, ranging from 12,000 square feet to 24,000 square feet, with one access drive. A 30-foot-wide setback would be provided along the west, north and east property boundaries, with a 50-foot-wide setback along the southern boundary that abuts the residential neighborhood.

The proposed commitments limit the industrial uses to vocational school / technical school or training, veterinarian, medical or dental office / clinic / lab, commercial or building contractors, artisan manufacturing (e-commerce), life sciences, and wholesale / distribution / warehouse.

The commitments also provide for Administrator Approval of the site plan, landscape plan and building elevations, along with a six-foot tall perimeter chain link fence and tree preservation.

Despite these additional submittals, staff continues to recommend denial and would note that The Pattern Book removes industrial uses "where they would be adjacent to a living typology."

Traffic generated by a distribution facility would not be appropriate in quiet neighborhoods. Warehousing and distribution centers could have specific needs that would be impactful to the residential uses that abut the site to the north and east, such as loading zones or pick-up / drop-off areas.

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Compatibility between land uses is key to maintaining stable property values and resilient neighborhoods. Transitions in scale and character between residential uses and industrial uses should happen gradually.

Staff believes that the proposed industrial uses would not provide a reasonable transition to the residential uses to the south and would have a negative impact on the stability and resilience of the abutting residential neighborhood.

STAFF RECOMMENDATION

Denial. If approved, staff would request that approval be subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least five business days prior to the MDC hearing:

1. A 59.5 half right-of-way shall be dedicated along the frontage of South Arlington Avenue as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
2. A tree inventory, tree assessment and preservation plan of all existing trees over 2.5 inches in diameter, shall be prepared by a certified arborist and shall be submitted for Administrator Approval prior to preliminary plat approval and / or 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) identify all heritage trees, e) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and f) 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.
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 / receptacles provided for the proper disposal of trash and other waste.

PETITION OVERVIEW

This 8.264-acre site, zoned C-3, is undeveloped and surrounded by commercial uses to the north, zoned C-3; single-family dwellings to the south, zoned D-3; commercial uses to the east, zoned C-S; and undeveloped land to the west, across South Arlington Avenue, zoned C-4.

Petitions 2018-CZN-867 / 2018-CVR-867 requested rezoning to the I-2 classification to provide for truck parking and a variance of development standards to provide for a temporary gravel parking lot. Both these petitions were denied.

REZONING

The request would rezone the site to the I-1 district to provide for light industrial uses. “The I-1 district is designed for those industries that present the least risk to the public. In the I-1 district, uses carry on their entire operation within a completely enclosed building in such a manner that no nuisance factor is created or emitted outside the enclosed building. No storage of raw materials, manufactured products, or any other materials is permitted in the open space around the buildings. Loading and unloading berths are completely enclosed or shielded by solid screening. This district has strict controls on the intensity of land use providing protection of each industry from the encroachment of other industries. It is usually located adjacent to protected districts and may serve as a buffer between heavier industrial districts and business or protected districts.”

The Comprehensive Plan recommends community commercial typology for the site.

As proposed, this request would not be consistent with the Comprehensive Plan recommendations. Community commercial typology is contemplated to be consistent with the C-3 (neighborhood commercial) or the C-4 (community-regional) zoning districts, depending upon the location and the surrounding land uses.

Recommended land uses in this typology include small- and large- 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; and small-scale parks.

Staff would note that a C-3 district abuts the site to the north and a C-4 district is adjacent to the west of the site, across South Arlington Avenue. A residential neighborhood is adjacent to the south. Staff believes that supporting encroachment of an industrial use in an area devoid of industrial districts would not be appropriate.

Staff further believes this is a classic case of spot zoning because the closest industrial district (I-3) is located over one-half mile to the southwest. Spot zoning is defined as “the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners’ benefits.” Spot zoning implies a certain level of preference and in this case demonstrates the antitheses of the adopted Comprehensive Plan.

Department of Public Works

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

Tree Preservation / Heritage Tree Conservation

There are significant amounts of natural vegetation and trees located along the eastern (approximately 155 feet wide) and southern (approximately 56 feet wide) perimeter 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 of all existing trees over 2.5 inches in diameter, shall be prepared by a certified arborist and shall be submitted for Administrator Approval prior to preliminary plat approval and / or 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) identify all heritage trees, e) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and f) 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.

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.

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.

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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.

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Undeveloped	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-3	Commercial uses
South:	D-3	Single-family dwellings
East:	C-S	Commercial uses
West:	C-4	Undeveloped land
Thoroughfare Plan		
South Arlington Avenue	Primary Arterial	Existing 75-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	October 13, 2025	
Site Plan (Amended)	N/A	

Elevations	October 13, 2025
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 Community Commercial. 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:

- *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.

Staff would also note that the Pattern Book recommends that light industrial land uses be “removed as a recommended land use where they would be adjacent to a living or mixed-use 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)

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-CZN-867 / 2018-CVR-876; 6105 Southeastern Avenue, requested rezoning of 8.264 acres from the C-3 district to the I-2 classification and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for temporary gravel parking, **denied**.

VICINITY

2016-ZON-052; 6011 Southeastern Avenue (north of site), requested rezoning of two acres from the C-3 district to the C-4 classification to provide for a gasoline station, **denied**.

2007-ZON-082; 6011 Southeastern Avenue (north of site), requested the rezoning of 0.5-acre from the D-A District to the C-3 classification, **approved**.

2016-UV1-009; 6033 Southeastern Avenue (east of site), requested a variance of use and development standards of the Commercial Zoning Ordinance to provide for automobile sales and display, with a parking area with a reduced setback, **granted**.

2014-ZON-022; 6300 Southeastern Avenue (east of site), requested the rezoning of 133.5 acres, being in the D-A and C-S districts, to the C-S classification to provide for an industrial use, including corporate offices, light and heavy vehicle and equipment sales and rental, light and heavy vehicle and equipment service, repair and storage facilities, new and used vehicle and equipment parts sales, service and storage, outdoor display and storage of light and heavy vehicles, equipment, machines and parts, with accessory uses and operations including, welding shops, wash bays, fuel islands, sandblast shops, painting booths, test facilities, cold storage areas, outdoor equipment and machinery test area, outdoor equipment and machinery staging area, trash compactor and old tractor storage / museum building, **approved**.

2011-ZON-056; 5900 Southeastern Avenue (north of site), requested rezoning of 18.151 acres, from the C-1 and C-4 Districts to the D-6II classification to provide for 140 cottage-style senior apartments, **withdrawn**.

2004-ZON-048; 6010 and 6020 Southeastern Avenue (north of site), requested the rezoning of 2.999 acres, being in the D-A and C-3 Districts, to the C-3 classification to provide for a dental office, **approved**.

2002-UV1-013; 6125 Southeastern Avenue (north of site), requested a variance of use and development standards of the Commercial Zoning Ordinance to provide for weekend live entertainment in an existing 9,960 square foot restaurant, and to legally establish a landscaping strip located within the right-of-way of Southeastern Avenue, **granted**.

95-Z-185; 6021-6029 Southeastern Avenue (north of site), requested the rezoning of 0.937 acre, being in the D-A Districts to the C-3 classification provide neighborhood commercial development, **approved**.

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95-Z-6, 95-CV-2; 6105 Southeastern Avenue (east of site), requested the rezoning of 2.285 acres, being in the C-3 District, to the C-S classification to provide for mini-warehouses, in addition to an existing fence, deck, and patio store, and a Variance of Development Standards to allow access to the mini-warehouse facility from a 30-foot wide access easement, **approved and granted**.

86-UV3-115, 6101 Southeastern Avenue (north of site); requests a variance of use and development standards of the Commercial Zoning Ordinance to provide for the outdoor sales and display of lawn furniture and parking located along the existing right-of-way of Southeastern Avenue, **granted**.

85-V1-58; 2465 South Arlington Avenue (west of site), requested a variance of development standards of the Dwelling District Zoning Ordinance to provide for total accessory building space to exceed the primary residential space, **granted**.

85-UV2-78; 6030 Southeastern Avenue (north of site), requested a variance of use to provide for the outside display and sales of automobiles, **withdrawn**.

85-Z-145, 85-CV-18; 6011 Southeastern Avenue (north of site), requested the rezoning of 1 acre, being in the A-2 district to the C-7 classification to provide a commercial custom glass fabrication and installation facility, **denied**; with a variance of development standards of the Commercial Zoning Ordinance to reduce the required 40-foot transitional yard requirement to 10 feet on the western property line and 5.5 feet on the eastern property, **denied**.

77-UV2-119, 6033 Southeastern Avenue (north of site); requests a variance of use of the Commercial Zoning Ordinance to provide for retail and wholesale of fencing supplies, with outdoor storage and a pole sign, **granted**.

71-Z-113; 6201 Southeastern Avenue (north of site), requested rezoning of 5.0 acres, being in the A-2 District, to the SU-34 classification to provide for a lodge, **approved**.

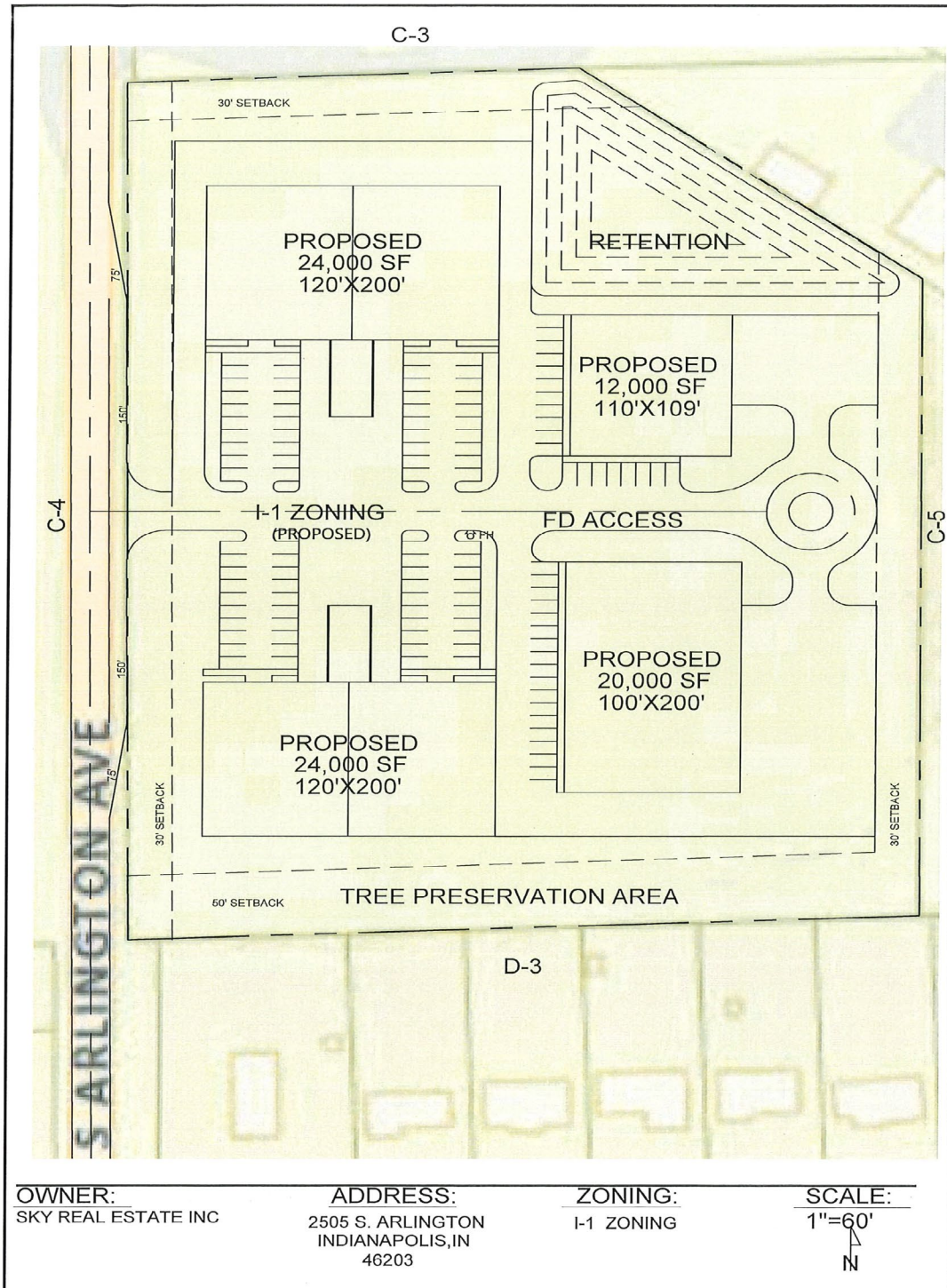
EXHIBITS



2505 South Arlington Avenue

0.0125 0.025 0.05 0.075 0.1 Miles

Site Plan – October 13, 2025





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Elevations – October 13, 2025

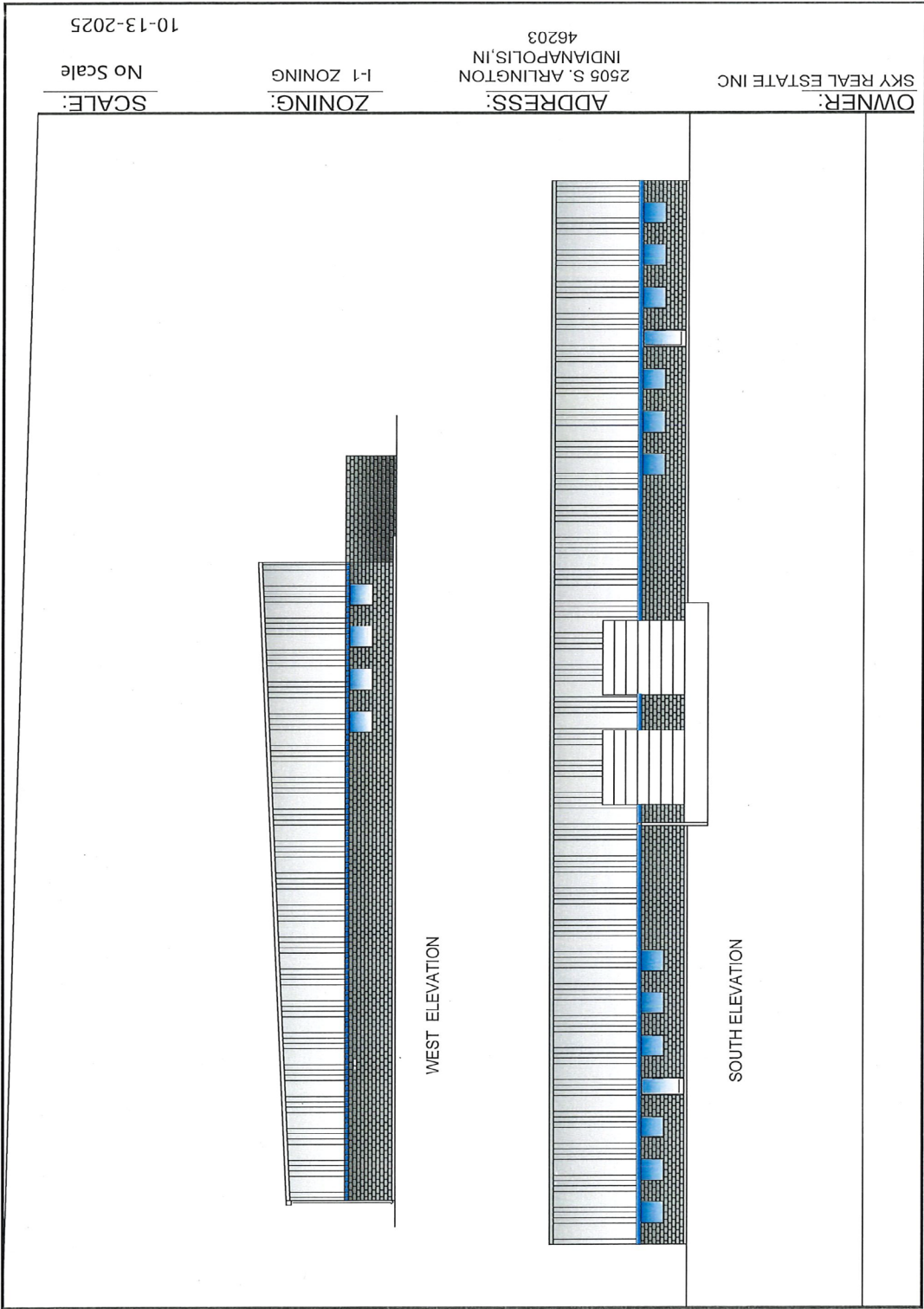


EXHIBIT A

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

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View looking north along South Arlington Avenue



View looking south along South Arlington Avenue



View of site looking east across South Arlington Avenue



View of site looking east across South Arlington Avenue

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View of site looking east across South Arlington Avenue



View looking across South Arlington Avenue at the adjacent dwelling to the south

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View looking east into adjacent neighborhood across the intersection of South
Arlington Avenue and East Southern Avenue

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 23, 2025

Case Number: 2025-CPL-825 / 2025-CVR-825

Property Address: 7140 and 7142 East Washington Street (approximate addresses)

Location: Warren Township, Council District #14

Petitioner: Fieldstone Financial, LLC, by Joseph D. Calderon

Current Zoning: C-4 (TOD)

Request: Approval of a Subdivision Plat to be known as Wawa Shortridge Primary Plat, subdividing 9.4 acres into three lots.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an automobile fueling station, with 12 pump islands/service areas (eight permitted), with portions of a surface parking area in front of the front building line, with a parking area having a minimum 15-foot setback from Washington Street with parking area behind the front building line encompassing 88.1 percent of the lot width (surface parking areas required behind the front building line, 25 feet required, maximum 40 percent lot width for parking permitted behind front building line), with deficient first floor transparency (40 percent required).

Current Land Use: Commercial

Staff Recommendations: **Denial**

Staff Reviewer: Desire Irakoze, Principal Planner II

PETITION HISTORY

ADDENDUM FOR OCTOBER 23, 2025 HEARING EXAMINER

The Hearing Examiner continued these petitions from the September 11, 2025 hearing to the October 23, 2025 hearing at the joint request of staff and the petitioner's representative to address concerns regarding the plat portion of the request. To date, no new information has been submitted.

Staff continues to strongly recommend denial of both the variance and plat requests.

For additional context, please refer to the **Gas Stations Within a 2-Mile Radius** and Blue Line TOD exhibits. Within a two-mile radius of the proposed site, there are 28 existing gas stations, with an average of **4.7 pumps** and **9.4 parking spaces**. The current proposal for six pumps and twelve parking spaces would exceed the typical intensity of similar facilities in the surrounding area and is inconsistent with the development objectives of the Blue Line TOD Overlay.

