



Metropolitan Development Commission Hearing Examiner (January 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, January 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. 2024-ZON-083 | 1627, 1631 and 1635 Woodlawn Avenue

Center Township, Council District #18

Indy Real Estate Consulting, LLC, by David Kingen and Emily Duncan

Rezoning of 0.51-acre from the D-5 (TOD) district to the D-8 (TOD) district to allow for a multi-family structure.

****Staff request for continuance to February 27, 2025, with Notice**

2. 2024-ZON-101 (Amended) | 1820 South Arlington Avenue

Warren Township, Council District #20

Prime USA, Inc., by David Gilman

Rezoning of 22.02 acres from the D-A (FF) to the D-S (FF) district to provide for single-family residential development.

****Petitioner request for continuance for cause to February 27, 2025**

3. 2024-ZON-131 | 5820 South Emerson Avenue

Perry Township, Council District #24

IN Indianapolis Emerson, LLC, by Joseph D. Calderon

Rezoning of 21.23 acres from the C-1, C-3, and D-A districts to the D-5II district to provide for townhome and duplex development.

****Automatic Continuance to February 27, 2025, filed by Registered Neighborhood Organization**

4. 2024-ZON-144 | 7500 South Sherman Drive

Perry Township, Council District #24

Eugene and Elsie J. Daulton, by Elizabeth Bentz Williams and Russell L. Brown

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

****Automatic Continuance to February 27, 2025, filed by Registered Neighborhood Organization**

5. 2024-ZON-146 | 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.

****Petitioner request for continuance for cause to March 27, 2025**

- 6. 2024-ZON-147 | 10550 and 10100 Maze Road, 10535 East McGregor Road, and 8351 South Mitthoefer Road**
Franklin Township, Council District #25
Maze Family Farm, LLC., Paul L. Walton, Cheryl H. Walton, Christopher D. Reed, and Kimberly K. Reed, by Tony Bagato

Rezoning of 195.766 acres from the D-A (FF) (FW) district to the D-4 (FF) (FW) classification to provide for a single-family residential development.

****Automatic Continuance to February 27, 2025, filed by a Registered Neighborhood Organization**

- 7. 2024-CZN-843 / 2024-CAP-843 / 2024-CPL-843 | 6243 East Washington Street**
Warren Township, Council District #14
Tallen Capital Partners, LLC, by Joseph D. Calderon

Rezoning of 6.91 acres from the C-4 district to the MU-2 district to provide for a mixed-use development.

Modification of Commitments related to 2023-PLT-064 to delete Commitment #2(g) and replace with: "Liquor store", except for a retail store, warehouse store or big box store selling beer, wine and spirits of 10,000 square feet of gross leasable area or larger, including, but not limited to retailers: Bev Mo, Binny's, Total Wine, etc., will be allowed to operate upon the Property. In addition, any pharmacy and/or grocery store, hybrid market, mass merchandiser and/or big box retailer such as Target, Walmart, Meijer's, etc., may sell beer, wine and spirits, and Modify Commitment 3 to strike: "There shall be a maximum of two (2) drive-through accessory units on Lots which have buildable frontage on East Washington Street."

Approval of a Subdivision Plat to be known as Amended Irvington Plaza Redevelopment Primary Plat, dividing 15.75 acres into seven lots.

****Automatic Continuance to February 27, 2025, filed by Petitioner**

- 8. 2024-CZN-850 / 2024-CVR-850 | 601 South Tibbs Avenue**
Wayne Township, Council District #17
D-5 (FF)
Dave's Mechanic Shop, LLC, by David Kingen and Justin Kingen

Rezoning of 0.93-acre from the D-5 (FF) district to the I-2 (FF) district to provide for an auto repair shop.

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling in an I-2 district (not permitted) and provide for an automobile, motorcycle, and light vehicle service or repair in an I-2 district (not permitted), with a 10-foot front transitional yard (30 feet required), a zero-foot north side transitional side yard and a five-foot south side transitional yard (30 feet required) and a five-foot rear transitional yard (30 feet required).

****Petitioner request for continuance for cause to February 27, 2025**

- 9. 2024-CZN-853 / 2024-CVR-853 | 420 West 40th Street**
Washington Township, Council District #7
Edith Glover, by Lester Wiley Carver

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

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish an existing surface parking lot, with a zero-foot front transitional yard setback, with landscaping within the right-of-way (minimum ten-foot transitional yard with landscaping on subject parcel required), a 7.6-foot west side transitional yard setback (minimum ten-foot side yard transitional yard required), and a zero-foot east transitional yard setback with landscaping within the right-of-way (minimum ten-foot transitional yard with landscaping on subject parcel required).

****Staff request for continuance for cause to February 27, 2025**

10. 2024-CVR-855 / 2024-CPL-855 | 1527 East 12th Street

Center Township, Council District #13

D-8 (FF) (FW)

Tyler and Natalie Sadek, by Paul J. Lambie

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for two detached single-family dwellings, each with a front building line of 26 feet (front building line range between 10 feet of 19.9 feet required).

Approval of a Subdivision Plat to be known as Replat of Lot 29 in Milligan's Park Lane Addition, subdividing 1.878 acres into three lots.

****Automatic Continuance to February 27, 2025, filed by a Registered Neighborhood Organization**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

11. 2024-APP-030 | 8220 Naab Road

Washington Township, Council District #1

HD-2

SPT IVEY 8220 Naab Rd MOB c/o Cornerstone Companies, Inc., by Doug Staley, Jr.

Hospital District-Two Approval to provide for a non-illuminated wall sign on the north elevation of an existing building.

12. 2024-APP-031 | 5700 East 23rd Street

Warren Township, Council District #9

PK-1

City of Indianapolis, Department of Parks, and Recreation, by Henry Woodburn

Park District-One Approval to provide for a new playground, sidewalks, a shade structure, parking area, pickleball courts, locations for future improvements, and drainage improvements.

13. 2024-MOD-025 | 5244 Shelbyville Road

Franklin Township, Council District #24

D-P

ICJ Homes LLC, by Joseph D. Calderon

Modification of Development Statement of 2021-ZON-047 to remove all references to "Condominium" or Horizontal Property Regime" in order to construct two-family dwellings and to plat each lot.

14. 2024-ZON-126 | 1602 and 1604 Arsenal Avenue and 1426 East 16th Street

Center Township, Council District #13

Elizabeth & Micheal Simmons, by Reinhard Pollach

Rezoning of 0.18-acre from the C-5 district to the D-8 district to provide for residential uses.

15. 2024-CVR-841 (Amended) / 2024-CPL-841 | 3359 Carrollton Avenue

Center Township, Council District #8

D-5

INDYCHEN, LLC, by David Gilman

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a multi-unit dwelling with a five-foot corner side yard for the dwelling along 34th Street on Lot 1 (minimum eight-foot corner side yard required).

Approval of a Subdivision Plat, to be known as Osgood Carrollton Estate, subdividing 0.27-acre into two lots.

16. 2024-CZN-842 (Amended) | 2147 Columbia Avenue (vacant portion only) and 1315 East 22nd Street

Center Township, Council District #13
Keyon Johnson and K & D Epic Holdings, LLC, by David Gilman

Rezoning of 0.13-acre from the I-3 district to the D-8 district to provide for a four-unit dwelling.

17. 2024-CAP-848 / 2024-CPL-848 / 2024-CVR-848 (Amended) | 7511 New Augusta Road

Pike Township, Council District #1
D-5II and D-6II
Ashton Apartments, LLC, by Elizabeth Bentz Williams, AICP

Modification of commitments related to 2018-ZON-106 commitments 1, 2, 4, 5, 6, 8, 11, 15, and 17 to allow for attached dwellings rather than senior-restricted apartments.

Approval of a Subdivision plat to be known as August Village Subdivision, dividing 25.988 acres into 184 lots, with a waiver from Sec 741-301-2 to modify the amenity requirements.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for row house lots, with front-loaded garages (for lots within the D-5II) exceeding 45% of the front façade (not permitted), with reduced landscaped living material in the front yard (minimum 65% living material required).

18. 2024-CVR-854 / 2024-CPL-854 | 5930 Shelby Street

Perry Township, Council District # 22
D-1
Kathy Clements, by Pat Rooney

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for an attached dwelling structure, with proposed Parcel One with a lot area of 11,467 square feet, a 28.5-foot front setback, a 17.4-foot rear yard setback, and a zero-foot south side yard setback (minimum 24,000-square foot lot area required, 30-foot front setback, 25-foot rear setback and a minimum eight-foot side yard required), and for proposed Parcel Two with a lot area of 22,715 square feet, 29-foot front setback, 16.8-foot rear yard setback, and a zero-foot north side yard setback (minimum 24,000-square foot lot area required, 30-foot front setback, 25-foot rear setback and a minimum eight-foot side yard required).

Approval of a Subdivision Plat, to be known as Replat of Lot 117 William L. Elders Edgewood Addition, dividing 0.78-acre, into two lots.

19. 2024-CAP-857 / 2024-CVR-857 | 2025 Dugan Drive

Washington Township, Council District #1
St. Vincent Hospital and Health, by Kandyn Leach

Hospital District-One Approval to provide for replacement building identification and wayfinding signage for a Donor House.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a replacement monument sign within the clear-sight triangle and within the 10-foot front yard setback (not permitted within the clear-sight triangle, and a minimum 10-foot front setback required).

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

20. 2024-MOD-020 | 431 South Shortridge Road

Warren Township, Council District #20
C-S
Bhullar Deol Properties, Inc., by Justin Kingen and David Kingen

Modification of Commitments related to 2022-CZN-868 to modify Commitment #13 to allow the property to seek a catering hall liquor license for private events (current commitment does not allow for a liquor license to be issued on the site).

21. 2024-ZON-073 / 2024-ZON-073B | 2155 Kessler Boulevard, West Drive

Washington Township, Council District #2
Broadmoor Investments, LLC, by Russell L. Brown

Rezoning of 6.01 acres from the SU-34 (FF) district to the D-4 (FF) district to provide for residential uses.

Rezoning of 7.68 acres from the SU-34 district to the D-5II district to provide for residential uses.

22. 2024-ZON-132 / 2025-VAR-001 (Amended) | 3702-3744 North Keystone Avenue

Center Township, Council District #19
Fortified Group, LLC, by Dale Pruitt

Rezoning of 1.61 acres from the C-3 (TOD) (W-5) and D-5 (TOD) (W-5) districts to the MU-2 (TOD) (W-5) district to provide for a 95-unit multi-family complex and mixed-use development.

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a five-story, Large Mixed-Use development (maximum three stories, Large Mixed-Use development not permitted), with a height of 68 feet (maximum height of 44 feet permitted).

23. 2024-ZON-135 | 11700 and 11850 East 38th Street and 4002 North Carroll Road

Lawrence Township, Council District #15
Laibe & Russell Investment LLC, by Mark and Kim Crouch

Rezoning of 46.77 acres from the D-5 (FF) district to the D-4 (FF) district to provide for a single-family detached residential development.

24. 2024-ZON-137 | 1137 West 21st Street

Center Township, Council District #12
Riverside Renewal, LLC, by Josh Smith

Rezoning of 0.4-acre from the I-2 district to the D-8 classification to provide for residential uses.

25. 2024-ZON-138 | 7947 Camby Road

Decatur Township, Council District #21
Arbor Homes, by Domonic Dreyer

Rezoning of 22.88 acres from the D-A district to the D-4 district to provide for residential uses.

26. 2024-ZON-139 | 1135 and 1141 North Tacoma Avenue

Center Township, Council District #13
Ariana & Joel D. Mathews, by Paul J. Lambie

Rezoning of 0.36-acre from the D-5 district to the D-5II classification to provide for residential uses.

27. 2024-CVR-838 (2nd Amended) / 2024-CPL-838A (Amended) / 2024-CPL-838B (Amended) | 2451 – 2682 West 78th Street, 7649 – 7757 (odd) Diamond Street, 2822 – 2863 Emerald Street, 2801 – 2936 Moonstone Street, 2808 – 2863 Ruby Boulevard, and 7650 – 7740 (even) Walnut Drive

Pike Township, Council District #1
D-5
Apex Realty Group, by David A. Retherford

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for:

- a. Construction of 20% of the dwelling units, depending on the home model, at three stories in height (maximum 2.5 stories in height permitted),
- b. Minimum lot size ranging from 4,945 square feet to 4,998 square feet for up to 23 lots (minimum lot size of 5,000 square feet required),
- c. Side yard setback of four feet for Phase 2 Lots 2, 10, and 18 in Block R, Lot 14 in Block J, Lots 1, 2, 8, 16, 17, and 18 in Block S, Lot 7 in Block I, Lot 1 in Block A, Lot 13 in Block T, Lot 17 in Block Y, and Lot 18 in Block X, and for Phase 3 Lot 16 in Block A-A (minimum side yard setback of five feet required),
- d. A side yard setback of three feet for Phase 2 Lot 9 in Block S and for Phase 3 Lot 11 in Block C-C (minimum side yard setback of five feet required),
- e. Corner side yard setbacks of five feet for all corner lots (minimum corner side yard setback of eight feet required),
- f. Construction of some dwelling units, depending on the home model, with front-loaded garages of up to 67% of the front façade (maximum 30% of the front façade, if within 12 feet of the front building line, or 45% of the front façade if behind 12 feet of the front building line permitted),
- g. 60% landscaped living material in the front yard (minimum 65% landscaped living material in the front yard required),

h. Minimum main floor area of 550 square feet of livable space on the main floor of a dwelling over one story in height (minimum 660 square feet of livable space on the main floor of a dwelling over one story in height required).

Approval of a Subdivision Plat, to be known as Augusta Heights, Phase 2, dividing 12.28 acres into 84 lots, with a waiver of the amenity requirements.

Approval of a Subdivision Plat, to be known as Augusta Heights, Phase 3, dividing 3.88 acres into 32 lots, with a waiver of the amenity requirements.

PETITIONS FOR PUBLIC HEARING (New Petitions):

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.



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
Hearing Examiner

Case Number: 2024-ZON-083

Property Address: 1627, 1631 and 1635 Woodlawn Avenue

Location: Center Township, Council District #18

Petitioner: Indy Real Estate Consulting, LLC, by David Kingen and Emily Duncan

Current Zoning: D-5

Request: Rezoning of 0.51 acres from the D-5 district to the D-8 district to allow for multi-family structures.

Current Land Use: Residential development

Staff Recommendations: Denial.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the August 15, 2024 hearing, to the September 12, 2024 hearing, at the request of staff to provide additional time for the petitioner’ representative to submit additional information.

The Hearing Examiner continued this petition from the September 12, 2024 hearing, to the October 24, 2024 hearing, to the December 19, 2024 hearing, and to the January 23, 2025 hearing, at the request of the petitioner’s representative to submit additional information.

On December 9, 2024, the petitioner’s representative submitted an amended site plan that would provide for a duplex with a detached garage on each of the three lots. Discussions between staff and the petitioner’s representative have occurred but nothing new has been submitted to the file.

The Hearing Examiner continued this petition from the December 19, 2024 hearing, to the January 23, 2025 hearing, at the request of the petitioner’s representative to provide additional time for consideration of the request.

The most recent submitted documents would require an amended rezoning request and a possible companion petition for variances of development standards. Consequently, this petition would need to be **continued from the January 23, 2025 hearing, to the February 27, 2025 hearing, with notice.**



STAFF RECOMMENDATION

Denial. But if approved, staff would request that 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:

Final site plan and elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).

PETITION OVERVIEW

This 0.51-acre site, zoned D-5, is comprised of three parcels each developed with a single-family dwelling (according to the Assessor's Office). It is surrounded by single- and multi-family dwellings to the north, across Woodlawn Avenue, zoned D-5; undeveloped land, a vacant commercial structure and a single-family dwelling to the south, zoned C-4; and single-family dwellings to the east and west, zoned D-5.

Petition 2021-DV2-017 requested variances of development standards to provide for five lots with reduced lot area, lot width, street frontage and separation between structures. The petition was denied.

This request would rezone all three parcels to the D-8 (Walkable Neighborhood) District. "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."

The Comprehensive Plan recommends traditional neighborhood typology, which is a living typology that is primarily residential neighborhoods - places where people live. They may have some other uses mixed in, such as small shops, schools, or places of worship, but homes are the priority in these typologies.

Site Plan

The site plan, file-dated August 20, 2024, provides for two buildings consisting of four townhomes on the easternmost and westernmost parcels. Two detached garages with four spaces would be located south of each of these buildings with access from the east / west alley.

A duplex would be constructed on the middle parcel with attached garages accessed from the alley. This building would be located on the southern portion of the parcel with open space on the northern portion of the parcel resulting in a courtyard configuration. There would be a total of 10 dwelling units, 10 off-street parking spaces and seven on-street parking spaces along Woodlawn Avenue.



Analysis

The request would be consistent with the Comprehensive Plan but not the recommendations and guidelines of the Pattern Book. The design and site plan provide for development that would not be consistent with the neighborhood character of primarily one and two-story single- and two-family dwellings. The introduction and mass of three-story townhomes and would, in fact, be detrimental to the surrounding land uses.

Staff believes that this site would be representative of a terrace frontage that would lend itself to single-family dwellings and duplexes within this neighborhood, rather than the proposed courtyard with attached townhomes that would be classified as neighborhood yard frontage located along higher speed or higher volume streets.

In other words, as proposed this development would be contrary to the Pattern Book, Infill Housing Guidelines and the intent of the transit-oriented overlay and would be disruptive to the existing neighborhood architectural pattern.

Staff also believes that the two proposed four-space detached garages would not be functional in terms appropriate space for maneuverability.

Staff believes that proposed site plan providing for ten dwelling units with two detached four-space garages represent over development of this site originally platted for three single-family dwellings.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Single-family dwellings	
Comprehensive Plan	Traditional Neighborhood Typology	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North:	D-5 Single-family dwellings
	South:	C-4 Vacant land / commercial building / single-family dwelling
	East:	D-5 Single-family dwelling
	West:	D-5 Single-family dwelling
Thoroughfare Plan		
Woodlawn Avenue	Local Street	Existing 60-foot right-of-way and proposed 48-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Transit-Oriented Development	
Wellfield Protection Area	No	



Site Plan	June 13, 2024
Site Plan (Amended)	August 20, 2024 and December 19, 2024
Elevations	June 13, 2024
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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



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- *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.
- *Attached Housing (defined Duplexes, triplexes, quads, townhouses, row houses, stacked flats, and other, similar legally complete dwellings joined by common walls and typically with each unit on its own lot or part of a condominium.)*
 - **Duplexes should be located on corner lots**, with entrances located on different sides of the lot.
 - 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.
- *Modified Uses – Transit-Oriented Development Overlay*
 - Attached Housing - A residential density of 15+ units per acre is recommended.

Red Line / Blue Line / Purple Line TOD Strategic Plan

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



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- This site is located within a ½ mile walk of a transit stop (Fountain Square) located at the intersection of Virginia Avenue and Woodlawn Avenue with a District Center typology.
- 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

- Not Applicable to the Site.

Infill Housing Guidelines

The Infill Housing Guidelines (2021)

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



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Division of Planning
Current Planning

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

Indy Moves

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

- The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”
- The following listed items describe the purpose, policies and tools:
 - Classify roadways based on their location, purpose in the overall network and what land use they serve.
 - Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
 - Set requirements for preserving the right-of-way (ROW)
 - Identify roadways for planned expansions or new terrain roadways
 - Coordinate modal plans into a single linear network through its GIS database



ZONING HISTORY

2021-DV2-017, 1627, 1631 and 1635 Woodlawn Avenue, requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for five 4,300-square foot lots with 24 feet of street frontage and lot width and six feet between dwellings, **denied**.

VICINITY

2020-HOV-002; 1528 Woodlawn Avenue (northwest of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a covered deck over an existing porch with a seven-foot front setback (18-foot front setback or average), **granted**.

2019-PLT-024; 1021 South State Avenue (east of site), requested approval of a Subdivision Plat to be known as State Avenue Subdivision, A replat of Lot Seven in Morris and Mills Subdivision, dividing 0.15 acre into two single-family attached lots, **granted**.

2018-DV3-036; 1529 Woodlawn Avenue (west), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for two single-family dwelling lots with 4,208 square-foot lot sizes and 22.5-foot lot widths (minimum lot size of 5,000 square feet required, minimum lot width of 50 feet required), to legally establish existing single-family dwelling on each lot with front yard setbacks of 4.8 feet, side yard setbacks of ranging from one-two feet, and distance between dwellings ranging from 1.7 feet to three feet (front yard setback of 18 feet or average required, three-foot side yard setback required, minimum 10 feet between dwellings required), and to provide for a detached garage at 1531 Woodlawn Avenue with west side setback of 2.6 feet (three-foot side yard setback required), **granted**.

2018-DV1-041; 1715 Woodlawn Avenue (northeast of site), requested variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling, with five feet between dwellings (10 feet between dwellings), **granted**.

2018-HOV-053; 1724 Prospect Street (southeast of site), requested a variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish and provide for primary and accessory single-family residential uses (not permitted), including, but not limited to a single-family dwelling with a zero-foot west side transitional yard and a detached garage with an eight-foot west side transitional yard and a two-foot north rear transitional yard, (10-foot side transitional yard and eight-foot north rear transitional yard required), **granted**.

2018-HOV-090; 935 Spruce Street (northwest of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached garage, creating an open space of 50% (60% required), **granted**.

2018-PLT-071; 1529 and 1531 Woodlawn Avenue (west of site), requested approval of a Subdivision Plat, to be known as Replat of Lot 246 in ET SK & AE Fletcher's Woodlawn Suburb, dividing 0.20 acre into two lots, **granted**.



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2018-ZON-136; 1622 Prospect Street (southwest of site), requested rezoning of 0.16 acre from the C-4 district to the D-5 classification, **approved**.

2017-UV1-024; 1618 Prospect Street (southwest of site), requested a variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for primary and accessory single-family residential uses, including, but not limited to, a single-family dwelling, with a secondary dwelling above a detached garage (not permitted), **withdrawn**.

2017-ZON-092; 1618 Prospect Street (southwest of site), requested rezoning of 0.18 acre from the C-4 district to the D-5 classification, **approved**.

2016-DV1-024; 939 Spruce Street (northwest of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance, to permit the construction of a dwelling and porch addition and a detached garage, with a five-foot front setback from Woodlawn Avenue and three-foot rear setback (18-foot front setback and five-foot rear setback required), creating a 36% open space (60% open space required), **granted**.

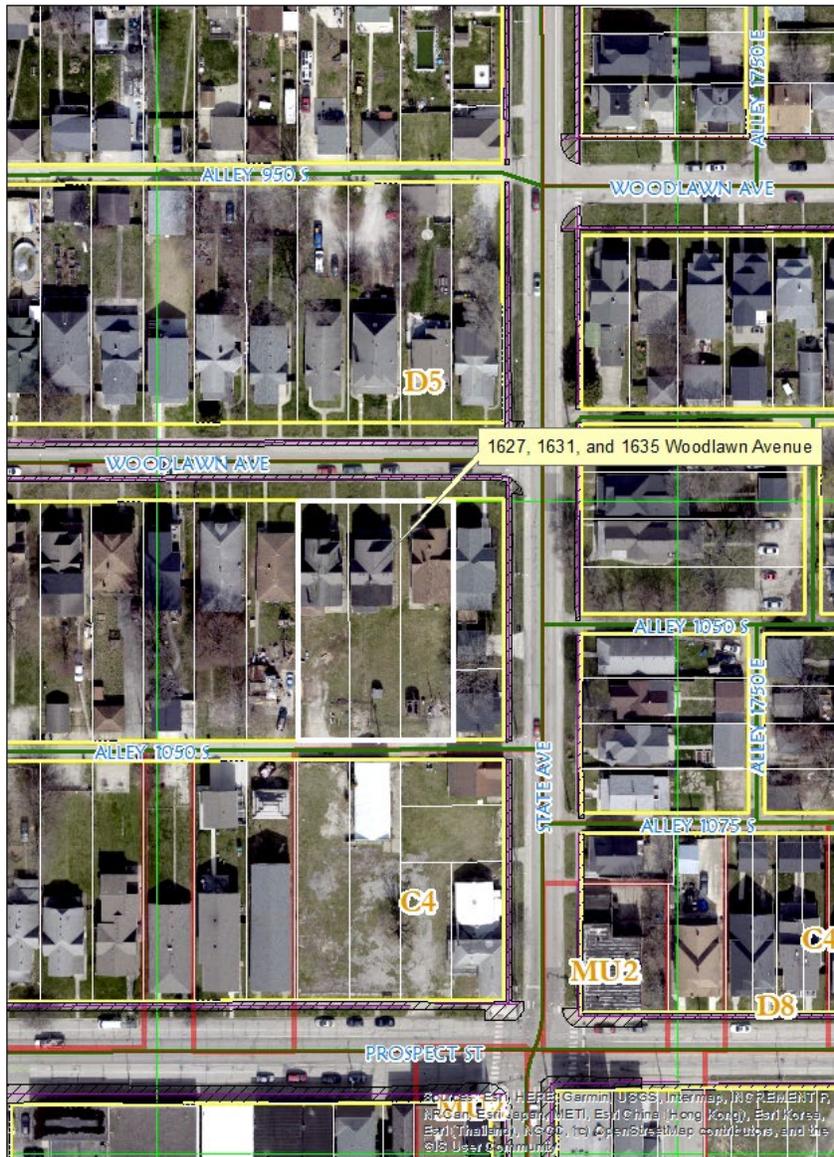
2016-PLT-044; 1714 and 1720 Prospect Street (southeast of site), Approval of a Subdivision Plat, to be known as Replat of Lots Three and Four in D.B. Hosbrooks Subdivision in Dunlap's Addition, dividing 0.26 acre, into four single-family attached lots, **granted**.

2016-ZON-045; 1714 Prospect Street (southeast of site), requested rezoning of 0.13 acre from the C-4 district to the D-8 classification, **approved**.

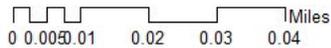
2014-ZON-031; 1702 Prospect Street (southeast of site), requested rezoning of a property, being in the C-4 District, to the C-3C classification, **approved**.

97-Z-95; 1542, 1602-1610 East Prospect Street (southwest of site), requested rezoning of 0.69 acre, being in the C-4 District, to the D-8 classification to provide for residential uses, **approved**.

EXHIBITS



1627 1631 and 1635 Woodlawn Avenue



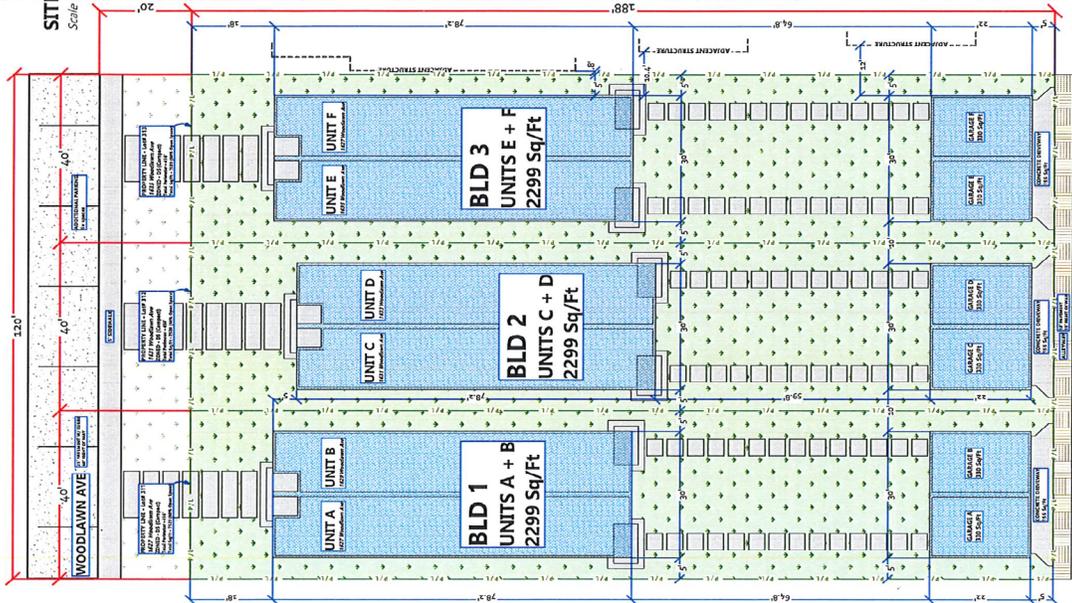
Updated Site Plan – December 19, 2024

SM - 1

SITE MAP
 Scale: 1" = 10'

SQUARE FOOTAGE TABLE

STRUCTURAL FOOTPRINT	
TOTAL PROPOSED STRUCTURAL FOOTPRINT (Main Structures + Gangways + Entry Pitches)	9021 sq/ft (8007 sq/ft Per Lot)
TOTAL PROPOSED STRUCTURAL FOOTPRINT (Schedules + Stairs)	2391 sq/ft (783 sq/ft Per Lot)
TOTAL PROPOSED CONCRETE DRIVEWAY FOOTPRINT (Spanning all lots)	485 sq/ft (158 sq/ft Per Lot)
TOTAL SITE SQUARE FOOTAGE	
TOTAL PROPERTY SQUARE FOOTAGE - 1827 Woodlawn Ave (BLD 1)	7520 sq/ft (8007 sq/ft Proposed Structural Footprint)
TOTAL PROPERTY SQUARE FOOTAGE - 1827 Woodlawn Ave (BLD 2)	7520 sq/ft (8007 sq/ft Proposed Structural Footprint)
TOTAL PROPERTY SQUARE FOOTAGE - 1827 Woodlawn Ave (BLD 3)	7520 sq/ft (8007 sq/ft Proposed Structural Footprint)
TOTAL PROPERTY SQUARE FOOTAGE - 1827 Woodlawn Ave (BLD 1, 2, 3)	22599 sq/ft (24021 sq/ft Proposed Structural Footprint)
PERCENTAGE OF COMBINED PROPERTY SQUARE FOOTAGE COVERED BY PROPOSED COMBINED STRUCTURAL FOOTPRINT	40% (89% Open Space)



SM - 1 SITE MAP

SITE MAP NOTES

THREE DRAWINGS ARE INTENDED TO OBTAIN THE GENERAL SCOPE OF THE WORK. CONTRACTORS SHALL ALSO BE RESPONSIBLE FOR ADHERING TO ALL APPLICABLE CODES AND GENERALLY ACCEPTED TRADE PRACTICES.

CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, INCLUDING BUT NOT LIMITED TO: MECHANICAL, ELECTRICAL, AND PLUMBING SUB-CONTRACTORS, AS WELL AS LOCAL UTILITIES COMPANIES AS REQUIRED TO PROVIDE SERVICES.

CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, INCLUDING BUT NOT LIMITED TO: MECHANICAL, ELECTRICAL, AND PLUMBING SUB-CONTRACTORS, AS WELL AS LOCAL UTILITIES COMPANIES AS REQUIRED TO PROVIDE SERVICES.

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MAPINDY CONTOUR LINES (EXISTING)





RIVERA
 GROUP, LLC
1025 OLIVE STREET, INDIANAPOLIS, IN 46202
 317.576.7666 | www.riveragroup.com

CERTIFIED BY

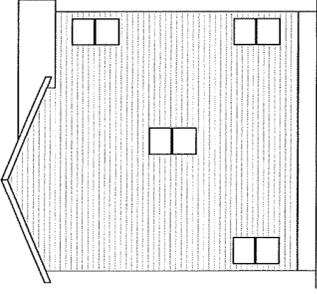
DRAWN BY
Tamar de la Paz

DATE
MAY 01, 2024

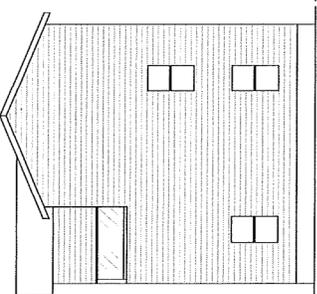
REVISION #
-

1635 Woodlawn Ave.
 INDIANAPOLIS, INDIANA, 46203

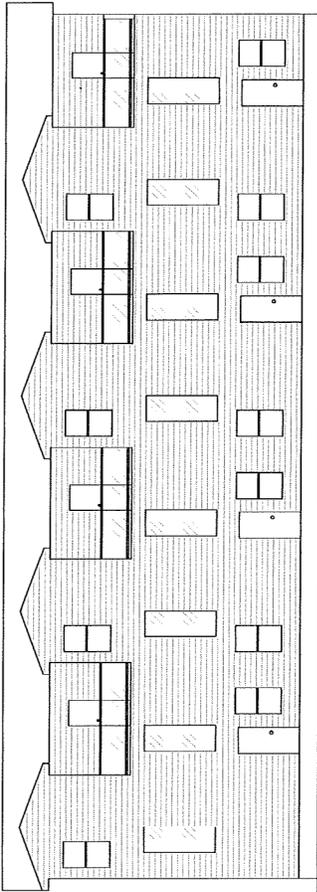
A5



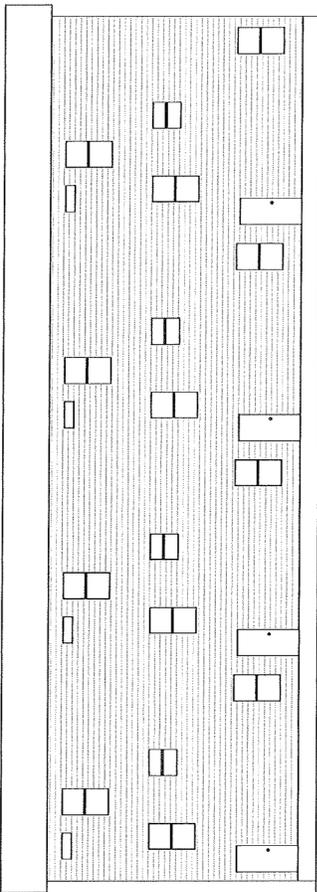
PROPOSED NORTH ELEVATION



PROPOSED SOUTH ELEVATION



PROPOSED WEST ELEVATION



PROPOSED EAST ELEVATION

PROPOSED Elevations
 SCALE 3" = 32'



NORTH



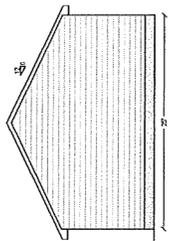
RIVERA
 GROUP, LLC
 12345678901 (INDIANAPOLIS, IN 46201)
 (317) 234-5678 | www.riveragroup.com

CERTIFIED BY _____

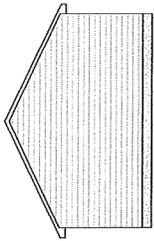
DRAWN BY **Tamar de la Paz**
 DATE **MAY 01, 2024**
 REVISION # **A**

1635 Woodlawn Ave.
 INDIANAPOLIS, INDIANA, 46203

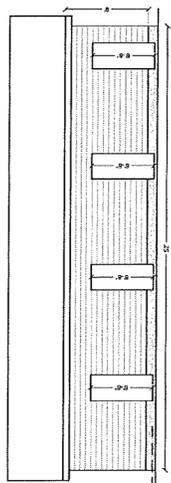
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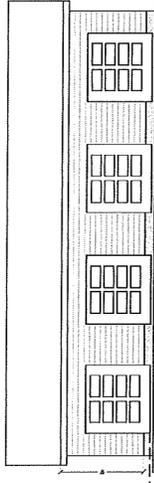
PROPOSED NORTH ELEVATION



PROPOSED SOUTH ELEVATION



PROPOSED EAST ELEVATION



PROPOSED WEST ELEVATION

PROPOSED Elevations
Garage
 SCALE: 3" = 32'



NORTH



View looking east along Woodlawn Avenue



View looking west along Woodlawn Avenue



View of existing dwelling (1627 Woodlawn Avenue) looking south



View of existing dwelling (1635 Woodlawn Avenue) looking south



View of existing dwelling (1631 Woodlawn Avenue) looking southeast ac



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-ZON-101 (Amended)

Property Address: 1820 South Arlington Avenue

Location: Warren Township, Council District # 20

Petitioner: Prime USA, Inc. by David Gilman

Request: Rezoning of 22.02 acres from the D-A (FF) district to the D-S (FF) district to provide for single-family residential development.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged a timely automatic continuance request filed by a registered neighborhood organization that continued this petition from the September 12, 2024 hearing, to the October 10, 2024 hearing.

The Hearing Examiner acknowledged a timely automatic continuance request filed by the petitioner’s representative that continued this petition from the October 10, 2024 hearing, to the November 14, 2024 hearing.

Because the petition was amended and required new notice, the Hearing Examiner continued this petition from the November 14, 2024 hearing, to the December 12, 2024 hearing.

The Hearing Examiner continued this petition from the December 12, 2024 hearing, to the January 23, 2025 hearing, to provide additional time for further discussions.

Staff understands that the petitioner’s representative will be requesting a **continuance from the January 23, 2025 hearing, to the February 27, 2025 hearing**, without notice, to provide additional time to submit a site plan and continue discussions with the neighbors and neighborhood organization. Staff would not object to the continuance.



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-ZON-131

Property Address: 5820 South Emerson Avenue

Location: Perry Township, Council District #24

Petitioner: IN Indianapolis Emerson LLC, by Joseph D. Calderon

Current Zoning: C-1, C-3, and D-A

Request: Rezoning of 21.33 acres from the C-1, C-3 and D-A districts to the D-5II district to provide for townhome and duplex development

Current Land Use: Undeveloped

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the December 12, 2024 hearing, to the January 9, 2025 hearing, and to the January 23, 2025 hearing, at staff’s request, to provide time for the petitioner’s representative to submit additional information requested by staff.

A timely automatic continuance was filed by a registered neighborhood organization **continuing this petition from the January 23, 2025 hearing, to the February 27, 2025 hearing.** This would require acknowledgement from the Hearing Examiner.