ADDENDUM FOR SEPTEMBER 11, 2025 HEARING EXAMINER

The Hearing Examiner continued these petitions from the August 14, 2025 hearing to the September 11, 2025 hearing at the joint request of staff and the petitioner's representative to address concerns regarding the plat portion of the request. To date, no new information has been submitted.

The petitioner has indicated that additional time is needed and is requesting a **continuance** from the **September 11, 2025** hearing to the **October 23, 2025** hearing.

Staff notes that this will be the final continuance it will support

ADDENDUM FOR AUGUST 14, 2025 HEARING EXAMINER

The Hearing Examiner continued these petitions from the July 24, 2025 hearing to the August 14, 2025 Hearing at the joint request of staff and the petitioner's representative to allow additional discussion and submission of updated materials for further discussions. On July 28, 2025, the petitioner provided revised building elevations indicating increase glazing area.

While transparency ratios improved, staff noted that much of the additional glazing is spandrel glass, which is opaque and does not count toward the transparency requirements. Staff recommends a commitment regarding that all glazing materials used meet the definition of transparency as outlined in the Zoning Ordinance.

The updated site plan also remains noncompliant with multiple development standards of the C-4 Zoning District, the Transit Oriented Development (TOD) Overlay, and the Blue Line Transit-Oriented Development Strategic Plan.

The site plan has been updated to show connections to from the building rest of the integrated commercial center.

Staff continues to **strongly recommend denial** of these petitions.

ADDENDUM FOR JULY 24, 2025 HEARING EXAMINER

The Hearing Examiner continued these petitions from the June 12, 2025 hearing, to the July 24, 2025 hearing, at the request of staff and the petitioner's representative for further discussions, provide new notice and submit updated documents.

An additional site plan was submitted on July 15, 2025, reflecting the following modifications:

- The site plan shows a reduction in the number of pump islands/service areas and associated landscaping, from 16 to 12. However, this remains in excess of the eight (8) pump islands permitted under the Transit Oriented Development (TOD) Overlay regulations.
- The petitioner has withdrawn the variance request related to the Front Building line encompassing 37.1 percent of the lot width (where 60 percent is required).

Despite these revisions, the proposed plan continues to fall significantly short of compliance with both the C-4 District development standards and the TOD Secondary Overlay requirements.

Staff continues to **strongly recommend denial** of these petitions.

June 12, 2025 Hearing Examiner

This is the first public hearing on these petitions

STAFF RECOMMENDATION

Staff strongly **recommends denial** of the request.

Should the Hearing Examiner approve and find that the plat, file dated April 11, 2025, 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.
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.
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

LAND USE

This 9.4-acre site, zoned C-4 (TOD), is developed with a commercial center, that includes an IU Health clinic, a fitness gym, and other commercial tenants. The petitioner proposes to construct an automobile fueling station consisting of 12 pump islands—1.5 times the maximum permitted under TOD regulations

This petition would provide for the construction of an automobile fueling station with 12 pump islands/service areas (eight (8) permitted) with a parking area having a minimum 15-foot setback from Washington Street with parking area behind the front building line encompassing 88.1 percent of the lot width (25 feet required, maximum 40 percent lot width for parking permitted behind front building line),

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with a front building line encompassing 37.1 percent of the lot width (60 percent required) and deficient first floor transparency (40 percent required).

PLAT

Site Plan

This petition requests the approval of a Subdivision Plat to be known as Wawa Shortridge Primary Plat, subdividing 9.4 acres into three (3) lots.

While the configuration appears to be crafted to technically avoid certain variance triggers, most notably the Front Building Line width requirement, it does so through the introduction of a shared parking easement. This easement appears to serve no functional shared purpose and instead functions primarily to reduce the frontage calculation of Lot 1. Staff does not support this approach, as it undermines the intent of the TOD Overlay's frontage requirements and circumvents the established form-based development expectations. A design that complies with the spirit and letter of the ordinance—rather than one that relies on artificial lot divisions—is strongly preferred

Streets

No new streets are proposed

Sidewalks

Sidewalks currently exist along the East Washington Street frontage. However, per Section 722-301. F.2 of the Ordinance, nonresidential and mixed-use developments with more than one (1) primary building must include an unobstructed walkway at least five (5) feet wide connecting those buildings. The current plan does not provide a pedestrian connection between the buildings on Lot 1 and Lot 2.

Waivers

None requested

VARIANCE OF DEVELOPMENT STANDARDS

Variance Request #1 To allow for 12 pump islands/service areas (eight permitted)

TABLE 742-207-2 Location and Limitation of Specific Uses	
Use Type	Specific Restrictions
Automobile Fueling Station (primary or accessory use)	• Within 600' of a Transit Station*--Prohibited • Greater than 601' from a Transit Station—Limited to no more than 8 pump islands/services areas.

The petitioner is requesting a variance to increase the number of pump islands for an automobile fueling station from the eight (8) islands permitted under the Transit Oriented Development (TOD) Overlay standards to twelve (12) islands. The TOD Overlay specifically limits fueling stations beyond 600 feet



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from a transit station to no more than eight (8) pump islands as a means to control the scale of auto-oriented uses and maintain a pedestrian-friendly environment. This requirement doesn't preclude an owner from having a fueling station, but rather requires fuel stations within a specialized geographical area to be limited by design. This approach is no different than other Overlay Districts that seek to place limitations on uses due to the policy recommendations for that area: examples include environmentally sensitive areas like Wellfields and Floodplains and the Regional Center.

The petitioner originally proposed 16 islands and, following staff feedback, reduced the request to 12. However, this remains non-compliant with TOD regulations. Staff finds that there is no demonstrated hardship or site condition necessitating the additional islands.

Furthermore, other recent rezonings in the same corridor have complied with the 8-island standard, confirming the feasibility of such development. Granting this variance would run counter to the goals of the TOD Overlay, which seeks to reduce automobile-centric uses along key transit corridors.

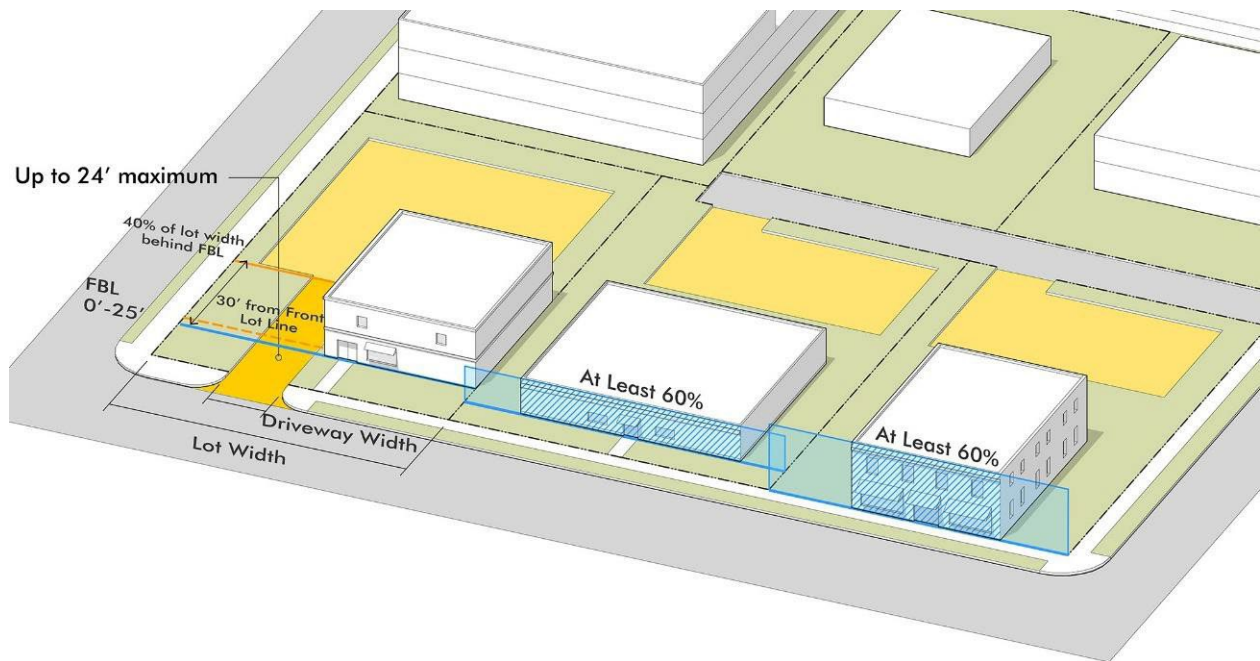
Therefore, staff recommends **denial** of this variance request and advises the petitioner to further revise the site plan to comply with the permitted number of pump islands

Variance request #2 Parking Area in Front of Front Building Line

Private Frontage Types. The design of private frontages on lots establishes the relationship of buildings and lots to the streetscape. Coordinating the quality and character of the streetscape, the placement of the building, and the details of building design creates better relationships. The private frontage design standards in Table 744-702-2 coordinate the access, building location and building design on a block-by-block basis to create a consistent frontage along the block.

TABLE 744-702-3: PRIVATE FRONTAGE DESIGN STANDARDS	
FRONTAGE TYPE □ FRONTAGE ELEMENT V	CONNECTOR
FRONTAGE DESIGN	
<i>Surface Parking Limits</i>	25' setback; AND 40% maximum of lot width behind FBL
<i>Landscape [See Section 744, Article V. for standards and specifications.]</i>	1 street tree per 35' of frontage
BUILDING PLACEMENT & FORM	
Front Building Line (FBL)	0' – 25'
Required FBL (minimum)	60%
BUILDING SCALE & DESIGN	
<i>First Story Transparency</i>	40% - 90%
<i>Upper Story Transparency</i>	15% - 40%

Figure 744.701.05 Connector: Frontage Design & Building Placement & Form



The petitioner is seeking relief from the requirement that surface parking areas be located entirely behind the front building line (FBL), with a minimum 25-foot setback from Washington Street. The submitted site plan depicts a parking area encroaching into the required setback, with certain parking spaces located within the front yard.

According to Table 744-402-1 of the zoning ordinance, the proposed 6,372 square-foot fueling station requires a minimum of 26 off-street parking spaces. The petitioner, however, is providing 62 spaces—more than double the required minimum. Staff finds that this surplus of parking indicates there is no true hardship necessitating the placement of parking within the front yard setback. By simply relocating the eight (8) electric vehicle (EV) charging spaces and two (2) regular spaces currently situated in the setback area to the rear of the site, the petitioner could maintain compliance with parking count requirements while adhering to the TOD Overlay's form-based development standards.

The intent of these requirements is to maintain a pedestrian-oriented streetscape and prevent vehicular dominance along primary transit corridors. Allowing parking in the front yard would undermine this intent and detract from the urban design character the overlay seeks to establish.

Staff, therefore, **recommends denial** of this variance request as the petitioner has clear and reasonable options for compliance without undue hardship.

Variance Request #3 Parking Area Covering 88.1% of Lot Width Behind FBL

This variance pertains to the TOD Overlay's limitation that surface parking areas behind the front building line may not occupy more than 40 percent of the lot's width. The petitioner's proposed site plan indicates a parking width of 88.1 percent, more than double the allowable maximum.

Staff's analysis indicates that this excessive parking width is a direct result of the lot's oversized frontage dimensions and the building's relatively narrow footprint. Specifically, the subject lot has a width of 209 feet, while the proposed building has a length of only 92.2 feet. According to the standards, a compliant lot would be no wider than 154 feet for the proposed building length.

Staff notes that this is a newly created lot as part of the accompanying companion plat petition, meaning its dimensions can still be revised. The petitioner could reduce the lot width by approximately 55 feet or increase the building width to better meet the frontage requirements. Both options are feasible given the site's size and context.

There are no unique or unusual conditions on the site that would necessitate retaining the proposed excessive lot width and parking coverage. This variance is sought purely as a matter of design convenience rather than necessity, and its approval would undermine the TOD Overlay's intent to establish pedestrian-scale development patterns. Again, staff asserts that a fueling center can be built at this location, its design must meet the standards of the Ordinance absent any actual hardship.

Staff therefore **recommends denial** of this variance request and encourages the petitioner to adjust the lot configuration and building footprint accordingly.

Variance request #4 Deficient First-Floor Transparency

Transparency Definition: Expressing the level of visibility provided and maintained between an inside and outside activity area of the whole building, which is usually through the windows and doors; this ratio is expressed as a percentage. Transparency must be maintained and unobstructed to allow visibility between the two areas.

Transparency Calculation Formula:

Transparency Ratio	Sum of the transparent areas of the ground floor wall area. (sq.ft.)	X100
	Ground floor wall area between 3 ft. and 8 ft. above grade level (sq.ft.)	

Staff Transparency Calculations.

<i>ELEVATIONS</i>	FRONT		REAR		LEFT		RIGHT	
<i>MATERIALS</i>	SQFT	%	SQFT	%	SQFT	%	SQFT	%
TRANSPARENT GLAZING	113	25 %	35	8 %	81	23 %	0	0 %
SPADREL GLAZING	132	29 %	155	34 %	31	9 %	60	17 %
TOTAL GLAZING	245	54 %	190	42%	117	31%	60	17%
REQUIRED	181	40%	181	40%	143	40%	143	40%
WALL AREA	457		457		360		360	

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The final variance request seeks relief from the Ordinance requirement that at least 40 percent of the wall surface area on all public-facing building facades between three and eight feet above grade be composed of transparent glazing. This standard is intended to ensure active, engaging frontages that support pedestrian interaction, safety, and visual interest along transit corridors.

As the subject property is located within both the C-4 zoning district and the Transit Oriented Development (TOD) Secondary District, both sets of standards apply. Specifically, the C-4 District Dimensional Standards require that any façade with a public pedestrian entrance, as well as any façade within 50 feet of an arterial street, maintain a minimum of 40 percent transparency within the defined area. In this case, both the northern and southern facades of the proposed building are affected by this standard.

The submitted building elevations indicate substantial non-compliance. The proposed design provides transparency ratios as low as 0 percent (right elevation) and 8 percent (rear elevation), with the front elevation providing only 25 percent transparent glazing—far below the required minimum. Furthermore, much of the glazing depicted on the elevations is spandrel glass, which does not meet transparency standards as it is opaque and does not allow visibility into or out of the building.

The petitioner has offered no compelling justification for retaining such a low level of transparency, and staff finds that allowing this variance would directly contradict the TOD Overlay's pedestrian-oriented design objectives. Accordingly, staff **recommends denial** of this variance request and advises the petitioner to revise the building elevations to meet the transparency requirements outlined in both the TOD Overlay and the C-4 district standards.

STAFF ANALYSIS

The intent of the Transit Oriented Development (TOD) Secondary District is to coordinate more compact, walkable and urban development patterns with public investment in the transit system. These development patterns ensure that walking and biking are viable options for short trips and transit is a priority for longer trips. Development patterns and site designs that prioritize automobile travel undermine these public and private investments. This district follows the policies and principles of the comprehensive plan, the transit-oriented development strategic plans, and the Livability Principles in this code, and has the following specific design objectives:

1. Place a wide range of housing types within walking distance of commercial centers and transit stops or stations, and at a critical mass that supports these places.
2. Create connections through many different modes of transportation between neighborhoods and places for commercial services and employment.
3. Provide a concentration of many different and small-scale uses with a fine-grained pattern that integrates and transitions well with the neighborhoods they support.
4. Ensure human-scale design that prioritizes relationships of sites and buildings to the streetscapes.

The Transit Oriented Development Secondary District aims to reduce or limit auto-related businesses along transit lines through design standards that assert pedestrian-oriented scale rather than autocentric

configuration. Allowing a fueling station of this scale—along with the extensive deviations from design standards—runs counter to the very principles the overlay seeks to uphold.

Allowing a fueling station of this scale—along with the extensive deviations from design standards—runs counter to the very principles the overlay seeks to uphold.

The proposed plan increases vehicular dominance at the expense of pedestrian access and undermines long-term investment in transit infrastructure. Further, staff sees no justifiable hardship or design constraints that prevent a compliant development.

The development pattern in this corridor is evolving. This site has the opportunity to contribute positively to that evolution. Instead, the proposal signals a regression toward an auto dominated typology.

Further, Staff does not believe there to be any practical difficulty for needing the requested variances. The subject site contains sufficient lot frontage and does not contain any significant obstructions or natural difficulties that impact the manner in which it can be developed.

Staff encourages the petitioner to submit a revised site plan that aligns with TOD principles and ordinance requirements to promote better land use compatibility, pedestrian orientation, and long-term neighborhood vitality.

GENERAL INFORMATION

Existing Zoning	C-4 (TOD)	
Existing Land Use	Commercial (Parking Lot)	
Comprehensive Plan	Office/Industrial Mixed-Use	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-S	Commercial (Auto-Repair)
South:	C-5/ SU-9	Auto-Dealer / State Government Offices
East:	C-4	Commercial
West:	ROW	Highway Interchange
Thoroughfare Plan		
East Washington Street	Primary Arterial	120 feet of right-of-way existing and 102 feet proposed
North Shortridge Road	Local Street	74 feet of right-of-way existing and 48 feet proposed
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes -TOD	
Wellfield Protection Area	No	
Site Plan	April 29, 2025	
Site Plan (Amended)	July 15, 2025	
Elevations	April 29, 2025	

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Elevations (Amended)	July 28, 2025
Landscape Plan	October 10, 2025
Findings of Fact	April 29, 2025
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan (2019)
- Blue Line Transit-Oriented Development Strategic Plan (2022)
- IndyMoves (2019)

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:
- The Marion County Land Use Plan pattern Book recommends the Office/Industrial Mixed Use working typology for this site.
 - The **Office/Industrial Mixed-Use (Business Park)** typology is intended to provide for light industrial, distribution, and office uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. The typology is characterized by groups of buildings within office/warehouse parks. Examples of typical uses include warehousing, wholesaling, research and development facilities, testing and evaluation facilities, offices, education resource centers, assembly of high technology products, and conference centers. Industrial or truck traffic should be separated from local/residential traffic in this typology.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Blue Line Transit-Oriented Development Strategic Plan (2022)
 - The subject site is located approximately 1,000 feet from the Sadlier Drive Blue Line transit station.
 - The Sadlier Drive transit station has been categorized as the community center typology, which is characterized as a dense, mixed-use neighborhood center with minimum 2 stories at the core with no front or side setbacks, and 0–10-foot setbacks at the periphery.

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The Blue Line Transit-Oriented Development Strategic Plan TOD recommends Community Center Typology Characteristics

- Community Center
 - A dense mixed-use neighborhood center
 - Minimum of 2 stories at core
 - No front or side setbacks at core; 0-10 ft. front setbacks and 0-10 ft. 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

SITE

2024-DV3-026; 7140 and 7142 East Washington Street (subject site) Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an automobile fueling station with 16 pump islands/service areas (eight permitted) with a parking area having a minimum 15-foot setback from Washington Street with parking area behind the front building line encompassing 88.1 percent of the lot width (25 feet required, maximum 40 percent lot width for parking permitted behind front building line), with a front building line encompassing 37.1 percent of the lot width (60 percent required) and deficient first floor transparency (40 percent required), **withdrawn**.

83-HOV-44A, 7140 and 7142 East Washington Street (subject site) variance of development standards of the Sign Regulations to allow for the relocation of an integrated-center pole sign containing 678.31 square feet, **granted**.

VICINITY

2022-CZN-804 / 2022-CVR-804; 7150 East Washington Street (northwest of site), Rezoning of 3.57 acre from the C-4 (TOD) districts to the C-S (TOD) districts, **withdrawn**.

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2016-DV1-044, 7101 E Washington Street (south of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an approximately 38-foot-tall freestanding pylon sign, within 158 feet of an existing freestanding sign on the 372-foot frontage of East Washington Street (300-foot separation and 600 feet of frontage required for two signs), **granted**.

2015-UV3-031, 7410 E Washington Street (east of site), Variance of use and development standards of the Commercial Zoning Ordinance to provide for the expansion of a carwash, with additional vending, change and storage structures and 16 vacuum stations (not permitted), with a five-foot north side transitional yard (20-foot transitional yard required), with said facilities being within 100 feet of a protected district (not permitted), **denied**.

2014-DV3-024, 7 N Shortridge Road (east of site), Variance of development standards of the Commercial Zoning Ordinance to provide for a fast-food restaurant, with carry-out and delivery services within approximately 10 feet of a D-3 zoned protected district (fast food restaurants and carryout food service not permitted within 100 feet of a protected district), **granted**.

2013-ZON-026; 401 N Shadeland Avenue (north of site), Rezoning of 37 acres from the C-S District to the C-S classification to provide for a solar power generation in addition to the uses previously approved by 2010-ZON-063, **approved**.

2010-ZON-063, 401 N Shadeland Avenue (north of site), Rezoning of approximately 36 acres from the C-4 District to the C-S classification to provide for a data processing center, C-4 uses, with certain use prohibitions, and public safety uses, including an impound lot, **approved**.

2010-UV2-003; 401 North Shadeland Avenue (north of site), requested a variance of use to provide for the parking and storage of automobiles for a three-year period, **granted**.

2006-ZON0-65; 41 N Shadeland Avenue (east of site), rezoning of .43 acres, being in the D-3 District, to the C-3 classification to provide for neighborhood commercial uses, **approved**

2005-ZON-200; 7206 E Washington Street (east of site), rezoning of 0.49 acre, being in the C-4 district, to the C-5 Classification to provide for general commercial uses, **approved**.

2004-UV2-028, 41 North Shortridge Road (east of site), variance of use to provide for a restaurant with alcoholic beverage sales within an existing building in D-5; **denied**.

97-Z-171; 7101 East Washington Street (south of site), Rezoning of 1.26 acres, being in the C-4 and D-2 Districts, to the C-5 Classification to provide for retail commercial uses including an automobile dealership for new and used vehicles, **approved**.

94-V1-19; 7150 East Washington Street, requested a second integrated center sign with excess area, **granted**.

93-V2-111, 41 North Shortridge Road (east of site), variance of use to provide for a grocery store on the first floor of an existing two-story office building in D-5; **approved**.

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90-Z-214; 7201 East Washington Street (southeast of site), Request the rezoning of 6.356 acres, being in the C-4 District, to the C-5 classification to provide for the sale of the Automobile parts, and automobile repair, **approved.**

90-CV-32A; 7201 East Washington Street (southeast of site), Variance of development standards of the Commercial Zoning Ordinance to permit the construction of a care center, having a 3-foot transitional yard along the south property line, **granted.**

89-Z-191; 7201 East Washington Street (southeast of site), request the rezoning of 16.9 acres, being in the D-2 and C-2 Districts, to the C-4 classification to provide for commercial development, **approved.**

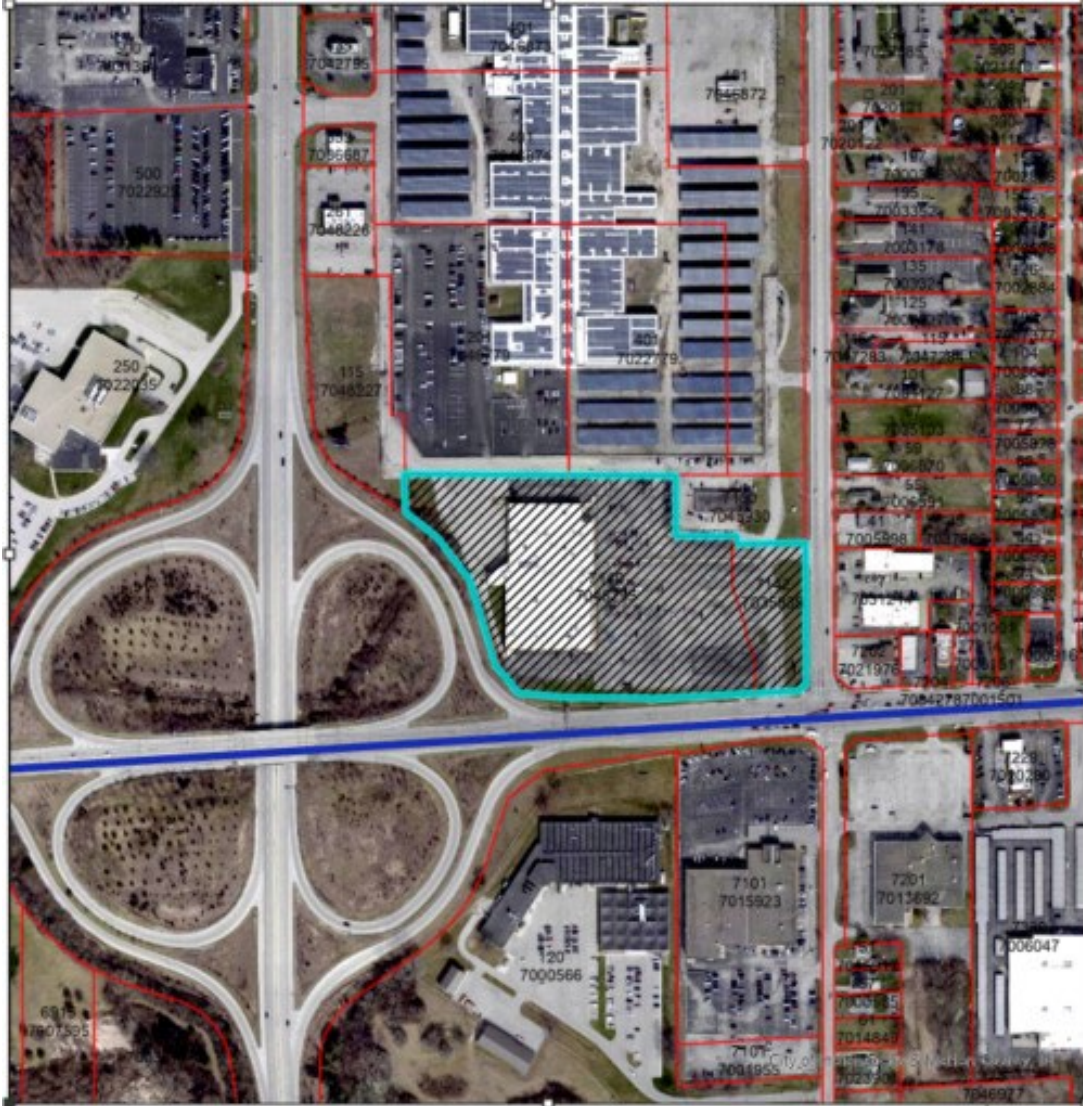
89-UV2-96; 7101 East Washington Street (south of site), Request a variance of use of the Commercial Zoning Ordinance to permit the continued operation of a portable sales office, with the outdoor display and sales of mini barns and garages, **granted.**

89-Z-27; 350 North Shadeland Avenue, requested a zoning of four acres from the C-2 and C-4 districts to the C-5 district, **approved.**

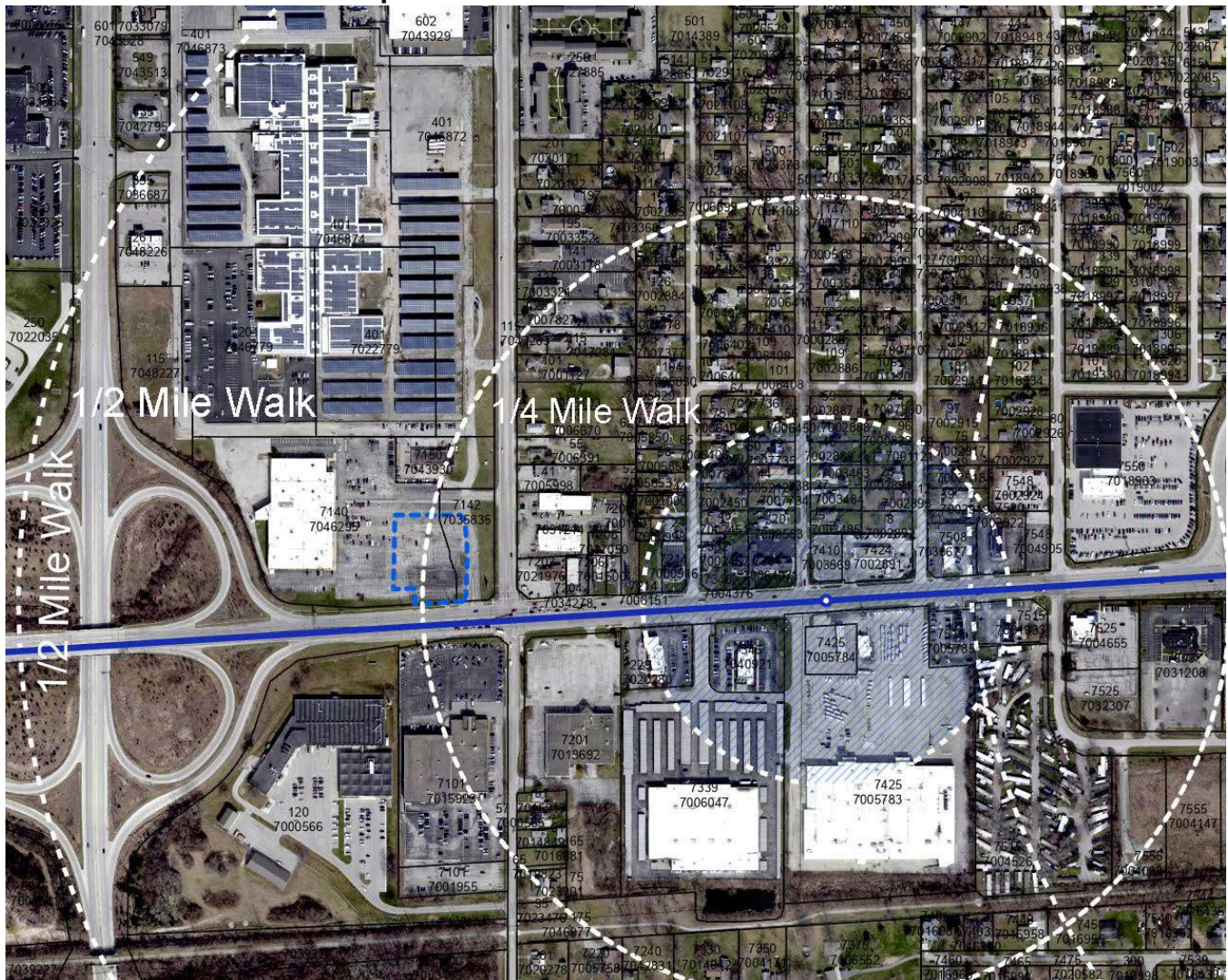
87-UV3-50, 7206 East Washington Street (east of site), variance of development standards to provide for a fast-food restaurant with a drive-through component located within 100 feet of a protected district; **approved.**

EXHIBITS

2025-CVR-825/2025-CPL-825 Area Map

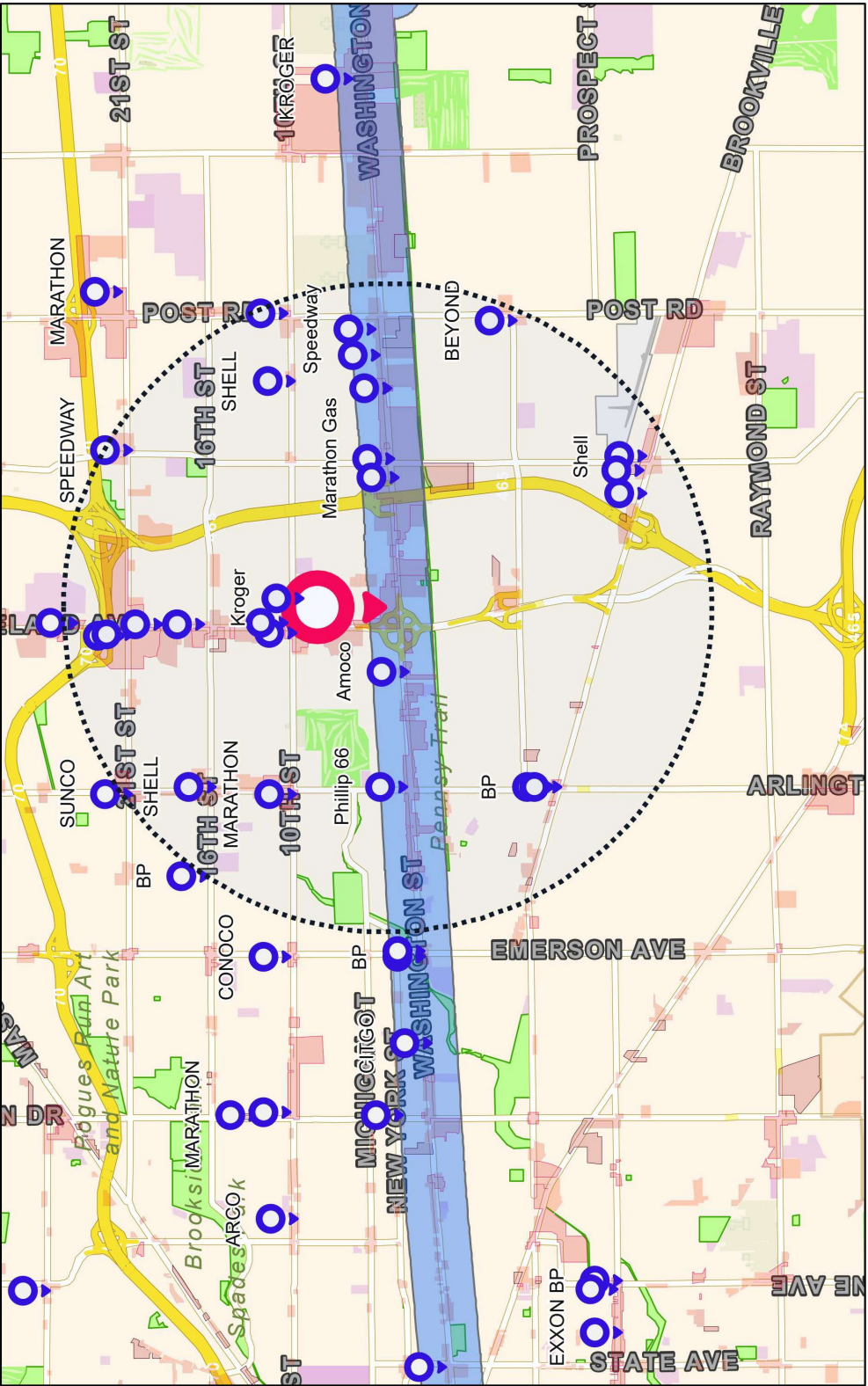


Distance to Bus Station Map



Gas Stations in 2 Mile Radius and Blue Line TOD.

Gas Stations





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2025-CVR-825/2025-CPL-825 Finding of Fact

Petition Number 2025-CVR-_____

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 project allows for a development on an unused portion of a commercial parking lot which has safe ingress/egress, and which provides for a building and other improvements which attempt to provide elements desired under the Transit Oriented Development requirements in the Zoning Ordinance

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:
there is adequate vehicular circulation proposed by the development and the investment in redeveloping an unused portion of an existing parking lot will add value to existing adjoining uses, which are all commercial and suburban in nature. The Subject Property is largely surrounded by pavement and with suburban retail, and automotive uses to the west and south. The variances will not interfere with access or visibility to or from the adjoining 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 use is a permitted use, but has to be oriented to south, in order to meet the front build to line, which restricts available transparency on the south facade, due to interior components on the inside of the south facade. There are parking spaces in excess of 40% of the lot width on the north end of the subject property, but there are parking spaces in the same location today. Finally, the only difference between the proposed fueling stations and the Zoning Ordinance requirements is that the proposed fueling stations are double sided, whereas the Zoning Ordinance would require single sided fueling stations, which would not even necessarily reduce the canopy and fueling station area, and which is neither practical or economically feasible.