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**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

January 23, 2025

Case Number: 2024-ZON-144
Property Address: 7500 South Sherman Drive.
Location: Perry Township, Council District #24
Petitioner: Eugene and Elsie J. Dalton, by Elizabeth Bentz Williams and Russell L. Brown
Request: Rezoning of 61.55 acres from the D-A district to the D-3 district.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

A timely automatic **continuance was filed by a registered neighborhood organization that would continue this petition from the January 23, 2025 hearing, to the February 27, 2025 hearing.** This would require acknowledgement from the Hearing Examiner.



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-ZON-146

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: To be determined.

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

The petitioner submitted a written continuance for cause request to **continue this matter from the from the January 23, 2025, hearing to the March 27, 2025 hearing** to allow the petitioner time to consider construction plans and obtain cost estimates.

Staff has no objection to this first continuance request by the petitioner.

STAFF RECOMMENDATION

Staff recommendation to be determined.

PETITION OVERVIEW

This petition is to be continued to the March 27, 2025 hearing.



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-ZON-147

Property Address: 10550 and 10100 Maze Road, 10535 East McGregor Road, and 8351 South Mitthoefer Road (approximate address)

Location: Franklin Township, Council District #25

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

Request: Rezoning of 195.766 acres from the D-A (FF) (FW) district to the D-4 (FF) (FW) classification to provide for a single-family residential development

Staff Reviewer: Desire Irakoze, Principal Planner

CONTINUANCE

Franklin Township Civic League, Inc. has filed an Automatic Continuance, continuing this petition from the January 23, 2025, hearing, to the February 27, 2025, hearing. This will require the Board’s acknowledgement.



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**

Case Number: 2024-CZN-843 / 2024-CAP-843 / 2024-CPL-843
Property Address: 6243 East Washington Street (*Approximate Address*)
Location: Warren Township, Council District #14
Petitioner: Tallen Capital Partners, LLC, by Joseph D. Calderon
Rezoning of 6.91 acres from the C-4 district to the MU-2 district to provide for a mixed-use development.

Request: Modification of Commitments related to 2023-PLT-064 to delete Commitment #2(g) and replace with: “Liquor store”, except for a retail store, warehouse store or big box store selling beer, wine and spirits of 10,000 square feet of gross leasable area or larger, including, but not limited to retailers: Bev Mo, Binny’s, Total Wine, etc., will be allowed to operate upon the Property. In addition, any pharmacy and/or grocery store, hybrid market, mass merchandiser and/or big box retailer such as Target, Walmart, Meijer’s, etc., may sell beer, wine and spirits.;

And Modify Commitment 3 to strike: “There shall be a maximum of two (2) drive-through accessory units on Lots which have buildable frontage on East Washington Street.”

Approval of a Subdivision Plat to be known as Amended Irvington Plaza Redevelopment Primary Plat, dividing 15.75 acres into seven lots.

Staff Reviewer: Eddie Honea, Interim Current Planning Administrator & Principal Planner II

CONTINUANCE

An automatic continuance has been filed by the petitioner, continuing this to the February 27, 2025 hearing of the Hearing Examiner.

[EDH]



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-CZN-850 / 2024-CVR-850
Property Address: 601 South Tibbs Avenue
Location: Wayne Township, Council District #17
Petitioner: Dave’s Mechanic Shop, LLC, by David Kingen and Justin Kingen
Request: Rezoning of 0.96 acre from the D-5 (FF) to the I-2 (FF) district to provide for an auto repair shop.
 Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling in an I-2 district (not permitted) and provide for an automobile, motorcycle, and light vehicle service or repair in an I-2 district (not permitted), with a 10-foot front transitional yard (30 feet required), a zero-foot north side transitional side yard and a five-foot south side transitional yard (30 feet required) and a five-foot rear transitional yard (30 feet required).
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the timely automatic continuance filed by a City County Councilor that continued these petitions from the December 19, 2024 hearing, to the January 23, 2025 hearing.

The petitioner’s representative has requested a **continuance from the January 23, 2025 hearing, to the February 27, 2025 hearing**, without notice, to provide time for continued discussions with the City-County Councilor, neighborhood organizations and staff. Staff would have no objection to the continuance.



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-CZN-853 / 2024-CVR-853

Property Address: 420 West 40th Street (Approximate Address)

Location: Washington Township, Council District #7

Petitioner: Edith Glover, by Lester Wiley Carver

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

Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish an existing surface parking lot, with a zero-foot front transitional yard setback, with landscaping within the right-of-way (minimum ten-foot transitional yard with landscaping on subject parcel required), and a nine-foot east transitional yard setback (minimum ten-foot transitional yard required).

Current Land Use: Parking Lot

Staff Recommendations: To be determined.

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

Staff is requesting a continuance for cause request to **continue this matter from the from the January 23, 2025, hearing to the February 27, 2025 hearing** to allow time for the petitioner to provide staff with additional information for review.

STAFF RECOMMENDATION

Staff recommendation to be determined.

PETITION OVERVIEW

This petition is to be continued to the February 27, 2025 hearing.



**METROPOLITAN DEVELOPMENT COMMISSION
 HEARING EXAMINER**

January 23, 2025

Case Number: 2024-CVR-855/2024-CPL-855

Property Address: 1527 East 12th Street (approximate address)

Location: Center Township, Council District #13

Petitioner: Tyler and Natalie Sadek, by Paul J. Lambie

Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached single-family dwelling on proposed Lot 3, with a front building line of approximately 210 feet (front building line range between 10 feet of 19.9 feet required).

Approval of a Subdivision Plat to be known as Replat of Lot 29 in Milligan's Park Lane Addition, subdividing 1.878 acres into three lots

Staff Reviewer: Desire Irakoze, Principal Planner

CONTINUANCE

The Windsor Park Neighborhood Association has filed an Automatic Continuance, continuing this petition from the January 23, 2025, hearing, to the February 27, 2025, hearing. This will require the Board's acknowledgement.



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-APP-030

Property Address: 8220 Naab Road (approximate address)

Location: Washington Township, Council District #1

Petitioner: SPT IVEY 8220 Naab Rd MOB c/o Cornerstone Companies, Inc., by Doug Staley, Jr.

Current Zoning: HD-2

Request: Hospital District-Two Approval to provide for a non-illuminated wall sign on the north elevation of an existing building.

Current Land Use: Medical Office Building

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 site is developed with a medical office building and associated parking lot. It is surrounded by medical office buildings to the north and west, zoned HD-2, a parking lot to the east, zoned HD-1, and a water tower to the south, zoned HD-1.

HOSPITAL DISTRICT-TWO APPROVAL

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

The HD-2 district requires an approval petition be filed for signs other than incidental signs. An incidental sign is defined as “a permanent sign which has a purpose that is secondary and incidental to the use of



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the lot on which it is located, such as “hours of operation”, “loading zone only,” “air,” “building directory” and “visitor parking,” and which carries no commercial message that is legible beyond the lot on which the sign is located, except for a registered logo on a premises with two or more separately-operating businesses.

The proposed sign would be classified as a wall sign.

STAFF ANALYSIS

The wall sign on the southern building facade will meet the sign regulations of the HD-2 district.

For this reason, staff is recommending approval of the request for non-illuminated wall sign.

GENERAL INFORMATION

Existing Zoning	HD-2	
Existing Land Use	Medical Office Building	
Comprehensive Plan	Institution-Oriented Mixed Use	
Surrounding Context	Zoning	Land Use
	North:	HD-2 Medical Office Buildings
	South:	HD-1 Water Tower
	East:	HD-1 Parking Lot
	West:	HD-2 Medical Office Buildings
Thoroughfare Plan		
Dugan Drive	Local Street	50-foot proposed right-of-way and 50-foot existing right-of-way.
Naab Road	Local Street	50-foot proposed right-of-way and 50-foot existing right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	January 3, 2025.	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	January 3, 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)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends institution-oriented mixed-use development on the site.
- The Institution-Oriented Mixed-Use (Campus) typology contains a mix of land uses within and surrounding a significant regional institution campus, such as a university or hospital. This typology is meant to promote development that is permeable to pedestrians and integrates into its surrounding context. Uses in this typology will often be thematically or economically linked to the anchor institution. Residential areas of this typology have a density of 8 to 15 dwelling units per acre.
- **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.
 - Master-planned developments in excess of 2 acres should include pedestrian amenities for passive and active recreation internal to the development.
- **Anchor Institutions, Including Major Universities and Hospitals**
 - Should be located along an arterial street with a minimum of 4 lanes.
 - 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 within one-quarter mile of a bus or rapid transit stop.
 - All edges of the development should respond to the character of the surrounding area.
 - Active uses open to the public (such as offices) should be on the edges of the development and should engage with surrounding uses.
 - Ancillary/smaller buildings should be used to transition to other uses.
 - High intensity uses (such as emergency rooms) should not be located adjacent to residential uses.
 - Only limited surface parking should be present. The majority of required parking should be located within structured parking (private or shared).
 - Parking lots should be located towards the interior of the development.
 - Connections to adjacent residential uses should be provided through campuses whenever possible.
- **Offices**
 - Should be located along an arterial or collector street.



Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

- Not Applicable to the Site.

ZONING HISTORY

Zoning History- Site

2019-APP-018; 8081 Township Line Road, 1801 West 86th Street, 8220 and 8424 Naab Road and 2025 Dugan Road (subject site), Hospital District One/Two Approval to provide for a sign program with building and freestanding signs, **approved**.

2011-APP-009; 8220 Naab Road (subject site), Hospital district approval to provide 120.79-square foot wall sign, **approved**.

77-AP-96; 8220 Naab Road (subject site), Hospital district approval to provide for a three-story medical office building, **approved**.

Zoning History- Vicinity

2015-APP-010; 2025 Dugan Drive (southeast of site), Hospital District-One Approval to provide for a two-story, 26,000-square foot, multi-resident, short-term stay hospitality house, with a four-foot tall, 40-square foot ground sign and a 42-square foot wall sign, **approved**.

2015-APP-006; 8220, 8240 and 8260 Naab Road (west of site), Hospital District-Two Approval to provide for an 11-foot tall, 56-square foot pylon sign, **approved**.

97-CP-37AP / 97-CP-37V; 2239 Dugan Drive (south of site), Hospital District-One Approval to provide for the installation of a wireless personal communication system facility, including a tower being 180 feet in height, with an associated 12 by 20 foot equipment building and Variance of use of the Special Use Districts Zoning Ordinance to provide for the installation of a wireless personal communication system facility, including a tower being 180 feet in height, with an associated 12 by 20 foot equipment building, **approved**.

96-AP-108; 8260 Naab Road (west of site), Hospital district approval to provide for the construction of a 23,000 square-foot medical surgery center, **approved**.

91-AP-65; 8220 & 8240 Naab Road (north of site), hospital district approval to provide for two wall signs to be placed on each side of the building, **approved**.

85-AP-184; 8330 Naab Road (north of site), Hospital district approval to provide for the remodeling of a 30,000 square-foot medical office building and the construction of a 25,000 square-foot medical office building, **approved**.

84-AP-43; 8330 Naab Road (north of site), Hospital district approval for the construction of a three story, 30,000 square foot medical office building, **approved**.

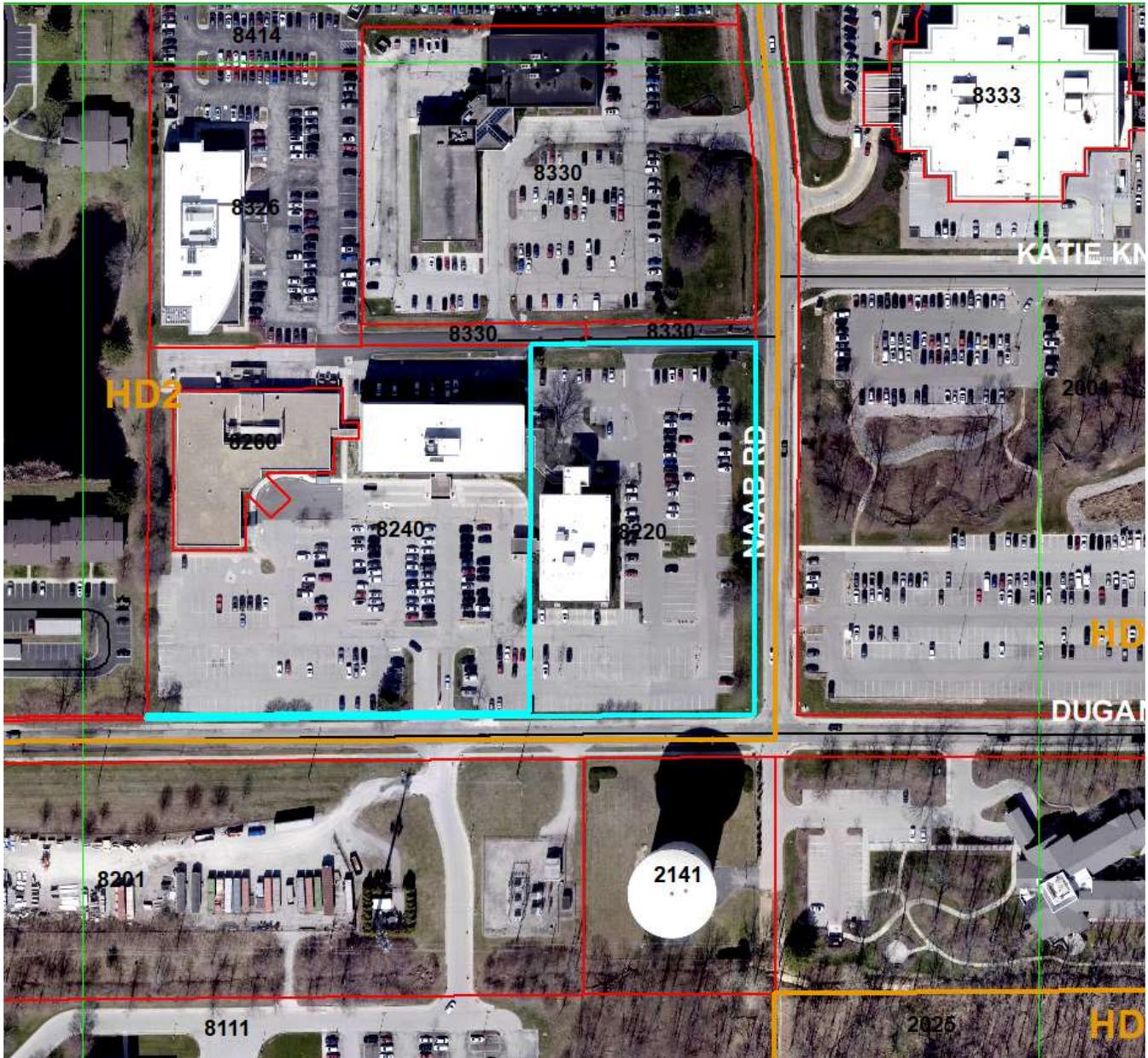
73-AP-69; 2141 Dugan Drive (southeast of site), Hospital District approval to construct St. Vincent Hospital Administrator's Residence, **approved**.



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Current Planning**

66-Z-168; 2000 West 86th Street (east and south of site), Rezoning of 102.90 acres being in A-2 district to SU-6 (Hospitals and Sanitarium) to provide for the construction of a hospital related activities, **approved.**

EXHIBITS





Department of Metropolitan Development
 Division of Planning
 Current Planning



STALEY SIGNS
 SINCE 1908
 P.O. Box 535 Indianapolis, Indiana 46206
 Tel: 317-637-4567 • Fax: 317-221-0123
<http://www.staley signs.com/>

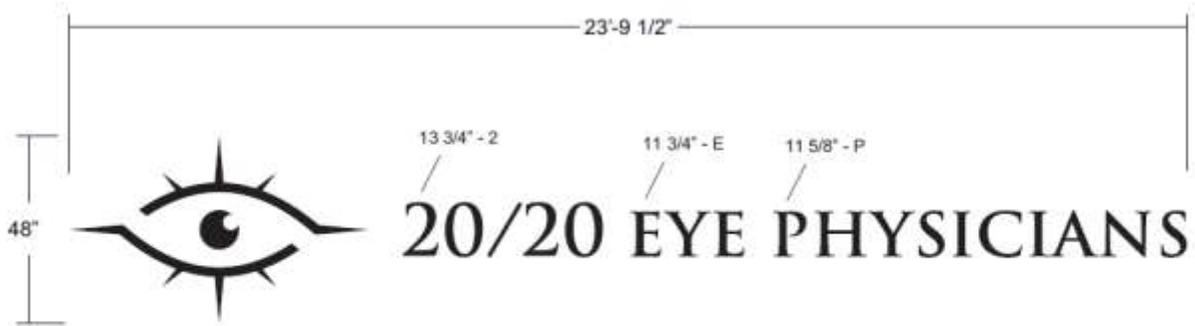
This rendering is © Staley Signs, Inc., submitted for use in connection with the stated project. Display, Distribution or Duplication without prior written consent is strictly prohibited.

Customer: 20/20 Eye Physicians of Indiana	<small>Notes * Colors shown are representative only, and are not intended for purposes of exact matching.</small>	Page 1 of 3
Project: South Elevation Permit Drawings Non-Illuminated, Individual Letters		Option: -
Date: 01-02-2024 Rep: D. Staley Jr.		Scale: 1/16" = 1'-0"



Department of Metropolitan Development
 Division of Planning
 Current Planning

Non-Illuminated 3/8" Thick Letters & Logo



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Customer: 20/20 Eye Physicians of Indiana	Notes: • Colors shown are representative only, and are not intended for purposes of exact matching.	Page 2 of 3
Project: Permit Drawings Non-Illuminated, Individual Letters		Option: -
Date: 01-02-2024	By: D. Staley Jr.	Scale: 3/8" = 1'-0"



**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:

Proposed sign designates a major tenant in an existing professional/medical office building.

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:

Proposed signage is of similar size and material to existing signage on this and surrounding buildings.
Proposed sign is properly scaled to building facade.

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

Petition is for a wall signs and is not applicable to access.

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

Petition of for a wall sign and is not applicable to access.

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

Petition of for a wall sign and is not applicable sanitation, drainage, etc.



Department of Metropolitan 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:

Petition is for a wall sign.

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:

Petition of for a wall signs and is not applicable to access.

DECISION

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

Adopted this _____ day of _____, 20 _____

Commission President/ Secretary



Photo of the subject site.



Photo of the southern building elevation where the proposed sign will be located.



Medical offices west of the site.



Water tower south of the site.



Photo of the parking lot east of the site.



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-APP-031
Property Address: 5700 East 23rd Street
Location: Warren Township, Council District #9
Petitioner: City of Indianapolis, Department of Parks and Recreation, by Henry Woodburn
Current Zoning: PK-1 (Virginia Lee O'Brien Park)
Request: Park District One approval to provide for a new playground, sidewalks, a shade structure, parking area, pickleball courts, locations for future improvements, and drainage improvements.
Current Land Use: Open Space / Park
Staff Recommendations: Approval.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first public hearing on this petition.

STAFF RECOMMENDATION

Approval of the approval request, subject to substantial compliance with the site and development plan file dated December 13, 2024.

PETITION OVERVIEW

This 3.30-acre site, zoned PK-1, is developed with a park and surrounded by single-family dwellings to the north, across East 24th Street and the south, across East 23rd Street, zoned D-4; two-family dwellings and an elementary school to the east, across Bolton Avenue, zoned D-5; and single-family dwellings to the west, zoned D-4.

Petition 2009-ZON-034 the Metropolitan Development Commission rezoned 463.544 acres of park land and natural areas located throughout the city to the PK-1 district to align the zoning district with the use of the land. This park was included in the rezoning.



APPROVAL

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;
- 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.



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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.

The request would upgrade the existing amenities and add new amenities within this park that would expand and improve recreation opportunities for the surrounding residential neighborhood, resulting higher quality of life for the park users and surrounding land uses.

The development plan for this park would include a new playground, sidewalks, a shade structure, parking area, pickleball courts, locations for future improvements, and drainage improvements.

GENERAL INFORMATION

Existing Zoning	PK-1	
Existing Land Use	Park	
Comprehensive Plan	Suburban Neighborhood typology	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North:	D-4 Single-family dwellings
	South:	D-4 Single-family dwellings
	East:	D-5 Two-family dwellings / school
	West:	D-4 Single-family dwellings
Thoroughfare Plan		
East 23 rd Street	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
East 22 nd Street	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
North Bolton Avenue	Local Street	Existing 25-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	December 13, 2024
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	December 13, 2024
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

Staff believes appropriate application of The Pattern Book for the proposed D-8 district in this area would be those guidelines associated with the traditional neighborhood typology.

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.
 - Hydrological patterns should be preserved wherever possible.



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- 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.
- *Small-Scale Parks (defined as public or private parks that are generally under 10 acres in size).*
 - With the exception of minimally improved natural areas or golf courses, parks should be integrated as focal points and should not have more than 25% of their perimeter comprised of adjoining rear or side yards.
 - Should be situated along streets on which the front door of housing units is located.
 - If a component of a master planned development, continuous pedestrian infrastructure (sidewalk, greenway, or off-street path) between the proposed site and any residential uses within the development should be provided.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

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.”

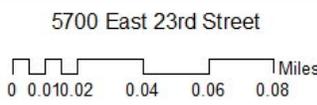
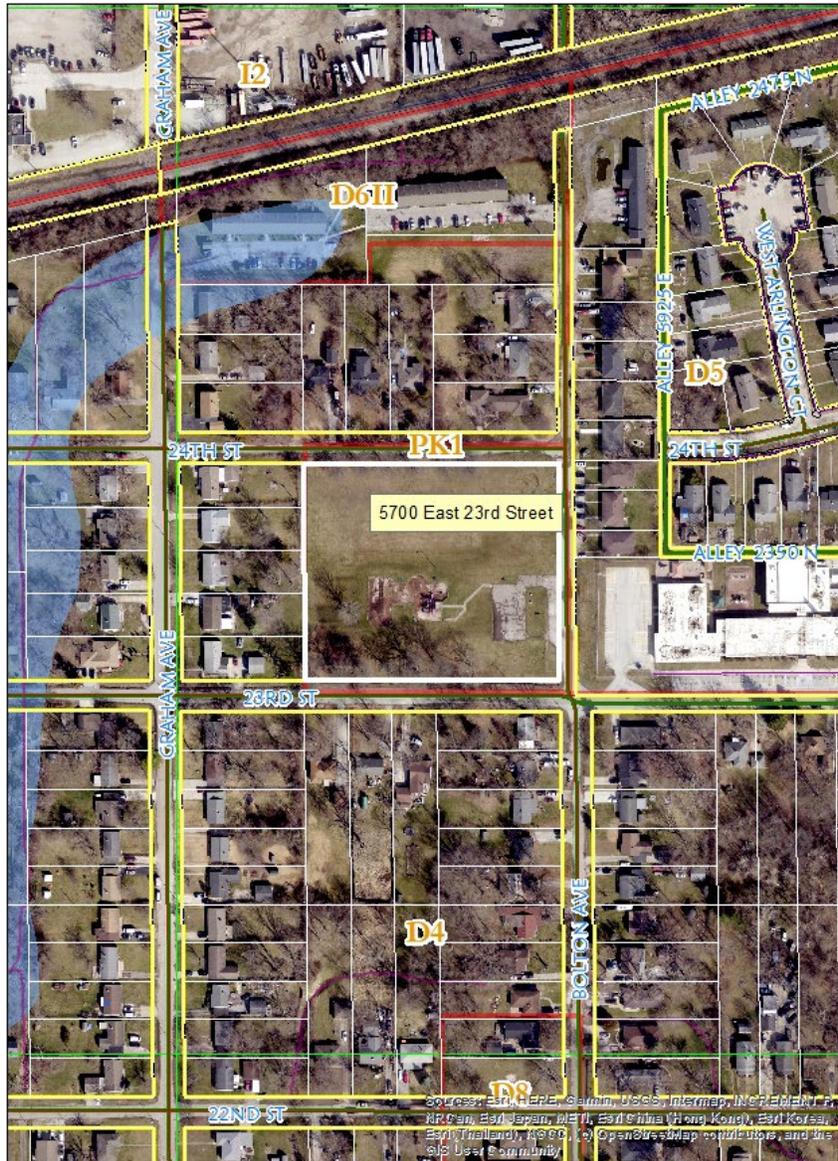
The following listed items describes the purpose, policies and tools:

- 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

2009-ZON-034; 7400 Acton Road, 5706 North Meridian Street, 2605 Kentucky Avenue, 9501 East 36th Place, 5335 & 5353 South High School Road and 6038-6240 Valley Lane, 8401 Rockville Road, 1934 North DeQuincy Street, 5398 Milhouse Road, 750 Greer Street, 4241 Fairview Terrace and 4242 Crown Street, 5670 Stonehill Drive, 1700 North Franklin Road, 7425 Mendenhall Road, 1313 Madison Avenue, 254 East Beecher Street, 5624 South Carroll Road, 4900 West Southport Road, 1616 East 71st Street; 1603 and 1625 West Ohio Street, 1618 Everett Street, 120 North Reisner Street, and 135 North Richland Street; 4459 Shelbyville Road, 5700 East 23rd Street, and 1701 East Washington Street, rezoning of 463.544 acres from multiple zoning classifications to the PK-1 classification to provide for park and recreational uses, **approved.**

EXHIBITS





INFRAStructure
ENGINEERING INC. AIAA MEMBER



Indy Parks Playgrounds Improvements
Virginia Lee O'Brien Park





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 Land Use Plan identifies that the parcel is a suburban neighborhood park. Per the Consolidated Zoning/Subdivision Ordinance, parks or playgrounds are permitted uses in all zoning districts. The site development plan improves the condition of the park through the construction of a new playground with new playground surface, sidewalk, benches, a new shade structure, pickleball courts, parking area, as well as landscape and drainage improvements.

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 site development plan calls for a new playground, playground surface, sidewalk, benches, a new shade structure, proposed parking area, and additional improvements. These additions will improve the current state of the park.

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

The sidewalk and proposed parking area and bicycle racks within the proposed plan will enhance the park's connectivity to the surrounding neighborhood.

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 new sidewalk and parking area will enhance connectivity to the park, its features, and the neighborhood.

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

The park is serviced by the owner (Indy Parks) and the Department of Public Works. Property drainage is being designed by a professional engineer and incorporates appropriate low-impact designs.



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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 property is currently a suburban neighborhood park.

The proposed design maintains the current use of the park and proposes enhancements that are

appropriate in design, character, grade, location, and orientation with existing conditions.

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:

New sidewalk will be built within the park. The new sidewalk connects the new playground to existing park features and to a proposed parking area.

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 site looking west across North Bolton Avenue



View of site looking west across North Bolton Avenue



View of site looking west across North Bolton Avenue



View of site looking south across East 24th Street



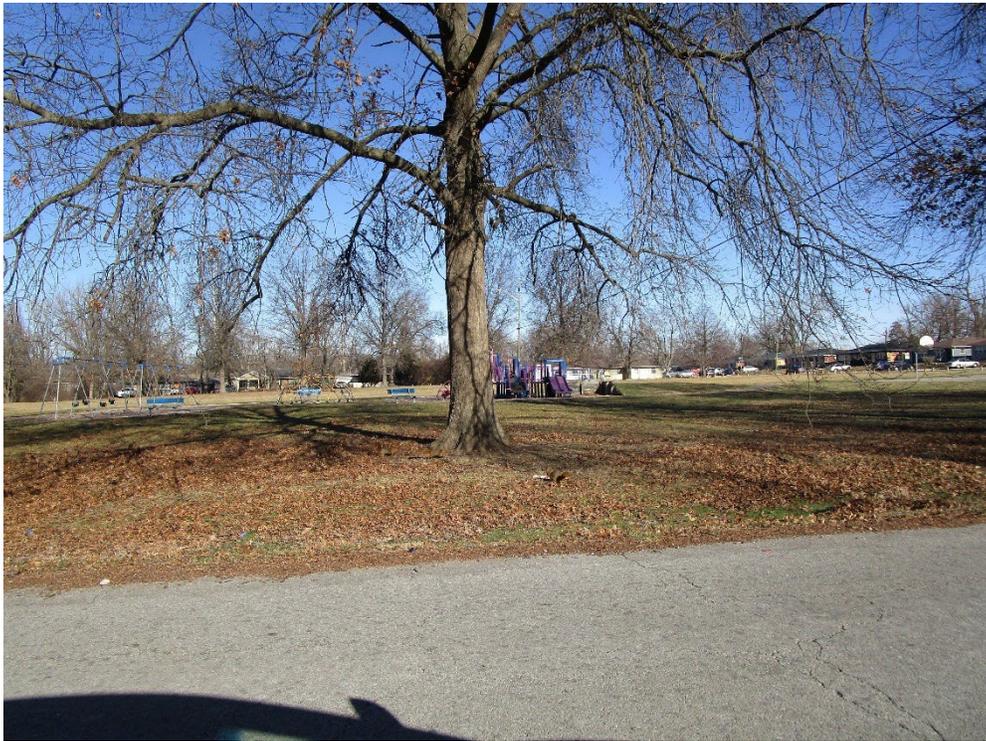
View of site looking south across East 24th Street



View of site looking south across East 24th Street



View of site looking north across East 23rd Street



View of site looking north across East 23rd Street



View of site looking north across East 23rd Street



View of site looking north across East 23rd Street



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-MOD-025

Property Address: 5244 Shelbyville Road

Location: Franklin Township, Council District #24

Petitioner: ICJ Homes LLC, by Joseph D. Calderon

Current Zoning: D-P

Request: Modification of Development Statement of 2021-ZON-047 to remove all references to "Condominium" or "Horizontal Property Regime" in order to construct two-family dwellings and to plat each lot.

Current Land Use: Vacant

Staff Recommendations: Approval.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first public hearing on this petition.

STAFF RECOMMENDATION

Approval.

PETITION OVERVIEW

This 3.0-acre site, zoned D-P, is vacant and surrounded by multi-family dwellings to the north, zoned D-7; undeveloped land and two-family dwellings to the south, across Shelbyville Road, zoned D-A and D-5II; single-family dwellings to the east, zoned D-4; and a single-family dwelling to the west, zoned D-A.

Petition 2021-ZON-047 rezoned this site to the D-P district to provide for 18 two-family dwellings.

MODIFICATION

The request would modify the Development Statement to eliminate the references related to condominium development (Horizontal Property Regime) to allow for nine two-family dwellings, on 18 platted lots.

The originally proposed site plan would not change. The modification would only change the property ownership function and allow the property owners to own the land adjacent to their dwelling.



GENERAL INFORMATION

Existing Zoning	D-P	
Existing Land Use	Vacant	
Comprehensive Plan	Traditional Neighborhood Typology	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-7	Multi-family dwellings
South:	D-A / D-5II	Undeveloped land / two-family dwellings
East:	D-4	Single-family dwellings
West:	D-A	Single-family dwelling
Thoroughfare Plan		
Shelbyville Road	Secondary Arterial	Existing 60-foot right-of-way and proposed 90-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	December 30, 2024	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	January 1, 2025	

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



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

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:

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

- Duplexes should be located on corner lots, with entrances located on different sides of the lot.
- 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.

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

2021-ZON-047; 5244 Shelbyville Road, requested rezoning of three acres from the D-A district to the D-P district to provide for 18 total dwelling units with nine, two-family dwellings for a density of six units per acre, **approved**.

VICINITY

2009-CZN-832 / 2009-CAP-832; 5501 South Emerson Avenue (west of site), requested the rezoning of 4.54 acres from the C-S district to the C-S district to add convenience store and gas station to the list of uses approved in 89-Z-102 and a modification of the site plan of 89-Z-102 to provide for a convenience store and gas station and a modification of commitments of 89-Z-102 to related to dedication of right-of-way and integration of development on the site, **approved**.

2008-UV2-007; 5150 Shelbyville Road (west of site) requested a variance of use to provide for an addition to an office and to legally establish two accessory buildings in a D-A district, **approved**.

2003-ZON-825 / 2003-VAR-825; 5120 Shelbyville Road (west of site), requested the rezoning of 0.7 acre from the D-A district to the C-4 district, and a variance of development standards to provide for reduced transitional yards and a sign with a reduced setback and separation from a dwelling district, **approved**.

2010-DV1-047; 5515 South Emerson Avenue (west of site), requested a variance of development standards to provide for illuminated signs with 93 feet of a protected district, **withdrawn**.

92-UV3-55; 5150 Shelbyville Road (west of site), requested a variance of use to provide for an office in a dwelling district, **approved**.

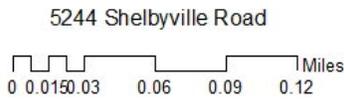
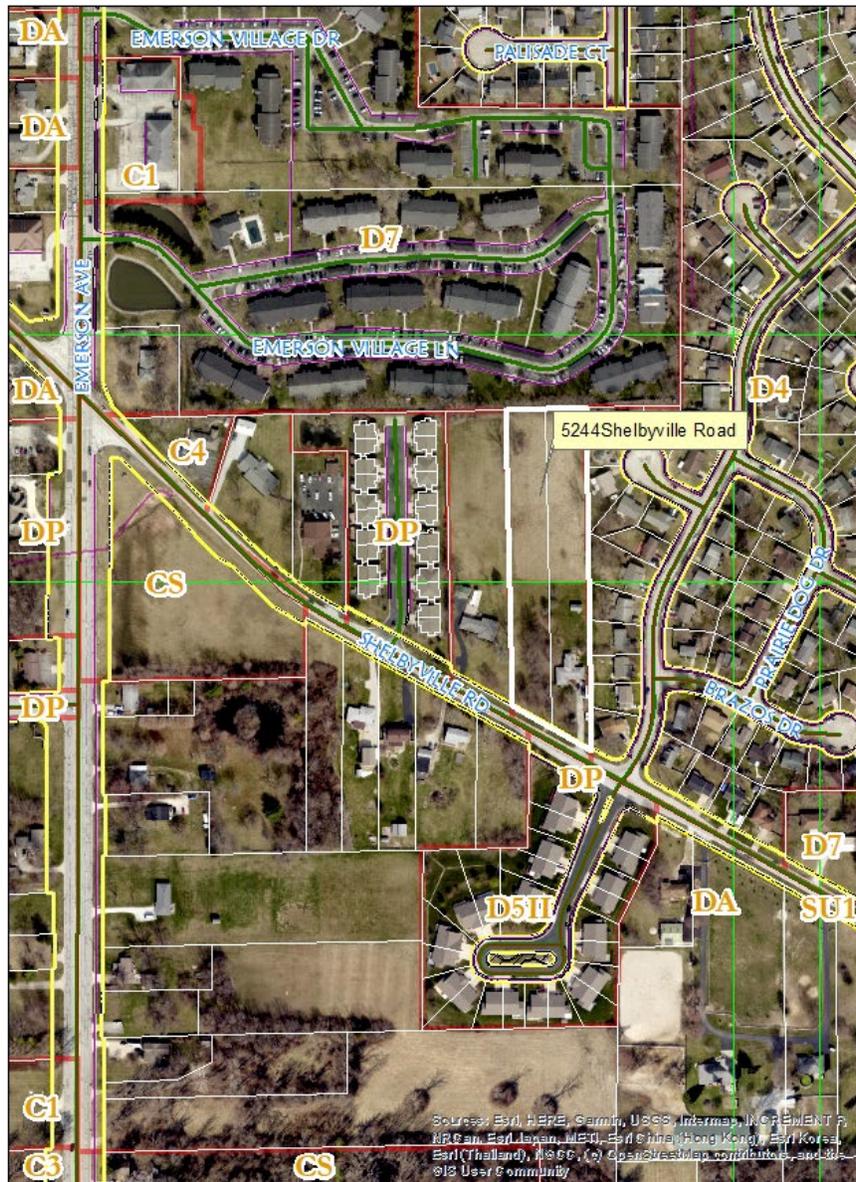
98-Z-195; 5150 & 5214 Shelbyville Road (west of site), requested the rezoning of 3.1 acres from the D-A district to the D-P district to provide for seniors-only residential facility of 11 duplex buildings (22 units) **approved**.

98-Z-37; 5301 Shelbyville Road (south of site), requested the rezoning of 5.35 acres from the D-A district to the D-5II district to provide for 12 duplexes, **approved**.

89-Z-102; 5501 South Emerson Avenue (west of site), requested the rezoning of 4.54 acres from the A-2 district to the C-S district to provide for a pharmacy, offices, a restaurant, and personal and professional services, **approved**.

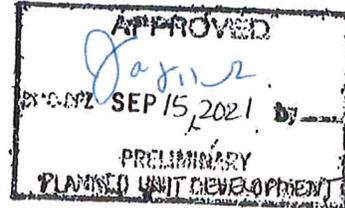
88-Z-59; 5651 South Emerson Avenue (west of site), requested the rezoning of 4.54 acres from the A-2 district to the C-4 district, **withdrawn**.

EXHIBITS





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



Preliminary DP Plan

5234 and 5244 Shelbyville Road

2021-ZON-047

Introduction

Sacksteder Properties LLC (“Petitioner”) owns property commonly addressed as 5234 and 5244 Shelbyville Road (the “Subject Property”). The Subject Property contains 3 acres and is zoned DA, and has historically been used for residential purposes. The Subject Property has an unusual shape, with approximately 200 feet of frontage on Shelbyville Road, and depth of over 740 feet. Petitioner seeks a DP zoning, proposing a development consisting of 18 two family dwelling units, generally as shown on the site plan which is attached hereto as “Exhibit “A” (the “Concept Plan”).

Comprehensive Plan

The Comprehensive Plan contemplates Traditional Neighborhood type development for the Subject Property which allows for a mixture of housing types and densities.

Permitted Use

The use of the Subject Property shall be limited to: (A) Single-Family Detached Dwellings; and/or (B) Two Family Dwellings (a/k/a “Duplexes”). It is anticipated that the Duplexes will be part of a Horizontal Property Regime (a/k/a “Condominiums”).

Concept Plans

The Concept Plan filed concurrently with this DP Plan shows a total of 9 Duplex buildings or 18 dwelling units, with one access from Shelbyville Road with a cul-de-sac.

Development Standards

The development shall provide the following development standards:

Setbacks/Lot Width/Lot Size

1. Front Yard/Setback (Shelbyville Road): Minimum 30 feet from the right of way line.
2. Front Yard/Setback (Internal street): Minimum 20 feet from edge of pavement.
3. Side Yard/Setback: Minimum 10 feet between buildings.
4. Rear Yard/Setback: Minimum 20 feet.

Utilities/Drainage: All utilities are available to the site. There will be no utility poles located on the Subject Property, unless already existing and financially impractical to bury. Storm drainage will be professionally engineered to meet all City of Indianapolis requirements with respect to runoff rate and quantity, as well as water quality. The Concept Plan indicates a detention basin on the north end of the Subject Property.



Development Amenities: The development shall provide a walking path and sidewalks for the proposed development.

Architectural Standards: All homes constructed on the Subject Property shall meet the following minimum standards:

1. **Permitted Building Materials:** Exterior building materials may include masonry, natural wood, composite wood, or cementitious siding. At a minimum, first floor elevations must have brick or stone masonry on Fifty percent (50%) of the front elevation, exclusive of doors, windows and other openings.
2. **Required Window Openings:** A minimum of Four (4) windows per unit shall be provided.
3. **Roofline:** The primary roof shall have a minimum 4/12 pitch. The primary roof shall have a minimum twelve inch (12") overhang measured prior to installation of siding or masonry.
4. **Exterior Lighting:** One garage coach light shall be provided on each side of each garage door. A yard light with photo sensor shall be provided in the front yard.
5. **Square Footage:** Each single family unit (1/2 duplex) shall be a minimum of 1250 square feet of livable area. "Livable area", as used herein, shall include all areas under roof and supplied with heating, cooling and plumbing, and shall not include garage areas, or front or rear porches (whether covered or not).
6. **Covenants:** There shall be an owners' association formed in accordance with the Indiana statute regulating horizontal property regimes, which shall own all common areas and elements. There shall be provisions restricting the use and improvements to the common elements and areas by individual owners in order to provide uniform standards.

Miscellaneous

Product Character: The proposed duplexes will be substantially as shown in Exhibit "B".



View looking east along Shelbyville Road



View looking west along Shelbyville Road



View from site looking west



View from site looking southwest



View from site looking south



View from site looking north



View from site looking east



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-ZON-126

Property Address: 1602 & 1604 Arsenal Avenue & 1426 East 16th Street (Approximate Addresses)

Location: Center Township, Council District #13

Petitioner: Elizabeth & Micheal Simmons., by Reinhard Pollach

Current Zoning: C-5

Request: Rezoning of 0.18 acres from the C-5 district to the D-8 district to provide for residential uses

Current Land Use: Undeveloped

Staff Recommendations: Approval with a commitment.

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

ADDENDUM FOR JANUARY 23, 2025 HEARING EXAMINER

This petition was continued for cause from the December 19, 2024 hearing to the January 23, 2025 hearing at the request of the petitioner to allow them additional time to discuss the right-of-way dedication request with the Department of Public Works (DPW).

After the petitioner had additional discussions with the Department of Public Works, the commitment language was revised by DPW and agreed upon by the petitioner.

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:

Additional right-of-way shall be dedicated along the frontage of 16th Street per the request of the Department of Public Works (DPW) Engineering Division. The right-of-way shall be of sufficient width to provide for a sidewalk 5 feet in width, and a buffer space 5 feet in width between the sidewalk and the back of the existing curb. 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)."

December 19, 2024

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 39-foot half right-of-way shall be dedicated along the frontage of 16th 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 0.18-acre subject site is comprised of three undeveloped parcels (1059577, 1013307, and 1071807) to be combined.

The sites are surrounded to the west by an undeveloped lot across the alley, zoned C-5, to the north by a single-family dwelling, zoned C-5, to the east by an undeveloped lot, zoned D-8, and to the south by a commercial building, zoned C-5.

REZONING

This petition would rezone the parcels from the C-5 district to the D-8 district to allow for single-family residential development.

The C-5 District is designed to provide areas for those retail sales and service functions whose operations are typically characterized by automobiles, outdoor display, or sales of merchandise; by major repair of motor vehicles; by outdoor commercial amusement and recreational activities; or by activities or operations conducted in buildings or structures not completely enclosed. The types of uses found in this district tend to be outdoor functions, brightly lit, noisy, etc. Therefore, to provide a location where such uses can operate in harmony with the vicinity, the C-5 district should be located on select heavy commercial thoroughfares and should avoid locating adjacent to protected districts.

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



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DEPARTMENT OF PUBLIC WORKS

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 39-foot half right-of-way along 16th Street. This dedication would also be consistent with the Marion County Thoroughfare Plan.

STAFF ANALYSIS

Staff is supportive of the rezoning to the D-8 district because it would allow for the development of a residential dwelling that would fit with the context of the surrounding area and would increase the housing stock.

Additionally, the proposed D-8 district and residential use would align with the traditional neighborhood recommendation of the of the Comprehensive Plan.

GENERAL INFORMATION

Existing Zoning	C-5	
Existing Land Use	Undeveloped	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-5	Residential (Single-family dwelling)
South:	C-5	Commercial Building
East:	D-8	Undeveloped
West:	C-5	Undeveloped
Thoroughfare Plan		
Arsenal Avenue	Local Street	48-foot proposed right-of-way and 61-foot existing right-of-way.
16 th Street	Primary Arterial Street	78-foot proposed right-of-way and 60-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 Greenways Full Circle Master Plan, Part One (2014)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) 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 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.
 - 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.
- **Detached Housing**
 - The house should extend beyond the front of the garage. Garages should be loaded from an alley or side street when possible and should be detached if located on the side of the house.
 - Secondary units are encouraged.
 - Lots should be no larger than one and a half times the adjacent lots.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- **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.



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- **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 site falls within the Indy Greenways Full Circle Master Plan, Part One (2014).
- There is a proposed multi-use greenway, called the Monon-Pogue's Connector -16th St to Commerce from Dr. A J Brown Avenue to Pogue's Run Greenway.



ZONING HISTORY

Zoning History – Vicinity

2022-CZN-837 / 2022-CVR-837; 1450 East 16th Street and 1607 North Arsenal Avenue (east of site), Rezoning of 0.31 acre from the C-5 district to the D-8 district to provide for residential uses and Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the development of eight residential townhome lots with five-foot front building lines (ten feet required), five-foot corner side setbacks (eight feet required), five-foot rear setbacks (fifteen feet required), a floor area ratio of 0.87 (maximum 0.6 required), a livability space ratio of 0.35 (minimum 0.55 required), with four of the units without public street frontage (not permitted), with front-loaded garages (not permitted), and encroachment into the clear-sight triangles of the abutting streets and alley (not permitted), **approved and granted.**

2022-ZON-088 / 2022-VAR-008; 1449 East 16th Street and 1549 & 1553 North Arsenal Avenue (southeast of site), Rezoning of 0.47 acre from the C-5 district to the D-9 district to provide for a multi-family development and Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a multi-family development with a five-foot rear setback (10 feet required) with a floor area ratio of 0.87 (maximum floor area ratio 0.50 required) and a minimum livability space ratio of 0.31 (minimum 0.75 ratio required), **approved and granted.**

2021-CZN-862A; 1609 Dr A J Brown Avenue (northwest of site), Rezoning of 0.097 acre from the C-5 district to the D-8 classification, **withdrawn.**

2021-CZN-862B; 1601 and 1605 Dr A J Brown Avenue (west of the site), Rezoning of 0.208 acre from the C-5 district to the MU-2 classification, **withdrawn.**

2018-CZN-840; 1554 Arsenal Avenue (south of the site), Rezoning of 0.15 acre from the C-5 district to the D-8 classification, **approved.**

EXHIBITS

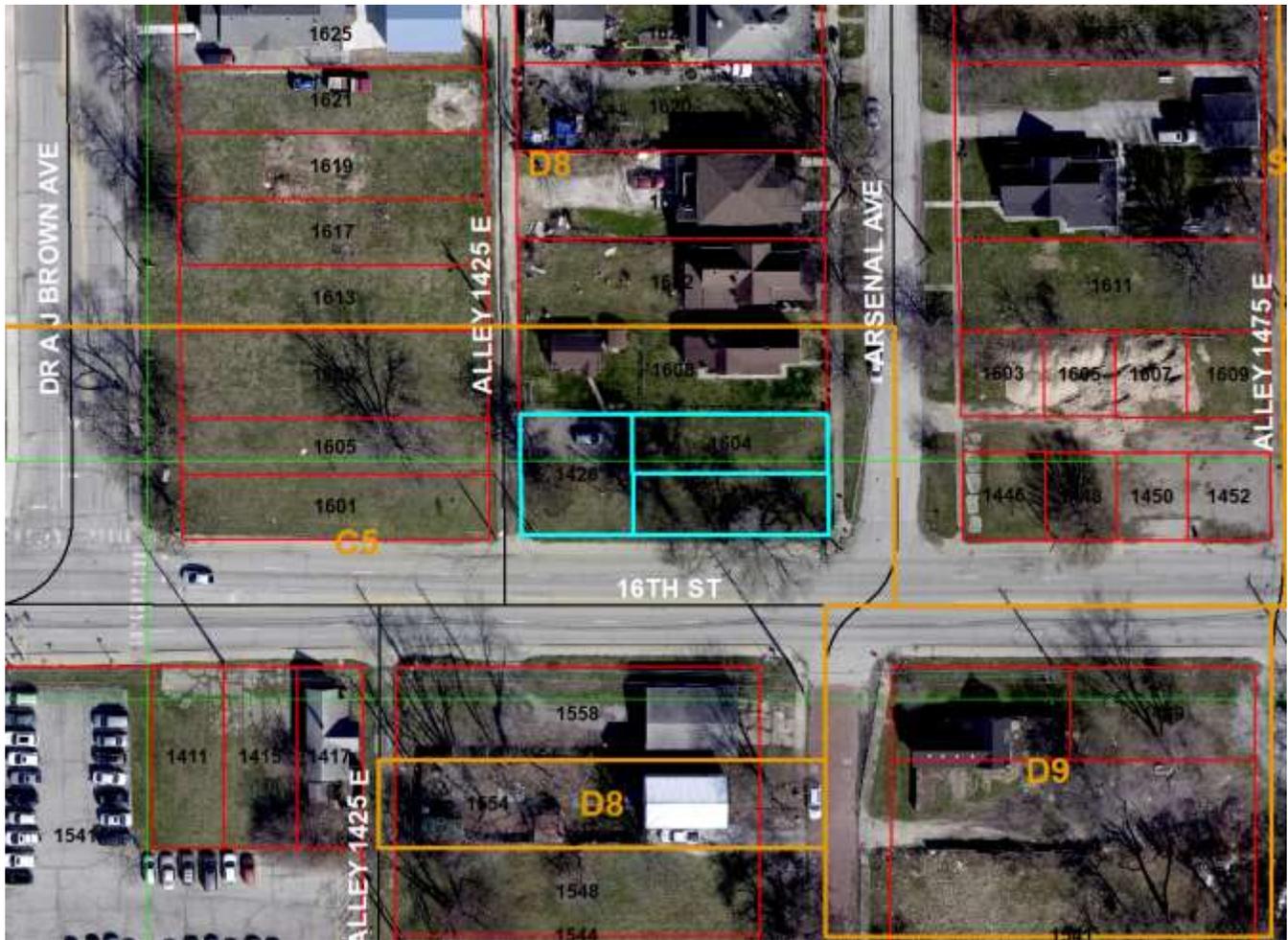




Photo of the subject site looking west from Arsenal Avenue.



Photo of the subject site looking north from 16th Street.



Photo of the alley and undeveloped lot west of the site.



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



Photo of an undeveloped lot east of the site.



Photo of the commercial property south of the site.



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-CVR-841 (Amended) / 2024-CPL-841

Property Address: 3359 Carrollton Avenue (Approximate Address)

Location: Center Township, Council District #8

Petitioner: INDYCHEN, LLC., by David Gilman

Current Zoning: D-5

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a multi-unit dwelling with a five-foot corner side yard for the dwelling along 34th Street on Lot 1 (minimum eight-foot corner side yard required).

Approval of a Subdivision Plat, to be known as Osgood Carrollton Estate, subdividing 0.27-acre into two lots.

Current Land Use: Undeveloped

Staff Recommendations: Approval

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

ADDENDUM FOR JANUARY 23, 2025 HEARING EXAMINER

This petition was continued from the November 21, 2024 hearing to the January 23, 2025 hearing at the request of the petitioner.

The petitioner withdrew the variances to provide for the zero-foot corner side yard for the sidewalk and parking space along 34th Street on Lot 1 (minimum eight-foot corner side yard required), zero-foot north and south side setbacks for sidewalks on Lot 2 (two-foot side setbacks required for minor residential features), and the zero-foot rear setback on Lot 2 for the detached garage (minimum five feet required).

The variance that remained is the five-foot corner side yard for the dwelling along 34th Street on Lot 1.

Staff **recommends approval** of the variance for a five-foot corner side yard for the dwelling along 34th Street on Lot 1.

All other variances will need to be withdrawn since the petitioner confirmed they would no longer be needed.

Staff recommends that the Hearing Examiner **approve** and find that the plat, file-dated September 19, 2024 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.



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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.

November 21, 2024

This petition was continued for cause from the October 24, 2024 hearing to the November 21, 2024 hearing at the request of the petitioner to allow additional time for the petitioner to present at a registered neighborhood organization meeting.

STAFF RECOMMENDATION

Staff **recommends approval** of the variance for a five-foot corner side yard for the dwelling along 34th Street on Lot 1.

All other variances will need to be withdrawn since the petitioner confirmed they would no longer be needed.

Staff recommends that the Hearing Examiner **approve** and find that the plat, file-dated September 19, 2024 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.



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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.

PETITION OVERVIEW

LAND USE

The 0.27-acre subject site is an undeveloped residential lot located in the Mapleton / Fall Creek neighborhood. Surrounded by single-family dwellings to the south, west, and north, zoned D-5, and an undeveloped lot to the east across the alley, zoned D-5.

VARIANCE OF DEVELOPMENT STANDARDS

The initial request was to provide for two, multi-unit dwellings, with a five-foot corner side yard for the dwelling and zero-foot corner side yard for the sidewalk and parking space along 34th Street on Lot 1 where a minimum eight-foot corner side yard is required, and zero-foot north and south side setbacks for sidewalks on Lot 2 where two-foot side setbacks are required for minor residential features, with a zero-foot rear setback on Lot 2 for the detached garage where a minimum of five feet is required.

The petitioner submitted a revised site plan that eliminated the zero-foot north and south side setbacks for sidewalks on Lot 2 and the zero-foot rear setback on Lot 2 for the detached garage. With further discussions, the petitioner has agreed to eliminate the zero-foot corner side yard for the sidewalk and parking space along 34th Street on Lot 1 with the removal of the northern sidewalk and northern most parking space. The fourth tenant will park along the available street parking on Carrollton Avenue.

Once all the requests that would no longer apply are officially withdrawn, the remainder of the variance request would be for a five-foot corner side yard for the dwelling on Lot 1.

PLAT

The subject site is an undeveloped lot zoned D-5 in the Osgood's Forest Park subdivision. This proposed plat would divide the existing parcel into two lots. Lot 1 would contain a four-unit multi-house with a surface parking area at the rear and Lot 2 would contain a two-unit multi-unit house with a detached garage.

STREETS

Both Lot 1 and 2 would front on Carrollton Avenue. No new streets are proposed.



SIDEWALKS

Sidewalks are existing along Carrollton Avenue and 34th Street.

STAFF ANALYSIS

Staff is supportive of the variance request to be amended to only include a five-foot corner side yard setback for the dwelling because there is a significant existing right-of-way along 34th Street that measures approximately 17 feet from the edge of the curb to the northern property boundary of Lot 1. Therefore, the reduced corner side yard setback would not significantly impact the street frontage.

Staff is supportive of the subdivision plat because it will meet the D-5 standards apart from the one variance for the dwelling setback.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Undeveloped	
Comprehensive Plan	5 to 8 Residential Units per Acre	
Surrounding Context	Zoning	Land Use
	North:	D-5 Residential (Single-family dwelling)
	South:	D-5 Residential (Single-family dwelling)
	East:	D-5 Undeveloped
	West:	D-5 Residential (Single-family dwelling)
Thoroughfare Plan		
34 th Street	Primary Collector Street	56-foot proposed right-of-way and 60-foot existing right-of-way.
Carrollton Avenue	Local Street	48-foot proposed right-of-way and 50-foot existing right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	September 19, 2024	
Site Plan (Amended)	October 30, 2024	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	September 27, 2024	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Mapleton-Fall Creek Neighborhood Land Use Plan (2013)
- Infill Housing Guidelines (2021)

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

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- The subject site falls within the Mapleton-Fall Creek Neighborhood Land Use Plan (2013) and is recommended for 5 to 8 residential units per acre development.
- 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.

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 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)

- Not Applicable to the Site.

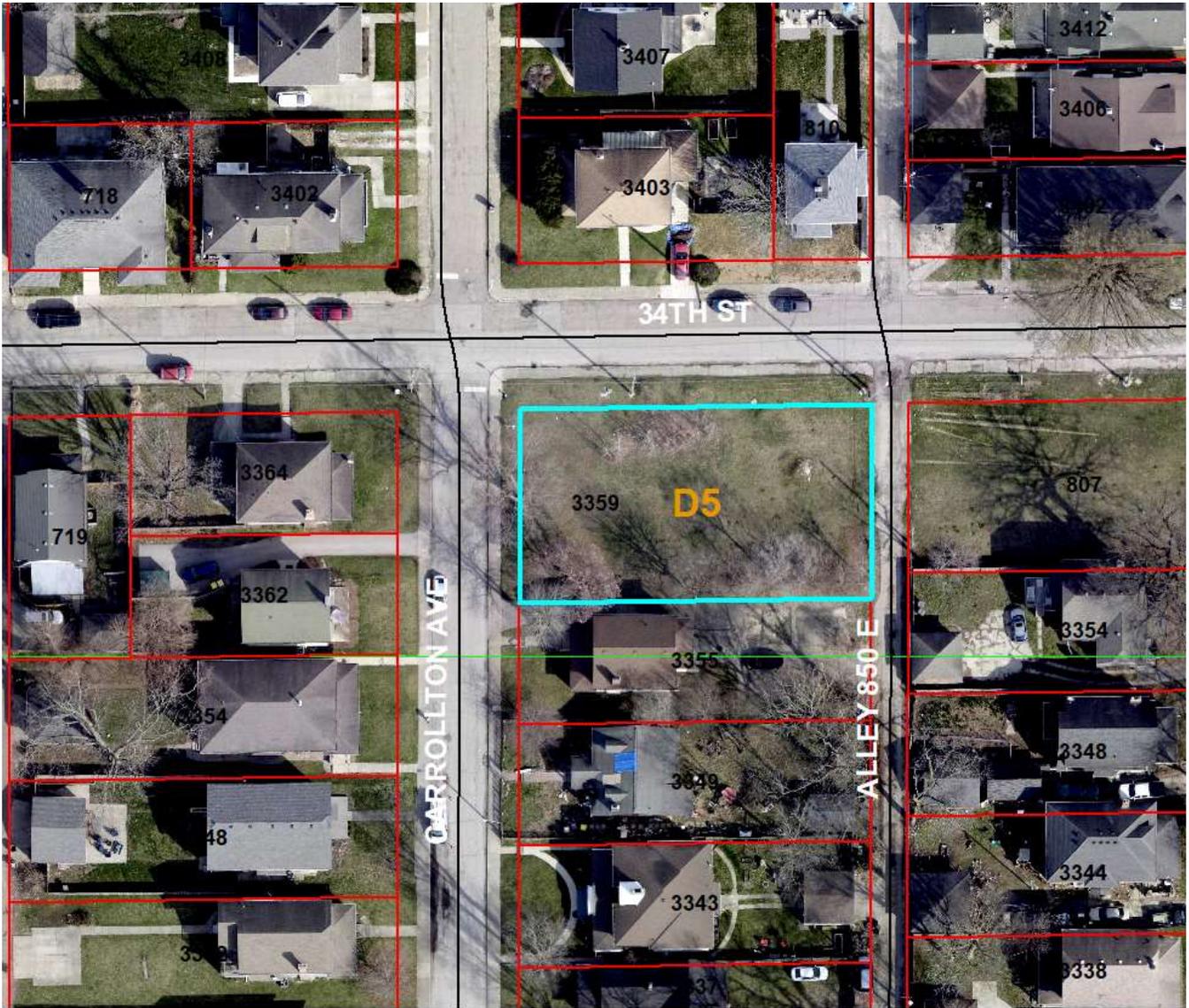


ZONING HISTORY

Zoning History – Vicinity

2021-PLT-036; 3419 Carrollton Avenue (north of site), Approval of a Subdivision Plat, to be known as Fast's Carrollton Avenue Addition, dividing 0.13 acre into two single-family attached lots, **approved**.

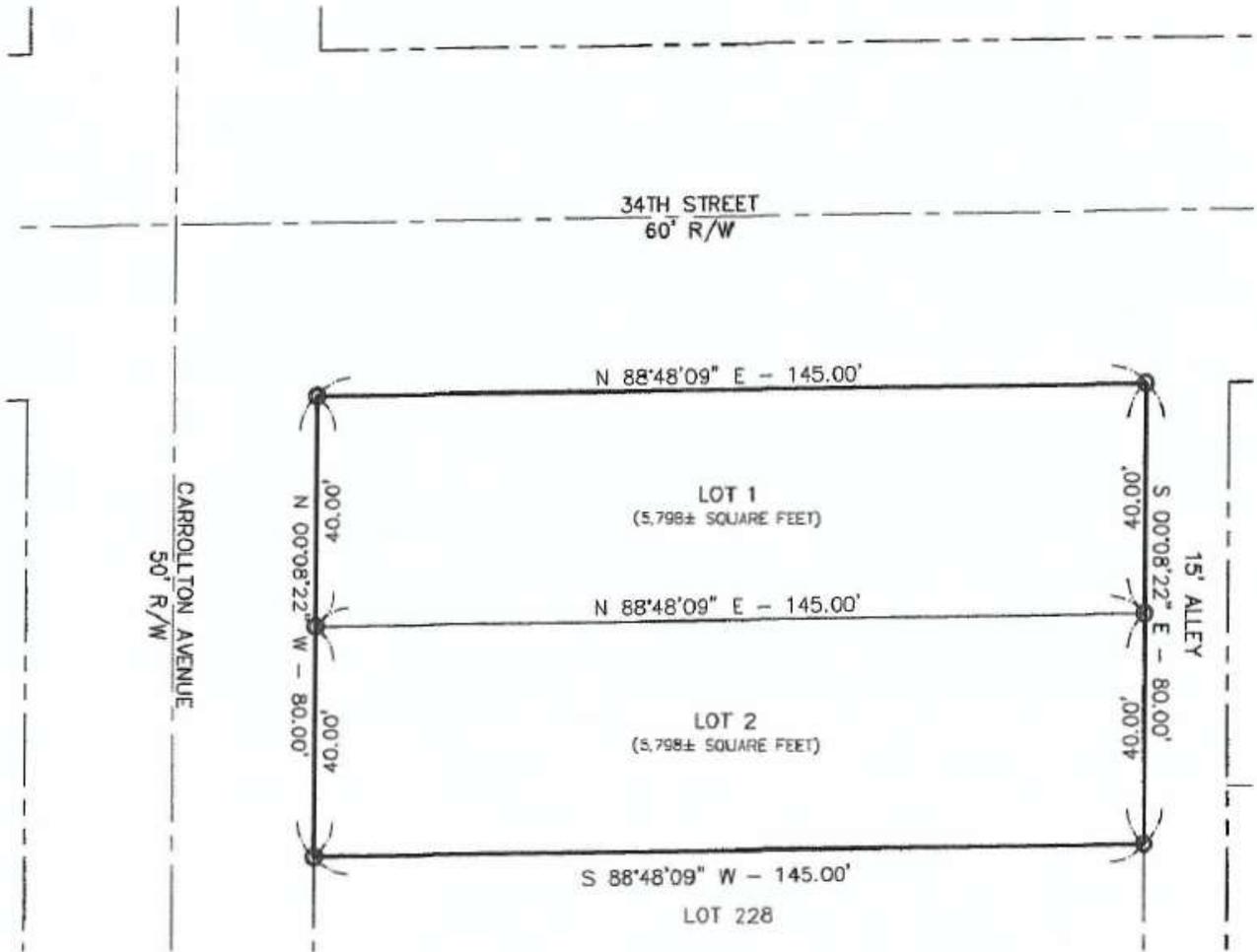
EXHIBITS

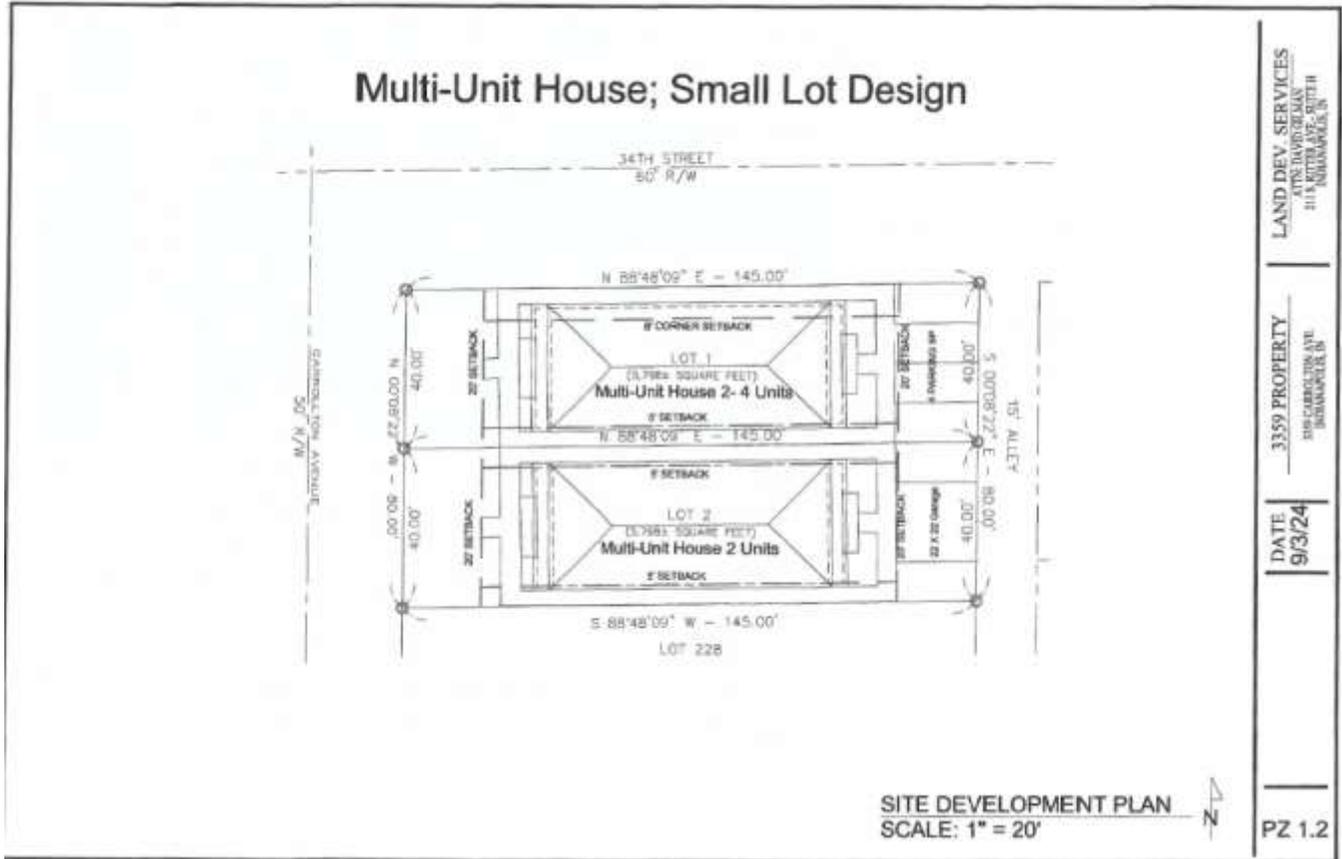




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Preliminary Plat (Close-Up)

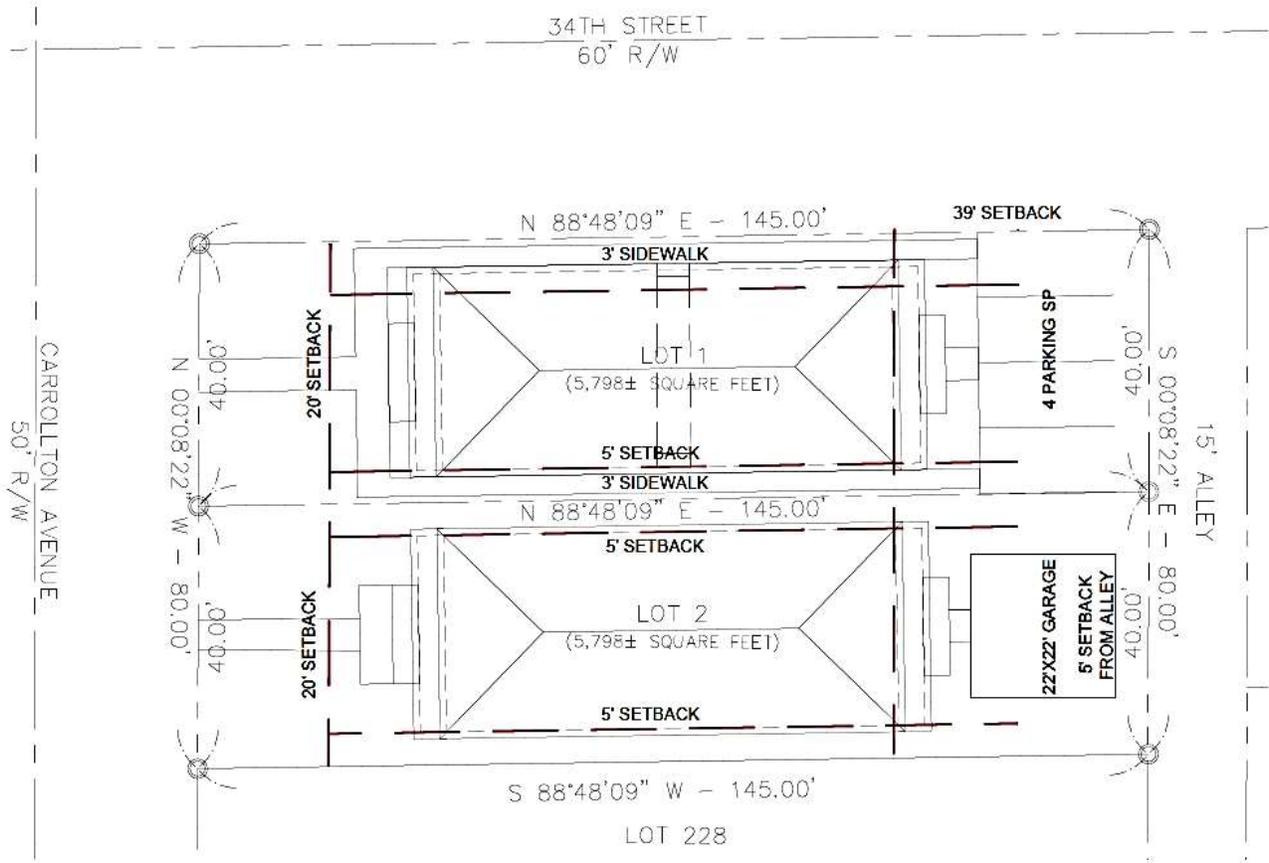






Department of Metropolitan Development
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AMENDED SITE PLAN

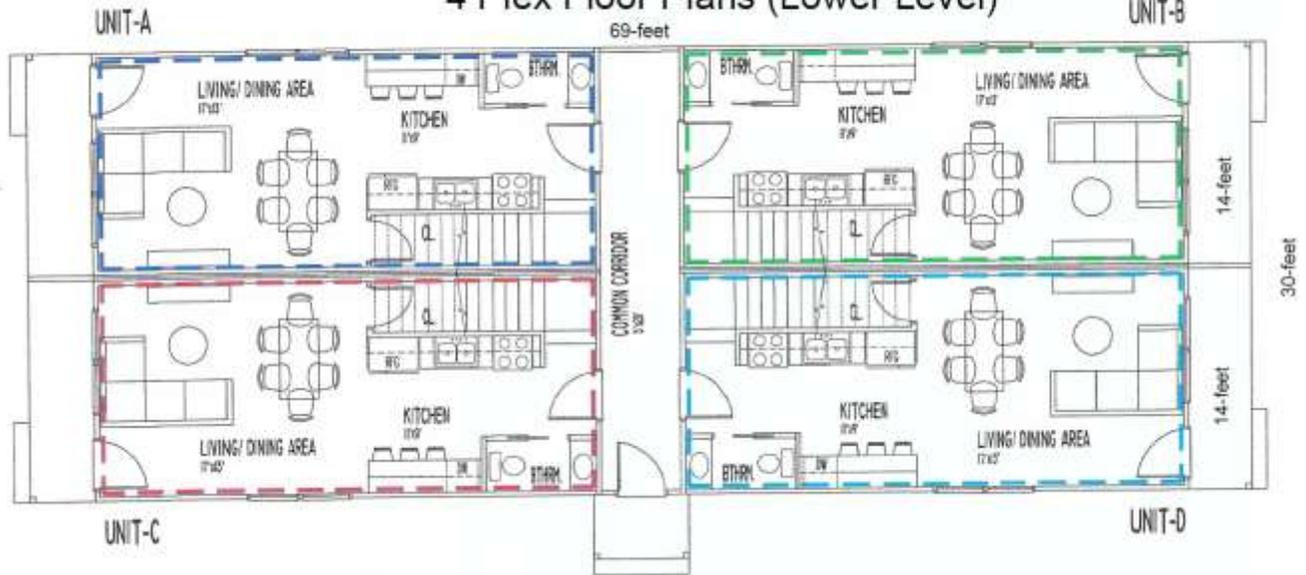


43% OPEN SPACE

SITE DEVELOPMENT PLAN
SCALE: 1" = 20'



4 Plex Floor Plans (Lower Level)



4 Plex Floor Plans (Upper Level)





PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

The proposed residential buildings will be constructed to meet all applicable building codes and health department standards.

The site has direct access to a public street and has all utilities readily available.

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

The proposed use of the site is compatible with the developed area and general neighborhood.

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

The request to the side yard encroachments and a slight reduction to a corner setback are minor deviations to the Walkable Design Standards. The sidewalks provide a safe pathway to the entrances and the parking meets the minimal amount required by the ordinance.



Photo of proposed Lot 1 looking east from Carrollton Avenue.



Photo of proposed Lot 2 looking east from Carrollton Avenue.



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



Photo of single-family dwellings west of the site.



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



Photo of an undeveloped lot east of the site.



Photo of the subject site looking south from 34th Street.



Photo of the subject site looking southeast from 34th Street.



Photo of the abutting alley east of the site looking south from 34th Street.



Photo of the sidewalk along 34th Street looking west from the alley.



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-CZN-842 (Amended)

Property Address: 2147 Columbia Avenue (vacant portion only) and 1315 East 22nd Street

Location: Center Township, Council District #13

Petitioner: Keyon Johnson and K & D Epic Holdings, LLC, by David Gilman

Current Zoning: D-8 and I-3

Request: Rezoning of 0.13 acre from the I-3 district to the D-8 district to provide for a four-unit dwelling

Current Land Use: Vacant land

Staff Recommendations: Approval, subject to the commitments below.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued these petitions from the November 21, 2024 hearing, to the December 12, 2024 hearing, at the request of staff, to provide additional time for discussions with the petitioner’s representative related to the site plan submitted with the petition.

On December 12, 2024, the Hearing Examiner acknowledged withdrawal of petition 2024-CVR-842 and continued 2024-CZN-842 to the January 9, 2025 hearing, and to the January 23, 2025 hearing, with notice, to amend the rezoning request and send new notice.

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 final site plan and building elevations shall be submitted for Administrator Approval prior to the issuance of and Improvement Location Permit (ILP) that confirms no development standards variances are necessary and redevelopment of the site is consistent with the Infill Housing Guidelines.
2. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.



PETITION OVERVIEW

This 0.13-acre site, zoned I-3, is vacant and surrounded by religious uses to the north, across East 22nd Street, zoned SU-1; a multi-unit house to the south, zoned D-8; a utility substation to the east, zoned I-3; and single-family dwellings to the west, across Columbia Avenue, zoned I-3.

Petition 2019-ZON-038 rezoned 2147 Columbia Avenue (western portion of the site) to the D-8 district to provide for residential development.

REZONING

The request would rezone the eastern portion of the site from the I-3 district to the D-8 district to provide for a four-unit dwelling.

“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.”

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

As proposed, this request would be consistent with the Comprehensive Plan recommendations and The Pattern Book guidelines.

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.

Planning Analysis

The request would rezone the site to the D-8 district to provide for a four-unit dwelling. The proposed rezoning of the site would be supportable. Staff would note there have recently been similar rezonings to residential uses in this neighborhood.

Staff, however, would request a commitment that would require Administrator Approval of the site plan and elevations.

When initially submitted, the site plan, file dated October 7, 2024, required variances of development standards. That request has been withdrawn but an updated site plan has not been submitted confirming that all the required development standards would be met.