DECISION

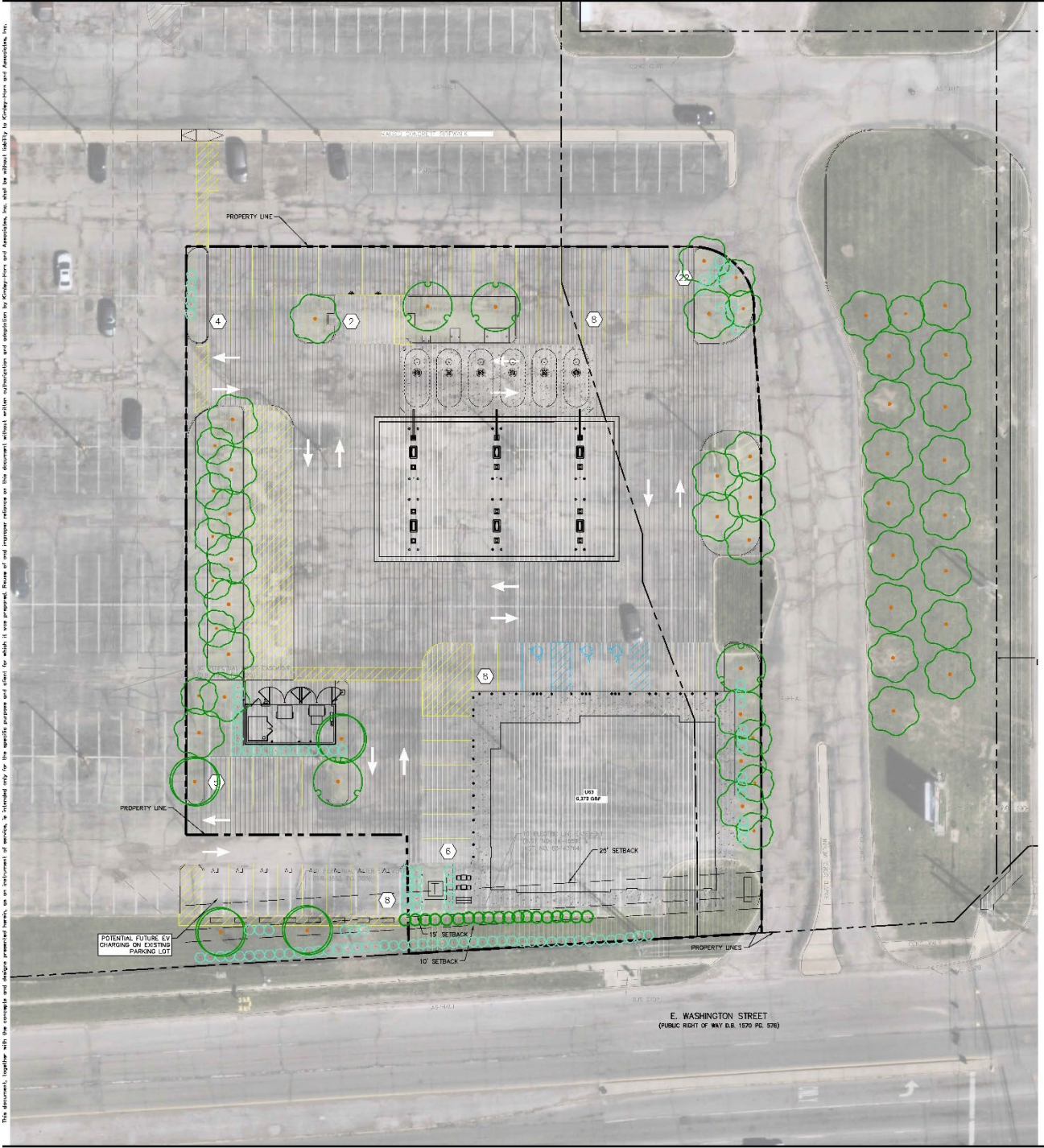
IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____

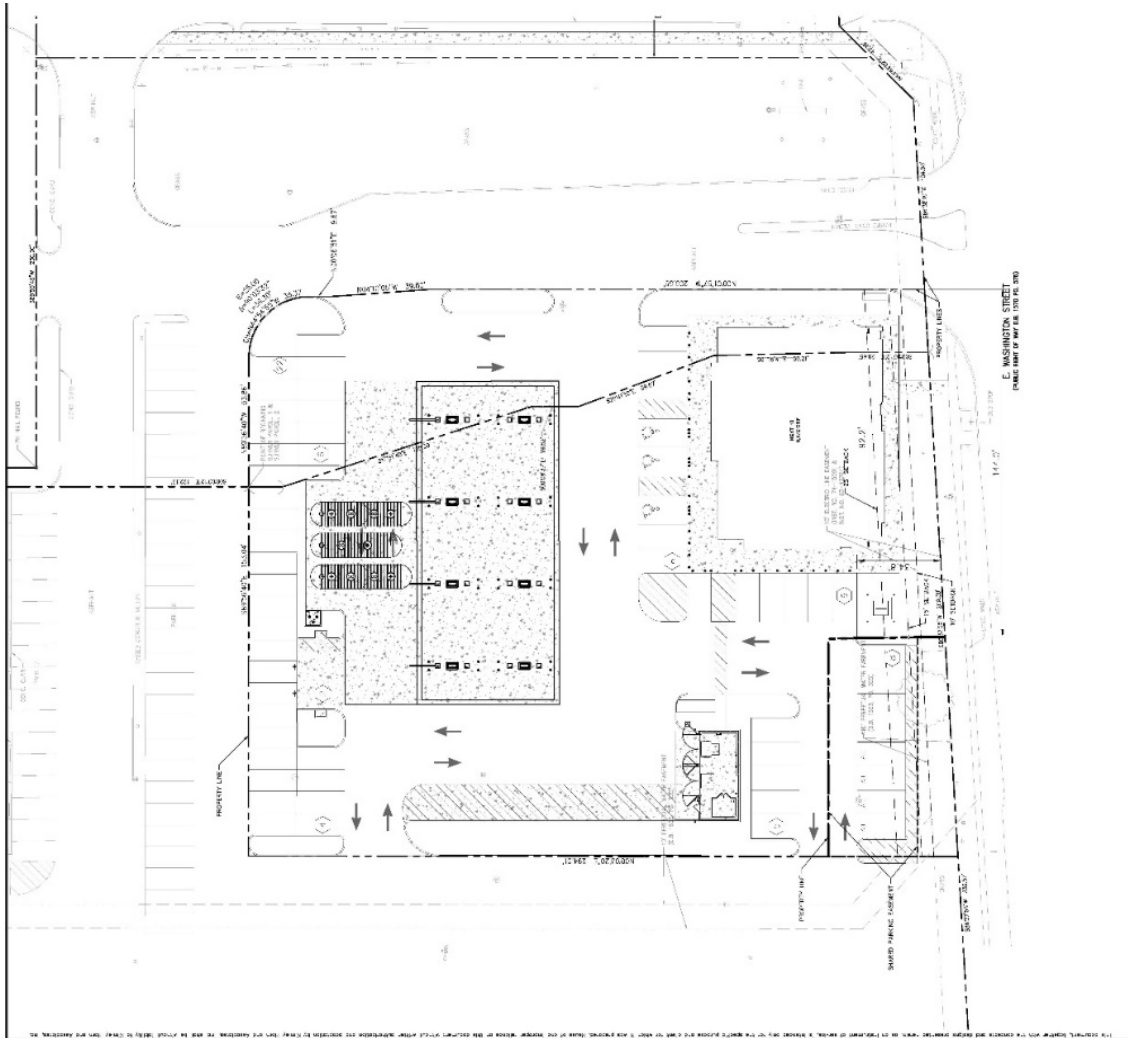


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2025-CVR-825/2025-CPL-825 Updated WaWa Color Site Plan



2025-CVR-825/ 2025-CPL-825 Old Site Plan



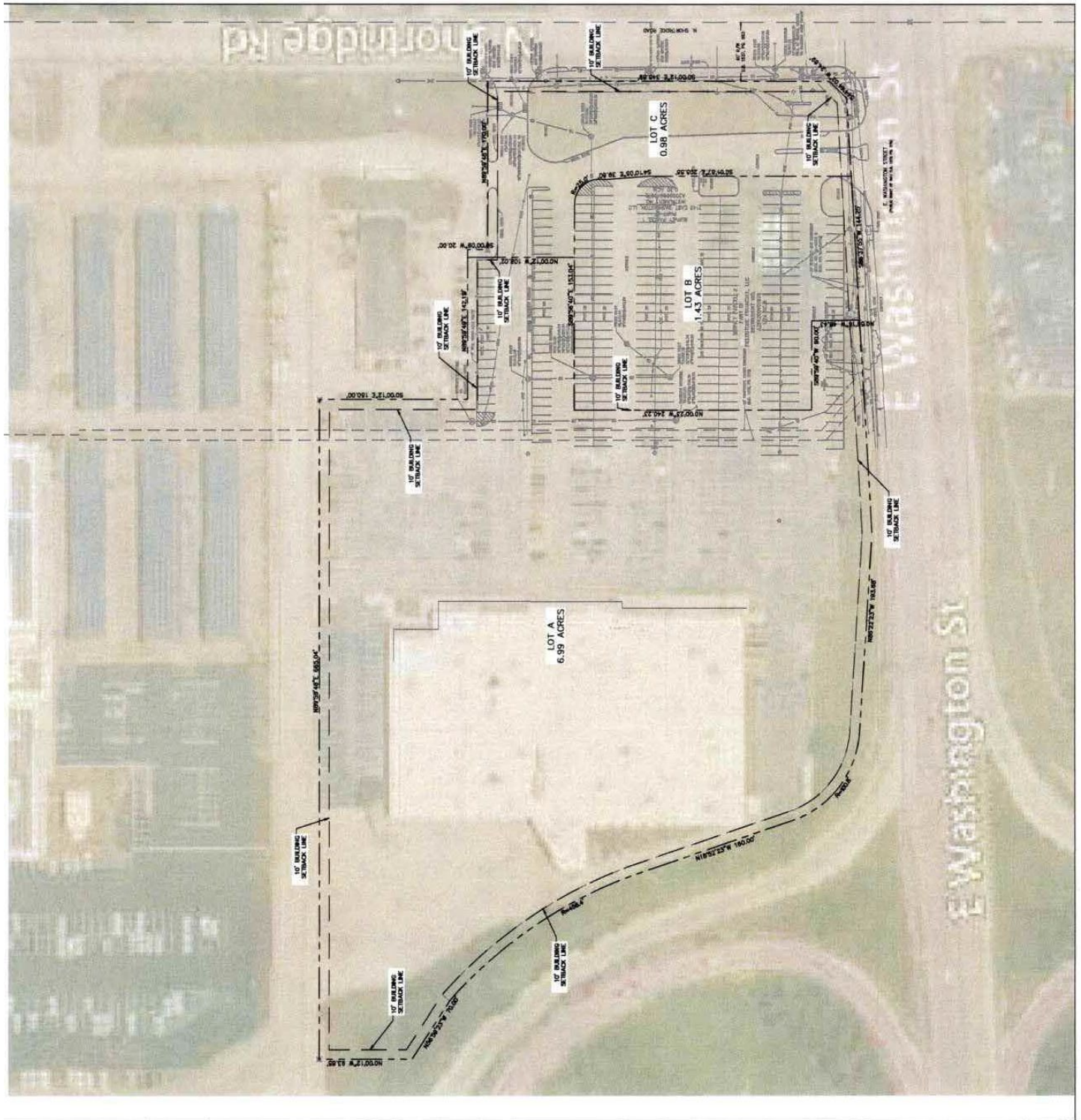
2025-CVR-825/ 2025-CPL-825 Updated Elevations



2025-CVR-825/ 2025-CPL-825 Old Elevations



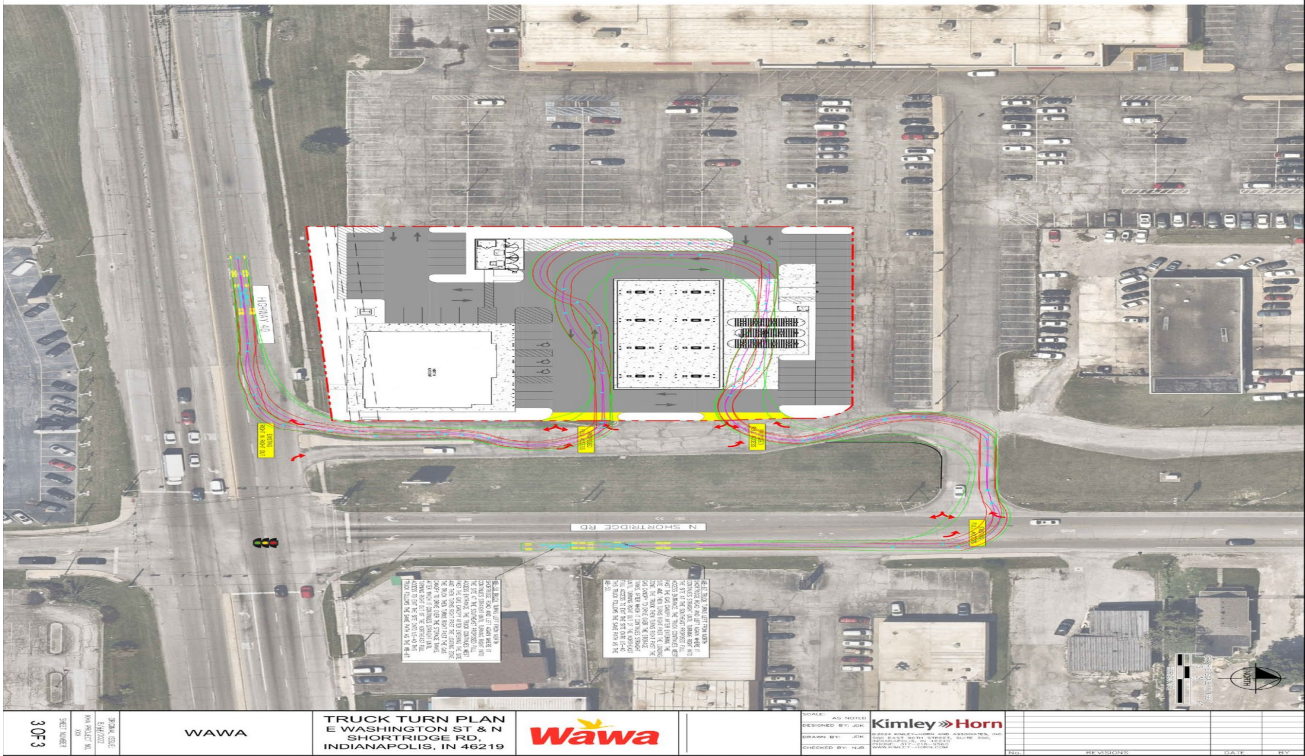
2025-CVR-825/ 2025-CPL-825 PLAT





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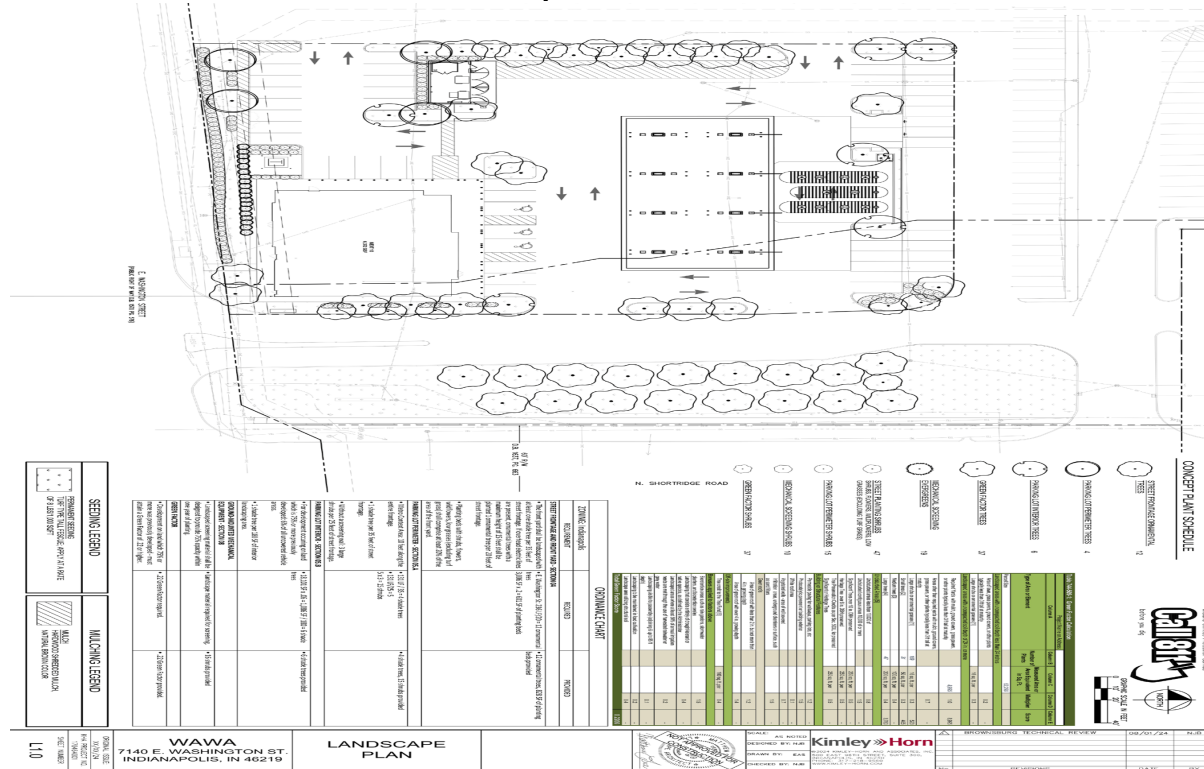
2025-CVR-825/ 2025-CPL-825 Site Circulation