Additionally, staff would request Administrator Approval of the building elevations for review as it relates to the Infill Housing Guidelines (site configuration and aesthetics considerations) and confirm that redevelopment of the site would be compatible with the surrounding neighborhood and harmonious with the context of the area.

GENERAL INFORMATION

Existing Zoning	D-8 / I-3
Existing Land Use	Vacant land

Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Land Use
North:	SU-1	Religious uses
South:	D-8	Multi-unit house
East:	I-3	Utility substation
West:	I-3	Single-family dwellings
Thoroughfare Plan		
Columbia Avenue	Local Street	Existing 60-foot right-of-way and proposed 48-foot right-of-way.
East 22 nd Street	Primary Arterial	Existing 48-foot right-of-way and proposed 56-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	October 7, 2024	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends 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.
- *Attached Housing (defined as Duplexes, triplexes, quads, townhouses, row houses, stacked flats, and other, similar legally complete dwellings joined by common walls and typically with each unit on its own lot or part of a condominium).*
 - Duplexes should be located on corner lots, with entrances located on different sides of the lot.
 - 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.



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:

- 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

2019-ZON-038; 2147 Columbia Avenue, requested rezoning of 0.21 acre from the I-3 district to the D-8 classification, **approved**.

VICINITY

2022-CZN-834 / 2022-CVR-834; 2143 Columbia Avenue (south of site), requested Rezoning of 0.13 acre from the I-3 district to the D-8 district to provide for residential uses and a variance of developments standards for a reduced setback, **approved and granted**.

2021-ZON-058 / 2021-VAR-008; 2127 Columbia Avenue (south of site), requested rezoning of 0.13 acre from the I-3 district to the D-8 and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling with a detached garage with 3.66-foot side setbacks and 48% open space, **approved and granted**.

2019-ZON-030; 2010 Yandes Street (west of site), requested rezoning of 0.13 acre from the I-3 district to the D-8 classification, **approved**.

2019-ZON-029; 2007 Columbia Avenue (south of site), requested rezoning of 0.1 acre from the I-3 district to the D-8 classification, **approved**.

2019-ZON-028; 2032, 2038 and 2042 Columbia Avenue (west of site), requested rezoning of 0.39 acre from the I-3 district to the D-8 classification, **approved**.

2018-ZON-049; 2111, 2121, 2131, 2132, 2136, 2140 and 2144 Columbia Avenue (south of site), requested rezoning of 1.188 acres from the I-3 district to the D-8 classification, **approved**.

2007-ZON-866 / 2007-VAR-866; 1145 East 22nd Street and 2108 Columbia Avenue (west of site), requested rezoning of 6.2 acres, from the I-3-U District, to the C-S classification to provide for two development areas: Parcel "A" permits: mixed-use or stand-alone buildings including dwelling units, offices, C-3 uses, I-1, I-2 and specified I-3 uses and schools and Parcel "B" permits: C-3C uses and two-family and multifamily residential uses and a variance of development standards of the Commercial Zoning Ordinance for reduced setbacks and a building taller than permitted, **approved and granted**.

2004-UV2-003; 1002 East 21st Street and 1017 East 22nd Street (west of site), requested a variance of use of the Industrial Zoning Ordinance to provide for a second-hand retail store within an existing industrial warehouse, **granted**.

2003-ZON-106; 2202, 2247, 2224, 2239, 2243 North Columbia Avenue and 2225 Yandes Street (north of site), requested a rezoning of 0.86 acre from the D-5 and I-2-U to the SU-1 classification to provide for religious uses, **approved**.



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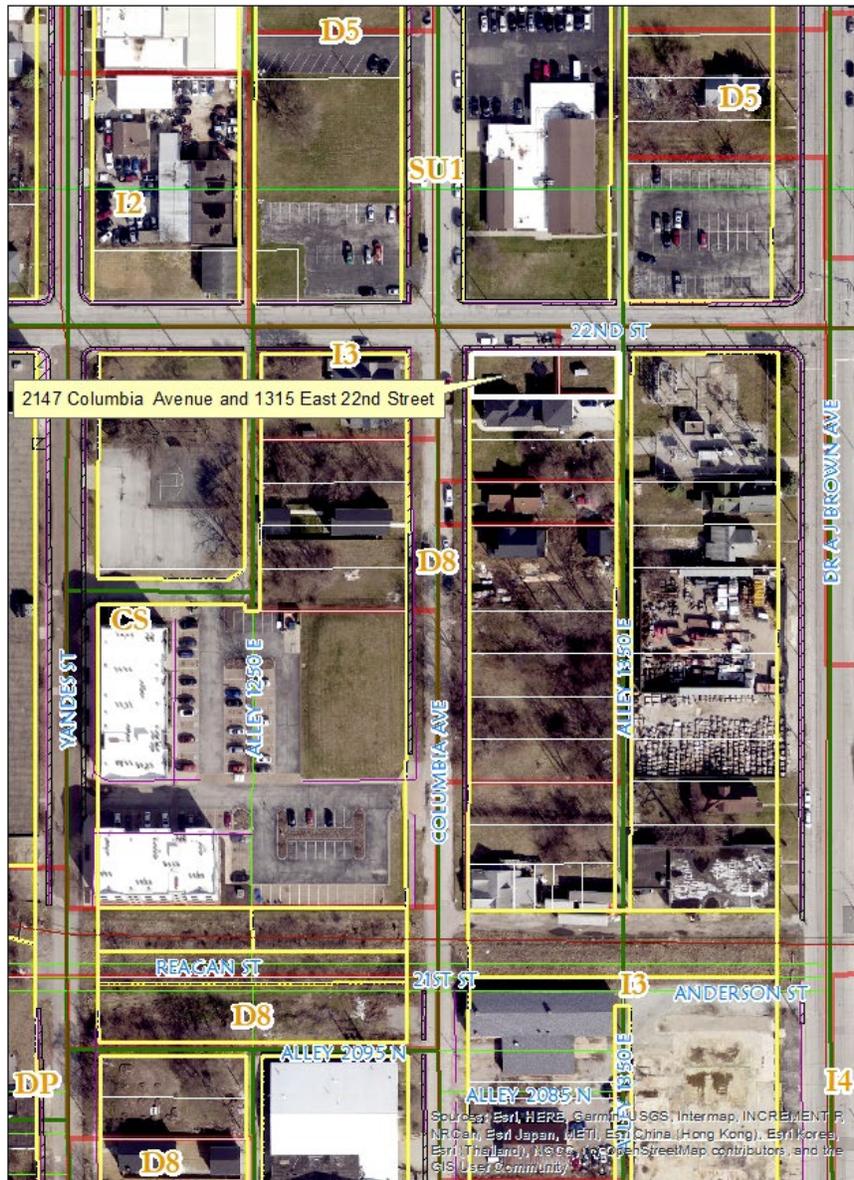
96-V3-46; 2225 Yandes Street (west of site), requested a variance of development standards of Industrial Zoning Ordinance to provide for a building addition with reduced setbacks, **granted**.

93-UV3-106; 2108 North Columbia Avenue (south of site), requested a variance of use of the Industrial Zoning Ordinance to provide for motor vehicle repair facility, **granted**.

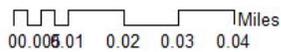
93-AP3-3; 2108 North Columbia Avenue, (south of site) requested a waiver of the one-year filing requirement, **approved**.

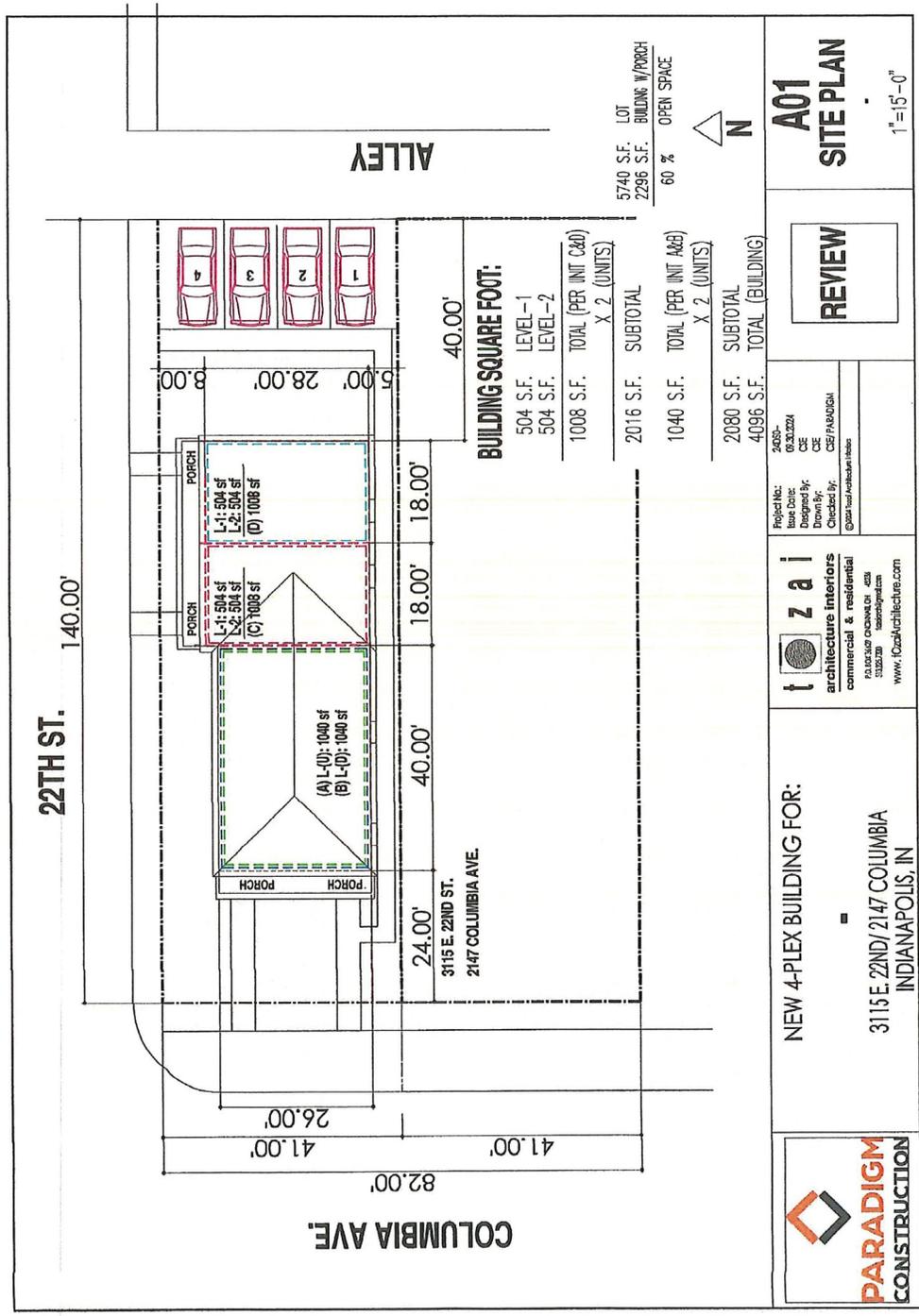
92-UV3-51; 2108 North Columbia Avenue (south of site), requested a variance of use of the Industrial Zoning Ordinance to permit an automobile repair facility, including body work and painting of automobiles, the salvage of automobile parts, and a dwelling, **denied**.

EXHIBITS



2147 Columbia Avenue and 1315 East 22nd Street





NEW 4-PLEX BUILDING FOR:

3115 E. 22ND/2147 COLUMBIA
 INDIANAPOLIS, IN

A01
SITE PLAN

1"=15'-0"

PARADIGM CONSTRUCTION

REVIEW

zai
 architecture interiors
 commercial & residential
 12100 W. COLUMBIA AVE. 400
 INDIANAPOLIS, IN 46254
 317.257.2200
 www.zaiarch.com

Project No: 24052-
 Issue Date: 09.30.2024
 Designed By: CSE
 Drawn By: CSE
 Checked By: CSE/PAB/MSA
 ©2024 Zai Architecture Inc.



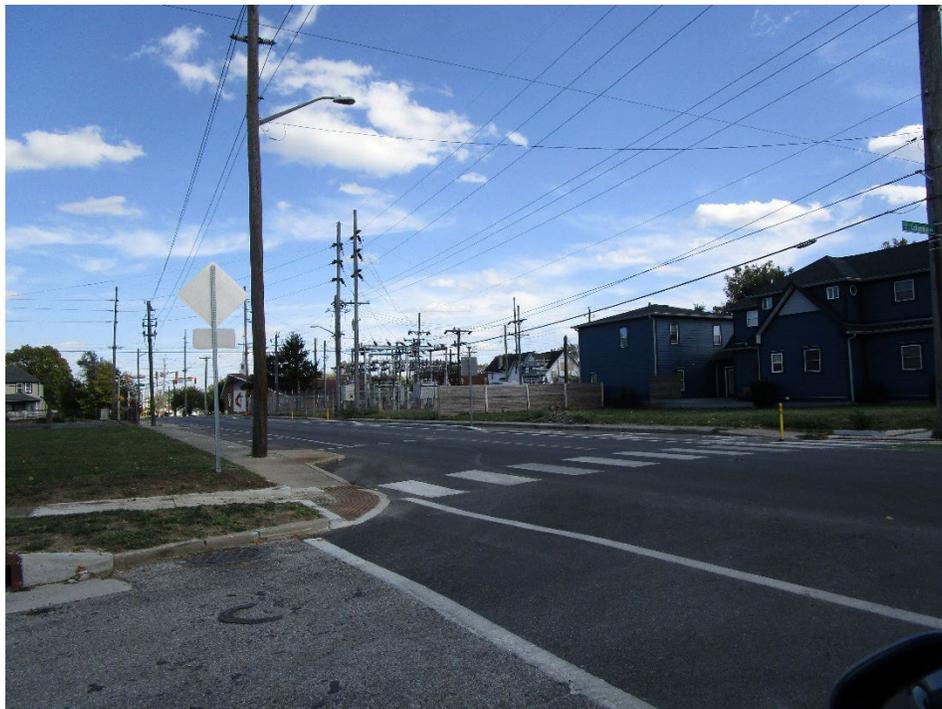
View looking north along Columbia Avenue



View looking south along Columbia Avenue



View looking west along East 22nd Street



View looking east along East 22nd Street



View of site looking northeast across Columbia Avenue



View of abutting north / south alley to the east of site



View of site looking south across East 22nd Street



View of site looking south across East 22nd Street



View of site looking southeast across the intersection of Columbia Avenue and East 22nd Street



HEARING EXAMINER **January 23, 2025**

Case Number: 2024-CAP-848 / 2024-CPL-848

Property Address: 7511 New Augusta Road (Approximate Addresses)

Location: Pike Township, Council District #1

Petitioner: Ashton Apts, LLC, by Elizabeth Bentz Williams, AICP

Zoning: D-5II and D-6II

Request: Modification of commitments related to 2018-ZON-106 commitments 1, 2, 4, 5, 6, 8, 11, 15, and 17 to allow for attached dwellings rather than senior-restricted apartments.

Approval of a Subdivision plat to be known as Ashton Village Subdivision, dividing 25.988 acres into 184 lots, with a waiver from Sec 741-301-2 to modify the amenity requirements.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for row house lots, with front loaded garages (for lots within the D-5II) exceeding 45% of the front façade (not permitted), with reduced landscaped living material in the front yard (minimum 65% living material required).

Current Land Use: Undeveloped

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This petition was previously continued for cause from the December 19, 2024 hearing to the January 23, 2025 hearing at the request of staff to allow additional time for the request to be amended and new notices to be mailed.

STAFF RECOMMENDATION

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

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

Staff **recommends approval** of the variances to provide for row house lots, with front loaded garages exceeding 45% of the front façade and with reduced landscaped living material in the front yard if the request is amended to note a minimum of 43% landscape area in the front yard.

Staff recommends that the Hearing Examiner **approve** and find that the plat, file-dated December 20, 2024, complies with the standards of the Subdivision regulations, subject to the following conditions:

- That the applicant provide 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 all standards related to 741.201.A-C – Primary Plat Requirements be met prior to recording the final plat.
13. That all standards related to 741-303.B – Through Connectivity (Metro Context Area), be met prior to recording the final plat.
14. That all standards related to 741.305 – Numbering and naming be met prior to recording the final plat.
15. That an amended plat with sidewalks compliant with Section 741-306 of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat.
16. That all standards related to 741.310 – Common Areas, Open Space and Public Sites (Compact Context Area) be subject to the waiver request.
17. That a street lighting plat compliant with Section 741-316 of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat.
18. That the approval shall be in accordance with the variances requested.



PETITION OVERVIEW

LAND USE

The 25.988-acre subject site is comprised of two parcels (6001198 and 6030910) that will ultimately be subdivided into 184 lots. The site is bordered to the north by an elementary school, zoned SU-2, to the east by baseball fields and single-family dwellings, zoned D-4 and D-5II, to the south by single-family dwellings, zoned D-5II, and to the west by a single-family dwellings and multi-family dwellings zoned D-A, D-5II, and D-6II.

MODIFICATION

The grant of the request would modify commitments related to 2018-ZON-106 that include 1,2,4,5,8,15 and 17 to allow for attached homes rather than senior restricted apartments.

The language of the commitments removes the language that was specifically associated with apartments.

WAIVER

The waiver request would modify the amenity requirements for this development to be reduced in size.

Table 741-310-2: Additional Open Space Components and Minimum Standards for Residential Subdivisions notes that a community garden proposed in the Metro Context Area would have to be at least two acres in size. Additionally, a dog park proposed in the Metro Context Area should be no less than one acre in size.

The proposed subdivision would have an approximate 0.259-acre community garden and an approximate 0.282-acre dog park.

PLAT

The request would allow for the subdivision of two parcels to be known as the August Village Subdivision, dividing 25.988 acres into 184 lots.

The northern portion of the subdivision is zoned D-6II and the southern portion is zoned D-5II.

STREETS

Vehicular access would be via New Augusta Road. There are new streets proposed for this development that include Ashton Place Drive, Stillness Drive, Whispering Garden Drive, and Garden Trace Drive. A few of the street names are not labeled.

All the interior streets included in the plat are public local streets. Ashton Place Drive would connect the northern portion to New Augusta Road while the southern portion would gain access to New Augusta Road by turning at Whispering Garden Drive to Ashton Place Drive or Ashton View Lane.

SIDEWALKS

Sidewalks would be required along all internal and external streets.



VARIANCE OF DEVELOPMENT STANDARDS

The request would allow for front loaded garages to exceed the 45% limitation of Table 744-701-2: Private Frontage Design Standards in the D-5II district.

The proposed row houses would have two-car front loaded garages which would not be able to meet the garage width limitation due to the overall width of the proposed unit measuring approximately 24 feet.

In order to meet the standard, the garage would not be able to exceed 10.8 feet in width where the proposed would measure approximately 20 feet in width.

In order to promote density, an increase in the housing stock and home ownership, staff understands that supporting the garage width variance for the existing D-5II district is essential.

Per Table 744-701-2: Private Frontage Design Standards, the D-5II district requires 65% minimum landscape area in front of the front building line.

The front building line in this instance would start at the front loaded garage. Staff requested that at least 50% of landscape area be proposed.

When calculating the front living material, the proposal would have approximately 43.7% of living material in front of the garage. However, when factoring in the landscape area between the front façade of the garage and the front façade of the dwelling entrance, an additional 11.1% landscape area is proposed.

Staff is comfortable with the overall 54.8% of total landscape area although 11.1% would not count towards meeting the 65% requirement, but would meet the intent of staff’s request for 50% of landscape area.

STAFF ANALYSIS

The subject site has had previous variances approved through 2021-HOV-004 for the D-6II section for 20-foot front yard setbacks, perimeter yard setbacks ranging from 10 feet to 22.5 feet and a 20-foot separation between buildings. The subject site has also had a previous variance approved through 2021-HOV-003 for the D-5II section for 20-foot front yard setbacks. These variances would still be applicable to the site where needed.

Overall, staff is supportive of the modification request to allow for attached dwellings instead of senior-restricted apartments, the plat petition with the waiver request for the amenity spaces, and the variances needed to allow for row house development in the D-5II district so long as the request is amended to note that 43% of landscape area would be proposed.

Existing Zoning	D-5II and D-6II	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood and Large-Scale Park	
Surrounding Context	Zoning	Land Use
North:	SU-2	School
South:	D-5II	Residential (Single-family dwellings)



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East:	D-4 / D-5II	Residential (Single-family dwellings) / Baseball Fields
West:	D-6II / D-A / D-5II	Multi-family Dwellings / Single-family dwelling
Thoroughfare Plan		
New Augusta Road	Primary Collector Street	80-foot proposed right-of-way and 60-foot existing right-of-way.
Petition Submittal Date	October 21, 2024	
Final Plat Submittal Date	December 20, 2024	

SUBDIVISION PLAT REGULATIONS

741-203 Required Documents for Approval		EVALUATION
741.201.A-C – Primary Plat Requirements:	<ul style="list-style-type: none"> Plat name, Legal Description, Surveyor Seal, Scale. Boundary Lines, Existing Street Names and dimensions. Layout of Proposed Streets – names, widths, classifications. Layout of all easements and purpose thereof. Layout of lots with numbering and dimensions. Floodway/Floodplain Delineation. Topographic Map. Area Map. 	Not Satisfied
741-203.D – Traffic Control Plan	<ul style="list-style-type: none"> Traffic control street signs and devices. Traffic calming devices. Bicycle facilities. Sidewalks and pedestrian facilities. Transit facilities, such as bus stops pads or shelter. Street lighting. 	Satisfied
741-203.E– Natural infrastructure plan (major plats containing more than 20 lots)	<ul style="list-style-type: none"> Placement of all proposed drainage facilities for the subdivision, indicating type of facility and if the facility is to be designed to be wet or dry Location of Open Space Areas of the open space common area, indicating size and general improvements Location of any Stream Protection Corridors in accordance with Section 744-205 (Stream Protection Corridors) 	Satisfied

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	<p>741-205 – Waivers</p> <ul style="list-style-type: none"> • <i>The granting of the waiver or modification will not be detrimental to the public health, safety, or welfare or injurious to other property</i> • <i>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;</i> • <i>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;</i> • <i>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; and</i> • <i>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.</i> 	<p>Waiver requested</p>
<p>741-300 Design and Installation Standards</p>	<p><i>All proposed plats submitted for Committee approval under the provisions of these regulations shall meet these standards to the satisfaction of the Committee unless waived by the Committee.</i></p>	<p>EVALUATION</p>
	<p>741-302.A – Lots:</p> <ul style="list-style-type: none"> • <i>Comply with zoning district and any cluster approval or variance grant.</i> • <i>Lots must have positive drainage away from buildings.</i> • <i>No more than 25% of lot area may be under water.</i> • <i>Side lots lines at right angles to streets or radial to curving street line.</i> • <i>Layout of lots with numbering and dimensions.</i> • <i>Floodway/Floodplain Delineation.</i> • <i>Topographic Map.</i> 	<p>Satisfied.</p>
	<p>741-302.B – Frontage and Access:</p> <ul style="list-style-type: none"> • <i>Through lots should be avoided except where necessary for primary arterial separation and topography challenges.</i> • <i>Triple frontage lots are prohibited.</i> • <i>Lots abutting alleys must have vehicular access exclusively from alley.</i> • <i>Lots shall not have direct access to arterial streets.</i> • <i>Non-residential plats shall provide cross-access easements to limits points of access to existing street network to no more than one per 500 feet.</i> 	<p>Satisfied</p>



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	<p>741-302.C – Blocks:</p> <ul style="list-style-type: none"> • Shall not exceed maximum block lengths per Table 741-302.1 • If exceeded, it must be demonstrated that: <ul style="list-style-type: none"> ○ There are improved pedestrian easements at intervals of 400 feet or less. ○ Adequate traffic calming provisions are made. ○ The block length must be exceeded because of physical conditions of the land. 	<p>Satisfied</p>
<p>741-303 Streets and Connectivity</p>	<p>All proposed plats shall allocate adequate areas for streets in conformity with the Comprehensive Plan and Official Thoroughfare Plan for Marion County, Indiana, and these regulations.</p>	<p>EVALUATION</p>
	<p>741-303.A – General:</p> <ul style="list-style-type: none"> • Subdivisions shall provide a logical street layout in relation to topographical conditions, public convenience, safety, multi-modal use and the proposed use of the land to be served by such streets. <i>Triple frontage lots are prohibited.</i> • Streets shall intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than 75 degrees. • Not more than two streets shall intersect at any one point. • Bicycle lanes meeting the Indiana Manual on Uniform Traffic Control Devices (IMUTCD) for location, width, and marking shall be provided along collector streets. • All streets shall be dedicated to the public. Alleys may be private. • Turn lanes or other improvements recommended by the Department of Public Works shall be added to the existing street system to minimize the impact of the connection upon the existing street system. 	<p>Satisfied</p>
	<p>741-303.B – Through Connectivity (Metro Context Area):</p> <ul style="list-style-type: none"> • Emergency vehicles must not have to use more than two different local streets (any street other than a primary arterial, a secondary arterial or a collector street) to reach their destination. • Permanently dead-ended streets and alleys, except for cul-de-sac streets, are prohibited. • All existing or platted streets that terminate at the property boundary line of a proposed subdivision shall be continued into the proposed subdivision to provide street connections to adjoining lands and streets within the proposed subdivision. • Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of 125 ft. between their centerlines. • Whenever cul-de-sac streets are created, a 15-foot-wide pedestrian access/public utility easement shall be provided between the cul-de-sac head or street. • Subdivisions with 30 or more lots shall have more than one entrance to the existing street network. 	<p>Not Satisfied</p>
	<p>741-303.D – Cul-de-sacs (Metro Context Area):</p> <ul style="list-style-type: none"> • In the Metro Context Area, cul-de-sac lengths shall not exceed 500 feet or serve more than 20 dwelling units. 	<p>Satisfied</p>



Department of Metropolitan Development
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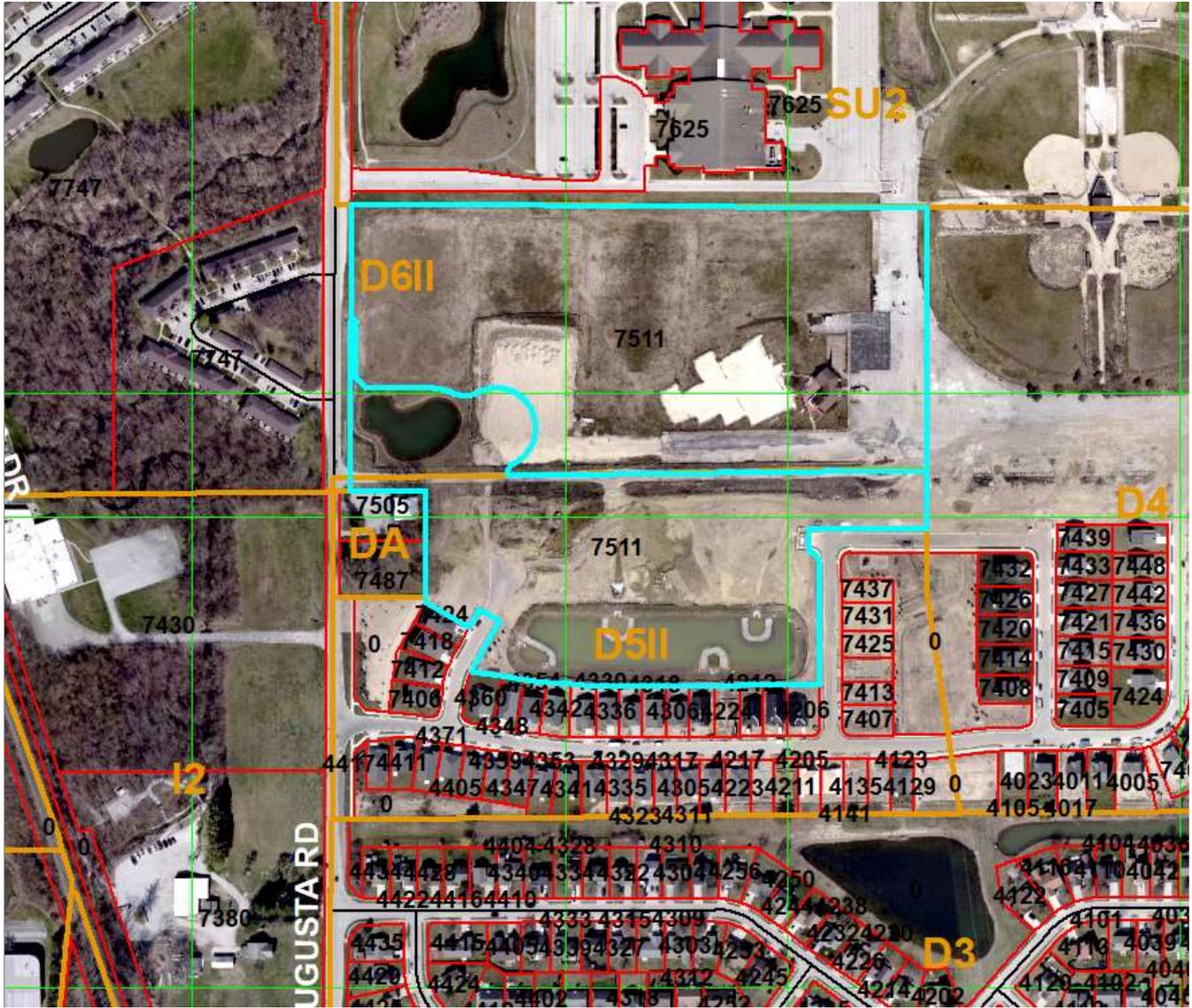
741-304-316 Additional Development Items		EVALUATION
741.304.A-C – Traffic Control Devices:	<ul style="list-style-type: none"> Street name signs, traffic control signs, bike route signs. Traffic control devices for streets exceeding 900 feet in length. Bicycle Facilities for subdivisions with a collector street serving more than 100 dwelling units. 	Satisfied
741.305 – Numbering and naming:	<ul style="list-style-type: none"> Street numbering per adopted addressing guidelines. Streets that are extensions or continuations of existing or approved streets must bear the name of such existing street. 	Street naming and numbering not submitted
741.306 – Sidewalks:	<ul style="list-style-type: none"> Sidewalks shall be provided along all internal and external streets. 	Not Satisfied
741.307-309 – Easements, Utilities, Stream Protection Corridors:	<ul style="list-style-type: none"> Utility easements shall be located along lot lines and shall be a minimum of 10 feet. All BMPs and drainage facilities must be located within an easement. The easement must accommodate adequate access for maintenance. Generally, pedestrian easements shall be 15 feet in width and be considered open to the public unless specifically declared otherwise. All utilities shall be located underground. All subdivisions must be designed in accordance with the Stream Protection Corridor requirements of Section 744-205. 	Satisfied
741.310 – Common Areas, Open Space and Public Sites (Compact Context Area):	<ul style="list-style-type: none"> Required for subdivisions with more than 20 dwelling units. Access easements shall be provided to connect all common areas to a public street right-of-way. The minimum width of such access must be at least 15 feet. Basic Open Space Requirements: Multi-purpose path, natural landscaping area, entrance landscaping. Additional Open Space Requirements: Community garden, dog park, game court, picnic area, playground, pool, etc. Additional component required for every 30 additional dwelling units overall. Reservation of land for public/semi-public purpose. 	Waiver Requested
741-312 – Monuments	<ul style="list-style-type: none"> Permanent reference monuments shall be placed in the subdivision by a Professional Surveyor. Where no existing permanent monuments are found, monuments must be installed no more than 600 feet apart in any straight line and in accordance with the schedule in Table 741-312-1. 	Satisfied



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	<p>741.313 – Flood Control:</p> <ul style="list-style-type: none">• All development shall comply with all provisions of Section 742-203 (Flood Control Zoning District).• Floodway and Floodway Fringe zones shall be delineated and labeled on the primary plat and the plat to be recorded.• For Zone AE areas, the plat must show the BFE topographic line.• For Zone A areas, the plat must show the delineation study with the floodway and floodway fringe lines shown on the FIRM maps.	<p>Satisfied</p>
	<p>741.316 – Street Lighting:</p> <ul style="list-style-type: none">• All subdivisions must be designed and constructed in accordance with the Street Lighting requirements of Section 744-600 (Street and Exterior Lighting).	<p>Street lighting not submitted</p>

EXHIBITS



ASHTON VILLAGE PRELIMINARY PLAT ZONING - D6II, D5II

STEEPELWERTH & ASSOCIATES, INC.
 10000 N. UNIVERSITY AVENUE, SUITE 100
 INDIANAPOLIS, INDIANA 46240
 TEL: 317.552.1000
 FAX: 317.552.1001
 WWW.STEEPELWERTH.COM

PREPARED FOR:
ASHTON VILLAGE

PREPARED BY:
STEEPELWERTH & ASSOCIATES, INC.
10000 N. UNIVERSITY AVENUE, SUITE 100
 INDIANAPOLIS, INDIANA 46240
 TEL: 317.552.1000
 FAX: 317.552.1001
 WWW.STEEPELWERTH.COM

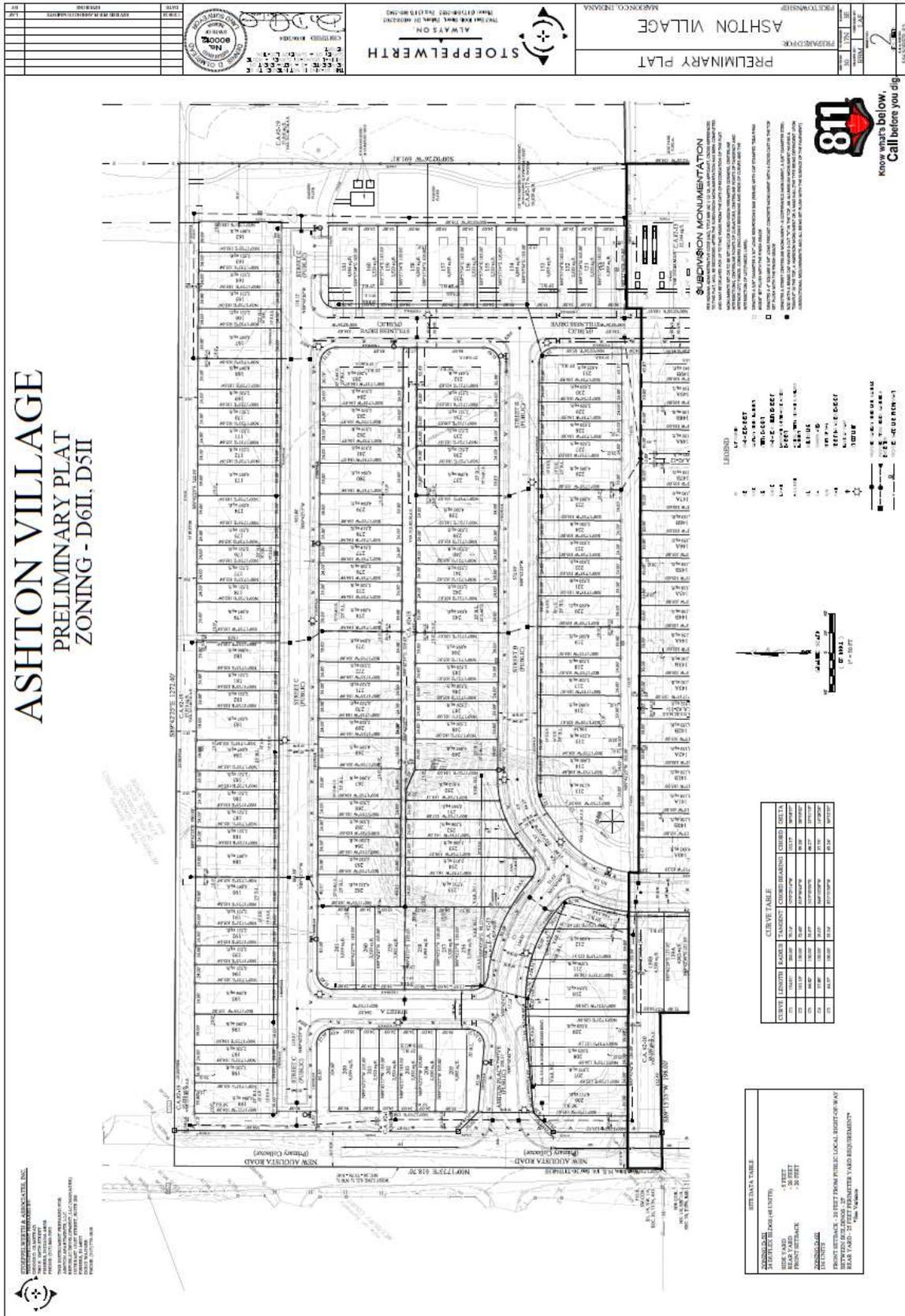
SCALE: 1" = 200'
DATE: 08/14/2018

STREET DATA

STREET A	STREET B	STREET C	STREET D	STREET E	STREET F	STREET G	STREET H	STREET I	STREET J	STREET K	STREET L	STREET M	STREET N	STREET O	STREET P	STREET Q	STREET R	STREET S	STREET T	STREET U	STREET V	STREET W	STREET X	STREET Y	STREET Z																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
1001	1002	1003	1004	1005	1006	1007	1008	1009	1010	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043	1044	1045	1046	1047	1048	1049	1050	1051	1052	1053	1054	1055	1056	1057	1058	1059	1060	1061	1062	1063	1064	1065	1066	1067	1068	1069	1070	1071	1072	1073	1074	1075	1076	1077	1078	1079	1080	1081	1082	1083	1084	1085	1086	1087	1088	1089	1090	1091	1092	1093	1094	1095	1096	1097	1098	1099	1100	1101	1102	1103	1104	1105	1106	1107	1108	1109	1110	1111	1112	1113	1114	1115	1116	1117	1118	1119	1120	1121	1122	1123	1124	1125	1126	1127	1128	1129	1130	1131	1132	1133	1134	1135	1136	1137	1138	1139	1140	1141	1142	1143	1144	1145	1146	1147	1148	1149	1150	1151	1152	1153	1154	1155	1156	1157	1158	1159	1160	1161	1162	1163	1164	1165	1166	1167	1168	1169	1170	1171	1172	1173	1174	1175	1176	1177	1178	1179	1180	1181	1182	1183	1184	1185	1186	1187	1188	1189	1190	1191	1192	1193	1194	1195	1196	1197	1198	1199	1200	1201	1202	1203	1204	1205	1206	1207	1208	1209	1210	1211	1212	1213	1214	1215	1216	1217	1218	1219	1220	1221	1222	1223	1224	1225	1226	1227	1228	1229	1230	1231	1232	1233	1234	1235	1236	1237	1238	1239	1240	1241	1242	1243	1244	1245	1246	1247	1248	1249	1250	1251	1252	1253	1254	1255	1256	1257	1258	1259	1260	1261	1262	1263	1264	1265	1266	1267	1268	1269	1270	1271	1272	1273	1274	1275	1276	1277	1278	1279	1280	1281	1282	1283	1284	1285	1286	1287	1288	1289	1290	1291	1292	1293	1294	1295	1296	1297	1298	1299	1300	1301	1302	1303	1304	1305	1306	1307	1308	1309	1310	1311	1312	1313	1314	1315	1316	1317	1318	1319	1320	1321	1322	1323	1324	1325	1326	1327	1328	1329	1330	1331	1332	1333	1334	1335	1336	1337	1338	1339	1340	1341	1342	1343	1344	1345	1346	1347	1348	1349	1350	1351	1352	1353	1354	1355	1356	1357	1358	1359	1360	1361	1362	1363	1364	1365	1366	1367	1368	1369	1370	1371	1372	1373	1374	1375	1376	1377	1378	1379	1380	1381	1382	1383	1384	1385	1386	1387	1388	1389	1390	1391	1392	1393	1394	1395	1396	1397	1398	1399	1400	1401	1402	1403	1404	1405	1406	1407	1408	1409	1410	1411	1412	1413	1414	1415	1416	1417	1418	1419	1420	1421	1422	1423	1424	1425	1426	1427	1428	1429	1430	1431	1432	1433	1434	1435	1436	1437	1438	1439	1440	1441	1442	1443	1444	1445	1446	1447	1448	1449	1450	1451	1452	1453	1454	1455	1456	1457	1458	1459	1460	1461	1462	1463	1464	1465	1466	1467	1468	1469	1470	1471	1472	1473	1474	1475	1476	1477	1478	1479	1480	1481	1482	1483	1484	1485	1486	1487	1488	1489	1490	1491	1492	1493	1494	1495	1496	1497	1498	1499	1500	1501	1502	1503	1504	1505	1506	1507	1508	1509	1510	1511	1512	1513	1514	1515	1516	1517	1518	1519	1520	1521	1522	1523	1524	1525	1526	1527	1528	1529	1530	1531	1532	1533	1534	1535	1536	1537	1538	1539	1540	1541	1542	1543	1544	1545	1546	1547	1548	1549	1550	1551	1552	1553	1554	1555	1556	1557	1558	1559	1560	1561	1562	1563	1564	1565	1566	1567	1568	1569	1570	1571	1572	1573	1574	1575	1576	1577	1578	1579	1580	1581	1582	1583	1584	1585	1586	1587	1588	1589	1590	1591	1592	1593	1594	1595	1596	1597	1598	1599	1600	1601	1602	1603	1604	1605	1606	1607	1608	1609	1610	1611	1612	1613	1614	1615	1616	1617	1618	1619	1620	1621	1622	1623	1624	1625	1626	1627	1628	1629	1630	1631	1632	1633	1634	1635	1636	1637	1638	1639	1640	1641	1642	1643	1644	1645	1646	1647	1648	1649	1650	1651	1652	1653	1654	1655	1656	1657	1658	1659	1660	1661	1662	1663	1664	1665	1666	1667	1668	1669	1670	1671	1672	1673	1674	1675	1676	1677	1678	1679	1680	1681	1682	1683	1684	1685	1686	1687	1688	1689	1690	1691	1692	1693	1694	1695	1696	1697	1698	1699	1700	1701	1702	1703	1704	1705	1706	1707	1708	1709	1710	1711	1712	1713	1714	1715	1716	1717	1718	1719	1720	1721	1722	1723	1724	1725	1726	1727	1728	1729	1730	1731	1732	1733	1734	1735	1736	1737	1738	1739	1740	1741	1742	1743	1744	1745	1746	1747	1748	1749	1750	1751	1752	1753	1754	1755	1756	1757	1758	1759	1760	1761	1762	1763	1764	1765	1766	1767	1768	1769	1770	1771	1772	1773	1774	1775	1776	1777	1778	1779	1780	1781	1782	1783	1784	1785	1786	1787	1788	1789	1790	1791	1792	1793	1794	1795	1796	1797	1798	1799	1800	1801	1802	1803	1804	1805	1806	1807	1808	1809	1810	1811	1812	1813	1814	1815	1816	1817	1818	1819	1820	1821	1822	1823	1824	1825	1826	1827	1828	1829	1830	1831	1832	1833	1834	1835	1836	1837	1838	1839	1840	1841	1842	1843	1844	1845	1846	1847	1848	1849	1850	1851	1852	1853	1854	1855	1856	1857	1858	1859	1860	1861	1862	1863	1864	1865	1866	1867	1868	1869	1870	1871	1872	1873	1874	1875	1876	1877	1878	1879	1880	1881	1882	1883	1884	1885	1886	1887	1888	1889	1890	1891	1892	1893	1894	1895	1896	1897	1898	1899	1900	1901	1902	1903	1904	1905	1906	1907	1908	1909	1910	1911	1912	1913	1914	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	



Department of Metropolitan Development
Division of Planning
Current Planning



ASHTON VILLAGE
PRELIMINARY PLAT
ZONING - D6II, D5II

PREPARED BY: STOEPPELWERTH
DATE: 11/11/11
PROJECT: ASHTON VILLAGE PRELIMINARY PLAT
ZONING - D6II, D5II
SCALE: AS SHOWN



STOEPPELWERTH
ALAMAYSON
PLANNING AND ENGINEERING, INC.
100009
STATE OF INDIANA

PRELIMINARY PLAT
ASHTON VILLAGE
MADISONCO, INDIANA

SUBDIVISION MONUMENTATION

- 1. MONUMENTS SHALL BE PLACED AT THE CORNERS OF ALL LOTS AND AT THE POINTS OF CURVATURE OF ALL CURVED LINES.
- 2. MONUMENTS SHALL BE PLACED AT THE POINTS OF BEGINNING AND END OF ALL ALIENATION.
- 3. MONUMENTS SHALL BE PLACED AT THE POINTS OF BEGINNING AND END OF ALL EASEMENTS.
- 4. MONUMENTS SHALL BE PLACED AT THE POINTS OF BEGINNING AND END OF ALL RIGHTS-OF-WAY.
- 5. MONUMENTS SHALL BE PLACED AT THE POINTS OF BEGINNING AND END OF ALL OTHER INTERESTS.

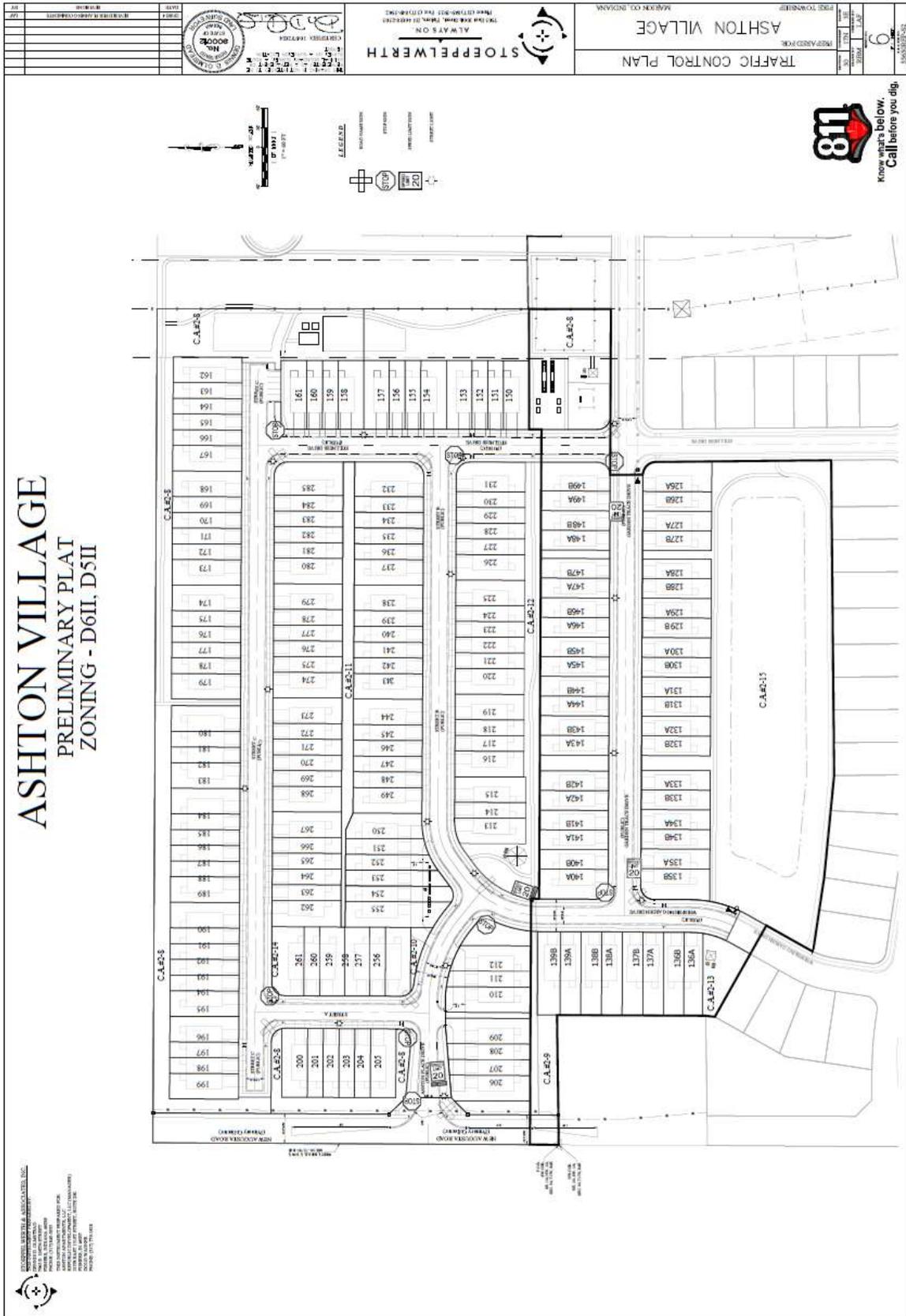
- LEGEND
- 1. LOT
 - 2. ALIENATION
 - 3. EASEMENT
 - 4. RIGHT-OF-WAY
 - 5. OTHER INTEREST
 - 6. CURVED LINE
 - 7. STRAIGHT LINE
 - 8. CENTERLINE
 - 9. PROPERTY LINE
 - 10. ADJACENT PROPERTY
 - 11. PUBLIC ROAD
 - 12. PRIVATE ROAD
 - 13. UTILITY LINE
 - 14. FENCE
 - 15. TREES
 - 16. WATER
 - 17. ELEVATION
 - 18. BENCH MARK
 - 19. NORTH ARROW
 - 20. SCALE



CURVE	LENGTH	RADIUS	TANGENT	CURVE BEARING	CHORD	DELTA
1	100.00	100.00	100.00	90.00	100.00	90.00
2	150.00	150.00	150.00	90.00	150.00	90.00
3	200.00	200.00	200.00	90.00	200.00	90.00
4	250.00	250.00	250.00	90.00	250.00	90.00
5	300.00	300.00	300.00	90.00	300.00	90.00

NOTE: ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.
ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
ALL DIMENSIONS SHALL BE TO THE PROPERTY LINE UNLESS OTHERWISE NOTED.
ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE UTILITY LINE UNLESS OTHERWISE NOTED.
ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE FENCE UNLESS OTHERWISE NOTED.
ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE TREE UNLESS OTHERWISE NOTED.
ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE WATER UNLESS OTHERWISE NOTED.
ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE BENCH MARK UNLESS OTHERWISE NOTED.





Townhome Collection – Roxbury & Trenton **LENNAR** *ei*





TRENTON OR ROXBURY D TRENTON OR ROXBURY A (Reversed)

FRONT ELEVATION **2-UNIT BUILDING**
NOT TO SCALE

INDIANAPOLIS DIVISION



EVERYTHING'S INCLUDED*

REV.	DATE	DESCRIPTION
1		PRELIMINARY DESIGN
2		
3		
4		
5		

*SEE PLAN FOR EXCLUSIONS. LENNAR'S STANDARD EQUIPMENT LIST IS SUBJECT TO CHANGE WITHOUT NOTICE. © LENNAR CORPORATION. ALL RIGHTS RESERVED.

LENNAR

FOR 2-STORY FL TOWNHOMES
CONTROL ELEVATIONS
3 UNIT FRONT-LOUIS

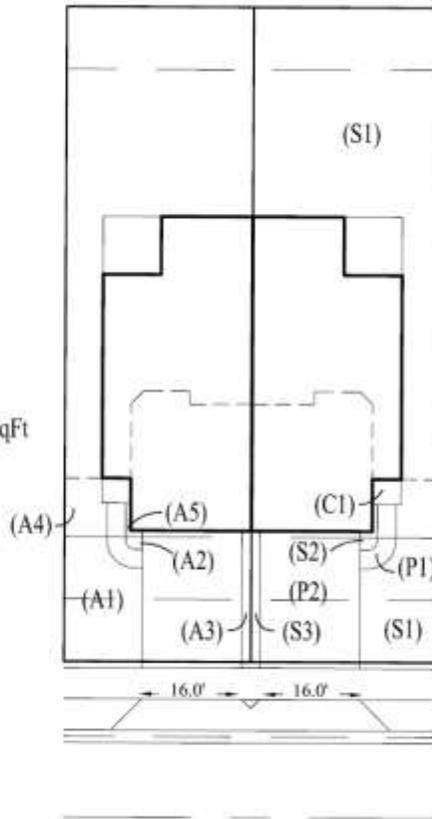
C-2.1



Department of Metropolitan Development
Division of Planning
Current Planning

Landscaping Calculation

Area 1 (A1) = 226.48 SqFt
 Area 2 (A2) = 4.98 SqFt
 Area 3 (A3) = 30.61 SqFt
 Area 4 (A4) = 60.57 SqFt
 Area 5 (A5) = 6.29 SqFt
 Green Area (B.L. to R/W) = 262.07 SqFt
 Green Area (Front Yard to B.L.) = 66.86 SqFt
 Total Green Area = 328.93 SqFt
 Total Area (B.L. to R/W) = 599.99 SqFt
 Total Percentage = 54.8%
 Required = 65.0% Landscape Area



Open Space Calculation

Space 1 (S1) = 1547.60 SqFt
 Space 2 (S2) = 11.27 SqFt
 Space 3 (S3) = 30.50 SqFt
 Pavement 1 (P1) = 35.46 SqFt
 Pavement 2 (P2) = 336.00 SqFt
 Covered 1 (C1) = 9.25 SqFt (Half Credit)
 Green Area (Lot) = 1589.37 SqFt
 Pavement / Covered Area (Lot) = 380.71 SqFt
 Green + Pavement = 1970.08 SqFt
 Total Area (Lot) = 3149.22 SqFt
 Total Percentage = 62.5%
 Required: 60.0% Open Space



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

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

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

Petitioners are providing 6 additional amenities. The proposed community garden and the dog park are provided, but are reduced in size, less than required. Nothing about this request has any qualities that would harm or be detrimental to the public health, safety, or welfare or injurious to any neighboring properties.

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 community garden and dog park are still being provided and each has all the required, essential properties from the ordinance. These are universal sizes without regard to the size of the community and therefore, we believe these amenities are "right sized" for this community. The dog park is also located immediately adjacent to the sister community dog park.

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

The community is planned as an infill with an overhead power line traversing the property. The community garden and dog park are still being provided and each has all the required, essential properties from the ordinance. These are universal sizes without regard to the physical size of the community, just the number of lots and therefore, petitioner believes these amenities are "right sized" for this community.

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:

By reviewing the amenities provided, the plat absolutely fulfills the intent of the ordinance. The variety of the amenities and the locations interspersed throughout the community, along with the trails and sideways to connect them provide the intended high standard of development.

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 relief sought is for size of amenities. There will be no other variance from other provisions of the zoning ordinance by these requests.

DECISION



Department of Metropolitan Development
Division of Planning
Current Planning

Exhibit "B"

Commitments
2018-ZON-106

1. Uses shall be limited to either Senior (age-restricted at 55+) Apartments, or Senior (age-restricted at 55+) Attached Homes (a minimum of 2 and up to a maximum of 8 attached dwellings per building).
2. All dwelling units shall be for occupancy by at least one (1) person 55 years of age or older, as permitted by and in compliance with the Housing for Older Persons Act (1995). The minimum age of a resident spouse or partner of the 55 or older resident shall be 35. The minimum age of a resident child or grandchild of the 55 or older resident, or of the spouse/partner, shall be 18. However, dwelling units occupied by community staff, such as resident managers or maintenance personnel, are exempted from age restrictions.
3. Sidewalks shall be provided along both sides of interior roads, and along New Augusta Road.
4. Apartment buildings shall be a maximum of three (3) stories tall.
5. Apartment buildings shall include brick/stone on 50% of the front façade, and 50% of the first floor of the side and rear facades (exclusive of windows and doorways).
6. Attached Homes buildings shall include brick/stone on 50% of the first floor of the front and side facades (exclusive of windows and doorways), unless the home is of the "Craftsman", "Prairie", or "Farmhouse" architectural style with enhanced architectural detailing. Said "Craftsman", "Prairie", or "Farmhouse" architectural style shall be of a similar production cost as a brick/stone façade.
7. Any vinyl building façade material used shall be Norandex interlocking or similar (.042 mm or thicker).
8. Lawn and landscaping maintenance shall be provided by the Ashton Place owner or a management company contracted by the owner.
9. The existing, deteriorated wood fence along New Augusta Road will either be repaired, replaced or removed. A split-rail fence shall be installed along the New Augusta Road frontage.
10. Vehicular access to the site shall be limited to entrance(s) from New Augusta Road. Vehicular access shall be prohibited from either Augusta Commons or Crooked Creek Heights West.
11. A minimum six (6)-foot wide pedestrian and bicycle path shall be installed from the apartments to the abutting school property to the north. The pedestrian and bicycle path shall be located with the coordination of the Metropolitan School District of Pike Township.
12. Model homes shall be permitted.
13. A walking path shall be provided within the overhead power line easement, to the extent permitted by Indianapolis Power and Light.
14. A joint maintenance agreement shall be established between the subject development (Ashton Place) and the adjoining Ashton Gardens and Ashton Manor.

MDC's Exhibit B -- page 7 of 8

19914124

Metropolitan Development

FEB 05 2019

Division of Planning



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Statement of MODIFICATION OR TERMINATION of Covenants or Commitments:

1. Commitment 1 shall be amended to read: Uses shall be limited to individually deeded Attached Homes (a minimum of 2 and up to a maximum of 8 attached dwellings per building).
2. Commitment 2 shall be deleted in its entirety.
3. Commitment 4 shall be amended to read: Buildings shall be a maximum of three (3) stories tall.
4. Commitment 5 shall be deleted in its entirety.
5. Commitment 6 shall be amended to read Attached Homes buildings shall include brick/stone on 50% of the first floor of the front and side facades (exclusive of windows and doorways), unless the home is of the "Craftsman", "Prairie", or "Farmhouse" architectural style with enhanced architectural detailing. Said "Craftsman", "Prairie", or "Farmhouse" architectural style shall be of a similar production cost as a brick/stone facade (see exhibit Attached or similar).
6. Commitment 8 shall be amended to read: Lawn and landscaping maintenance shall be provided by the Ashton Place Homeowners' Association.
7. Commitment 11 shall be amended to read: A minimum six (6)-foot wide pedestrian and bicycle path shall be installed to the abutting school property to the north. The pedestrian and bicycle path shall be located with the coordination of the Metropolitan School District of Pike Township.
8. Commitment 15 shall be amended to read: The site plan is conceptual. However, the subject development (Ashton Place) shall not exceed 136 individually deeded Attached Homes.
9. Commitment 17 shall be amended to read: Trash service will be provided to each home by the Ashton Place Homeowners' Association.
10. All other commitments (numbered 3, 6, 7, 9, 10, 12, 13, 14, 16, 18, 19, 20 and 21) subject to 2019-ZON-106 and recorded in Instrument #A201900024530 shall remain in full force and effect.
11. An owner leasing a home within the subdivision shall register with the City of Indianapolis's Landlord Registration Program through the Department of Business & Neighborhood Services, as defined in the "Revised Code of the Consolidated City and County," Chapter 851- Indianapolis Landlord Registration Program, as may be modified or amended.
12. In addition to the registration required with the City of Indianapolis, the owner shall provide the Home Owners Association (HOA) with contact information for the (i) tenant of the home and (ii) the property management company with which the owner has contracted, if applicable.



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13. Any leasing of a home shall be for a minimum of 12 months. In the case of substantiated hardship the HOA Board may grant a lease period of less than 12 months (e.g.: first responders temporary assignments or deployments).
14. Short Term Rentals shall not be permitted (e.g. AirBnB, Vrbo, etc.).
15. Petitioners shall prepare and adopt HOA documents to establish policies and standards for vetting potential tenants, including but not limited to background checks and verification of satisfactory income standards.
16. Petitioners shall provide a copy of the HOA documents to the Pike Township Residents Association, after said documents are completed.

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

COVENANTS or COMMITMENTS contained in this instrument shall be effective upon the adoption of modification or termination approved by the Metropolitan Development Commission in petition 2024-CAP-848.

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. Pike Township Residents Association



Photo of the D-5II portion of the subject site looking west.



Photo of the D-5II portion of the subject site looking northwest.



Photo of the D-5II portion of the subject site looking north towards the D-6II portion of the site.



Photo of the subject site looking east from New Augusta Road towards the D-5II district



Photo of the D-6ll portion of the site looking east from New Augusta Road.



Photo of the school, zoned SU-2, north of the subject site.



Photo of the subject site looking northeast at the D5-II portion of the site.



Photo of the subject site looking southeast at the D5-II portion of the site. |



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-CVR-854 / 2024-CPL-854
Property Address: 5930 Shelby Street
Location: Perry Township, Council District #22
Petitioner: Kathy Clements, by Patrick Rooney
Current Zoning: D-1

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for an attached dwelling structure, with proposed Parcel One with a lot area of 11,467 square feet, a 28.5-foot front setback, a 17.4-foot rear yard setback, and a zero-foot south side yard setback (minimum 24,000-square foot lot area required, 30-foot front setback, 25-foot rear setback and a minimum eight-foot side yard required), and for proposed Parcel Two with a lot area of 22,715 square feet, 29-foot front setback, 16.8-foot rear yard setback, and a zero-foot north side yard setback (minimum 24,000-square foot lot area required, 30-foot front setback, 25-foot rear setback and a minimum eight-foot side yard required).

Approval of a Subdivision Plat, to be known as Replat of Lot 117 William L. Elders Edgewood Addition, dividing 0.78-acre, into two lots.

Current Land Use: Two-family dwelling and accessory structures
Staff Recommendations: Approval of the variances and the plat.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first public hearing on this petition.

STAFF RECOMMENDATION

Staff recommends that the Hearing Examiner approve and find that the plat, file dated August 21, 2024, 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.



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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.

Staff recommends approval of the variances of development standards as provided in the site plan file-dated December 10, 2024. These variances, however, should only be applicable to the existing structure or replacement structure of similar bulk, as the impact of larger and taller structure on these lots would be more impactful. Any demolition or rebuild on these parcels would be required to comply with the development standards at the time.

PETITION OVERVIEW

This 0.784-acre site, zoned D-1, is developed with a two-family dwelling. It is surrounded by a single-family dwelling to the north, the right-of-way of the intersection of Edgewood Avenue North and Shelby Street to the south; single-family dwellings to the east, across Shelby Street; and single-family dwellings to the west, all zoned D-1.

Petition 72-UV3-1 granted a variance of use to permit construction of a two-family dwelling.



VARIANCES OF DEVELOPMENT STANDARDS

The request would provide for many variances related to reduced lot area as well as reduced setbacks for both proposed lots. This two-family dwelling was constructed over 50 years ago, presumably in accordance with the development standards in effect at that time because there is no record of variances on this site.

Because of amendments to the Zoning Ordinance during the intervening years, staff believes support of these variances that would legally establish the reduced lot area and reduced setbacks would have minimal impact on the surrounding residential neighborhood and provide an opportunity for home ownership.

GENERAL INFORMATION

Existing Zoning	D-1		
Existing Land Use	Two-family dwelling		
Comprehensive Plan	Suburban Neighborhood		
Surrounding Context	Zoning	Land Use	
	North:	D-1	Single-family dwelling
	South:	D-1	Right-of-Way
	East:	D-1	Single-family dwellings
	West:	D-1	Single-family dwellings
Thoroughfare Plan			
Shelby Street	Local Street	Existing 50-foot right-of-way and proposed 50-foot right-of-way.	
East Edgewood Avenue	Local Street	Existing 54 to 74-foot right-of-way and proposed 50-foot right-of-way.	
Context Area	Metro		
Floodway / Floodway Fringe	No		
Overlay	No		
Wellfield Protection Area	No		
Site Plan	December 10, 2024		
Site Plan (Amended)	N/A		
Elevations	N/A		
Elevations (Amended)	N/A		
Landscape Plan	N/A		
Findings of Fact	December 10, 2024		
Findings of Fact (Amended)	N/A		
C-S/D-P Statement	N/A		

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

- *Conditions for All Land Use Types (Suburban Neighborhood)*
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
 - Hydrological patterns should be preserved wherever possible.
 - Curvilinear streets should be used with discretion and should maintain the same general direction.
 - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- *Conditions for All Housing*
 - A mix of housing types is encouraged.
 - Developments of more than 30 housing units must have access to at least one arterial street of three or more continuous travel lanes between the intersections of two intersecting arterial streets
 - Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.



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- Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
- Developments with densities higher than five dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.
- *Attached Housing (defined as duplexes, triplexes, quads, townhouses, row houses, stacked flats, and other, similar legally complete dwellings joined by common walls and typically with each unit on its own lot or part of a condominium.)*
 - Duplexes should be located on corner lots, with entrances located on different sides of the lot or otherwise interspersed with detached housing.
 - Duplexes should be architecturally harmonious with adjacent housing.
 - Townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood-serving retail.

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

73-UV2-1; 5930-5932 Shelby Street, requested a variance of use to permit erection of a two-family dwelling, as per plans filed, **granted**.

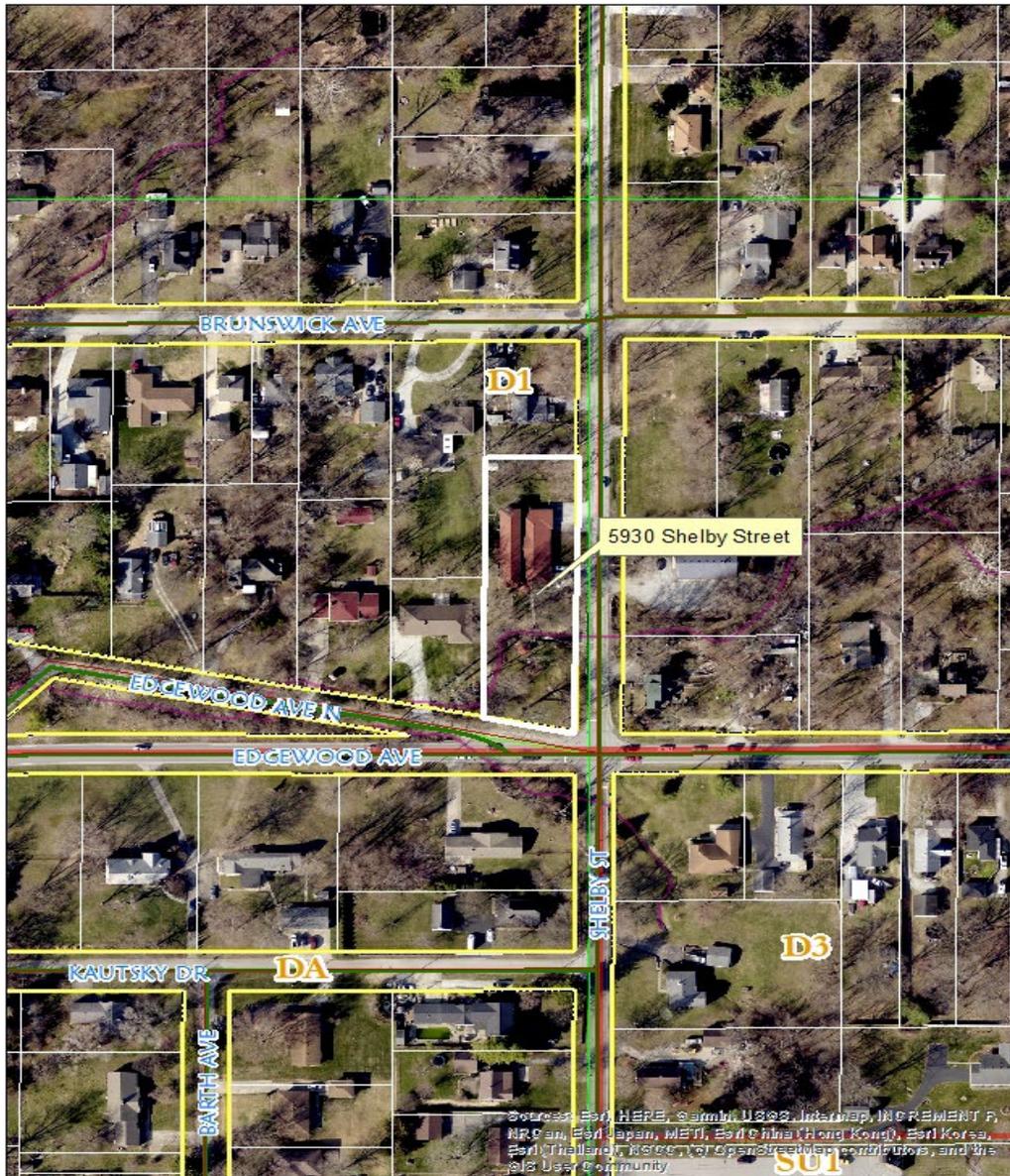
VICINITY

2013-DV2-026; 1015 East Brunswick Avenue (north of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for 1,336 square feet of accessory building area or 97.7% of the main floor area of the primary dwelling and to provide for 1,983 square feet of accessory use area or 103% of the total floor area of the primary dwelling, and to legally establish 5.5-foot and 6.5-foot side setbacks for the storage building and shed, respectively, **granted**.

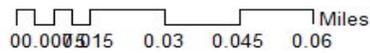
97-CP-16V / 97CP-16P, 5713 Shelby Street (north of site); requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the subdivision of one lot into two lots for residential development, with 15,000 square feet lots size; and subdivision approval of 0.68 acre into two lots, **granted**.

92-V2-34, 1006 East Edgewood Avenue (west of site); requested a variance of development standards of the Dwelling districts Zoning Ordinance to provide for the placement of a chain link fence being six feet in height along Edgewood Avenue, **denied**.

EXHIBITS



5930 Shelby Street





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 overall look and use of the property will not change. The structure on the property is currently a duplex, and will remain as such if this variance is granted. The previous owners of the property, obtained a variance allowing the duplex under petition number: 72-UV3-1, and built the duplex that same year. The duplex has been on the property for 52 years, and is only being replatted now to certain circumstances, explained below, that have befallen the current owners/occupants.

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 use of the property will not change. The value of the subject property will increase by allowing for the replat, and thus the values of the adjacent properties shall increase.

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

The replat is necessary due to the death of one of two twin sisters that previously owned the property and the divorce of the other remaining owner. Since it is a duplex, there is no side setback and due to the creek, the duplex was not built in the middle of the property so the square footage of the new parcels is not sufficient. To meet current zoning ordinances, the parties would have to demolish the existing duplex and construct two new single family homes which would be very time consuming and costly.

DECISION

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

Adopted this _____ day of _____, 20 ____



View looking south along Shelby Street



View looking north along Shelby Street



View of site looking west across Shelby Street



View of site looking west across Shelby Street



View of site looking west across Shelby Street



View of site looking west across Shelby Street



View from site looking east across Shelby Street



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-CAP-857 / 2024-CVR-857

Property Address: 2025 Dugan Drive (Approximate Address)

Location: Washington Township, Council District #1

Petitioner: St. Vincent Hospital and Health, by Kandyn Leach

Current Zoning: HD-1

Hospital District-One Approval to provide for replacement building identification and wayfinding signage for a Donor House.

Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a replacement monument sign within the clear-sight triangle and within the 10-foot front yard setback (not permitted within the clear-sight triangle, and a minimum 10-foot front setback required).

Current Land Use: Hospitality house

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 site is developed with a hospitality house that houses families that need accommodations while receiving care if they live far from the hospital.

The site is bordered to the south by a spirituality center, zoned HD-2, to the west by a water tower, zoned HD-1, a parking lot to the north, zoned HD-1, and apartments to the east, zoned HD-2.



HOSPITAL DISTRICT ONE APPROVAL

The HD-1 zoning category is designed to permit and facilitate the development, expansion, and modernization of a major hospital complex or campus, in which a diversity of uses, functions, and facilities is necessary to best perform the hospital's various services to the public; and further to permit appropriate land use modifications as necessary to facilitate the highest level of such service.

This district requires an approval petition be filed for signs other than incidental signs. An incidental sign is defined as “a permanent sign which has a purpose that is secondary and incidental to the use of the lot on which it is located, such as “hours of operation”, “loading zone only,” “air,” “building directory“ and “visitor parking,” and which carries no commercial message that is legible beyond the lot on which the sign is located, except for a registered logo on a premises with two or more separately-operating businesses.

The Ordinance classifies Hospital District One as a Development Plan District. “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.”

STAFF ANALYSIS

The proposal would allow for the approval of a building identification sign and wayfinding signage with a variance for a monument sign within the clear sight triangle and 10-foot front setback.

Table 744-906-12 Primary Freestanding Signs in Special Districts notes that a monument sign requires a 10-foot front setback and cannot be within the clear sight triangle.

The face of the existing monument sign would be replaced which is located within the clear sight triangle and has a fifteen-foot front setback from Dugan Drive. Therefore, staff determined that the variance for the monument sign to be within the 10-foot front setback would not be required.

Staff is supportive of the requests because of the importance of signage for visitors who need to be able to locate their destinations during emergencies and other hectic situations. Staff determined that the proposed signs would provide appropriate wayfinding signage for the subject site.

GENERAL INFORMATION

Existing Zoning	HD-1
Existing Land Use	Hospitality house
Comprehensive Plan	Regional Special Use

Surrounding Context	Zoning	Land Use
North:	HD-1	Parking Lot
South:	HD-2	Spirituality Center
East:	HD-2	Multi-family dwellings
West:	HD-1	Water Tower
Thoroughfare Plan		
Dugan Drive	Local Street	50-foot proposed right-of-way and 50-foot existing right-of-way.
Harcourt Road	Primary Collector Street	80-foot proposed right-of-way and 70-foot existing right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	December 30, 2024.	
Site Plan (Amended)	N/A	
Elevations	December 30, 2024.	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	December 30, 2024.	
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 Marion County Land Use Plan Pattern Book (2019) recommends regional special use and institution-oriented mixed-use development on the site.
- **REGIONAL SPECIAL USE** - This category provides for public, semi-public and private land uses that serve a specific institutional purpose for a significant portion of the county. Examples are large-scale, generally stable institutional uses such as cemeteries, hospitals, universities, high schools, government complexes, large museums, the Indiana State Fairgrounds, and the Indianapolis Motor Speedway. Long Range Planning staff should provide guidance regarding any property use changes in this typology. Partial property changes should remain thematically or economically supportive of the special use while also being contextually sensitive to adjacent existing



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development and land use plans. Redevelopment, use changes, or other significant changes to the entire property must be informed by a planning study conducted by Department of Metropolitan Development to determine Land Use Plan recommendations.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

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

- Not Applicable to the Site.



ZONING HISTORY

Zoning History- Site

2019-APP-018; 8081 Township Line Road, 1801 West 86th Street, 8220 and 8424 Naab Road and 2025 Dugan Road (subject site), Hospital District One/Two Approval to provide for a sign program with building and freestanding signs, **approved**.

2015-APP-010; 2025 Dugan Drive (subject site), Hospital District-One Approval to provide for a two-story, 26,000-square foot, multi-resident, short-term stay hospitality house, with a four-foot tall, 40-square foot ground sign and a 42-square foot wall sign, **approved**.

97-AP-85; 8298 Harcourt Road (subject site), Approval for the construction of a 14,000 square foot two-story Spirituality center consisting of an 8,000 square foot meeting facility and chapel, and two 3,000 square foot cottages of 10 rooms each, **approved**.

73-AP-69; 2141 Dugan Drive (subject site), Hospital District approval to construct St. Vincent Hospital Administrator's Residence, **approved**.

66-Z-168; 2000 West 86th Street (subject site), Rezoning of 102.90 acres being in A-2 district to SU-6 (Hospitals and Sanitarium) to provide for the construction of a hospital related activities, **approved**.

Zoning History- Vicinity

2011-APP-009; 8220 Naab Road (northwest of site), Hospital district approval to provide 120.79-square foot wall sign, **approved**.