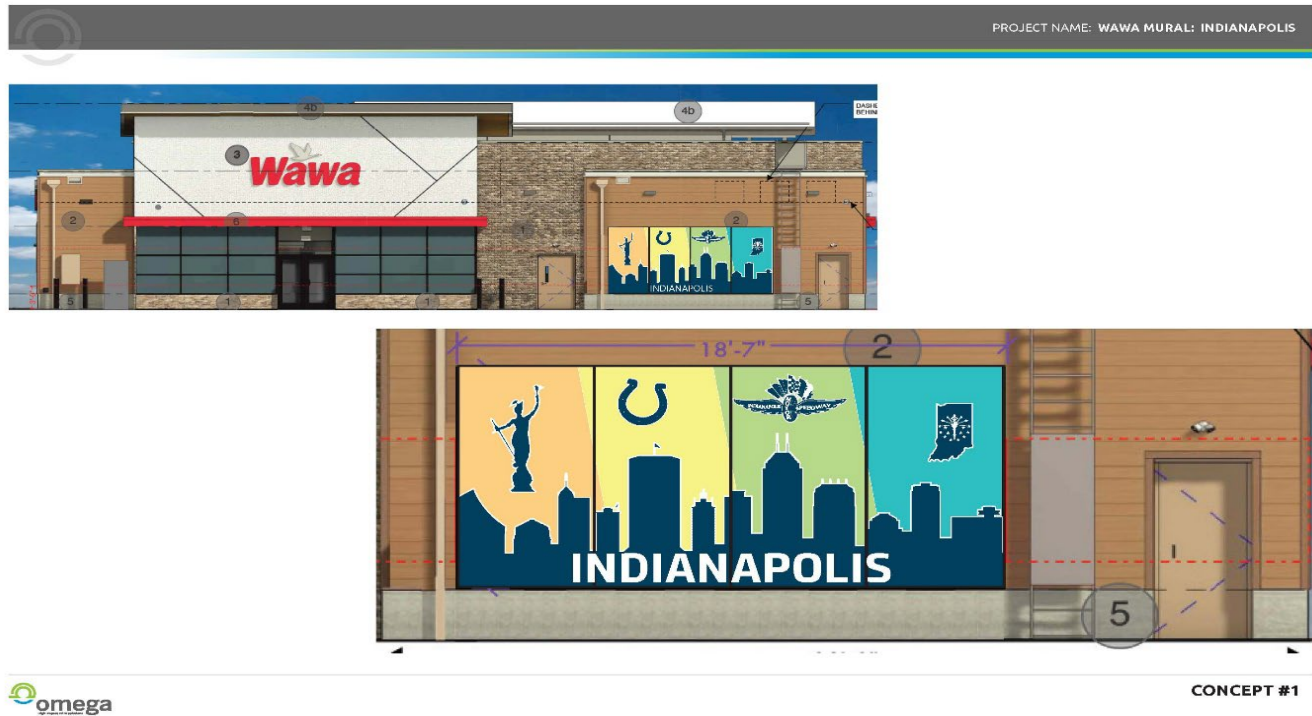


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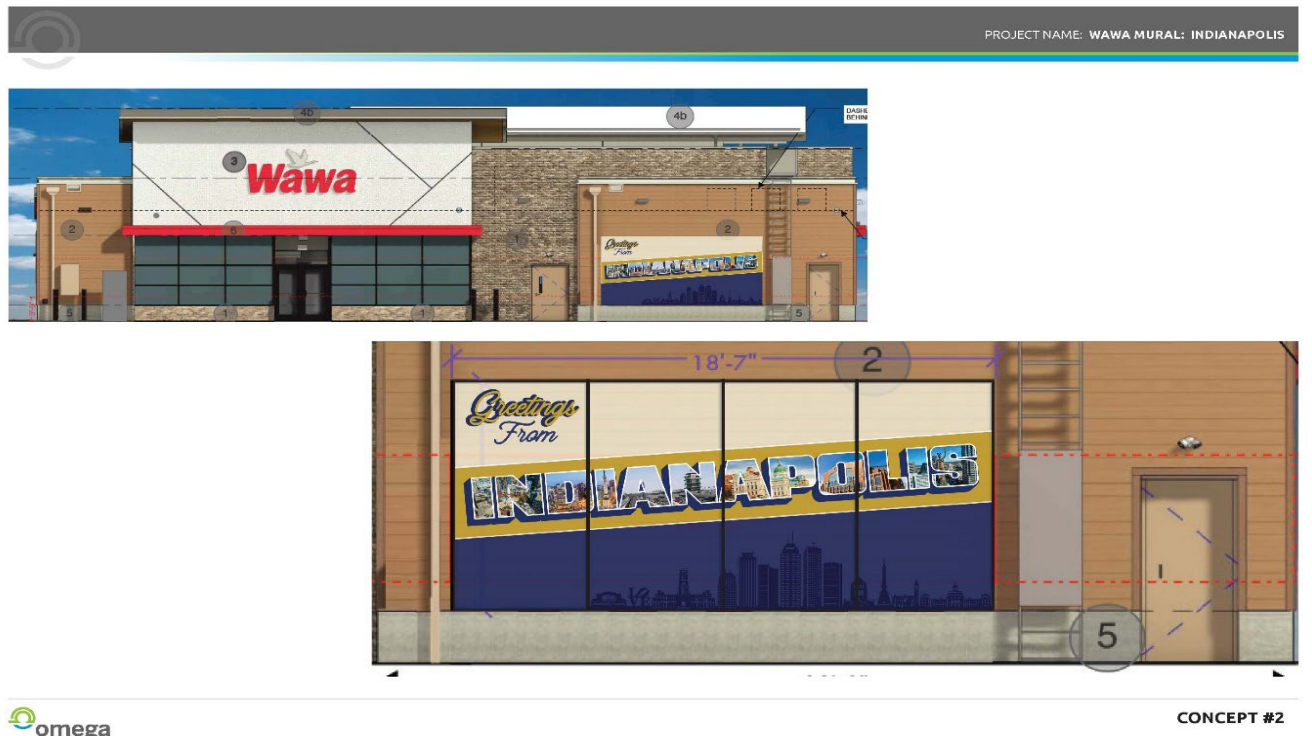
2025-CVR-825/ 2025-CPL-825 Landscape Plan



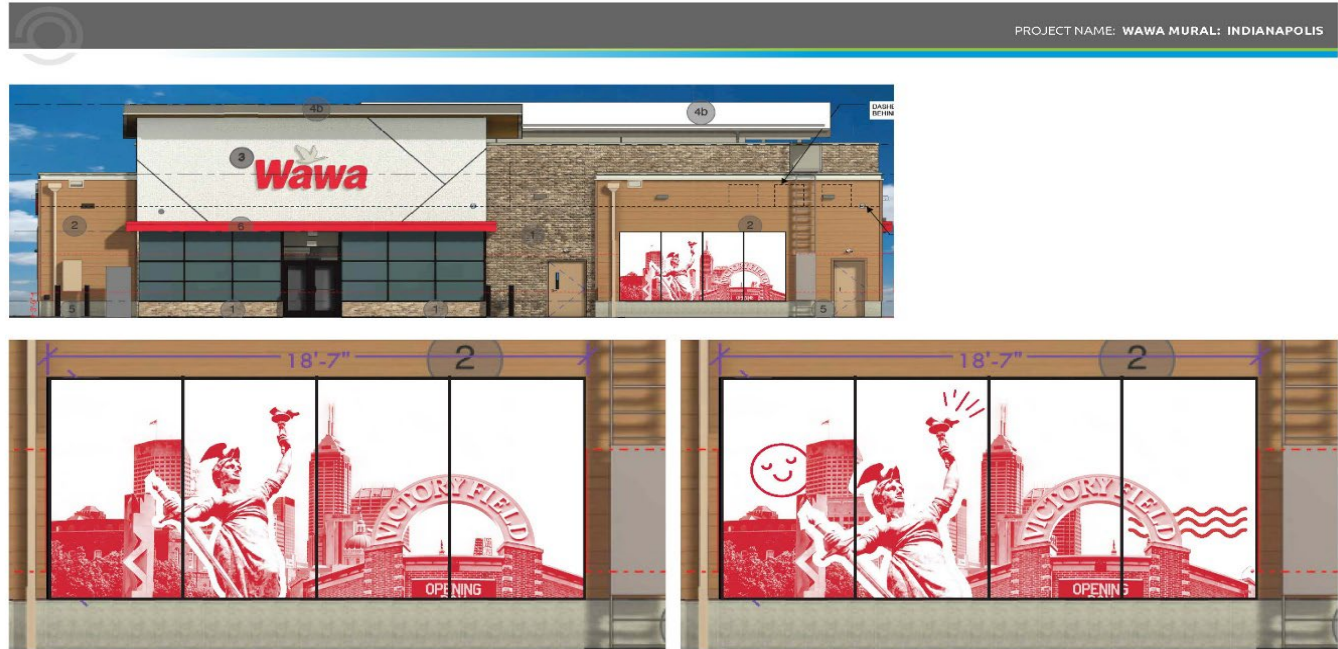
2025-CVR-825/2025-CPL-825 Front Elevation Concept #1



2025-CVR-825/2025-CPL-825 Front Elevation Concept #2



2025-CVR-825/2025-CPL-825 Front Elevation Concept #3



Petitioner's Exhibit

List of Variances

7140-7142 East Washington:

1. **Ch. 742, Art. II, Sec. 07, Table 742-207-2:** Automobile Fueling Station limited to 8 pump islands/service areas; 8 two-sided pump islands/service areas proposed.
2. **Ch. 744, Art, VI 1, Sec. 702, Table 744-702-3:** Surface parking in connector frontage has a 40% maximum of lot width behind the front building line; portions of parking are located north of the front building line exceed 40% of the lot width.
3. **Ch. 744, Art. VII, Sec. 702, Table 744-702-3:** First story street frontage transparency of 40% - 90% required; Less than 40% first floor transparency on Washington Street frontage provided.



From proposed Lot 1 looking west.



Looking south along the proposed entrance drive on to East Washington Street



Looking South from the subject property at the bus station along East Washington Street.



Looking from, the subject property west towards the exiting commercial center



Looking west from subject site along proposed western entrance.



Looking North toward



Looking east across proposed entrance to site at existing pylon sign.



Looking west from E Washington Street at I U Connected Health Care and Get Fit Athletic Club

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 23, 2025

Case Number: 2025-CZN-832 / 2025-CVR-832 (Amended)

Property Address: 1140 East 46th Street, 4644, 4646, 4648, 4710, and 4716 Carvel Avenue (Approximate Addresses)

Location: Washington Township, Council District #7

Petitioner: Arrow Street Development, LLC, by Joseph D. Calderon

Current Zoning: D-5 (W-1), D-P (W-1), and I-3 (W-1)

Request: Rezoning of 3.65 acres, from the D-5 (W-1), D-P (W-1), and I-3 (W-1) districts to the MU-2 (W-1) district to provide for a mixed-use development consisting of multi-family dwellings, commercial uses, a parking garage, and resident amenities.

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a large mixed-use building type (small mixed-use building type permitted), with the front building line in excess of ten feet along 46th Street (front building line range of zero-foot to 10 feet required), a 24-foot-wide driveway width along 46th Street (maximum 16-foot-wide driveway width permitted), a commercial building line of 60% of the frontage along 46th Street (minimum 80% required), zero-foot transitional yard to the east (either a minimum 15-foot transitional yard, or an opaque wall, berm, fence, or dense (at least 75% opacity) vegetative screen of at last six feet tall required), no primary entrances along 46th Street (minimum one primary entry features for every 50 feet required), a surface parking lot with a 15-foot east side yard setback (minimum 25-foot setback required), structured parking of 100% of street wall at first level of the building along Carvel Avenue (maximum 30% of street wall permitted).

Current Land Use: Single-family dwellings / Commercial and Industrial Buildings

Staff Recommendations: Approval with commitments.

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This petition was continued for cause from the August 14, 2025 hearing to the September 11, 2025 hearing to allow the petitioner additional time to address multiple concerns brought up by staff or amend the request to include variances.

The petition was amended, legal notices were mailed, and the request was published for the September 25, 2025 hearing date. However, at the September 11, 2025 hearing the petitioner requested and was granted a continuance for cause from the September 11, 2025 hearing to the October 9, 2025 hearing to allow them additional time to work with a registered neighborhood organization.

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Because the amended petition was published for the September 25, 2025 hearing date, it needed to remain on the agenda where the Hearing Examiner acknowledged the previously granted continuance to the October 9, 2025 hearing.

This petition was continued from the October 9, 2025 hearing to the October 23, 2025 hearing to provide additional time commitments to be finalized.

STAFF RECOMMENDATION

The petitioner submitted a revised site plan, dated September 25, 2025, that reduced the driveway width along 46th Street from 24 feet to the permitted 16 feet and provided the 15-foot transitional yard needed along the D-5 district southeast of the site. The petitioner can amend the request to have the following language removed: a 24-foot-wide driveway width along 46th Street (maximum 16-foot-wide driveway width permitted) and zero-foot transitional yard to the east (either a minimum 15-foot transitional yard, or an opaque wall, berm, fence, or dense (at least 75% opacity) vegetative screen of at least six feet tall required).

Staff **recommends approval** of the request as amended 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. Petitioner shall have an appropriately licensed professional engineer conduct a traffic impact study ("TIS"), the scope of which shall be determined between the preparer and the City of Indianapolis Department of Public Works ("DPW"). After the TIS is completed and reviewed by DPW, Petitioner shall complete the recommended infrastructure improvements with six (6) months of receiving an Improvement Location Permit.
2. Petitioner shall construct pedestrian crossing safety upgrades at 46th Street and Monon Trail, as determined by DPW.
3. A 28-foot half right-of-way shall be dedicated along the frontage of 46th Street, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
4. Final building elevations shall be submitted for Administrative Approval and review by the City Architect prior to the issuance of an Improvement Location Permit.
5. Petitioner will dedicate right-of-way to the City of Indianapolis, along East 46th Street, of sufficient area to provide for the installation and maintenance of a 5'x10' bus shelter, as depicted in the site plan dated September 25, 2025. The final dedication exhibits shall be submitted for the review and approval of the Indianapolis Public Transportation Corporation d/b/a IndyGo, prior to said dedication.
6. Petitioner will construct, within the proposed dedication area outlined in Commitment #1, a 7'x12' bus stop shelter pad, pursuant to the standards and specifications of IndyGo, dated February 18, 2013.

PETITION OVERVIEW

LAND USE

The 3.65-acre site is comprised of multiple parcels that will be combined to create the overall site. Currently, the subject site is developed with commercial and industrial buildings, some in disrepair, single-family dwellings with accessory structures, and a cell tower. The only structure planned to remain would be the cell tower.

The site is surrounded by single-family dwellings to the north and west, zoned D-5, single-family dwellings to the east, zoned D-5 and SU-34, a support club to the east zoned SU-34, a mixed-use building to the south, zoned MU-2, and a vacant commercial building southeast of the site, zoned D-5.

REZONING

The request would rezone the property from the D-5 (W-1), D-P (W-1), and I-3 (W-1) districts to the MU-2 (W-1) district to provide for a mixed-use development that would not be permitted within the existing zoning districts.

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 I-3 district is an intermediate district for industries that present moderate risks to the general public. Wherever practical, this district should be away from Protected Districts and buffered by intervening lighter industrial districts. Where this district abuts Protected Districts, setbacks are large and enclosure of activities and storage is required.

The established purpose of the D-P District follows:

1. To encourage a more creative approach in land and building site planning.
2. To encourage and efficient, aesthetic, and desirable use of open space.
3. To encourage variety in physical development pattern.
4. To promote street layout and design that increases connectivity in a neighborhood and improves the directness of routes for vehicles, bicycles, pedestrians, and transit on an open street and multi-modal network providing multiple routes to and from destinations.
5. To achieve flexibility and incentives for residential, non-residential, and mixed-use developments which will create a wider range of housing types as well as amenities to meet the ever-changing needs of the community.
6. To encourage renewal of older areas in the metropolitan region where new development and restoration are needed to revitalize areas.

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7. To permit special consideration of property with outstanding features, including but not limited to historical significance, unusual topography, environmentally sensitive areas and landscape amenities.
8. To provide for a comprehensive review and processing of development proposals for developers and the Metropolitan Development Commission by providing for concurrent review of land use, subdivision, public improvements, and siting considerations.
9. To accommodate new site treatments not contemplated in other kinds of districts.

“Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage, and wildlife.

Densities and development of a D-P are regulated and reviewed by the Metropolitan Development Commission. Creative site planning, variety in physical development, and imaginative uses of open space are objectives to be achieved in a D-P district. The D-P district is envisioned as a predominantly residential district, but it may include supportive commercial and/or industrial development.”

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

The grant of the request for rezoning would necessitate a variety of variances needed for the development project to be built as proposed.

This includes a Variance of Use to allow the construction of a large mixed-use building type which is not permitted in the MU-2 district that limits mixed-use development to a small mixed-use building type.

A revised site plan indicated a driveway width reduction from 24 feet to the permitted 16-foot width which allowed for the 15-foot transitional yard requirement adjacent to the D-5 district southeast of the site to be met. Therefore, the variances associated with these changes would no longer be needed and could be removed from the request.

The front building line range along 46th Street as a Pedestrian Urban Private Frontage classification is limited from zero feet to ten feet which would be exceeded by the proposal with an approximate 48-foot front setback.

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The Pedestrian Urban Private Frontage design standards require a front building line measurement along 46th Street to extend the minimum 80 percent along the frontage where only 60 percent would be proposed.

One minimum primary entry feature is required for every 50 feet of wall length along 46th Street where none would be proposed.

The Collector Private Frontage along Carvel Avenue is required to have a 25-foot setback for the surface parking lot where a 15-foot setback would be proposed.

Lastly, a maximum of 30 percent of the street wall along Carvel Avenue is permitted for structured parking purposes. As proposed, the parking garage would encompass 100 percent of the eastern building façade.

WELLFIELD

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 (2) 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.

This site is specifically located within the Fall Creek W-1 Wellfield Protection District. Unless exempted by Section 742-204.D Technically Qualified Person review requirement, a Site and Development Plan shall be filed with and be subject to approval on behalf of the Commission by the Technically Qualified Person (TQP).

DEPARTMENT OF PUBLIC WORKS

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 28-foot half right-of-way along 46th Street. This dedication would also be consistent with the Marion County Thoroughfare Plan.

STAFF ANALYSIS

The proposed five-story mixed-use development consisting of 317 multi-family dwellings, 6,900 square feet of retail space, 2,000 square foot apartment lobby, a parking garage, and resident amenities is the type of development that staff would like to encourage and see developed along City greenways, trails, and bus rapid transit corridors.

As proposed, 237 parking spaces would be required for the dwelling units and 46 parking spaces would be required if eating establishments were proposed or 19 spaces would be required if retail sales were proposed. Depending on the end user, a range of 256 to 283 parking spaces would be required which could be reduced with the parking reductions allowed by the Ordinance. The total minimum parking

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requirement could range from 231 to 255 if the 10 percent reduction for proximity to public transportation was used. For this reason, staff found that the site would have sufficient parking provided.

The increased density would provide more eyes on the streets, the mix of uses would enhance street activation and generate additional foot traffic, and the addition of new businesses would provide services to the community.

While the petitioner made changes to the site plan to address staff's concern regarding the driveway width along 46th Street, removal of the parking in the front yard of 46th Street, and the relocation of the parking lot in front of the building setback along Carvel Street, staff was not provided building elevations for each façade. Therefore, staff is requesting a commitment that the final building elevations be submitted for Administrative Approval so that the City Architect can review the elevations prior to the issuance of an Improvement Location Permit. Staff's main concern is regarding the western building façade that would face the Monon Trail at the ground floor level, which should provide a more creative approach with better building materials than is shown along the parking garage.

The Department of Public Works has requested a commitment for a traffic impact study to be conducted with the completion of recommended infrastructure improvements to be made within six months of receiving an Improvement Location Permit. Other commitment requests include a right-of-way dedication along 46th Street and for pedestrian crossing safety upgrades at the 46th Street and Monon Trail intersection.

Because landscape plans were not submitted, the petitioner was informed that all landscape requirements of the Ordinance would need to be met.

Although staff requested that connection be made from the subject site to the Monon Trail, the connections to the Monon Trail and all greenways / trails will need to be reviewed and approved by the Department of Public Works, Greenways Section or its equivalent agency.

Staff was informed of discussions between the petitioner and IndyGo for right-of-way dedication to the City for construction of a 5'x10' bus shelter and a 7'x12' bus stop shelter pad, which have been incorporated into the commitment list for approval.

Staff is recommending approval of the rezoning and variance requests as amended subject to commitments as previously relayed.