97-CP-37AP / 97-CP-37V; 2239 Dugan Drive (west of site), Hospital District-One Approval to provide for the installation of a wireless personal communication system facility, including a tower being 180 feet in height, with an associated 12 by 20 foot equipment building and Variance of use of the Special Use Districts Zoning Ordinance to provide for the installation of a wireless personal communication system facility, including a tower being 180 feet in height, with an associated 12 by 20 foot equipment building, **approved**.

81-Z-137; 8111 Township Line Road (southwest of site), Rezoning of 20.00 acres, being in the HD-2 district, to the HD-1 classification, to provide for a 150-bed hospital for obstetrics and gynecology, **approved**.

73-AP-66; 8251 North Harcourt Road (east of site), Approval to request the construction of an apartment-convalescent center complex, **approved**.

73-Z-74; 1801 West 86th Street (east of site), Rezoning of 33.75 acres, being in A-2 and HD-1 districts to HD-1 and HD-2 classifications to permit hospital related use, **approved**.



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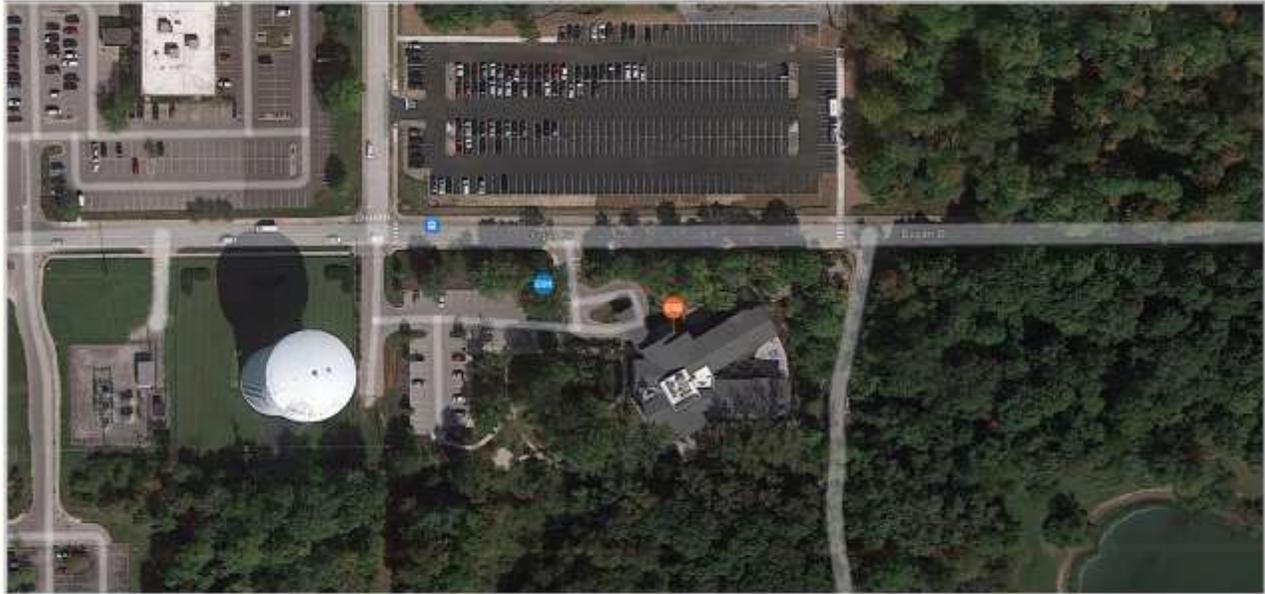
72-AP-87; 8181 North Harcourt Road (southeast of site), Approval of use, site, and development plan to construct a nursing home and convalescent center, containing approximately 150 patient beds, **approved.**

72-AP-49; 8181 Harcourt Road (southeast of site), Approval for multi-family units, **approved.**

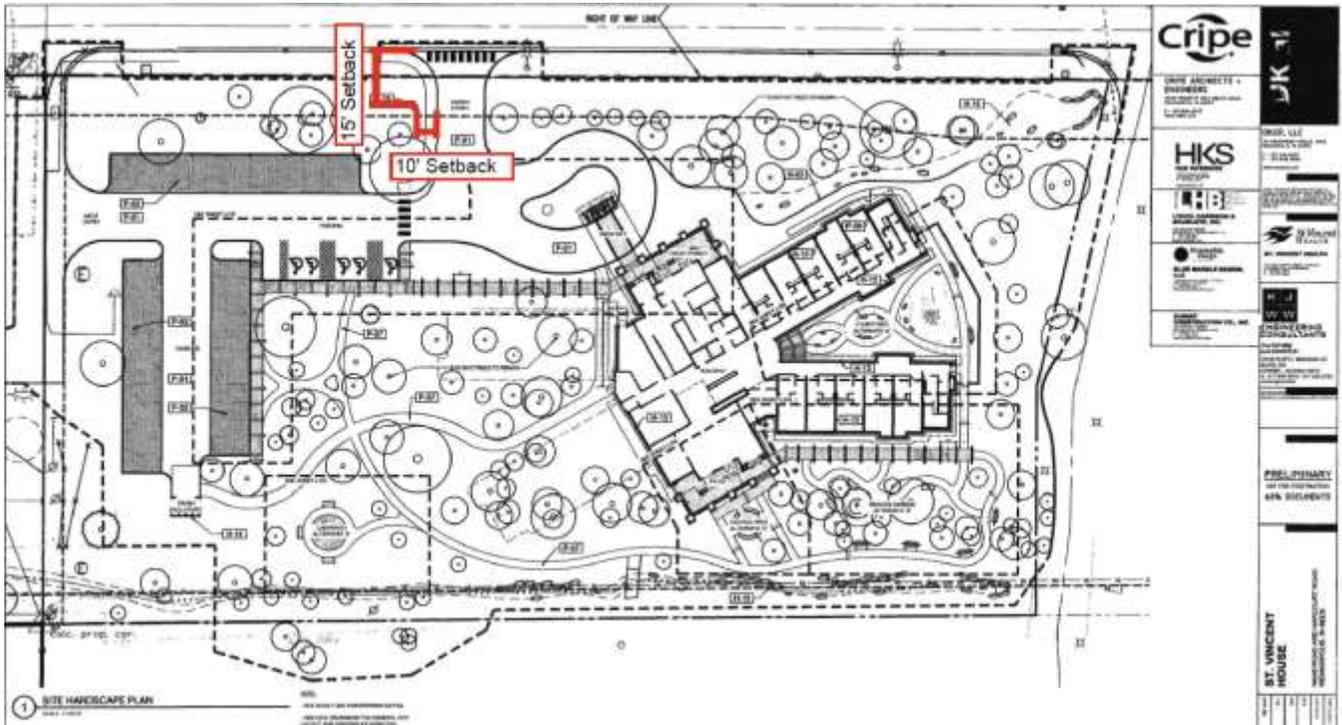
EXHIBITS



Overview Map



Ascension



Existing



Sign Type: Monument
Sign Code: ASC-40-C
Location: Roadside
Bar Code: XXXX
Illumination: External
Dimensions:
OAH: 1'-10"
OAW: 0'-4"
HOG: 1'-6"
Comments: XXXXXXXXXXXX



Detail Side A:



Detail Side B:



Rendering:

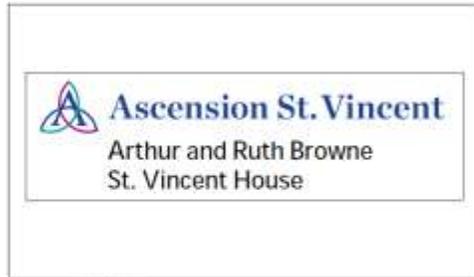
E01

2011 Dugan Drive

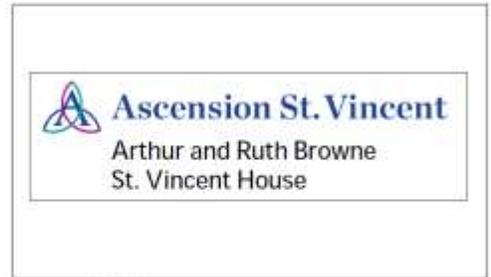
Recommendation

Action: Replace
Sign Type: Monument
Sign Code: ASC-RFC
Quantity: 2
Attachment: Facades
Illumination: External
Approx. Size:
H: 1'-10"
W: 0'-4"
OAH:
OAW:
Comments:

Technical Survey: Required
Code Compliance: Requires Validation



Recommended Side A:



Recommended Side B:



[Overview Map](#)
[Street View Map](#)
[Wayfinding Map](#)
[Regulatory Map](#)
[Interiors Map](#)
[Entrance Map](#)
[Return To Summary](#)

Existing



Sign Type: Reverse Channel Letters
Sign Code: ASC-DL-CLUST
Location: Front Entrance
Bar Code: XXXX
Illumination: None
Dimensions:
OAH: 1'-0"
OAW: 3'-0" X 3"
HOG: 3'-0" X 3"
Comments: XX



Detail Side A:



Rendering:

E02

2011 Dugan Drive

Recommendation

Action: Remove & Replace
Sign Type: Halo Letters
Sign Code: ASC-DL-CLUST-27
Quantity: 1
Attachment: Facades
Illumination: Internal-Halo
Approx. Size:
H: 0'-11 1/2"
W: 14'-5 1/4"
OAH:
OAW:
Comments:

Technical Survey: Required
Code Compliance: Requires Validation



Recommended Side A:



[Overview Map](#)
[Street View Map](#)
[Wayfinding Map](#)
[Regulatory Map](#)
[Interiors Map](#)
[Entrance Map](#)
[Return To Summary](#)



ELEVATION VIEW



**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 signage improves the visibility of the St. Vincent Donor House facility and incorporates into the design plan essential for the navigation of the Ascension St. Vincent Donor House. The proposed signs are essential for pedestrian and vehicular navigation, in particular during high stress situations when people are often navigating hospital campuses.

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 signage fits into the current campus design signage plan on site resulting in a functional and aesthetically pleasing design plan. By providing clear visibility, the signage proposed improves traffic safety and navigation by for drivers and pedestrians. The proposed signage is in line with already permitted and installed on site so it will be visually pleasing to have signs of the same design around the campus.

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

The proposed signage helps drivers know where to navigate and park when visiting the St. Vincent Donor House. Without this signage visibility would be impacted and navigation around the campus and to this facility would be greatly impacted.

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 proposed wall sign and ground sign requiring variances are replacing existing signage which help people navigate the campus in high stress situations. The proposed location and design of this signage is essential for their effective use by visitors of the St. Vincent Donor House.

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

The proposed signage will not damage the sanitation, drainage, or public utilities as they are small non-illumination signs placed in locations designed to not impact these areas. The proposed signage just replaces existing signage.



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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 proposed signage requiring a variance is essential signage for the hospital campus and has a unique hardship due to the size of the campus. The design of the proposed signage allows the Donor House to function as proposed and without the proposed signage it would struggle to function as intended. The proposed ground sign is essential for the Donor House to instruct drivers and pedestrians where to enter to visit the facility.

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

The proposed signage assists pedestrians as they navigate the campus on the sidewalks. The proposed signage is design to improve visibility so that as pedestrians are walking they can safely and efficiently get to their destination.

DECISION

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

Adopted this [] day of [], 20 []

[]
Commission President/ Secretary



**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:

Granting these petitions will not be injurious to the public. This is an attempt to improve visibility of the St. Vincent Donor House and unify the branding across the Ascension St. Vincent campus. This is essential for the safe and efficient navigation of the Ascension campus where people are often in high stress situations. The proposed signs improves the overall visibility of important medical facilities and would be a positive contribution to the public health, safety, morals, and general welfare of the community at large.

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:

Granting these petitions will not have an adverse effect to the adjacent properties. These approvals will assist in the navigation of the campus and in and around the St. Vincent Donor House. The proposed signage could positively effect travel times in the area and the health and safety of people seeking treatments. The adjacent properties are also Ascension facilities so these proposed signs are approved as part of the overall branding plan for the campus. Overall these signs will have a positive impact on the community and adjacent properties as it relates to the overall look of the campus and the safety of visitors.

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

The hospital campus is 96 acres large and has multiple buildings and parking sites. Due to the size and design of the campus many signs don't face major roads but still have heavy vehicle and pedestrian traffic. Our need to direct the public to this facility and inform them of the best locations to park for their visit has become difficult under the ordinance as it is written. The proposed ground sign, and proposed in design and location are essential for the navigation of the campus as they incorporate into the overall signage way finding plan. The current code causes practical difficulties for visitors to the St. Vincent Donor House.

DECISION

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

Adopted this [] day of [], 20 []

[] []
[] []
[] []



Photo of the subject site.



Photo of the location of the proposed wall sign.



Photo of the existing freestanding sign where the proposed sign face change will be located.



Photo of the parking lot north of the site.



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-MOD-020
Property Address: 431 South Shortridge Road
Location: Warren Township, Council District #20
Petitioner: Bhullar Deol Properties, Inc., by Justin Kingen and David Kingen
Current Zoning: C-S
Request: Modification of commitments related to 2022-CZN-868 to modify Commitment #13 to allow the property to seek a catering hall liquor license for private events (current commitment does not allow for a liquor license to be issued on the site).
Current Land Use: Event Center
Staff Recommendations: No recommendation.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the November 21, 2024 hearing, to the December 19, 2024 hearing, at the request of the petitioner’s representative. No new information has been submitted to the file.

The Hearing Examiner continued this petition from the December 19, 2024 hearing, to the January 23, 2025 hearing, at the request of the petitioner’s representative.

STAFF RECOMMENDATION

No recommendation. If the request is 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 three days prior to the MDC hearing:

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.



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Current Planning**

PETITION OVERVIEW

This 0.68-acre site, zoned C-S is developed with an event center. It is surrounded by commercial uses to the north, zoned C-7; undeveloped land to the south, zoned D-A; railroad right-of-way to the east, zoned C-S; and commercial uses to the west, across South Shortridge Road, zoned C-1.

Petition 2022-CZN-868 rezoned the site to provide for an event center.

MODIFICATION

The request would modify commitments related to 2022-CZN-868 to modify Commitment #13 to allow the property to seek a catering hall liquor license for private events when the agreed upon commitments prohibited a liquor license for the site, except of a specific event. See Exhibit A.

The commitment eliminating the issuance of a liquor license for the site was originally the result of negotiation between the petitioner and remonstrators during the 2022 rezoning process. Because staff played no role in the negotiation of these subject commitments, staff would ordinarily provide no recommendation under such circumstances. Staff would note, however, that the neighborhood organization(s) negotiated in good faith with the petitioner during the petition process, and their agreement was contingent upon all commitments being included with the rezoning petition.

Staff, however, believes the issuance of a catering hall liquor license would not be appropriate due to the abutting protected district (D-A) to the south and the Comprehensive Plan recommendation of office commercial for surrounding properties to the north, south, east and west.

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;



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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-S	
Existing Land Use	Event Center	
Comprehensive Plan	Office Commercial	
Surrounding Context	Zoning	Land Use
North:	C-7	Truck parking
South:	D-A	Undeveloped land
East:	C-S	Railroad right-of-way
West:	C-1	Commercial uses
Thoroughfare Plan		
South Shortridge Road	Local Street	Existing 126-foot right-of-way and proposed 60-foot 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

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

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

- *Conditions for All Land Use Types –Office Commercial Typology*
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
 - Master-planned developments more than 2 acres should include pedestrian amenities for passive and active recreation internal to the development.

The Pattern Book recommends the following uses for the office commercial typology: large-scale offices, small-scale offices, retailing, and personal or professional services, small-scale schools, places of worship, neighborhood-serving institutions/infrastructure, and other places of assembly and small-scale parks.



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

2024-CZN-868 (amended) / 2022-CVR-868 (withdrawn); 431 South Shortridge Road, requested rezoning of 2,674 acres from the D-A district to the C-S district to provide for an event center and C-1 uses, with exceptions, **approved**.

86-UV1-4; 431 South Shortridge Road, requested a variance of use to permit an additional to an existing union hall, **approved**.

VICINITY

2018-ZON-068; 405, 409 & 411 South Shortridge Road (north of site), requested the rezoning of 8.8 acres from the D-11 and C-7 districts to the C-S district to provide for C-1 and I-1 uses, warehousing, commercial and building contractor, truck and trailer parking, heavy truck, heavy equipment and vehicle sales repair and service, **approved**.

2007-ZON-071; 415 South Shortridge Road (north of site), requested the rezoning of 2.7 acres from the C-1 district to the C-ID district, **approved**.

98-Z-100; 411 South Shortridge Road (north of site), requested the rezoning of 2.9 acres from the D-A district to the C-ID district, **approved**.

89-Z-144 / 89-CV-21; 405 South Shortridge Road (north of site), requested the rezoning of 5.5 acres from the A-2 district to the D-11 district and a variance of development standards to provide for deficient perimeter yards and deficient distance between buildings, **approved**.

86-UV1-1; 411 South Shortridge Road (north of site), requested a variance of use to provide for a storage and maintenance building for an electric company and the operation of a automobile and small engine repair facility, **approved**.

86-Z-78; 415 South Shortridge Road (north of site), requested the rezoning of four acres from the A-1 district to the C-1 district, **approved**.

85-Z-157; 7302 English Avenue (south of site), requested the rezoning of 1.1 acre from the D-2 district to the C-1 district, **approved**.

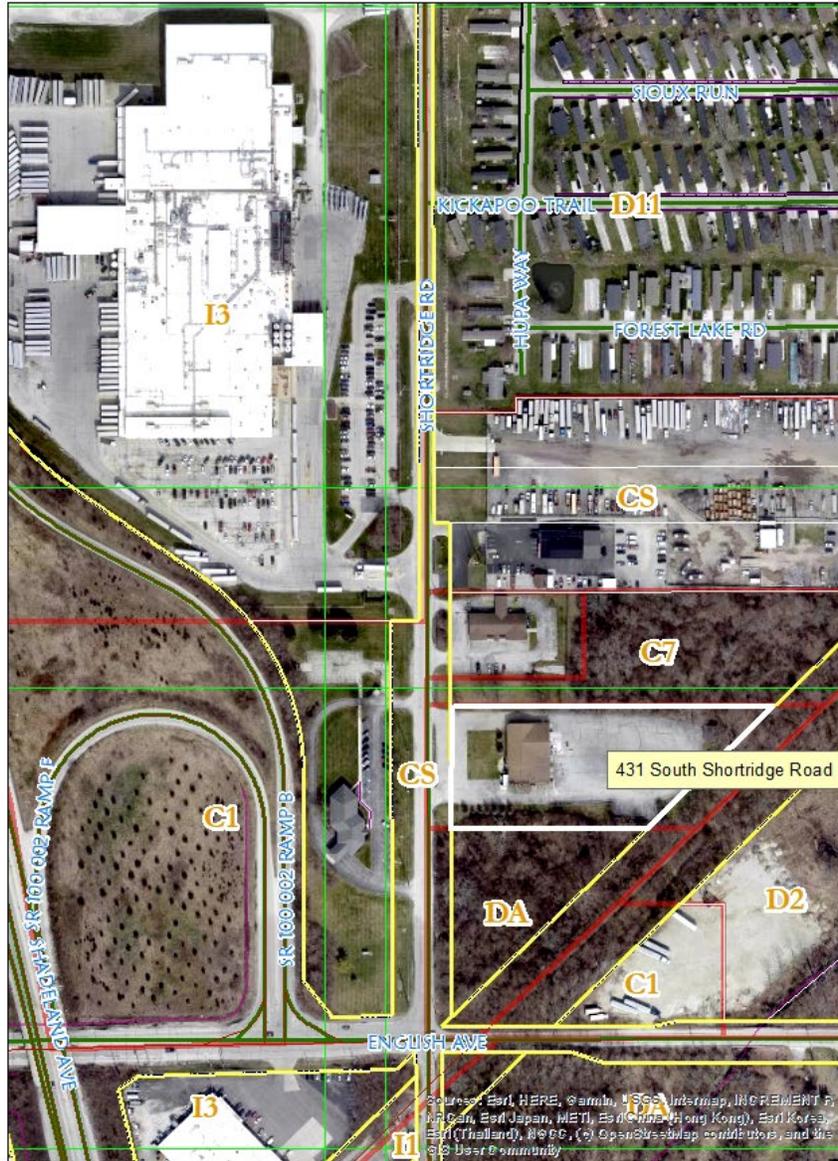


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84-UV1-4; 411 South Shortridge Road (north of site), requested a variance of use to provide for retail and repair of commercial search lights, electrical contractor, fabrication, maintenance and sales of radio towers, auto repair and outdoor storage, **approved**.

83-UV2-119; 405 South Shortridge Road (north of site), requested a variance of use to provide for automobile service and storage in an A-2 district, **denied**

EXHIBITS



431 South Shortridge Road
0 0.0125025 0.05 0.075 0.1 Miles



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Division of Planning
Current Planning

EXHIBIT A

A202300046117

06/07/2023 09:06 AM

**FAITH KIMBROUGH
MARION COUNTY IN RECORDER**

FEE: \$ 35.00

PAGES: 7

By: JS

KLH

STATEMENT OF COMMITMENTS

**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. 36-7-4-1015, 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: 431 South Shortridge Road (See Attached Exhibit "A")

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. No sleeping shall be permitted between on the site.
3. No billboards or off-site advertising signs shall be permitted on the property.
4. No new Electronic Variable Message Signs (EVMS) or new pole signs shall be erected on the subject property.
5. All parking lot area shall be maintained and kept litter and weed free.
6. All parking areas shall be striped and marked for appropriate parking and access
7. All persons, visitors and attending events or coming to any office at the 431 South Shortridge Road site shall park on the private property of 431 South Shortridge Road and shall not park along the frontage of this site or any other site along South Shortridge Road in the public right of way or in the grass along the frontage of South Shortridge Road.
8. Trash containers shall be enclosed on three sides and have gates.
9. The existing tree line along the east and south properties lines of the site shall be preserved and maintained except for trimming of the existing trees and vegetation to continue to provide screening and buffering.
10. Only one ground sign (non-illuminated) or one pylon (non-illuminated) shall be permitted on the site.
11. All the additional landscaping with year around evergreens shall be installed prior to the use of the site.

MDC's Exhibit B -- page 1 of 6



①



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- a. All front yard landscaping of trees and shrubbery shall meet the minimum standards of the landscape requirements of Indy Rezone including the species of plant materials.
- 12. No lighting shall be projected off the site.
- 13. No liquor license shall be sought or issued for use on this site.
 - a. Catering liquor for a specific event would be permitted.
- 14. Hours of operation shall be 7 am to 11 pm, Mondays thru Thursdays and 7 am to 12 midnight Fridays and Saturdays.
- 15. No truck and trailer parking shall be allowed on this site.

Petitioner commits to exclude the following C-1 uses from the subject site:

- 1. Substation and utility Distribution
- 2. Wireless Communications facility
- 3. Transit Center
- 4. Fleet Services
- 5. Indoor recreation and entertainment, as a secondary use
- 6. Retail
- 7. Parking garage and/or parking lot commercial
- 8. Drive through, including sales of food or merchandise
- 9. Outdoor seating or patio
- 10. Outdoor events
- 11. Recycling collection point
- 12. Sidewalk Café
- 13. Swimming pool or hot tub

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 person 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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COMMITMENTS contained in this instrument shall be effective upon:

- (a) the adoption of rezoning petition #2022-CZN-868 by the City-County Council changing the zoning classification of the real estate from a D-A zoning classification to a C-S zoning classification; or
- (b) the adoption of approval petition #__ 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 C-S 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);

The undersigned hereby authorizes the Division of Planning 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 #2022-CZN-868.



View looking south along South Shortridge Road



View looking north along South Shortridge Road



View of site looking east across South Shortridge Road



View of site looking east across South Shortridge Road



View of site looking east



View of site looking southeast



View from site looking north



View from site looking southwest across South Shortridge Road



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-ZON-073 and 2024-ZON-073B

Property Address: 2155 Kessler Boulevard, West Drive

Location: Washington Township, Council District #2

Petitioner: Broadmoor Investments, LLC, Russell L. Brown

Current Zoning: SU-34 (FF)

Request: Rezoning of 6.01 acres from the SU-34 (FF) district to the D-4 (FF) district and B. Rezoning of 7.68 Acres from the SU-34 district to the D-5II district to provide for residential uses.

Current Land Use: Undeveloped land

Staff Recommendations: Denial.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged a timely automatic continuance by a City-County Councilor that continued these petitions from the July 25, 2024 hearing, to the August 29, 2024 hearing.

The Hearing Examiner acknowledged a timely automatic continuance filed by the petitioner’s representative that continued these petitions from the August 29, 2024 hearing, to the September 26, 2024 hearing.

Based upon updated information from the petitioner’s representative, staff determined that a Traffic Impact Study (TIS) would be warranted. Consequently, the Hearing Examiner continued these petitions from the September 26, 2024 hearing, to the December 12, 2024 hearing, and to the January 9, 2025 hearing, to provide additional time for the TIS to be conducted, submitted to the file and reviewed by staff.

The Hearing Examiner continued these petitions from the January 9, 2025 hearing, to the January 23, 2025 hearing, at the request of the petitioner’s representative.

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 three days prior to the MDC hearing:

1. Final site plan and elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).



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2. 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.
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.
4. A 59.5-foot half right-of-way shall be dedicated along the frontage of 2155 Kessler Boulevard West Drive and a 45-foot half right-of-way along the frontage of Knollton 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).

PETITION OVERVIEW

This 13.69-acre site, zoned SU-34 (Club rooms, fraternal rooms / fraternity and lodge and public ballroom) (FF), is undeveloped and surrounded by a driving range to the north, zoned SU-34; single-family dwellings to the south, zoned D-S; single-family dwellings to the east, across Knollton Road, zoned D-S; and a country club to the west, zoned SU-34.

The request would rezone the southern portion of the site to the D-4 (FF) and the northern portion of the site to the D-5II district. "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.

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



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

The Comprehensive Plan recommends the non-typology land use of regional special use.

As proposed, this request would not be consistent with the Comprehensive Plan recommendation of regional special use because the recommended land use serves as a specific and stable institutional purpose for a portion of the population.

Overlays

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

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

The entire site is covered by high quality woodlands, specifically identified as Forest Alliance Woodlands.

Tree Preservation / Heritage Tree Conservation

There are significant amounts of natural vegetation and trees covering 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.



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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 issuance date. See Exhibit A, Table 744-503-3: Replacement Trees.

Floodway Fringe

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

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (D-4 and D-5II in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance.

The southeast corner of the site is located within the unregulated 500-year floodplain.

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 Kessler Boulevard West Drive and a 45-foot half right-of-way along Knollton Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.



Traffic Impact Study (TIS)

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 acceptable if found to operate at LOS D or better.

The TIS, file dated November 25, 2024, studied baseline existing conditions; impact of proposed development (trip generation, directional distribution diverted trips / site access); 2024 forecasted conditions; and 2034 forecasted conditions.

Four intersections were studied:

- Kessler Boulevard and Broadmoor Country Club
- Kessler Boulevard and West 56th Street
- Kessler Boulevard and Knollton Road
- West 56th Street and Knollton Road

Analysis was conducted for two scenarios. Scenario One – Access to the Broadmoor Country Club along Kessler Boulevard would be removed and relocated to Knollton Road access that would also serve the proposed residential development. Scenario Two – Access to the Broadmoor Country Club would remain along Kessler Boulevard and the access drive along Knollton Road would serve only the proposed residential development.

Recommendations:

- A westbound left-turn lane is recommended at the intersection of Kessler Boulevard and Knollton Road.

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;



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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.

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

Planning Analysis

The proposed development of approximately 13.7 acres is part of a 200-acre country club development that has existed for at least 87 years. The 1937 aerial is the earliest aerial that depicts development of the golf course and club buildings.

Staff believes that the proposed residential development would not be supportable on this site that has a Comprehensive Plan recommendation of regional special use that is a land use that does not contemplate residential uses.

The density of the proposed D-4 district (approximately six acres) would be 2.5 units per acre. The density of the proposed D-5II district (approximately 7.5 acres) would be 4.6 units per acres.

Very low density (D-S) is adjacent to the site to east and south and described as “intended for suburban areas of extreme topography, areas conducive to estate development, or areas where it is desirable to permit only low-density development (such as adjacent to floodplains, aquifers, urban conservation areas, within the extended alignment of airport runways, etc.). Generous front yards with trees along roadways that follow the natural terrain of the land are envisioned for the D-S district. Estate development in a natural setting is the typical realization of the district. The D-S district provides for single-family residential lots consisting of at least one acre. A typical density for the D-S district is 0.4 units per gross acre. This district fulfills the lowest density residential classification of the Comprehensive General Land Use Plan. Development plans would likely use the cluster option when subdividing and should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage and wildlife.”



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This area did not develop in a manner that would allow for this dense of housing. The proposal would also create or encourage a disjointed pattern of residential development that would not be compatible with the existing residential land uses and could have a destabilizing impact on the neighborhood.

The proposed site plan depicts an access drive along Knollton Road that could also serve as a primary entrance to the country club. There would be a detention pond and 10 attached dwellings (townhomes) north of the access drive. Development south of the access drive would include 18 attached dwellings (townhomes) and 15 detached single-family dwellings.

Street A and Street B would likely be private streets, with gates installed at the western boundary of the site and the intersection of Street A and Street B.

GENERAL INFORMATION

Existing Zoning	SU-46 (FF)	
Existing Land Use	Undeveloped	
Comprehensive Plan	Regional Special Use	
Surrounding Context	Zoning	Land Use
North:	SU-46	Golf driving range
South:	D-S (FF)	Single-family dwellings
East:	D-S (FF)	Single-family dwellings
West:	SU-46	Country club buildings
Thoroughfare Plan		
Kessler Boulevard, West Drive	Primary Arterial	Existing 100-foot right-of-way and proposed 119-foot right-of-way.
Knollton Road	Primary Collector	Existing 60-foot right-of-way and proposed 90-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes, unregulated 500-year floodplain	
Overlay	Yes, Environmentally Sensitive	
Wellfield Protection Area	No	
Site Plan	June 20, 2024	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	



Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

The non-typology land uses are stand-alone uses that are outside the typology system due to their scale or the nature of their use.

Pattern Book / Land Use Plan

- Not Applicable to the Site.

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.”



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

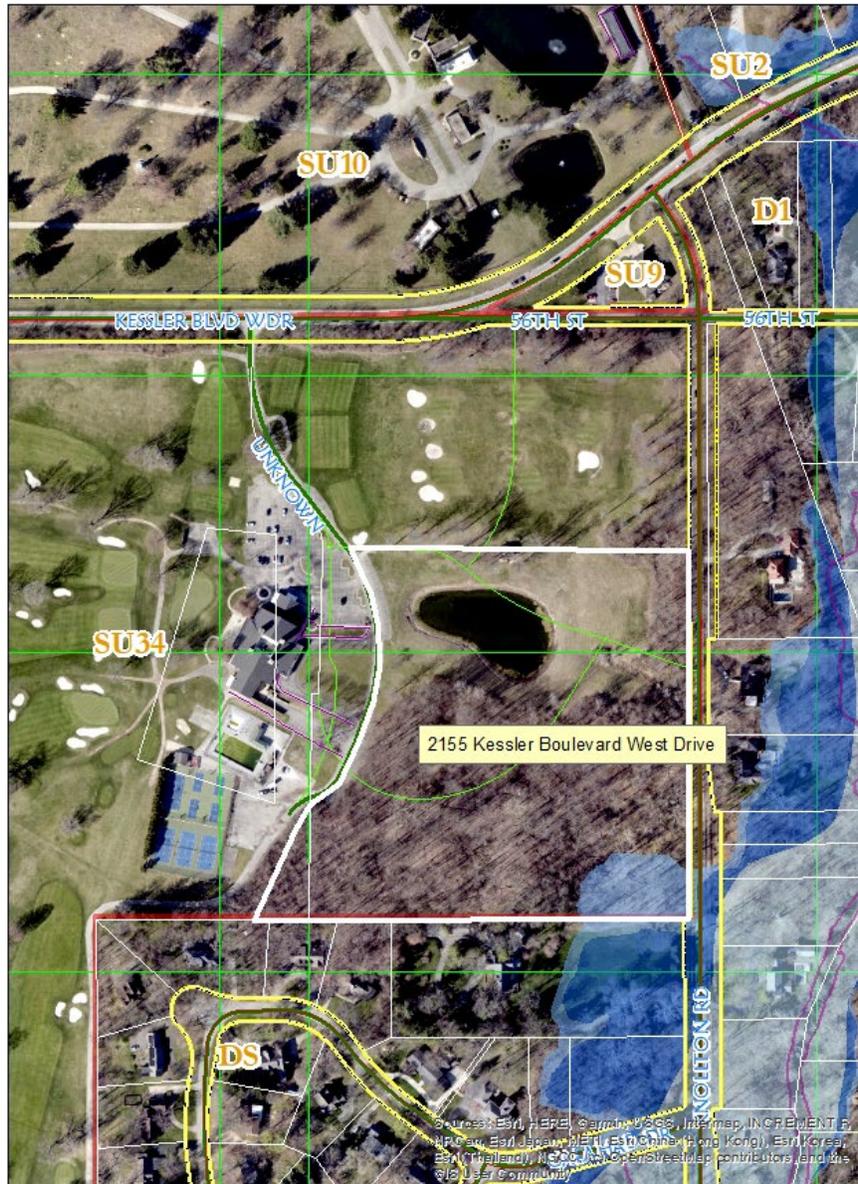
- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW)
- Identify roadways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



ZONING HISTORY

None.

EXHIBITS



2155 Kessler Boulevard West Drive

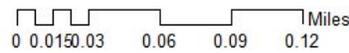




EXHIBIT A

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 west across Knollton Road



View of site looking west across Knollton Road



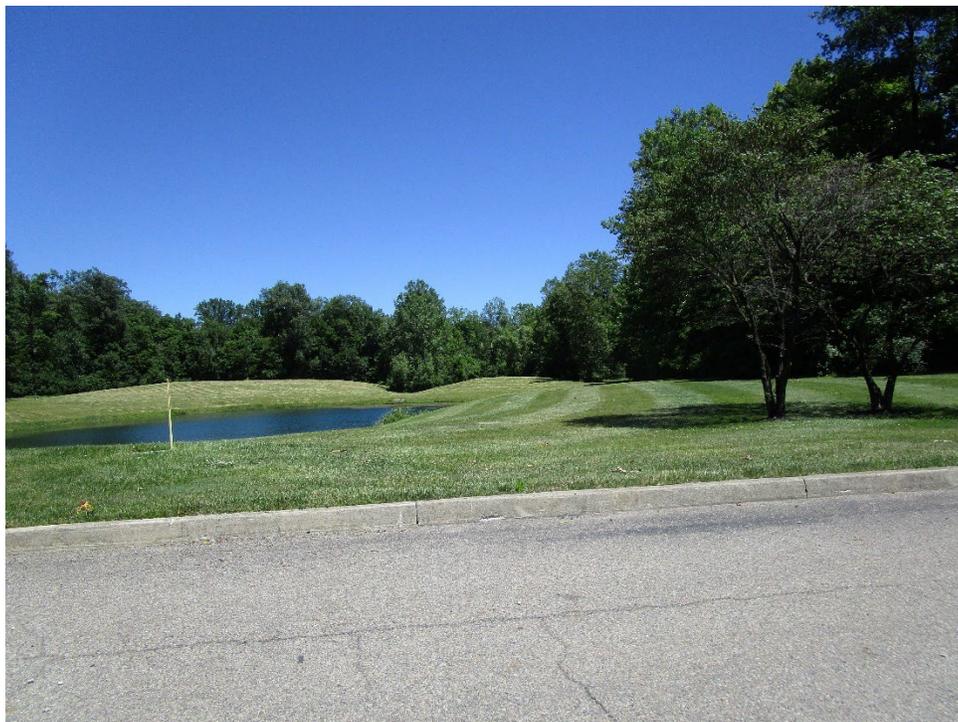
View of site looking west across Knollton Road



View of site looking west across Knollton Road



View of site looking west across Knollton Road



View of site looking east across existing driving range



View of site looking south along drive that abuts the western site boundary



View of site looking north along drive that abuts the western site boundary



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-ZON-132 / 2025-VAR-001 (Amended)

Property Address: 3702-3744 Keystone Avenue (Approximate Address)

Location: Center Township, Council District #8

Petitioner: Fortified Group, LLC, by Dale Pruitt

Current Zoning: C-3 (TOD)(W-5) and D-5 (TOD)(W-5)
Rezoning of 1.61 acres from the C-3 (TOD) (W-5) and D-5 (TOD) (W-5) districts to the MU-2 (TOD) (W-5) district to provide for a 95-unit multi-family complex and mixed-use development.

Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide a for a five-story, Large Mixed-Use development (maximum three stories, Large Mixed-Use development not permitted), with a height of 68 feet (maximum height of 44 feet permitted).

Current Land Use: Undeveloped

Staff Recommendations: Approval with a commitment.

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This petition was continued for cause from the December 12, 2024 hearing to the January 23, 2024 hearing to allow the petitioner additional time to amend the request with the addition a variances and another address.

STAFF RECOMMENDATION

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

Staff **recommends approval** of the variance requests 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. Final building elevations shall be submitted for Administrative Approval and review by the City Architect.



PETITION OVERVIEW

LAND USE

The 1.61-acre subject site consists of 12 undeveloped parcels. The site is bordered to the west and south by single-family dwellings, zoned D-5, a commercial parking lot to the north, zoned C-4, and commercial uses to the east, zoned C-3 and C-4.

REZONING

The grant of the request would rezone the property from the C-3 (TOD) (W-5) and D-5 (TOD) (W-5) districts to the MU-2 (TOD) (W-5) district to provide for a 95-unit multi-family complex and mixed-use development.