GENERAL INFORMATION

Existing Zoning	D-5 (W-1), D-P (W-1), and I-3 (W-1)	
Existing Land Use	Single-family dwellings / Commercial and Industrial Buildings	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-5	Residential (Single-family dwellings)
South:	MU-2 / D-5	Mixed-Use Building / Vacant Building

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East:	SU-34 / D-5	Club / Residential (Single-family dwellings)
West:	D-5	Residential (Single-family dwellings)
Thoroughfare Plan		
46 th Street	Primary Arterial Street	56-foot proposed right-of-way and 50-foot existing right-of-way.
Carvel Avenue	Local Street	48-foot proposed right-of-way and 50-foot existing right-of-way.
Context Area	Compact or Metro	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	Yes	
Site Plan	June 4, 2025	
Site Plan (Amended)	September 30, 2025	
Elevations	June 4, 2025	
Elevations (Amended)	August 6, 2025	
Landscape Plan	N/A	
Findings of Fact	June 4, 2025	
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)
- Red Line Transit-Oriented Development Strategic Plan (2021)

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends Traditional Neighborhood development of the site.
- 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.

- **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.

- **Large-Scale Multi-Family Housing**

- Developments of more than 30 housing units must have access to at least one arterial street of 3 or more continuous travel lanes between the intersections of two intersecting arterial streets.
- Should be located along an arterial street.
- In predominantly platted, single-family neighborhoods, site should be at least as wide as it is deep.
- 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.

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

- 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.
- Should be located at intersections and limited to an aggregate of 1 acre per intersection.
- Should be limited to areas and parcels with adequate space for required screening and buffering.
- Automotive uses (such as gas stations and auto repair) and uses requiring a distance of separation of greater than 20 feet under the zoning ordinance (such as liquor stores, adult uses, and drive-through lanes) are excluded.
- Mixed-use structures are preferred.
- Should not include outdoor display of merchandise.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The site falls within the Red Line Transit-Oriented Development Strategic Plan (2021).

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- The subject site is within a ½ mile from the nearest transit station located west at the 46th Street and College Avenue intersection, which is classified as a walkable neighborhood typology.
- Characteristics of this typology include a mix of uses at station area and primarily residential beyond, maximum three stories throughout, no front or side setbacks at core with zero to 15-foot front setbacks and zero to 20-foot side setbacks at periphery. A mix of multi-family and single-family housing is recommended with 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)

- The Indy Greenways Master Plan (2014) proposed the existing Monon Rail-Trail from 96th Street to 10th Street that passes along the western property boundary of the subject site.
- The Indy Bike Master Plan (2011) proposed the existing on-street bike lane along 46th Street from Carrollton Avenue to Arlington Avenue.

ZONING HISTORY

Zoning History – Site

2021-ZON-134; 1140 East 46th Street (subject site), Rezoning of 2.49 acres from the I-3 (W-1) and D-5 (W-1) districts to the D-P (W-1) classification to provide for 55 single-family attached (townhome) dwellings, **approved**.

Zoning History – Vicinity

2020-CZN 847 / 202CVR-847; 1121 East 46th Street (south of site), Rezoning of rezoning of 2.91 acres from the I-3 (W-1) and D-5 (W-1) districts to the MU-2 (W-1) district to provide for a mixed-use building of multi-family and retail uses and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a maximum building and transitional building height of 45 feet, to reduce the percentage of building façade along the public right-of-way, the percentage of the building being within the minimum and maximum setback and to provide for parking within 25 feet of the primary street, **approved and granted**.

2020-DV3-040; 4606 Winthrop Avenue and 275 East 49th Street (west of site), Variance of Development Standards to provide for an above-ground wireless communications facility, **withdrawn**

2008-UV2-015; 1118 East 46th Street (west of site), Variance of Use to provide for a furniture store in a dwelling district and a Variance of Use to provide for parking in the front yard, vehicle maneuvering in a right-of-way, deficient front setback, deficient side setback and excessive sign area, **approved**, except excessive sign area, **withdrawn**.

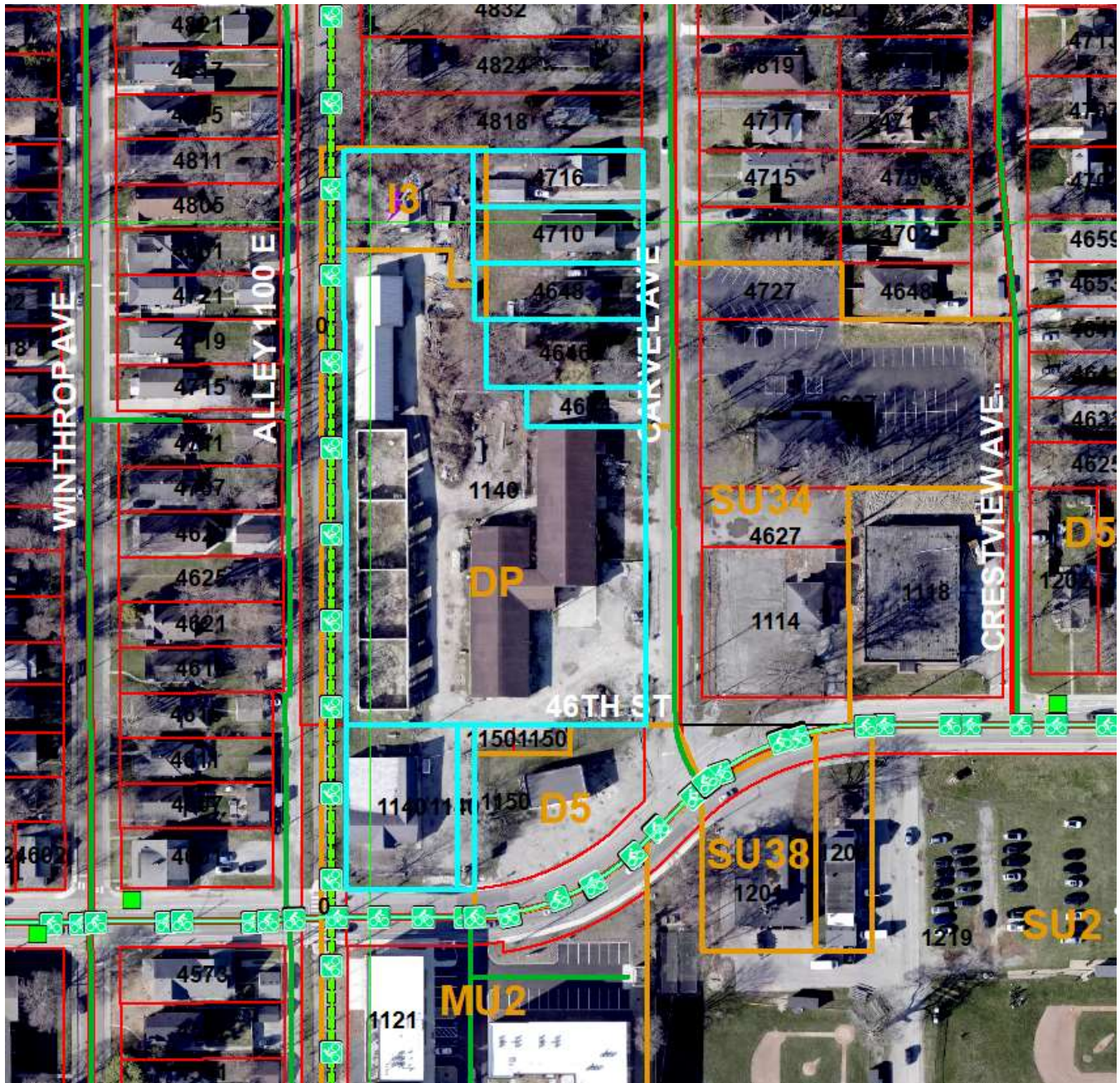
96-Z-8; 1201 East 46Th Street (east of site), Rezoning of 0,3 acre from the SU-2 district to the SU-38 district, **approved**.

84-Z-26; 1118 East 46Th Street (west of site), Rezoning of 0.7 acre from the SU-34 district to the D-5 district, **approved**.

84-Z-25; 1114 East 46Th Street (west of site), Rezoning of 1.5 acres from the D-5 and SU-34 district to the SU-34 district, **approved**.

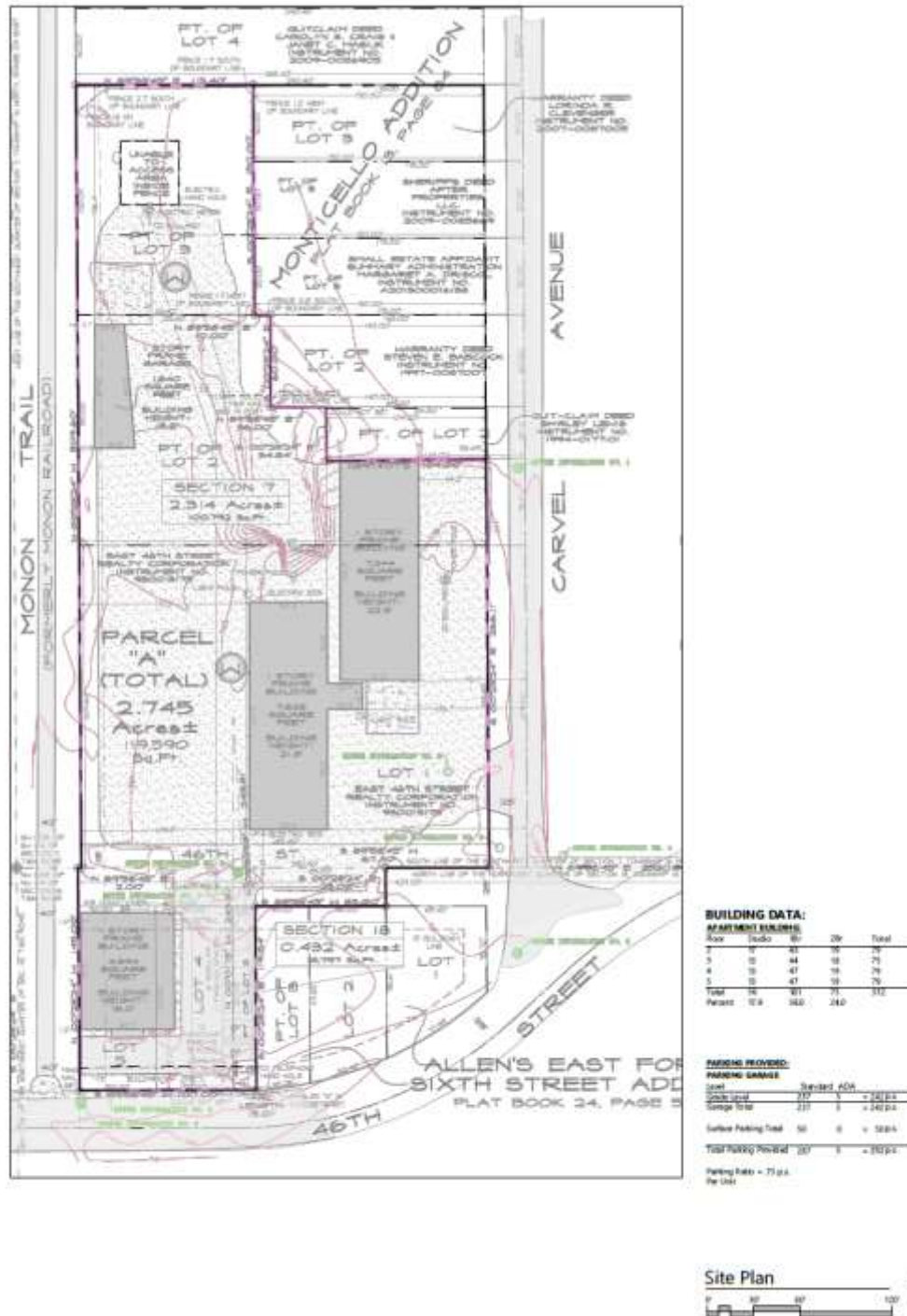
72-Z-55; 1215 East 46Th Street (east of site), Rezoning of 23.8 acres from the D-5 district to the SU-2 district, **approved**.

EXHIBITS

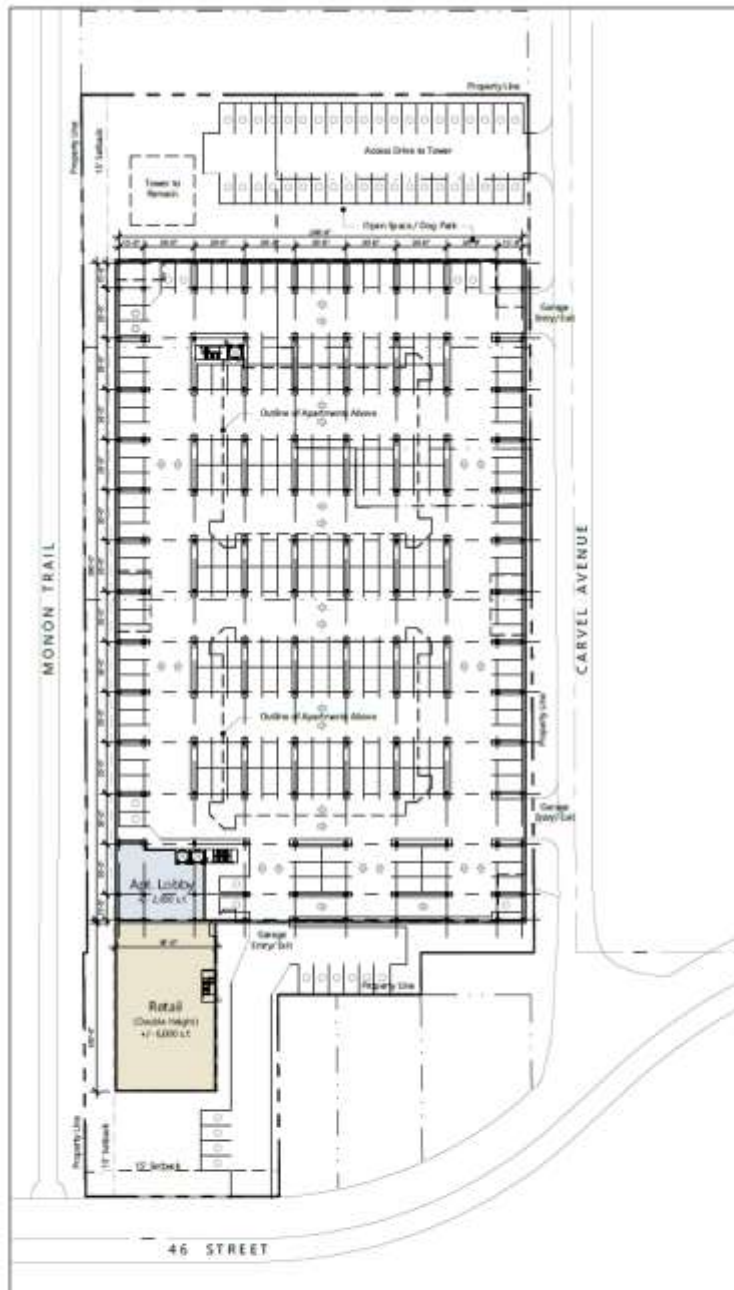


AERIAL MAP

MAP OF PARCELS INCLUDED IN THE REQUEST



SITE PLAN

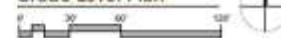
**BUILDING DATA:**

APARTMENT BUILDING				
Row	Studio	1B	2B	Total
1	17	41	18	76
2	15	44	18	77
3	12	47	18	77
4	12	47	18	77
Total	56	197	72	325
Percent	17.3	60.3	22.4	

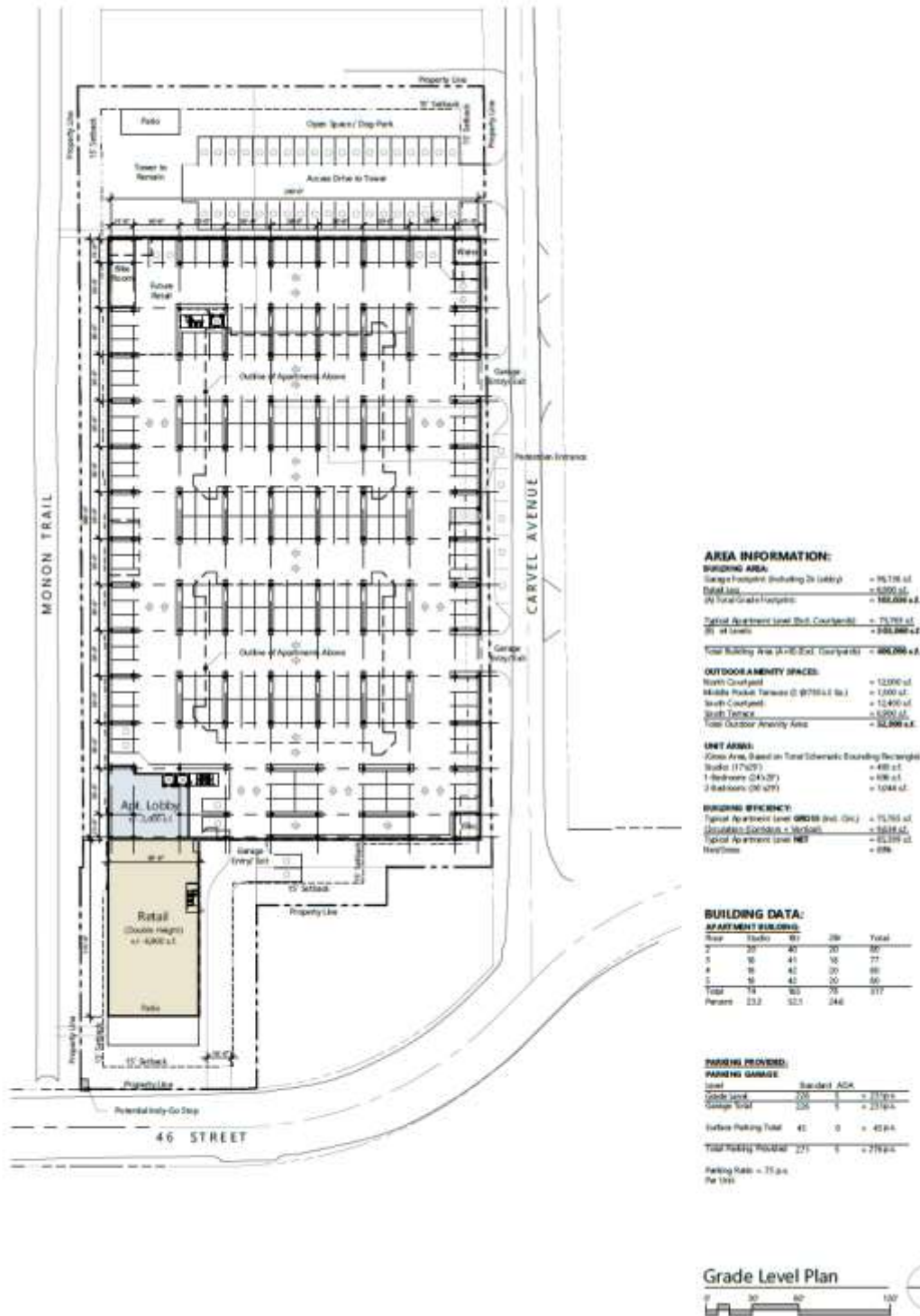
PARKING PROVIDED:

PARKING GARAGE			
Level	Standard	ADA	
Grade Level	237	8	= 245 p.s.
Garage Total	237	8	= 245 p.s.
Surface Parking Total	50	0	= 50 p.s.
Total Parking Provided	287	8	= 295 p.s.
Parking Ratio = 75 p.s. per Unit			

Grade Level Plan



AMENDED SITE PLAN



UPPER-LEVEL FLOOR PLAN



BUILDING ELEVATION



REVISED BUILDING ELEVATION





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 project will revitalize several parcels with uses which are not harmonious with each other or the comprehensive plan. The project will provide adequate parking and it will provide an appropriate use, considering it abuts the Monon Trail.

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 project will be consistent with the Traditional Neighborhood designation of the Comprehensive Plan and will provide for a redevelopment with a use that transitions to the single family residential to the north better than the historic commercial industrial use today.

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

The proposed use is favored by the Comprehensive Plan; however, the proposed MU-2 zoning restricts the building type which precludes the proposed building.

DECISION

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

Adopted this _____ day of _____, 20 ____

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Photo of 4716 Carvel Avenue to be demolished.



Photo of the single-family dwellings north of the subject site.

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Photo of 4710 Carvel Avenue to be demolished.



Photo of 4648 Carvel Avenue to be demolished.



Photo of single-family dwellings east of the subject site across Carvel Avenue.



Photo of the parking areas east of the subject site looking southeast towards as support group building.

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Photo of 4646 Carvel Avenue to be demolished.



Photo of the single-family dwelling at 4644 Carvel Avenue and commercial building to be demolished.



Photo of 1140 East 46th Street looking east along Carvel Avenue.



Photo of a single-family dwelling east of the subject site

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Photo of 1150 East 46th Street that is zoned D-5 and would require buffering from the subject site.



Photo of 1140 East 46th Street and the abutting D-5 district to the east.



Photo of the existing street frontage and building to be demolished at 1140 East 46th Street.



Photo of the mixed-use property south of the site.



Photo of the Monon Trail west of the subject site looking north from 46th Street.



Photo of the remaining structures and cell tower on site.



Photo of the subject site's western property boundary on the left looking south along the Monon Trail.



Photo of the single-family dwellings west of the subject site looking south on the Monon Trail.

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 23, 2025

Case Number: 2025-ZON-105
Property Address: 3147 and 3155 North California Street (Approximate Addresses)
Location: Center Township, Council District #8
Petitioner: Landmark Development Group, LLC, by Enrique Martinez
Current Zoning: D-5
Request: Rezoning of 0.48-acre from the D-5 district to the D-8 district to provide for a small apartment development consisting of three to 12 dwelling units.
Current Land Use: Undeveloped
Staff Recommendations: Denial
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends denial** of the request.

PETITION OVERVIEW

LAND USE

The 0.48-acre subject site is comprised of two undeveloped parcels located in the Crown Hill Neighborhood. It is surrounded to the south and east by single-family dwellings, zoned D-5, an undeveloped residential lot to the west, zoned D-5, and a cemetery to the north, zoned SU-10.

REZONING

This petition would rezone the site from the D-5 district to the D-8 district to provide for a small apartment development consisting of three to 12 dwelling units.

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.

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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.

STAFF ANALYSIS

The grant of the request would rezone the property to the D-8 district for a small apartment development that is not permitted in the current zoning district.

The existing D-5 district allows for a variety of housing type development that would align with the Traditional Neighborhood development recommendation of the Comprehensive Plan such as single-family dwellings with accessory dwellings and multi-unit houses that would allow for increased density if that was the goal of the proposal.

Even though small-scale multi-family development is contemplated as a housing type in the Traditional Neighborhood typology, it should be focused around an intersection of collector streets, parks or public squares or neighborhood-serving retail which do not exist in the immediate area of the subject site.

Furthermore, the Infill Housing Guidelines should be referenced when proposing infill development to ensure compatibility with the building height, size, bulk, and building orientation and design. Staff found that site would not be an ideal location to propose a new building type within this single-family neighborhood.

Lastly, an apartment building would require a parking lot at the rear of the site which staff had concerns where access to the site would be gained, and the additional lighting required for said parking lot would negatively impact the surrounding residents.

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

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Undeveloped	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North: SU-10	Cemetery
	South: D-5	Residential (Single-family dwelling)
	East: D-5	Residential (Single-family dwellings)
	West: D-5	Undeveloped
Thoroughfare Plan		
California Street	Local Street	48-foot proposed right-of-way and 50-foot existing right-of-way.

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32 nd Street	Local Street	48-foot proposed right-of-way and 50-foot existing 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	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 (2019)
- Infill Housing Guidelines (2021)
- Indy Moves Transportation Integration Plan (2018)

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends Traditional Neighborhood development of the site.
- 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.
- **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.

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- 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.
- **Attached Housing**
 - Duplexes should be located on corner lots, with entrances located on different sides of the lot.
 - It is preferred that townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood-serving retail.
 - If the above conditions are not met, individual buildings of attached housing (not part of a complex) may be interspersed with single-family homes but should not make up more than 25% of the primary residential structures on a block.
- **Small-Scale Multi-Family Housing**
 - It is preferred that multi-family housing should be organized around intersections of neighborhood collector streets, parks or public squares, or neighborhood-serving retail.
 - If the above conditions are not met, individual buildings of small-scale multi-family housing (not part of a complex) may be interspersed with single-family homes but should not make up more than 25% of the primary residential structures on a block.
 - In predominantly platted, single-family neighborhoods, site layouts should be similar in site- and building-orientation as the surrounding single-family homes.
 - 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

- BUILDING ELEVATIONS AND ARCHITECTURAL ELEMENTS

- **1. Utilize Foundation Styles and Heights that are Consistent with Nearby Houses:** The height of the foundation affects where doors, porches, and windows are located. Unless there are special circumstances that require additional height, such as the location is in or near a floodplain, the foundation height for new construction should be consistent with nearby buildings.
- **2. Be Consistent with Surrounding Entry Locations:** Main entries should be visible from the street. Entries should not be hidden, obscured, or missing from the main street elevation (front). The entry should reflect a similar characteristic to those that surround it, such as formal or casual, recessed or flush, narrow or wide.
- **3. Where Appropriate, Include Porches or Stoops:** Use context to determine if front porches are consistent elements used in the neighborhood. If so, add porches or stoops to new construction.
- **4. Coordinate the Location and Door Style of Balconies with the Surrounding Neighborhood:** Balconies are common architectural elements in some neighborhoods, but uncommon in others. Balconies along the street should be used when appropriate. When a balcony is used, consider the appropriate door access for the type of balcony. For example, Juliet balconies, which are intended to bring the outside in, make the most sense when French doors are used.
- **5. Consider Nearby Roof Styles:** The basic outline of a new building should reflect building outlines typical of the area. Roof selection and overall height contribute to the building outline. Select roof shapes that are frequently used in the neighborhood.
- **6. Fenestration Should Relate to the Surrounding Context:** Windows and doors should be arranged on buildings so as not to conflict with the basic fenestration patterns in the neighborhood. The proportion of glass (windows) to solid materials (wood, bricks, and other materials) which is found within the surrounding context should be reflected in new construction. Every elevation (sides and rear) should have windows on each story to help break up the monotony of the façade.
- **7. Materials Used Should Reflect the Context of the Neighborhood:** Introducing new materials that are not used in the existing context should be done in a way where those materials are not the dominant material and make up less than 30% of the overall façade design.
- **8. Consider Unique Neighborhood Features:** In addition to the architectural features mentioned above, consider other common features like chimneys, dormers, gables, and

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Current Planning**

overhanging eaves that shape the character of a neighborhood. When possible, include these features into new construction.

Indy Moves

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

- Indy Moves Transportation Integration Plan (2018), more specifically the IndyMoves PedalIndy 2018, proposes an active bike neighborway along 32nd Street from Dr MLK Jr Street to Boulevard Place.

ZONING HISTORY

Zoning History – Vicinity

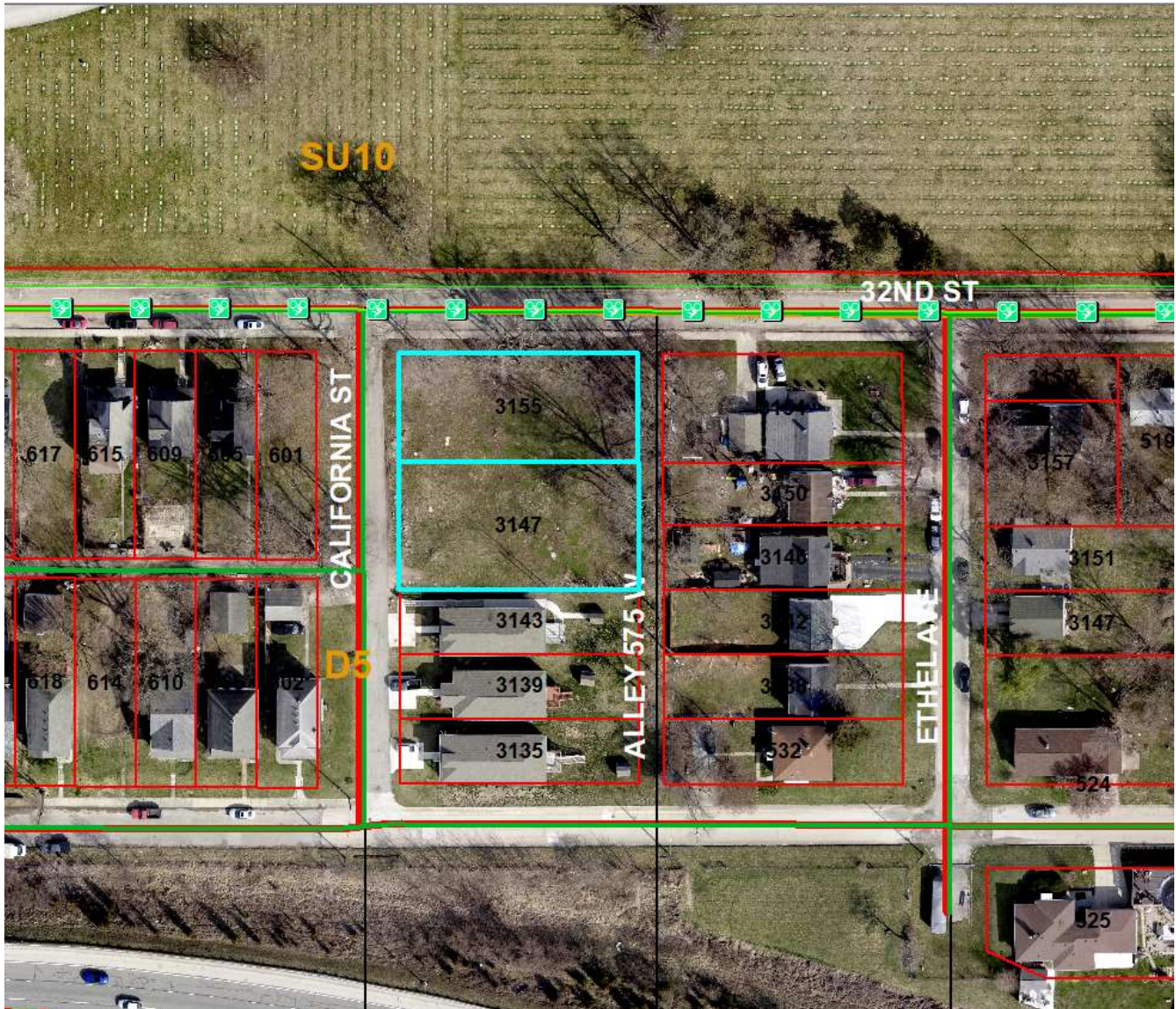
2017-HOV-094; 411 West 32nd Street (east of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the reconstruction of a single-family dwelling with a one-foot front setback (18-foot or average front setback required), **granted**.

2014-UV1-012; 452 West 31st Street (southeast of site), Variance of Use and Development Standards of the Dwelling Districts Zoning Ordinance to provide for a construction company office and workshop (cabinet making, painting and other miscellaneous tasks), and outdoor parking of an approximate 20-foot-long commercial trailer (not permitted), **granted**.

2006-HOV-048; 467 West 32nd Street (east of the site), Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a two-story, single-family dwelling with a main floor area of 586-square feet (minimum main floor area of 660-square feet required), and a total living area of 1,199 square feet, **granted**.

2006-HOV-039; 467 West 32nd Street (east of the site), Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a two-story, single-family dwelling with a main floor area of 586-square feet (minimum main floor area of 660-square feet required), and a total living area of 1,199 square feet, **granted**.

EXHIBITS



AERIAL MAP

Department of Metropolitan Development
Division of Planning
Current Planning



Photo of the subject site looking south from 32nd Street.



Photo of an undeveloped lot west of the site.

Department of Metropolitan Development
Division of Planning
Current Planning



Photo of 3155 North California Street.



Photo of 3147 North California Street.

Department of Metropolitan Development
Division of Planning
Current Planning



Photo of a single-family dwelling south of the site.



Photo of a cemetery north of the site.



Photo of a single-family dwelling east of the site.

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 23, 2025

Case Number: 2025-CZN-844 / 2025-CVR-844

Property Address: 127 East 34th Street (approximate address)

Location: Center Township, Council District #8

Petitioner: Hoosier Outreach, Inc., by Craig McCormick

Current Zoning: C-1 (TOD)

Request: Rezoning of 0.11-acre from the C-1 (TOD) district to the D-5 (TOD) district to provide for a multi-unit house consisting of four units.

Current Land Use: Undeveloped

Staff Recommendations: Denial

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends denial** of the request.

PETITION OVERVIEW

LAND USE

The 0.11-acre subject site is an undeveloped commercial lot. It is surrounded by an art gallery to the west, zoned C-1, a four-unit residential building to the east, zoned D-5, a church to the north, zoned D-9 and D-3, and an electrical substation to the south, zoned C-1.

REZONING

The request would rezone the property from the C-1 district to the D-5 district to allow the construction of a multi-unit house consisting of four (4) units.

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Current Planning**

The C-1 District is designed to perform two (2) functions: act as a buffer between uses, and provide for a freestanding area that office uses, compatible office-type uses, such as medical and dental facilities, education services, and certain public and semipublic uses may be developed with the assurance that retail and other heavier commercial uses with incompatible characteristics will not impede or disrupt. Since the buildings for office, office-type and public and semipublic uses are typically much less commercial in appearance, landscaped more fully and architecturally more harmonious with residential structures, this district can serve as a buffer between protected districts and more intense commercial or industrial areas/districts - if designed accordingly. This district, with its offices and other buffer type uses, may also be used along certain thoroughfares where a gradual and reasonable transition from existing residential use should occur.

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.

VARIANCE

The grant of the Variance of Development Standards would permit a zero-foot east side yard setback for a surface parking area where a minimum three-foot side yard setback is required.

STAFF ANALYSIS

The Mapleton-Fall Creek Neighborhood Land Use Plan (2013) recommends five to eight residential unit per acre development at this location.

If the submitted plans represented a multi-unit house, which is defined by Current Planning staff as a residential building with a common entrance and exit with interior access to the units, then staff would support the rezoning and variance request associated with said multi-unit house.

However, the floor plans and elevation that were submitted at staff's request resulted in the discovery that the proposed building type would not be a multi-unit building as defined by staff. Instead, each individual unit would have its own exterior entrance and would therefore be classified as a small apartment.

Staff informed the petitioner of this discrepancy and recommended they amend the request to rezone the site to the D-8 district for a small apartment, which staff would support.

The Administrator's Interpretation of the multi-unit house classification should not be discussed during the hearing since there is a separate procedure to appeal the Administrator's Interpretation.

Approval of the request as currently noticed would not allow for the issuance of an Improvement Location Permit of the filed plan set. Therefore, staff is recommending denial of the requests since the final product would not be a multi-unit house as requested.

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Lastly, the petitioner was made aware that per TABLE 744-701-2: PRIVATE FRONTAGE DESIGN STANDARDS, any front entry feature cannot extend further than five feet into the 10-foot required front yard setback. The final site plan will need to be adjusted to meet this standard unless a variance is sought at a later time.

GENERAL INFORMATION

Existing Zoning	C-1	
Existing Land Use	Undeveloped	
Comprehensive Plan	5 to 8 Residential Units Per Acre	
Surrounding Context	Zoning	Land Use
North:	D-9 / D-3	Church
South:	C-1	Electrical Substation
East:	D-5	Residential
West:	C-1	Commercial Art Gallery
Thoroughfare Plan		
34 th Street	Primary Collector Street	78-foot proposed right-of-way and 60-foot existing right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	September 5, 2025	
Site Plan (Amended)	N/A	
Elevations	October 3, 2025	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	September 23, 2025	
Findings of Fact (Amended)	Enter Date. N/A if not applicable	
C-S/D-P Statement	Enter Date. N/A if not applicable	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Mapleton-Fall Creek Neighborhood Land Use Plan (2013)
- Red Line Transit-Oriented Development Strategic Plan (2021)
- Infill Housing Guidelines (2021)

- Indy Moves Transportation Integration Plan (2018)

Pattern Book / Land Use Plan

- Not Applicable to the Site. Please see Mapleton-Fall Creek Neighborhood Land Use Plan (2013) below.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The subject site falls within the Red Line Transit-Oriented Development Strategic Plan (2021).
- The subject site is within a ¼ mile from the nearest transit station located west at the 34th Street and Meridian Street intersection, which is classified as a community center typology.
- Characteristics of this typology include a dense mixed-use neighborhood center, minimum of two stories at core, no front or side setback at core, with zero to ten-foot front setbacks and zero to ten-foot side setback at periphery. Multi-family housing with a minimum of three units should be proposed with structured parking at the core and attractive surface parking at the periphery.