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

The C-3 District is for the development of an extensive range of retail sales and personal, professional, and business services required to meet the demands of a fully developed residential neighborhood, regardless of its size. Examples of such types of uses include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail and personal and professional service establishments. At this neighborhood scale of retail, a fine-grain of accessibility requisite for all modes of travel must be provided and maintained. It does not make provision, however, for those businesses that draw customers in significant numbers from well beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators, such as theaters. It does not allow those businesses that require the outdoor display, sale or storage of merchandise; or require outdoor operations. In general, to achieve maximum flexibility of permitted land use, the C-3 District makes possible a highly varied grouping of indoor retail and business functions.

The 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.



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VARIANCE OF USE AND DEVELOPMENT STANDARDS

The grant of the request would allow for the use of the site to be for a large-mixed use development to exceed the height limitation in the MU-2 district.

Per Table 742.105.02: Commercial and Mixed-Use Building Type Standards, the MU-2 district only permits up to a small mixed-use development with a lot area of 3,000 square feet to 10,000 square feet, lot width between 30 to 100 feet, and a 44-foot maximum height limitation.

The proposal is classified as a large mixed-use development based on the lot area and lot width. It would also exceed the maximum height limitation since a total height of 68 feet is proposed.

STAFF ANALYSIS

The large mixed-use development would include a unit mix of one-, two- and three-bedroom units with a total of 95 proposed units. It will include 30% of the units for veterans without homes with the remaining 70% of the units at market rate.

There will be 3,700 square feet of retail space, 1,400 square foot bike area, a 560 square foot leasing office, 2,200 square feet of community office/kitchen area, a 1,200 square foot fitness area, a 160 square foot kids' playroom, and 1,400 square feet for a community partner area. A podium parking garage is proposed on the first floor with 72 parking spaces.

The proposed development would align with the community commercial and traditional neighborhood recommendations of the Comprehensive Plan. Furthermore, it would promote the goals of the Purple Line Transit-Oriented Development Strategic Plan (2021) with high density development within a bus rapid transit station located at the 38th Street and Keystone Avenue intersection.

This development would promote pedestrian activity along the street frontage with the variety of uses proposed in addition to ensuring there would be sufficient landscaping.

Staff's request to have the building step down along the southern property boundary was accommodated by the petitioner with the amended elevations. However, to ensure that the final proposed development of the site would be satisfactory to staff, we are requesting a commitment that the final building elevations be submitted for Administrative Approval and reviewed by the City Architect.

Staff encouraged the petitioner to consider installing a pedestrian cross walk, HAWK Signal, proposed across Keystone Avenue at the 37th and Keystone Avenue intersection, which would add additional safety measures for pedestrians, but did not make this a commitment of the request. If the petitioner were to pursue this recommendation, they should reach out to the Department of Public Works for further discussions regarding the standards that would need to be met.

In conclusion, staff is recommending approval of the rezoning and variance requests as proposed.



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GENERAL INFORMATION

Existing Zoning	C-3 (TOD)(W-5) and D-5 (TOD)(W-5)	
Existing Land Use	Undeveloped	
Comprehensive Plan	Community Commercial and Traditional Neighborhood	
Surrounding Context	Zoning	Land Use
	North:	C-4 Commercial
	South:	D-5 Residential (Single-family dwellings)
	East:	C-4 / C-3 Commercial
	West:	D-5 Residential (Single-family dwellings)
Thoroughfare Plan		
Keystone Avenue	Primary Arterial Street	78-foot proposed right-of-way and 107-foot existing right-of-way.
37 th Street	Local Street	48-foot proposed right-of-way and 50-foot existing right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	Yes	
Site Plan	November 8, 2024	
Site Plan (Amended)	December 11, 2024	
Elevations	November 8, 2024	
Elevations (Amended)	December 11, 2024	
Landscape Plan	January 2, 2025	
Findings of Fact	January 2, 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)
- Purple Line Transit-Oriented Development Strategic Plan (2021).
- Indy Moves Transportation Integration Plan (2018)

Pattern Book / Land Use Plan

- Enter Recommendation by Pattern Book or “Not Applicable to the Site. Please see Neighborhood / Area Specific Plan (etc.) below.”
- 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.
- **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.
- **Small-Scale Offices, Retailing, and Personal or Professional Services**
 - Outdoor display of merchandise should be limited.
 - If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.
 - Should be located along an arterial or collector street.
 - If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
- 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 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.
 - 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.



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- **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.
- **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.
- The Transit-Oriented Development (TOD) overlay modifies small and large-scale multi-family housing in the Traditional Neighborhood typology to a residential density of 15+ units per acres as a recommendation.
- The properties between 3702 and 3734 Keystone Avenue fall within the Residential Corridor Reserve Overlay. The three parcels to the north from 3740 to 3744 Keystone Avenue are not within this overlay.
- **RESIDENTIAL CORRIDOR RESERVE (RR)** - The Residential Corridor Reserve (RR) overlay is intended for areas where the residential nature of a corridor is at risk due to encroachment from other land uses. An example might be residential areas that are being overtaken by school, hospital, or corporate campuses.
- Most of the retail space falls outside of the Residential Corridor Reserve Overlay.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The subject site falls within the Purple Line Transit-Oriented Development Strategic Plan (2021).
- The closest transit station is located at the 38th and Keystone intersection that is within a ¼ mile of the subject site. This station is classified as a district center typology.



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- Characteristics for the district center include 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 5 units and structured parking only with active first floor.
- The proposal would completely meet the intent of this Plan as proposed.

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 Moves Transportation Integration Plan (2018), per IndyMoves PedalIndy 2018, proposes an active transportation neighborway along 37th Street that begins from Brookside Avenue to 38th Street.



ZONING HISTORY

Zoning History - Site

96-Z-22; 3740-3742 North Keystone Avenue (subject site), Rezoning of 0.28 acre, being in the D-5 District, to the C-3 classification to provide for neighborhood commercial development, **approved**.

76-Z-14; 3744 North Keystone Avenue (subject site), Rezoning of approximately 0.15 acre, being in D-5 district, to C-3 classification to permit commercial development, **approved**.

Zoning History - Vicinity

2012-UV1-015; 2301 East 38th Street (northwest of site), Variance of use and development standards of the Commercial Zoning Ordinance to legally establish an automobile body repair and paint shop (not permitted), with zero parking spaces (seven spaces required), with the outdoor storage of vehicles (not permitted), **denied**.

2010-DV3-008; 2419 and 2425 East 38th Street (northeast of site), Variance of development standards of the Commercial Zoning Ordinance to provide for the redevelopment of a fast-food restaurant, with a minimum six-foot landscape strip along 38th Street (minimum 10-foot landscape strip required), pick-up and pay windows and an incidental sign on a bollard, all located 57 feet from the protected district to the south, a menu board located 92 feet from the protected district to the south, and a customer order display located 96 feet from the protected districts to the south (minimum 100-foot separation required between drive-through components and a side/rear property line abutting a protected district), to legally establish one parking space with a four-foot front setback from Tacoma Avenue (minimum 10-foot front landscape yard required), and a Variance of Development Standards of the Sign Regulations to provide for two, 3.29-foot tall, four-square foot directional signs (maximum height of directional sign is 2.5 feet), **granted**.

2006-DV2-054; 2335 East 38th Street, (north of site), variance of development standards of the Sign Regulations to provide for the construction of a 30-foot tall, 100-square foot pole sign with a zero-foot front setback from the intersection of 38th Street and Keystone Avenue, **granted**.

2005-ZON-213; 3750 North Keystone Avenue and 3745 Hillside Avenue (north of site), Request a rezoning of 0.26 acre, being in the D-5 District, to the C-4 classification to provide for community-regional commercial uses, **approved**.

96-Z-84; 3701 to 3731 North Keystone Avenue (east of site), Rezoning of 1.61 acres, being in the D-5 District, to the C-3 classification to provide for commercial retail development, **approved**.

95-Z-209; 2401 East 38th Street (east of site), Rezoning of 0.46 acre from D-5 to C-4, **approved**.

91-SE3-6; 3721 North Keystone Avenue (east of site), Religious Use Special Exception to provide for the continued operation of a church to allow existing signage to remain, **granted**.



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84-UV1-87; 2419 and 2425 East 38th Street (northeast of site); Variance of use and development standards to provide for a carry-out, drive-through restaurant within 100 feet of a protected district, and with a reduced south transitional yard, **approved.**

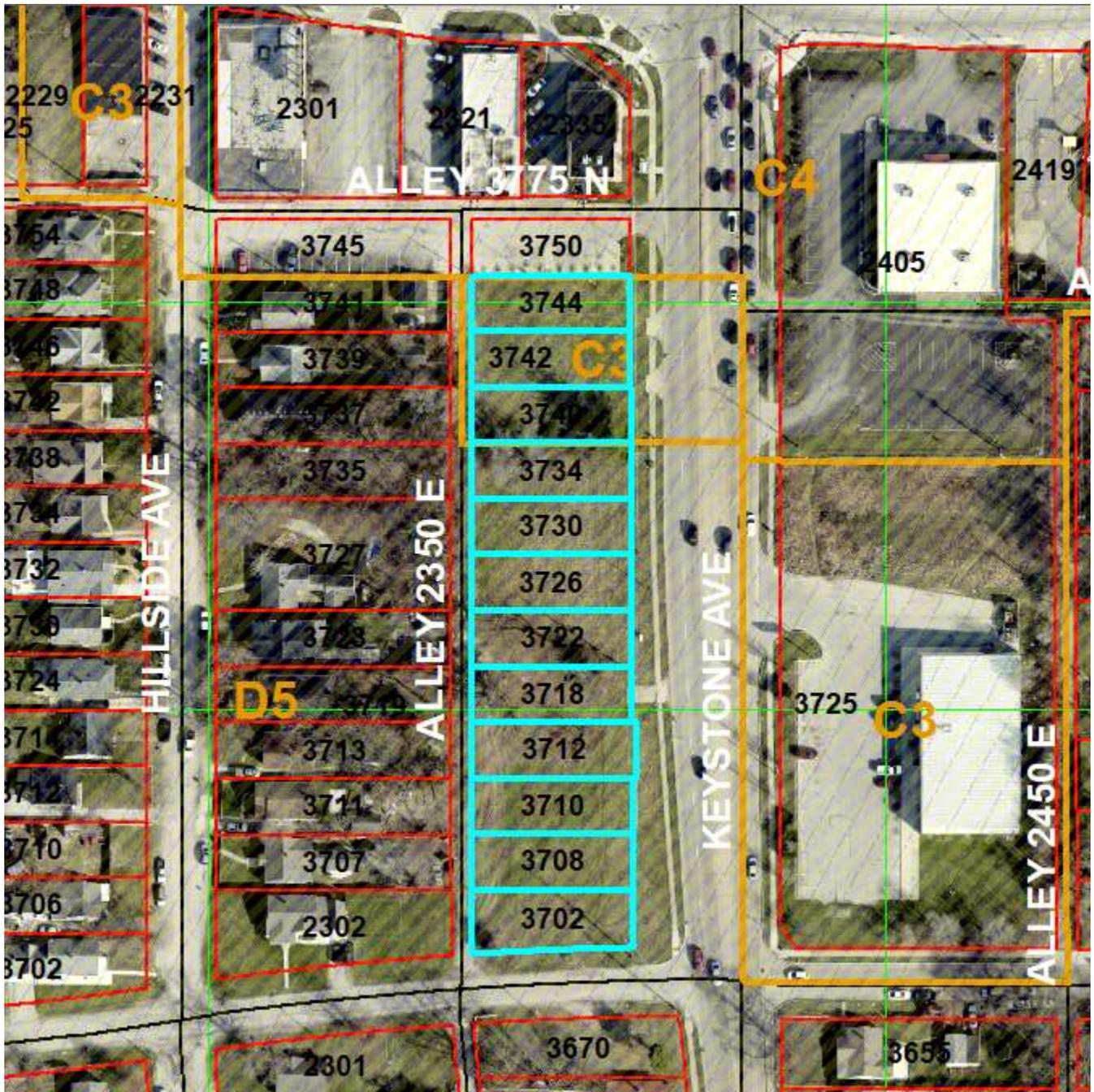
84-Z-137; 2419 and 2425 East 38th Street (northeast of site), Rezoning of 1.15 acres from D-5 and C-5 to C-4, **approved.**

83-UV3-53; 3731 North Keystone Avenue (east of site), Variance of use of the Dwelling Districts Zoning Ordinance to provide for the continued operation of a beauty shop and boutique shop in an existing building on a permanent basis, with present signage to remain. This case is seeking renewal of prior variance approval under 77-UV2-133, **granted.**

82-Z-21; 2425 East 38th Street (northeast of site), Rezoning of 0.42 acre from D-5 to C-5, **approved.**

77-UV2-133; 3731 North Keystone Avenue (east of site), Variance of Use and Development Standards to permit operation of a beauty shop and boutique shop in existing building, with sign in front yard, **granted.**

EXHIBITS

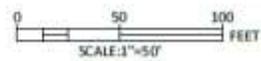


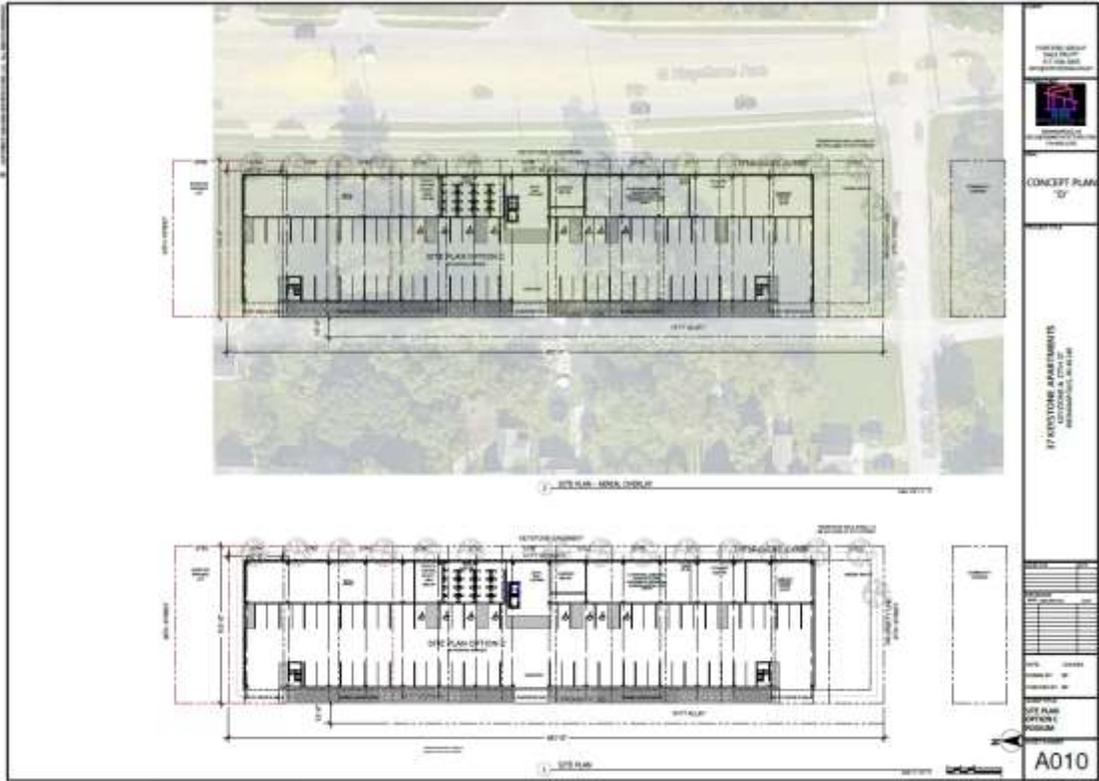


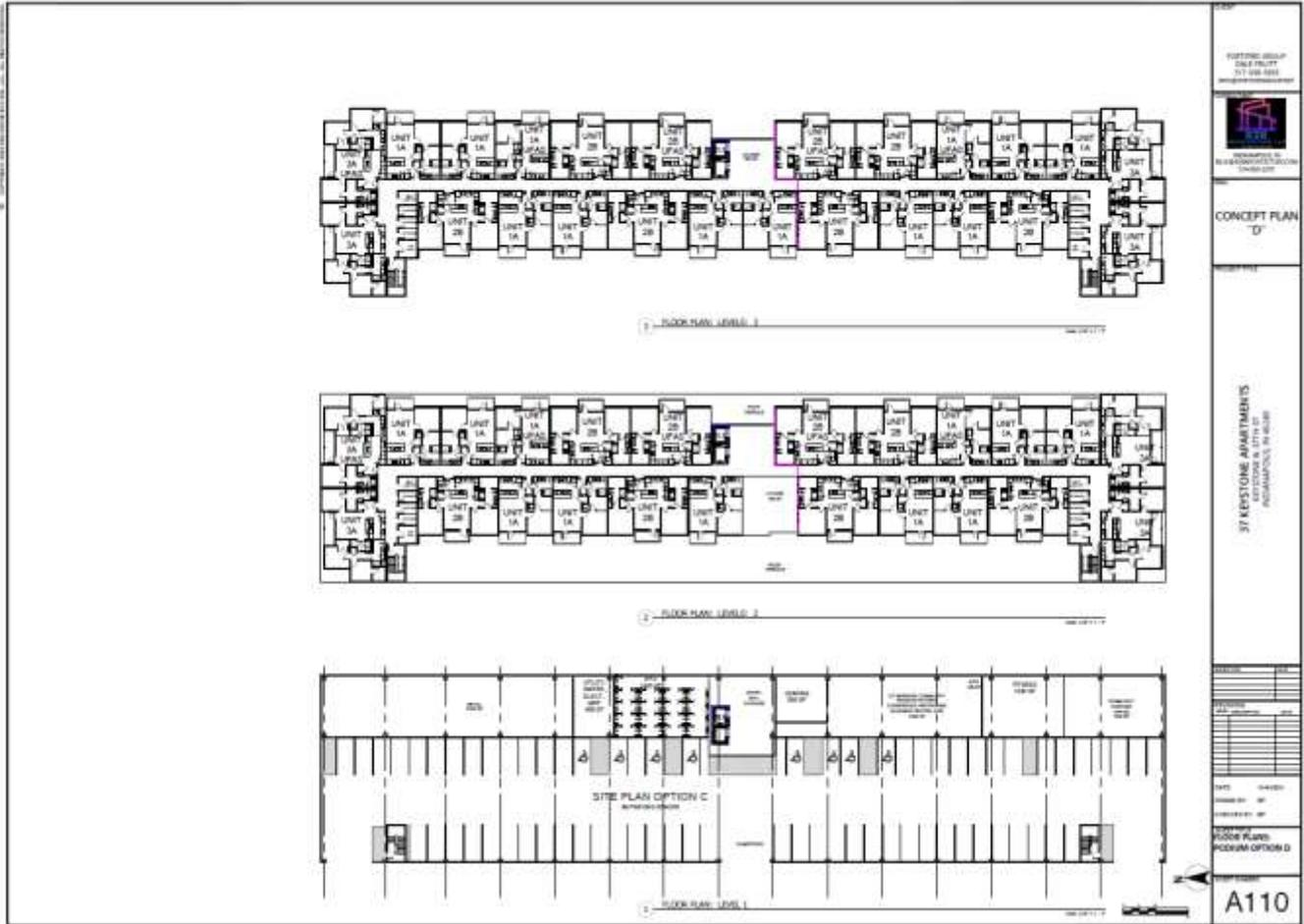
CONCEPTUAL SITE PLAN

37TH AND KEYSTONE

12-19-2024

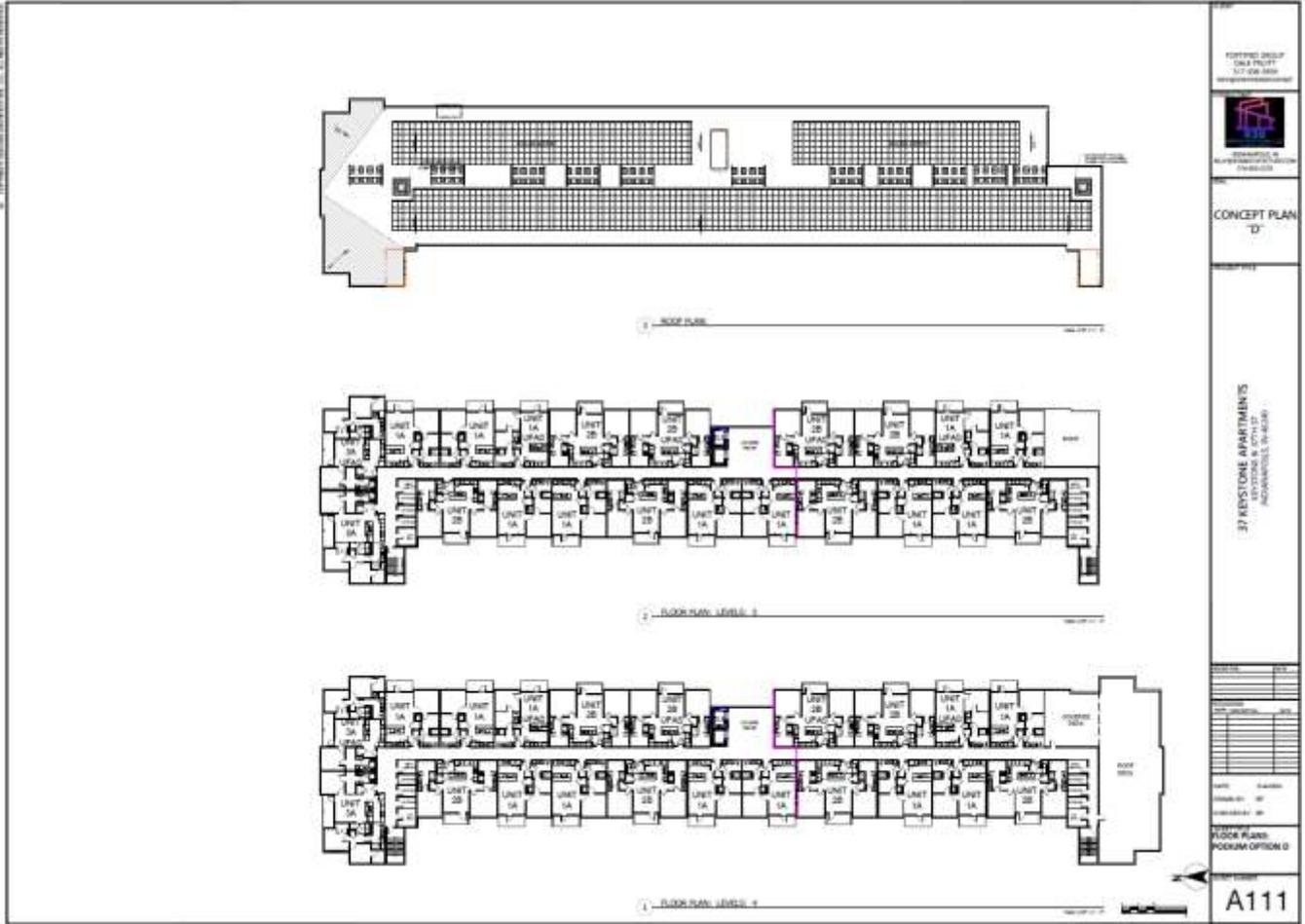








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4 ELEVATION - NORTH - KEYSTONE
Scale: 1/16" = 1' - 0"



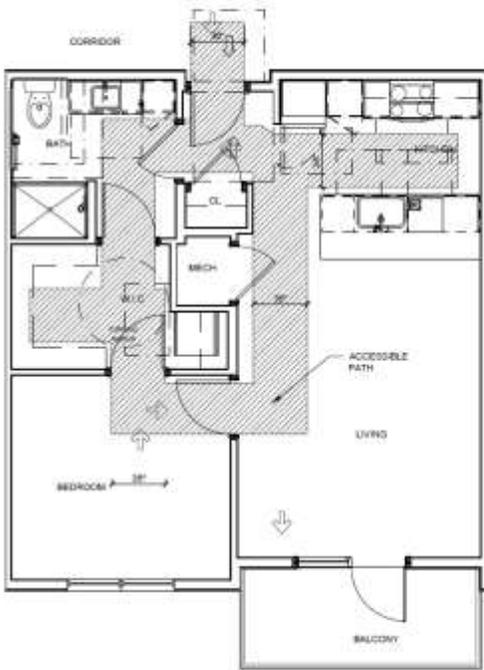
3 ELEVATION - SOUTH - KEYSTONE
Scale: 1/16" = 1' - 0"



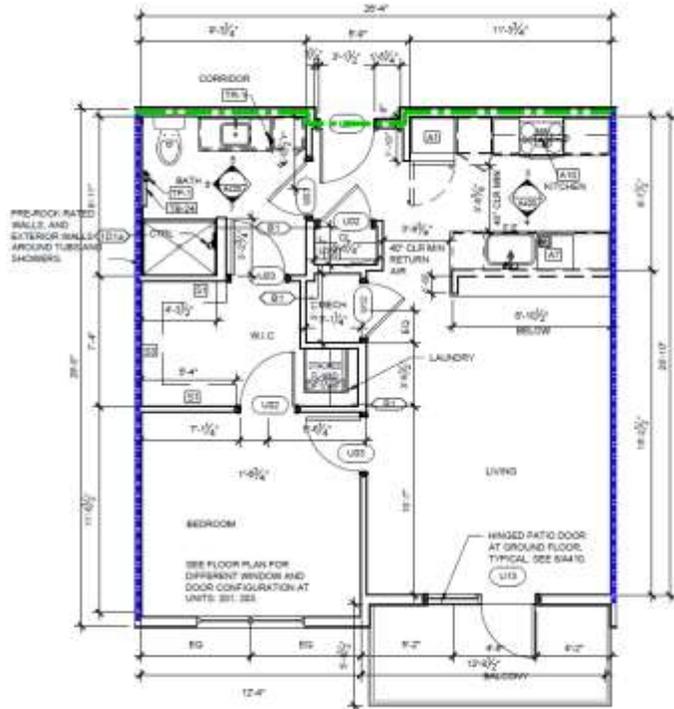
2 ELEVATION - EAST - KEYSTONE
Scale: 1/32" = 1' - 0"



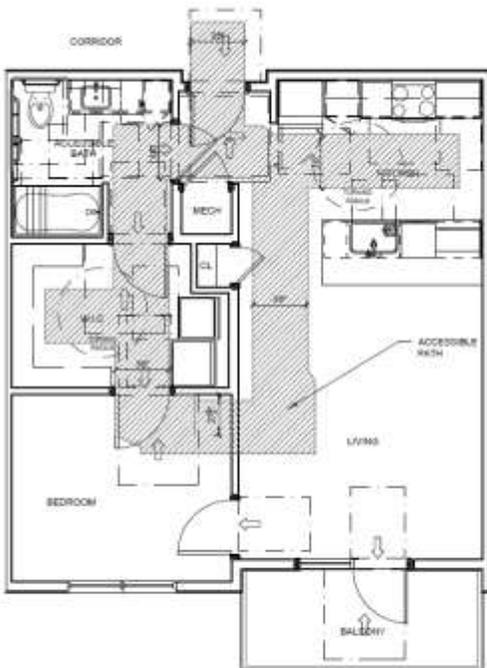
1 ELEVATION - WEST - KEYSTONE
Scale: 1/32" = 1' - 0"



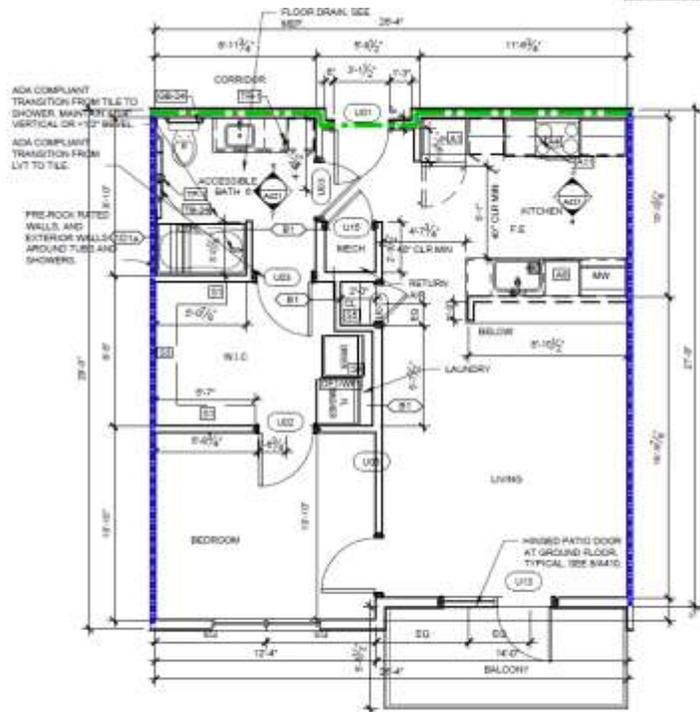
2 UNIT 1A - ACCESSIBLE PATH PLAN
 Scale: 1/4" = 1' - 0"



1 UNIT 1A - DIMENSION PLAN (TYPE B)
 Scale: 1/4" = 1' - 0"

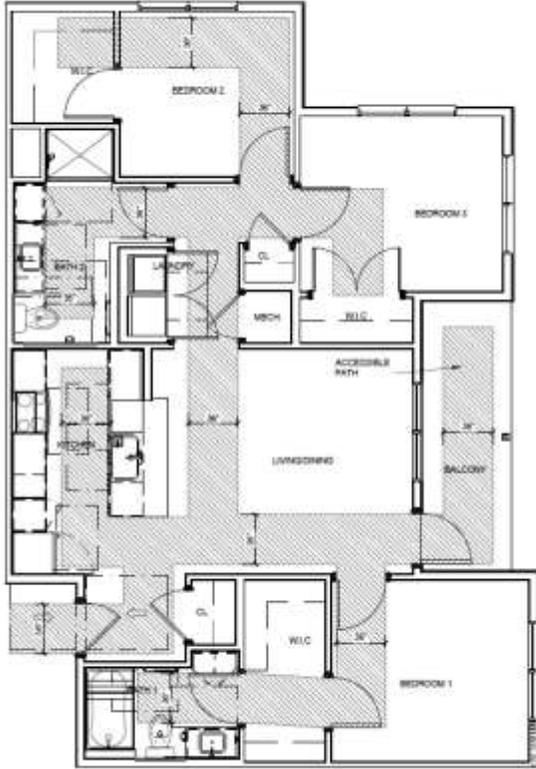


2 UNIT 1A-HC - ACCESSIBLE PATH PLAN
 Scale: 1/4" = 1' - 0"

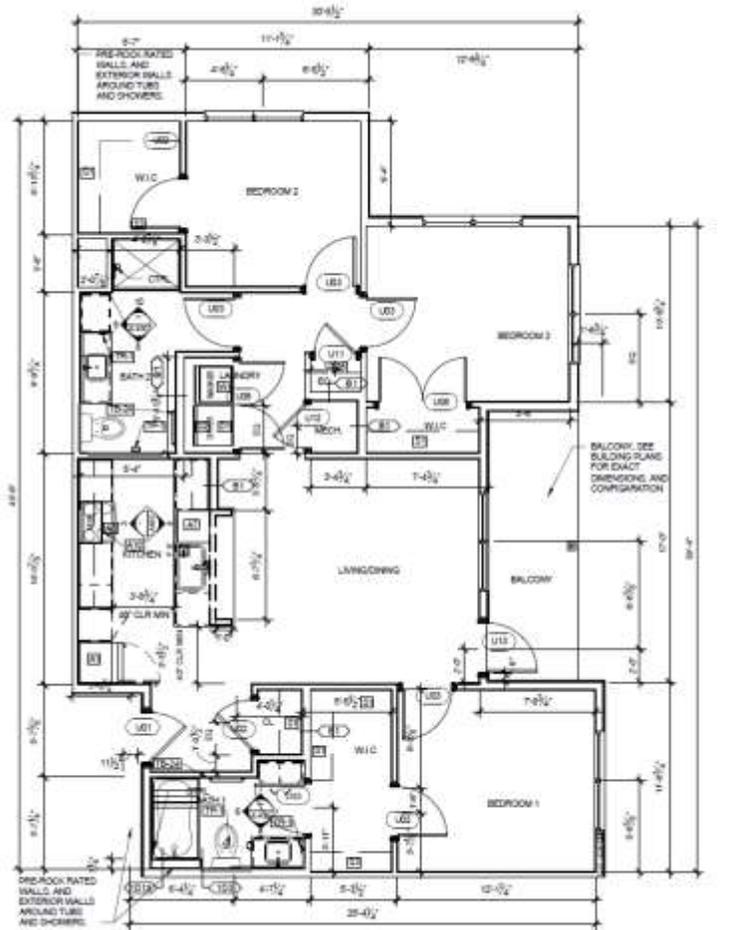


1 UNIT 1A-HC - DIMENSION PLAN (TYPE A)
 Scale: 1/4" = 1' - 0"

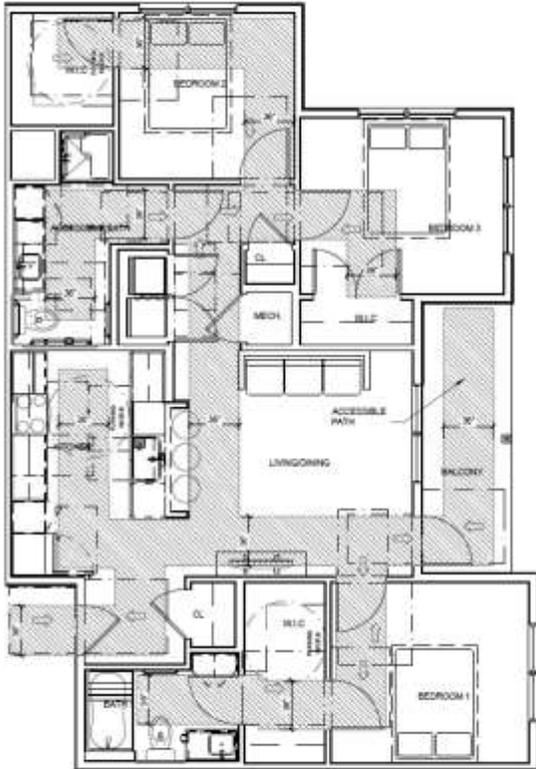
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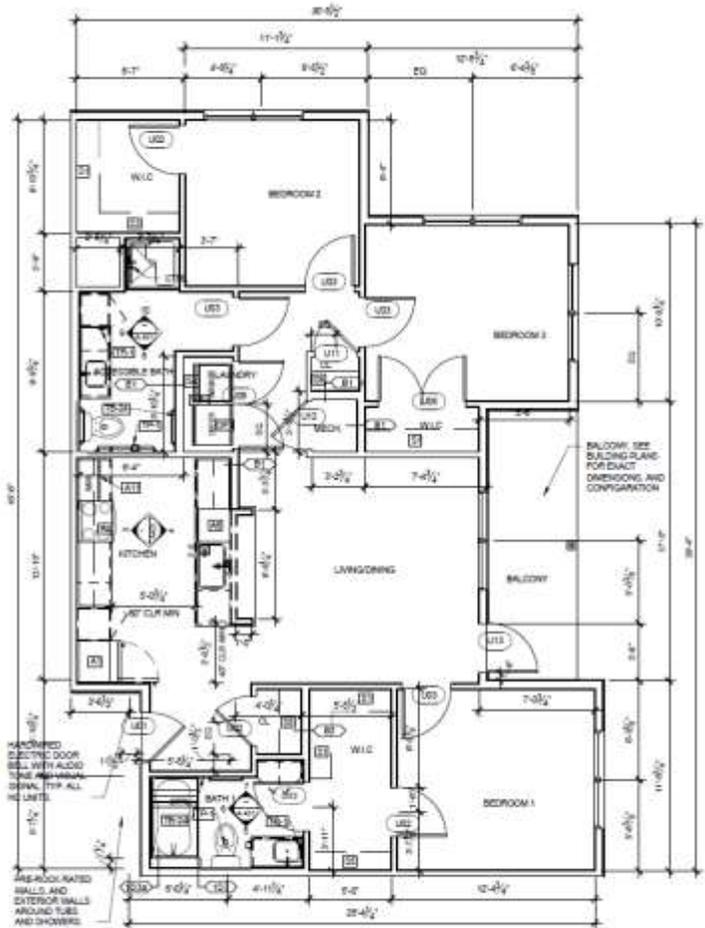
2 UNIT 3A - ACCESSIBLE PATH PLAN
Scale 1/4" = 1'-0"



1 UNIT 3A - DIMENSION PLAN
Scale 1/4" = 1'-0"



2 UNIT 3A-HC - ACCESSIBLE PATH PLAN
Scale: 1/4" = 1' - 0"



1 UNIT 3A-HC - DIMENSION PLAN
Scale: 1/4" = 1' - 0"



Y)



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Fortified Group LLC
Let's Build Dreams. Together

Phone: 317-214-8173
Email: info@fortifiedgroup.net

37 Keystone Development

We are proposing a 95 Unit Mixed Use Development

- *Unit Mix- 1 Bd/1.5 BA, 2Bd/2BA, 3Bd/2BA*
- *30% of Units will be for Veterans without Homes*
- *70% Market Rate*
- *Concrete Podium Deck Garage 72 Parking Spaces*
- *Green Space*
- *Community Garden for Residents*
- *3700 SF Retail Space*
- *1400 SF Bike Area*
- *560 SF Onsite Leasing Office*
- *2200 SF Community Office/Kitchen Area*
- *1200 SF Fitness Area*
- *160 SF Kids Play Rm.*
- *1400 SF Community Partner Area*
- *3323 SF Roof Deck*
- *Roof Solar Panel Electrical - Hallways, Amenity Areas and Retail Areas*



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

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

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

The proposed development will help improve the overall community by providing much needed housing due to the shortage of quality housing in this neighborhood. In addition to the housing shortage this development will provide quality community partners services by partnering with future partners. The development will provide much needed dining and gathering places for all future and current residents.