Neighborhood / Area Specific Plan

- The subject site falls within the Mapleton-Fall Creek Neighborhood Land Use Plan (2013) and recommends residential development greater than five (5) and equal to or less than eight (8) units per acre.
- In suburban and rural areas this is a common multi-family density and typically the highest density single-family category in suburban areas.
- In urban areas, it is common for both single-family and multi-family development. Development at this density is appropriate along bus corridors but should not take place in proximity to planned light rail transit stops.
- Rezoning to a dwelling district would align with the Neighborhood Plan.

Infill Housing Guidelines

- The Infill Housing Guidelines (2021) should be considered when developing the site.
- **BUILDING ELEVATIONS AND ARCHITECTURAL ELEMENTS**
 - **1. Utilize Foundation Styles and Heights that are Consistent with Nearby Houses:**
The height of the foundation affects where doors, porches, and windows are located. Unless there are special circumstances that require additional height, such as the location

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is in or near a floodplain, the foundation height for new construction should be consistent with nearby buildings.

- **2. Be Consistent with Surrounding Entry Locations:** Main entries should be visible from the street. Entries should not be hidden, obscured, or missing from the main street elevation (front). The entry should reflect a similar characteristic to those that surround it, such as formal or casual, recessed or flush, narrow or wide.
- **3. Where Appropriate, Include Porches or Stoops:** Use context to determine if front porches are consistent elements used in the neighborhood. If so, add porches or stoops to new construction.
- **4. Coordinate the Location and Door Style of Balconies with the Surrounding Neighborhood:** Balconies are common architectural elements in some neighborhoods, but uncommon in others. Balconies along the street should be used when appropriate. When a balcony is used, consider the appropriate door access for the type of balcony. For example, Juliet balconies, which are intended to bring the outside in, make the most sense when French doors are used.
- **5. Consider Nearby Roof Styles:** The basic outline of a new building should reflect building outlines typical of the area. Roof selection and overall height contribute to the building outline. Select roof shapes that are frequently used in the neighborhood.
- **6. Fenestration Should Relate to the Surrounding Context:** Windows and doors should be arranged on buildings so as not to conflict with the basic fenestration patterns in the neighborhood. The proportion of glass (windows) to solid materials (wood, bricks, and other materials) which is found within the surrounding context should be reflected in new construction. Every elevation (sides and rear) should have windows on each story to help break up the monotony of the façade.
- **7. Materials Used Should Reflect the Context of the Neighborhood:** Introducing new materials that are not used in the existing context should be done in a way where those materials are not the dominant material and make up less than 30% of the overall façade design.
- **8. Consider Unique Neighborhood Features:** In addition to the architectural features mentioned above, consider other common features like chimneys, dormers, gables, and overhanging eaves that shape the character of a neighborhood. When possible, include these features into new construction.

Indy Moves

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

- The Indy Moves Transportation Integration Plan (2018) proposes a protected bike lane along 34th Street from 38th Street to Boulevard Avenue.

ZONING HISTORY

Zoning History - Vicinity

2005-ZON-087; 3401 N Meridian Street (northwest of site), Rezoning of 14.71 acres from the D-9 Dwelling Districts to the SU-2 classification to legally establish a middle school and to provide for future improvements that are outside the scope of the dwelling districts zoning ordinance, **approved**.

85-Z-219; 3600 Washington Boulevard (northeast of site), Rezoning of 46 acres to the D-3 classification to correct a mapping error, **approved**.

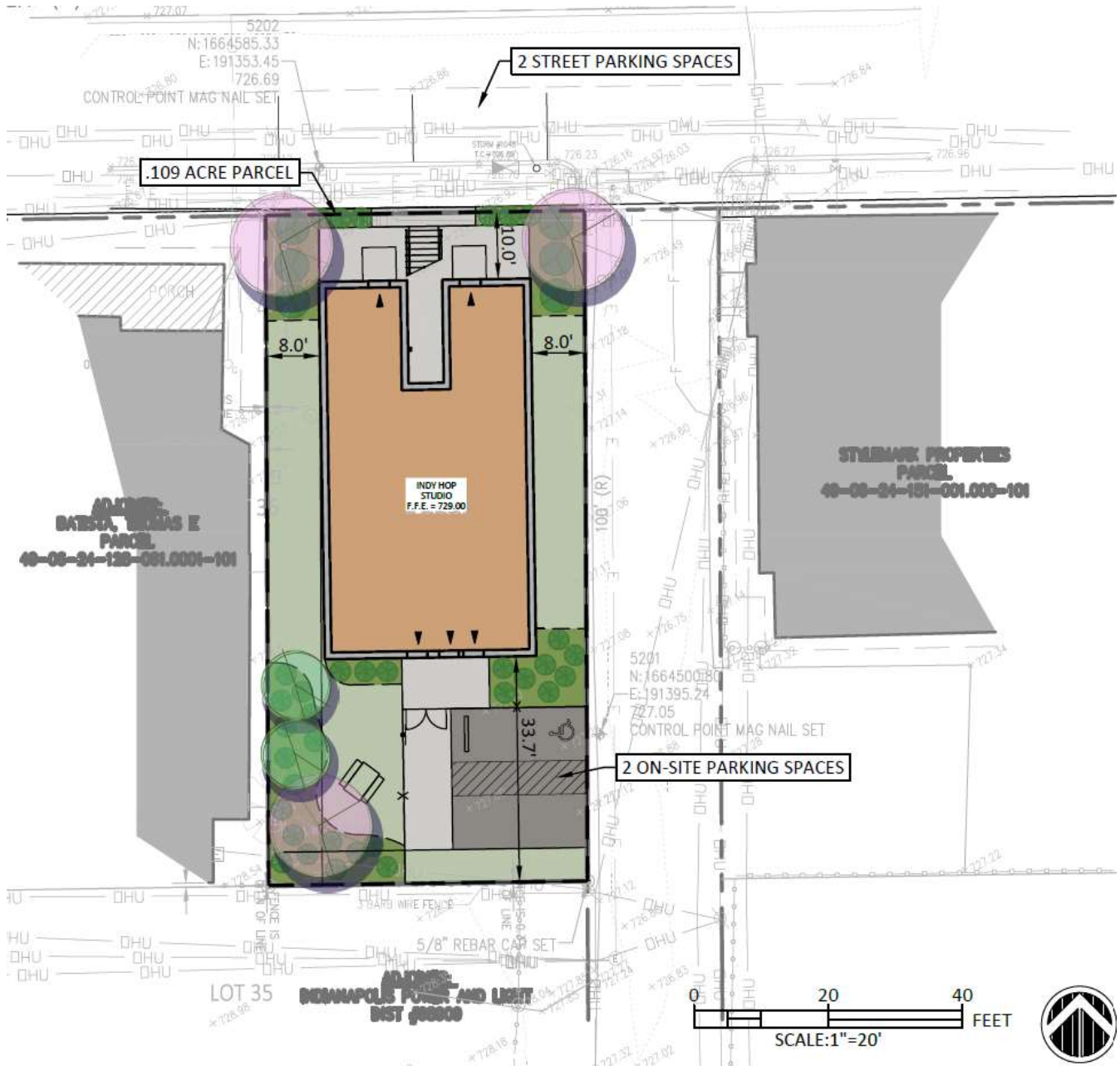
66-Z-39; Rear part of 3355 North Pennsylvania and 3350-3351 North Pennsylvania (south of site), Rezoning of 0.50 acre being in U1-H1-A1 district to U3-H1-A1 classification to provide for the expansion of the existing substation, **approved**.

EXHIBITS



AERIAL MAP

SITE PLAN



CLEAR SIGHT TRIANGLE.



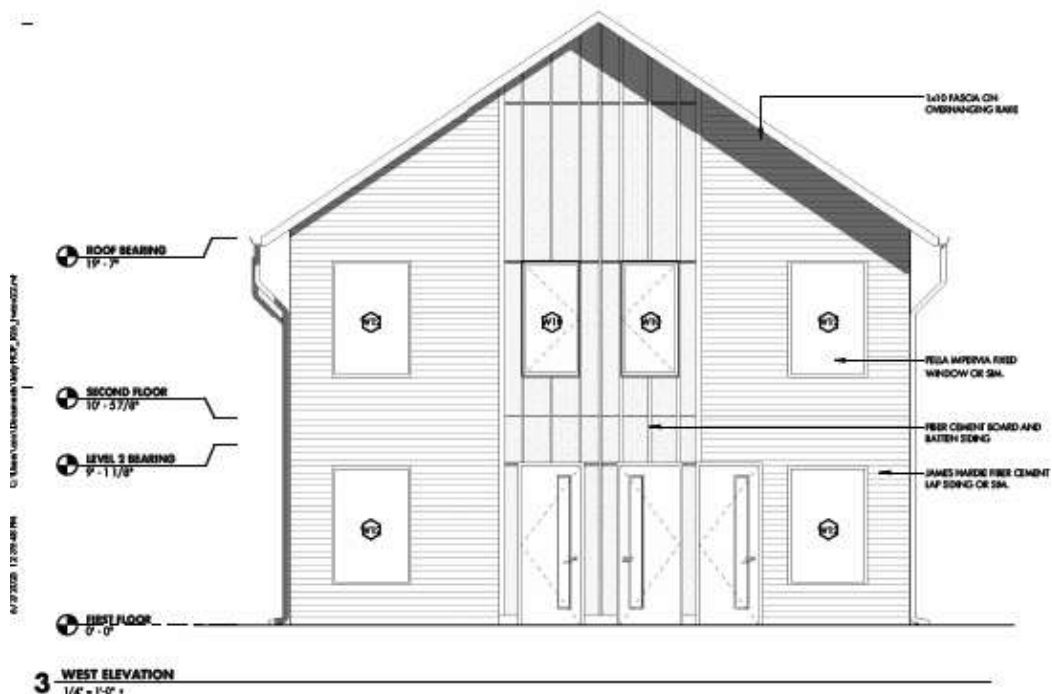
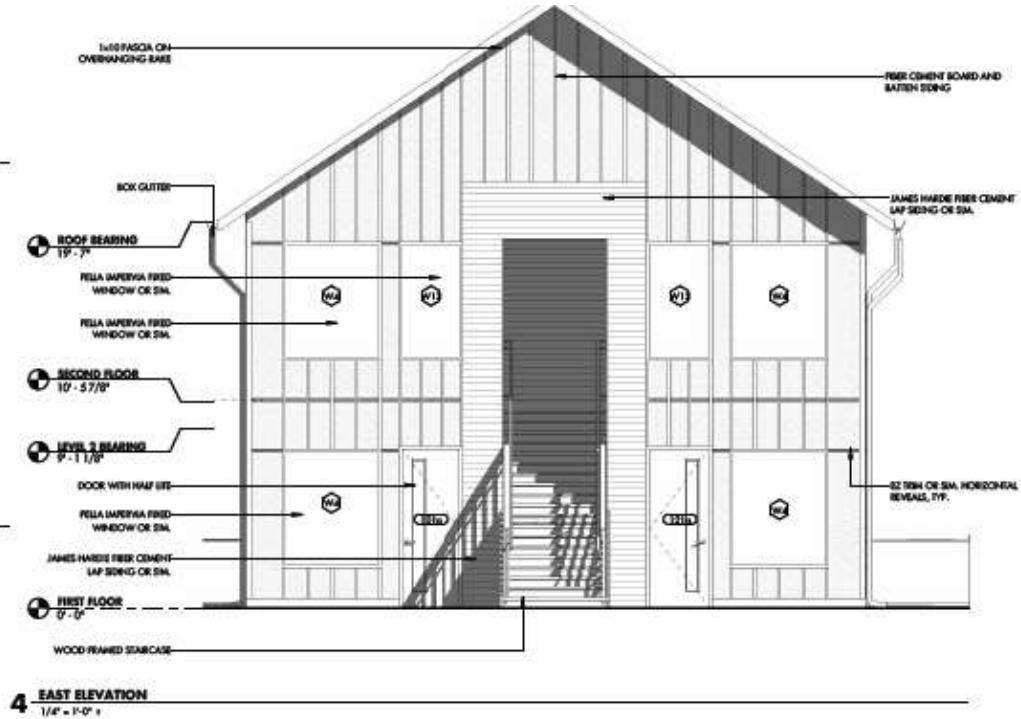
FIRST FLOOR PLAN



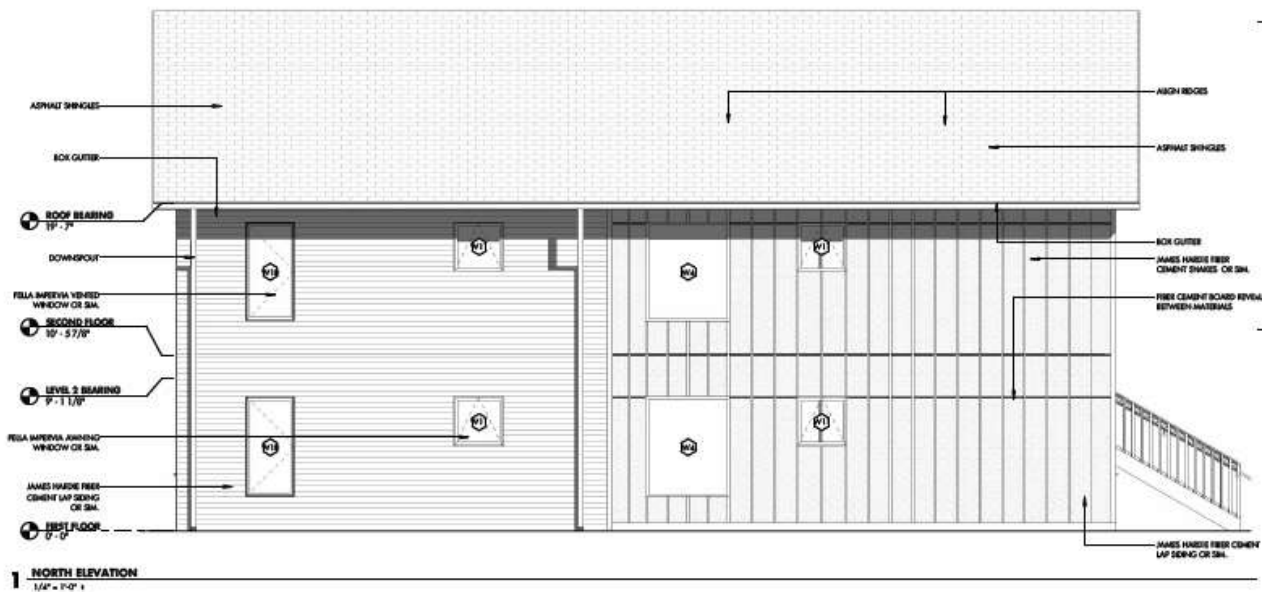
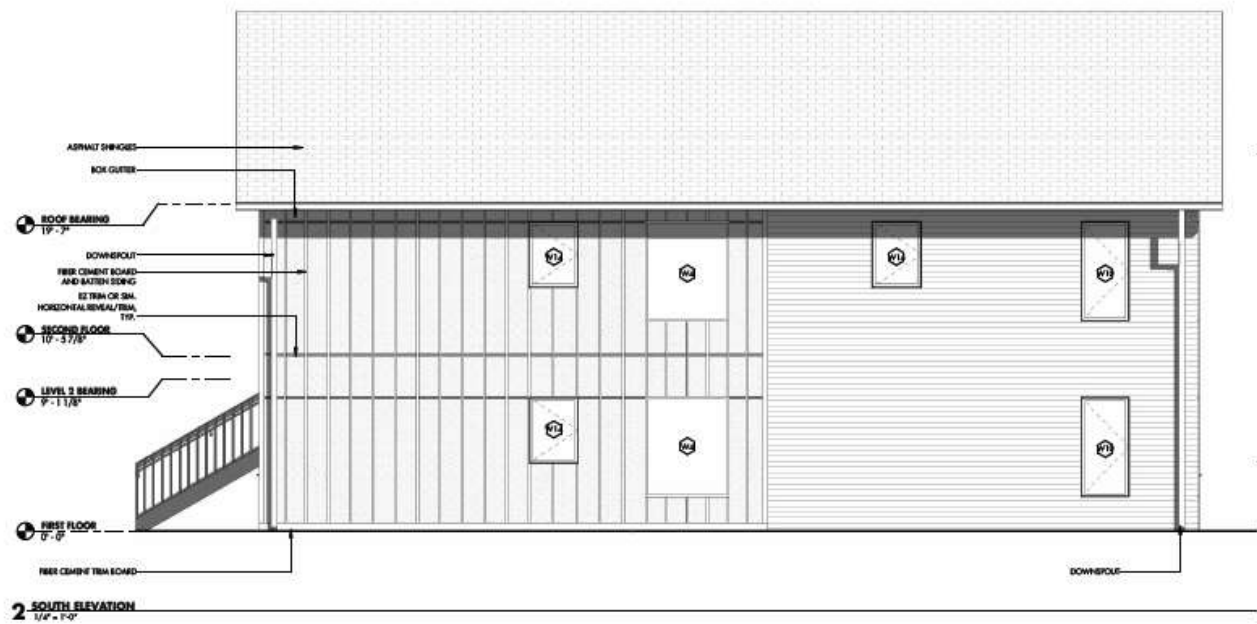
SECOND FLOOR PLAN



ELEVATIONS



ELEVATIONS (Continued)



STATEMENT OF COMMITMENTS

COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN CONNECTION WITH 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 COMMITMENTS concerning the use and development of that parcel of real estate:

Legal Description:

47 ½ feet by parallel lines off the East end of Lot No. 36, in Atkins and Perkins University Place Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 9, page 193, in the Office of the Recorder of Marion County, Indiana. Parcel # 1067996/49-06-24-128-059.000-101, 127 East 34th Street

Statement of COMMITMENTS:

1. The owner agrees to abide by the Open Occupancy and Equal Employment Opportunity Commitments required by Metropolitan Development Commission Resolution No. 85-R-69, 1985, which commitments are attached hereto and incorporated herein by reference as Attachment "A".
2. The Owner agrees that parked cars on the property shall not encroach upon or impede the east alley with a variance of development standards reduction of parking buffer from 5' to zero feet.
3. _____
4. _____
5. _____

MDC's Exhibit D -- page 1 of 3



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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 site is a residential lot, formerly had a residence, and is immediately adjacent to a D-5 zoning district.

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 site is a residential lot, formerly had a residence, is immediately adjacent to a D-5 zoning district and similar sized multifamily buildings.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:
Four-unit residential use is not allowed in the current C-1 designation.

DECISION

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

Adopted this _____ day of _____, 20 ____

Department of Metropolitan Development
Division of Planning
Current Planning



Photo of the subject site.



Photo of the subject site looking northwest from the alley.



Photo of the property east of the site.



Photo of the property west of the site.



Photo of the parking lot and associated church to the north.



Photo of an electrical substation south of the site.