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

This proposed development will not have any adverse affects but will assist the projected community growth produced from the upcoming Marion County Health Lab Project and the Metro Purple Line Rapid Transit.

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

This proposed development is requesting the MU2 Large Mixed use zoning classification due it only meets MU2 classification per DMD. MU3 and MU4 classification are allowable per DMD.

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

The Proposed development has height limitations of 35 feet per DMD and needs a height variance of 68 feet due to elevator room on top of roof.

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

The proposed development helps assist with the overall comprehensive plan by providing much needed product and services in the 38th and Keystone neighborhood.

DECISION



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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

The proposed development will help with the improvement of community by having community partners spaces for future community partners. The development will provide a community garden that will assist in teaching agriculture to the community and residents.

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

The proposed development will help improve all property values types in the community.

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

The MU2 Large Mixed Use proposed development height variance needs to be 68 feet due to height limitations per DMD.

DECISION



Photo of the subject site looking north from 37th Street along the Keystone Avenue street frontage.



Photo of the southern property boundary of the subject site looking east along 37th Street.



Photo of the subject site's street frontage along Keystone Avenue looking southwest.



Photo of the subject site's street frontage along Keystone Avenue looking west.



Photo of the subject site's street frontage along Keystone Avenue and parking lot to the north.



Photo of the alley west of the site looking north from 37th Street.



Photo of the alley west of the site looking south from the parking lot to the north.



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



Photo of the commercial properties east of the site.



Photo of other commercial uses at the 38th Street and Keystone Avenue intersection.



Photo of the subject site looking south from the parking lot north of the site.

METROPOLITAN DEVELOPMENT COMMISSION HEARING EXAMINER **January 23, 2025**

Case Number: 2024-ZON-131
Property Address: 11700 and 11850 East 38th Street and 4002 North Carroll Road
Location: Warren Township, Council District #15
Petitioner: Laib & Russell Investment LLC, by David Gilman
Current Zoning: D-5 (FF)
Request: Rezoning of 46.77 acres from the D-5 (FF) district to the D-4 (FF) district to provide for a single-family detached residential development
Current Land Use: Undeveloped
Staff Recommendations: Approval, subject to the commitments noted below:
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the December 12, 2024 hearing, to the January 23, 2025 hearing, at staff's request, to provide time for the petitioner's representative to provide the required documents related to the request.

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 45-foot half right-of-way shall be dedicated along the frontage of East 38th Street and a 53-foot half right-of-way along the frontage of North Carroll 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. The developer and /or property owner shall coordinate with the Department of Public Works to construct and install Infrastructure improvements identified in the April 2022 TIS.
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.



PETITION OVERVIEW

This 46.77-acre site, zoned D-5 (FF), is comprised of three undeveloped parcels. It is surrounded by single-family dwellings, undeveloped land and a single-family dwelling to the north, zoned D-P, D-3 and D-A, respectively; undeveloped land and single-family dwellings to the south, across East 38th Street, zoned D-7 and D-4, respectively; single-family dwellings to the east, zoned D-A (Hancock County) across North Carroll Road; and single-family dwellings to the west, zoned D-P.

Petition 2022-ZON-030 rezoned this site to the D-5 district to provide for residential development. Petition 2024-DV3-023 requested a variance of development standards to provide for front loading garages comprising up to 65% of the front façade. This variance request was denied on October 15, 2024.

REZONING

The request would rezone the site to the D-4 (FF) district. “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.”

The East 38th Street Corridor Plan recommends airport related mixed-use but does not provide details related to that land use designation and recommended land uses.

Floodway Fringe

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

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

An area at the southwest corner of this site is located within the floodway fringe of O'Brien Ditch. Development in this area would be required to comply with any regulations related to the floodplain.



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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 the frontage of East 38th Street and a 53-foot half right-of-way along the frontage of North Carroll Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.

Traffic Impact Study (TIS) – April 2022

A TIS was previously conducted for the 2022 rezoning petition that requested residential development for 230 single-family dwellings, with two access drives. One access drive would connect to the stub street at the northwest corner of the site and the second access drive would occur along East 38th Street.

This request would provide for 145 lots, with an additional access drive along Carroll Road. Staff would recommend that a revised study be considered because it may result in a passing blister at one or both entrances along East 38th Street and Carroll Road, rather than construction of an exclusive eastbound left-turn lane along East 38th Street.

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.

Capacity analysis occurs for three different scenarios. Scenario 1: Existing Traffic Volumes based on existing peak hour traffic volumes. Scenario 2: Proposed Development Traffic Volumes based on the sum of existing traffic volumes and generated traffic volumes from the proposed development. Scenario 3: Background Traffic Volumes based on applying a growth rate factor of 1.09 to the existing traffic volumes and generated traffic volumes from the near-by warehousing development. Scenario 4: Total Development Traffic Volumes based on the sum of background traffic volumes and generated traffic volumes from the proposed development.

Conclusions and Recommendations

38th Street and Carroll Road

Capacity analyses have shown that this intersection operates and will continue to operate at acceptable levels of service during both AM and PM peak hours for all traffic scenarios.

Therefore, no improvements are recommended at this location.



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38th Street and Proposed 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 access drive with at least one inbound lane and one outbound lane.
- This intersection should be stop controlled with the access drive stopping for 38th Street.
- Construction of an exclusive eastbound left-turn lane along 38th Street.

Tree Preservation / Heritage Tree Conservation

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

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

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

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.



Planning Analysis

As proposed this request would be a cluster subdivision. “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.”

A cluster is “a form of development for single-family residential subdivisions that permits a reduction in the minimum lot: area, width, setback and open space requirements and to concentrate development in specific areas of the subdivision while the remaining land is reserved in perpetuity. Recreational purposes, common open space and preservation of environmentally sensitive features are examples of some purposes of the remaining land.

Subdivision cluster development requires two site plans, with a site plan that depicts the development of the site in full compliance with all use and development standards of the applicable underlying dwelling district and Chapter 741 Subdivision Regulations. This site plan is used to determine the maximum number of developable lots possible on the site and set the density of that development. The second site plan depicts the development of the site as a proposed cluster subdivision. The density of the overall cluster development shall be no greater than that permitted by the development of the site depicted in the first site plan.

This request would not be consistent with the Plan recommendation of airport related mixed-use. Staff, however, believes the proposed use would be compatible with and would not result in a negative impact on the surrounding residential land uses.

Staff would clarify that this request is limited to rezoning the site. Approval of the plat is not part of this request and would require the filing and approval of the subdivision plat by the Plat Committee, in accordance with the Subdivision Regulations.

Staff would note that the Mount Comfort Airport is in proximity of this site. Consequently, the developer / property owner should contact that entity to determine whether the proposed development would be impacted by noise and / or regulations related to the operation of that facility. See Exhibit B.

GENERAL INFORMATION

Existing Zoning	D-5 (FF)
Existing Land Use	Undeveloped land
Comprehensive Plan	Airport Related Mixed-Use

Surrounding Context	Zoning	Land Use
North:	D-P / D-3 / D-A	Single-family dwellings / undeveloped land / single-family dwelling
South:	D-7 / D-4	Undeveloped land / single-family dwellings
East:	D-A	Single-family dwellings (Hancock County)
West:	D-P	Single-family dwellings
Thoroughfare Plan		
East 38 th Street	Primary arterial	Existing 85-foot right-of-way and proposed 90-foot right-of-way.
North Carroll Road	Primary Collector	Existing 28-foot right-of-way and proposed 106-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes. This is located within the floodway fringe of O'Brien Ditch	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	November 7, 2024	
Site Plan (Amended)	December 27, 2024	
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.

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.



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The Pattern Book serves as a policy guide as development occurs. Because of the surrounding residential land uses, staff believes it would be appropriate to reference the Pattern Book as it relates to the suburban neighborhood typology. Below are the relevant policies related to this typology:

Conditions for All Land Use Types (Suburban Neighborhood)

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

Conditions for All Housing

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

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.



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Neighborhood / Area Specific Plan

- East 38th Street Corridor Plan (2012)

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

2024-DV3-023; 11700 and 11850 East 38th Street and 4002 North Carroll Road, requested a variance of Development Standards to provide for the construction of a single-family dwellings with front loaded garages comprising up to 65% of the front façade in a 138-lot subdivision, **denied**.

2022-ZON-030; 11700 and 11850 East 38th Street and 4002 North Carroll Road, requested rezoning of 46.2 acres from the D-A and D-3 (FF) Districts to the D-5 (FF) District, **approved**.

2008-ZON-049; 11850 East 38th Street, requested Rezoning of twenty acres, from the D-3 (FF) District to the D-P (FF) classification to provide for 222 multi-family dwelling units and approximately 16,000 square feet of commercial development with uses being those permitted within the C-3C classification, **denied**.

VICINITY

2006-APP-050; 11717 East 42nd Street (northwest of site), modification of site plan and development statement, related to 2004-ZON-070, to provide for elimination of eight alleys from the proposed development and eliminate language from development statement regarding alleys, reduced front setbacks and front porches, **approved**.

2005-APP-084; 4310 North Carroll Road and 11440 and 11717 East 42nd Street (north and northwest of site), modification of development statement, related to 2004-ZON-070, to reconfigure land to be dedicated to Department of Parks and Recreation, **approved**.

2004-ZON-070; 4310 North Carroll Road and 11440 and 11717 East 42nd Street (north and west of site), rezoning of 193 acres from D-A to D-P to provide for 600 single-family dwellings, **approved**.

2003-ZON-186; 11801 East 38th Street (south of site), rezoning of 36.17 acres from C-3 and D-6II to D-4, **approved**.

2003-ZON-036; 11801 East 38th Street (south of site), rezoning of 13.58 acres from C-3 and D-6II to D-6II, **denied**.

2003-ZON-036A; 11801 East 38th Street (south of site), rezoning of 22.59 acres from C-3 and D-6II to D-4, **denied**.

2002-ZON-094; 4002 North Carroll Road (north of site), rezoning of 40 acres from D-A to D-3, **approved**.

2000-ZON-126; 11618 East 38th Street (west of site), rezoning of 20 acres from D-A to D-P to provide for 80 single-family dwellings, **approved**.



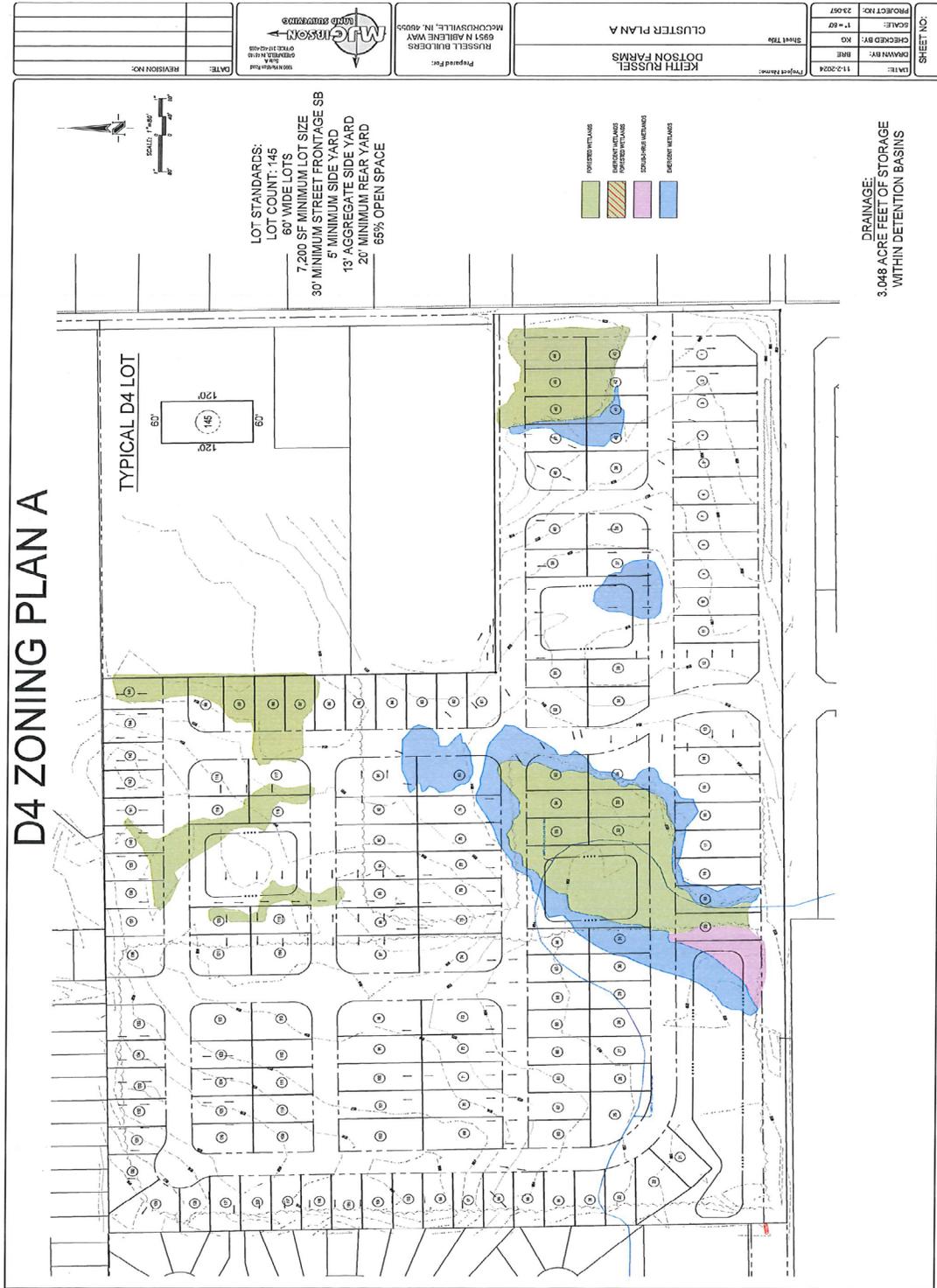
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97-Z-64; 11350 East 38th Street (west of site), rezoning of 40.6 acres from D-A to D-5II, approved.

73-Z-110; 11901 East 38th Street (south of site), rezoning of 15.5 acres from A-2 to C-3, approved.

73-Z-109; 11755 East 38th Street (south of site), rezoning of 21 acres from A-2 to D-6II, approved.

Site Plan – D-4 Standards



Cluster Plan





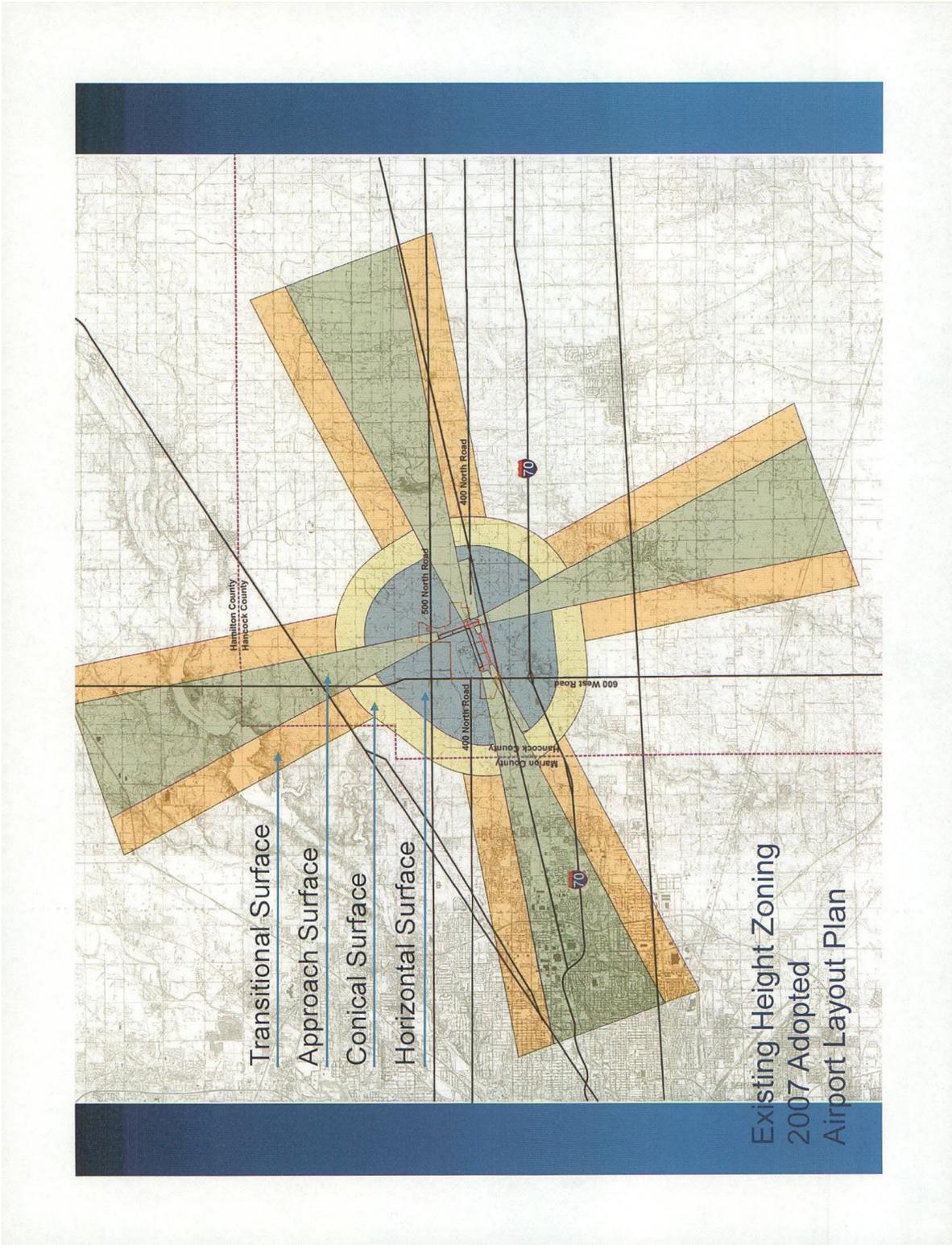
EXHIBIT A

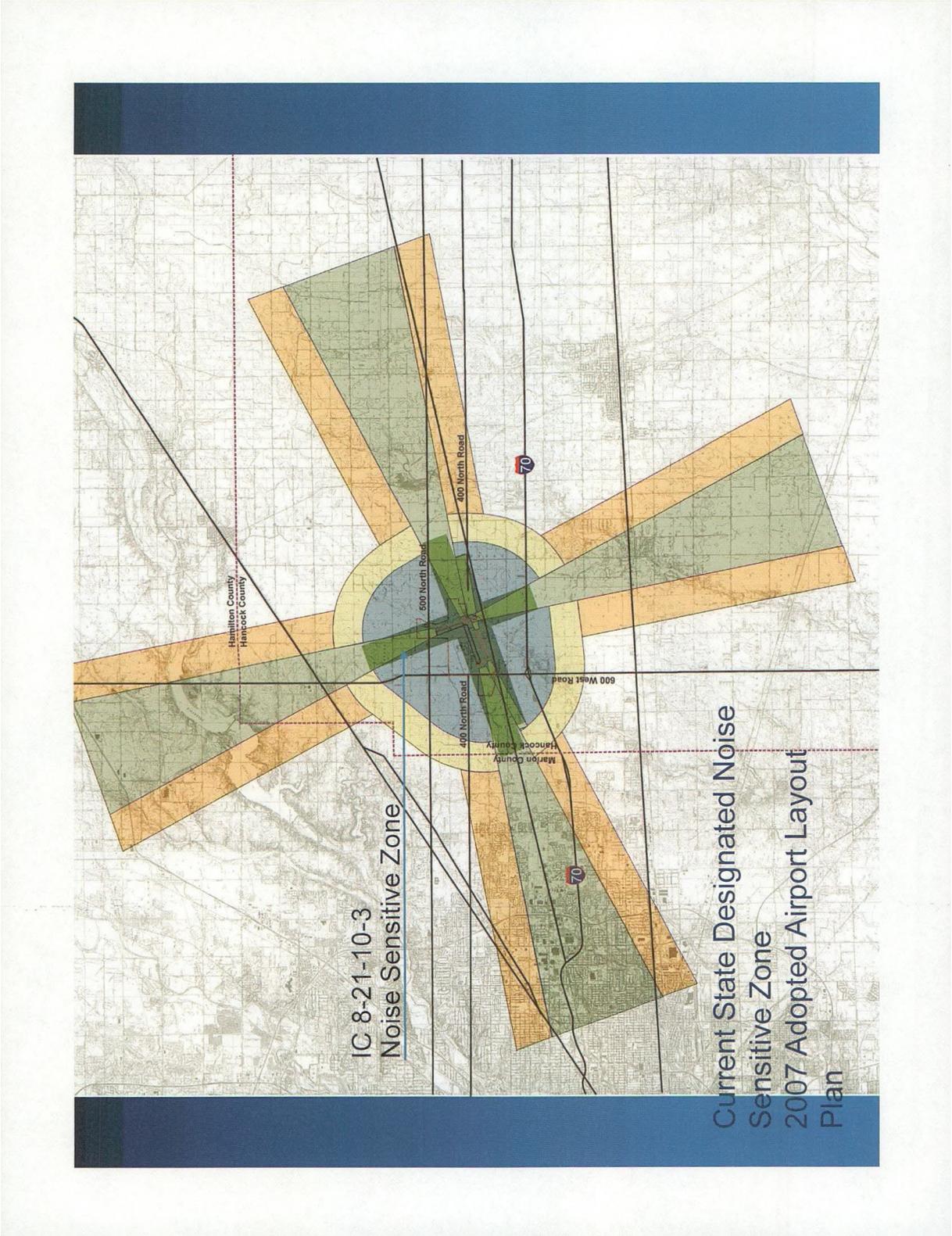
Heritage Tree Conservation

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.

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 38th Street



View looking east along East 38th Street



View of site looking north across East 38th Street



View of site looking north across East 38th Street



View of site looking north across East 38th Street



View of site looking north across East 38th Street



View of site looking northeast at intersection of East 38th Street and North Carroll Road



View of site looking west across North Carroll Road



View of site looking west across North Carroll Road



View of adjacent property to the north looking west across North Carroll Road



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-ZON-137

Property Address: 1137 West 21st Street

Location: Center Township, Council District #12

Petitioner: Riverside Renewal, LLC, by Josh Smith

Current Zoning: I-2 (W-5)

Request: Rezoning of 0.4 acres from the I-2 (W-5) district to the D-8 (W-5) district to provide for residential use.

Current Land Use: Undeveloped

Staff Recommendations: Denial

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the December 19, 2025 hearing, to the January 23, 2025 hearing, at the request of staff to provide additional time for discussions with the petitioner's representative.

STAFF RECOMMENDATION

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 three days prior to the MDC hearing:

1. Final site plan and elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).
2. 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 0.4-acre site, zoned I-2, is undeveloped and surrounded by a single-family dwelling and vacant land to the north, across East 21st Street, zoned D-5 and I-3, respectively; a single-family dwelling to the south, zoned D-5; industrial uses to the east, across Rembrandt Street, zoned I-3; and a single-family dwelling to the west, zoned D-5.



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REZONING

The request would rezone the site from the I-2 district to the D-8 district provide for multi-unit dwellings. “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.”

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

The United Northwest Neighborhood Plan recommends residential uses at 3.5 to five units per acre, with a recommended D-5 district that would provide for low density and single-family dwellings.

As proposed, this request would not be consistent with the Plan. The proposal would provide for three structures that would consist of two to four dwelling units in each building, with density ranging from 15 to 30 units per acre. The petitioner’s representative submitted an amended site plan file-dated January 15, 2025, that provided for two four-unit buildings and one two-unit building for a total of ten dwelling units. Both proposals would far exceed the recommended density in the Plan.

Maximum Floor Area Ratio / Minimum Livability Ratio

To provide appropriate amenities for multi-family developments (over two dwelling units per building), the D-8 district requires the floor area ratio and livability space ratio. The maximum floor area ratio is 0.60 for one to three floors and 0.80 for four to five floors. The minimum livability space ratio is 0.66.

The floor area ratio is the measurement that compares the size of a building’s floor area to the size of the land upon which it is built and determines whether the scale and mass of the development is compatible with the surrounding neighborhood.

The livability space ratio measures the amount of space dedicated to open, green and recreational areas within a built environment that contributes to the overall quality of life for the residents and users.



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Wellfield Protection Secondary Zoning

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

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

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

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

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

The subject site is located in W-5 White River wellfield protection area and any use or development within a wellfield protection district would be subject to the Technically Qualified Person (TQP) review and approval, unless and until the property owner provides sufficient justification that the type of use, type of facility, and chemical quantity limits, independent of the land use would be exempt from the requirements for filing a development plan. Otherwise, a development plan would be required to be filed and approved on behalf of the Metropolitan Development Commission by the (TQP). Contaminants that would have an adverse effect would include chemicals that are used in the home, business, industry, and agriculture. Chemicals such as furniture strippers, lawn and garden chemicals, cleaning chemical and solvents, gasoline, oil, and road salt can all contaminate groundwater supplies if poured on the ground or improperly used or stored.



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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

Because the proposed rezoning would introduce a zoning district and housing typology that would not be consistent with the adjacent residential development to the north, south and east, staff does not support this rezoning request.

The adjacent neighborhood to the north, south and west is zoned D-5 and is a walkable neighborhood. It did not develop in a manner that would allow for this dense of housing. The proposal would also create or encourage a disjointed pattern of residential development that does not follow the Housing Infill Guidelines and could have a destabilizing impact on the neighborhood.



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Staff believes the Neighborhood Plan recommendation of low-density development in the D-5 district would be more appropriate and compatible with the neighborhood. Three single-family dwellings with possibly an accessory dwelling unit above a detached garage would maintain the neighborhood character and be consistent with the Infill Housing Guidelines in terms of massing, scale, building height and open space.

Staff would also note a 2022 rezoning to the D-5 district adjacent to the south along Rembrandt Street included three lots, two of which have been developed with single-family dwellings. Staff supported this request.

GENERAL INFORMATION

Existing Zoning	I-2 (W-5)	
Existing Land Use	Undeveloped	
Comprehensive Plan	3.5 to 5 units per acre	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-5 (W-5) / I-3 (W-5)	Single-family dwelling / vacant land
South:	I-2 (W-5)	Single-family dwelling
East:	I-3 (W-5)	Industrial uses
West:	D-5 (W-5)	Single-family dwelling
Thoroughfare Plan		
East 21 st Street	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
Rembrandt Street	Local Street	Existing 50-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	November 18, 2024	
Site Plan (Amended)	January 16, 2025	
Elevations	January 16, 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

Not Applicable to the Site.

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.

Staff believes appropriate application of The Pattern Book for the proposed D-8 district in this area would be those guidelines associated with the traditional neighborhood typology.

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.



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- *Attached Housing (defined as duplexes, triplexes, quads, townhouses, row houses, stacked flats, and other, similar legally complete dwellings joined by common walls and typically with each unit on its own lot or part of a condominium.)*
 - Duplexes should be located on corner lots, with entrances located on different sides of the lot.
 - 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.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

United Northwest Neighborhood Plan (2008). This Plan recommends low density residential typically 3.5 to 5 dwelling units per gross acre consisting of single-family dwellings.

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



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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.”

Because no elevations were submitted for review to confirm that the proposed dwelling would architecturally be compatible and harmonious with the surrounding land uses and neighborhood character, staff would request that elevations be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).

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

2022-ZON-079; 2018, 2022 and 2030 Rembrandt Street, requested rezoning of 0.36 acre from the I-2 (W-5) district to the D-5 (W-5) district, **approved**.

2003-ZON-157; 2024 & 2028 Gent Avenue and 1201, 1221, & 1225 West 21st Street (west of site), requested the rezoning of 0.67 acre from the D-5 district to the SU-1 district, **approved**.

2003-ZON-138; 1209 & 1225 West 20th Street (southwest of site), requested the rezoning of 0.1 acre from the D-5 district to the SU-2 district, **approved**.

2003-UV3-031; 2024 & 2028 Gent Avenue (west of site), requested a variance of use to provide for the storage of construction trailers in a dwelling district and a variance of development standards to provide for excessively tall fences, **approved**.

Elevations - January 16, 2025



RIVERA
GROUP, LLC
REGISTERED ARCHITECTS IN INDIANA

CERTIFIED BY _____

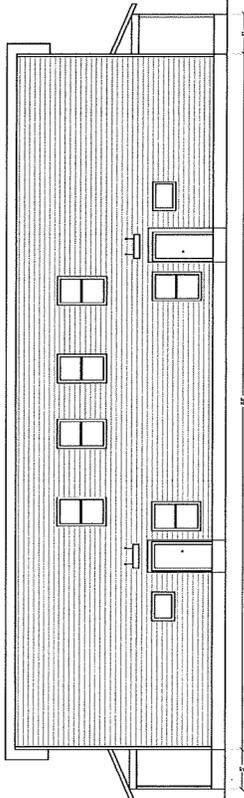
DRAWN BY
Tamar de la Pez

DATE
DEC. 17, 2024

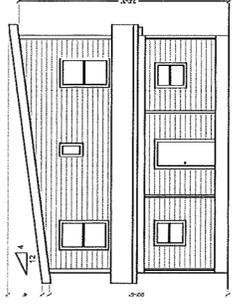
REVISION #
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1137 W 21st St.
 INDIANAPOLIS, INDIANA, 46202

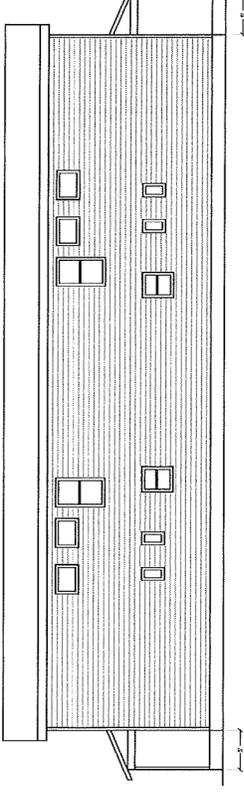
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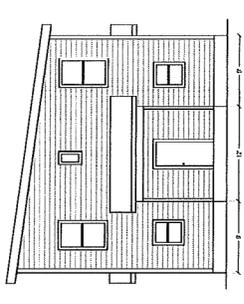
PROPOSED WEST ELEVATION



PROPOSED NORTH ELEVATION



PROPOSED EAST ELEVATION



PROPOSED SOUTH ELEVATION



NORTH



0 10 20

Proposed JPL EX
Elevations
 SCALE: 3/8"=1'-0"



RIVERA
GROUP, LLC
PROFESSIONAL ENGINEER LICENSE NO. 12123
 ARCHITECT LICENSE NO. 12123

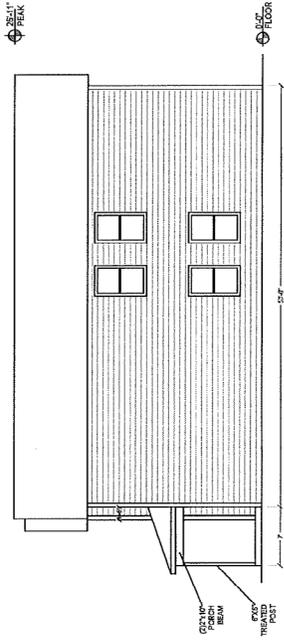
CERTIFIED BY _____

DRAWN BY **Tamar de la Paz**
 DATE **DEC 17, 2024**
 REVISION # **A**

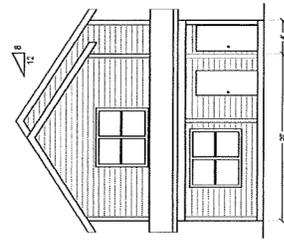
137 W 21st St.
 INDIANAPOLIS, INDIANA, 46202

Proposed DUPLEX
Elevations
 SCALE: 3/8" = 1'-0"

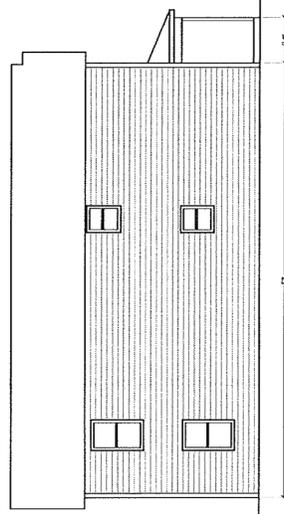




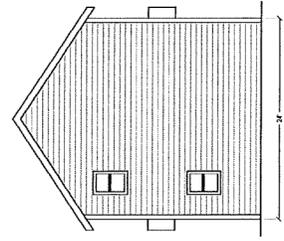
PROPOSED WEST ELEVATION



PROPOSED NORTH ELEVATION



PROPOSED EAST ELEVATION



PROPOSED SOUTH ELEVATION



Department of Metropolitan Development
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Site Plan – November 18, 2024



CERTIFIED BY _____

DRAWN BY Tamar de la Paz

DATE NOV. 08, 2024

REVISION # A

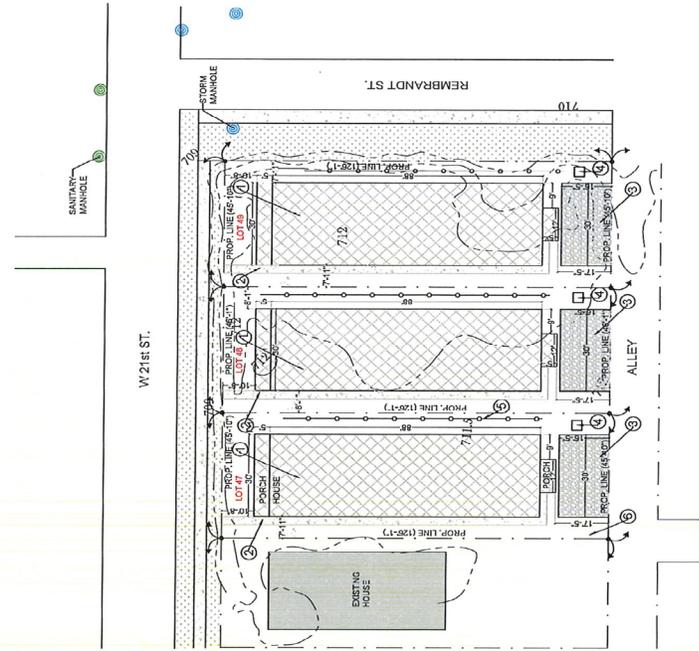
INDIANAPOLIS, INDIANA, 46202

1137 W 21st ST.

C2

Proposed Site Plan SCALE: 1"=52'





GENERAL SITE NOTES:

- THESE DRAWINGS ARE INTENDED TO OUTLINE THE WORK CONTRACTORS SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS BEFORE STARTING ANY WORK. CONTRACTORS SHALL ALSO BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND GENERAL ACCEPTED TRADE PRACTICES.
- ALL CONSTRUCTION ACTIVITY ON THIS SITE TO BE PERFORMED IN ACCORDANCE WITH THE LATEST VERSION OF THE CITY OF INDIANAPOLIS'S OPEN WATER DESIGN & CONSTRUCTION SPECIFICATIONS MANUAL.
- NO SURVEY HAS BEEN PROVIDED FOR THIS SITE. SITE FEATURES AND TOPOGRAPHICAL DATA HAVE BEEN OBTAINED FROM THE CITY OF INDIANAPOLIS'S GIS DATA. CONTRACTORS SHALL VERIFY THE ACCURACY OF ALL OTHER RELIABLE MEANS OF INVESTIGATION. ALL EXISTING FEATURES INCLUDING GRADE ELEVATIONS, UTILITIES, AND STRUCTURES SHALL BE FIELD VERIFIED.
- ALL UTILITIES ARE REQUIRED TO BE EXISTING. CONTRACTORS SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES WITH MECHANICAL, ELECTRICAL AND PLUMBING SUB-CONTRACTORS AND LOCAL UTILITY COMPANIES. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS INCLUDING SANITARY SEWER & WASTE DISCHARGE, ELECTRICAL SERVICE, NATURAL GAS SERVICE, AND TELECOMMUNICATIONS.
- THE SCOPE OF WORK IS DESIGN-BUILD IN NATURE. NOT ALL CONDITIONS, CONNECTIONS, OR MATERIALS ARE SHOWN. CONTRACTORS SHALL DETERMINE THE BEST MEANS FOR ADDRESSING THE INDICATED DESIGN INTENT, DISCREPANCIES, AND/OR OMISSIONS. CONTRACTORS SHALL BE RESPONSIBLE TO THE ATTENTION OF THE OWNER'S REPRESENTATIVE TO THE EXTENT OF COMMENCEMENT OF WORK, SUCH THAT ALL UNRESOLVED CHALLENGES CAN BE RESOLVED BY THE END OF THE PROJECT. CONTRACTORS SHALL BEAR NO FINANCIAL RESPONSIBILITY FOR THE CONSTRUCTIBILITY OF THIS PROJECT.

SITE DATA	
LOT AREA (DS) - COMPACT	
LOT 47 PARCEL SIZE (45'10" x 128'1")	5,697 S.F.
LOT 48 PARCEL SIZE (45'1" x 128'1")	5,614 S.F.
LOT 49 PARCEL SIZE (45'10" x 128'1")	5,697 S.F.
TOTAL BLDG AREA	
LOT 47-48-49 - FOOTPRINT AREA	2,850 SQ. FT.
PROPOSED CONCRETE PATH (EACH LOT)	340 SQ. FT.
PROPOSED GRAVE PARKING LOT (EACH LOT)	495 SQ. FT.
LOT 47 OPEN SPACE PERCENTAGE	48%
LOT 48 OPEN SPACE PERCENTAGE	46%
LOT 49 OPEN SPACE PERCENTAGE	48%



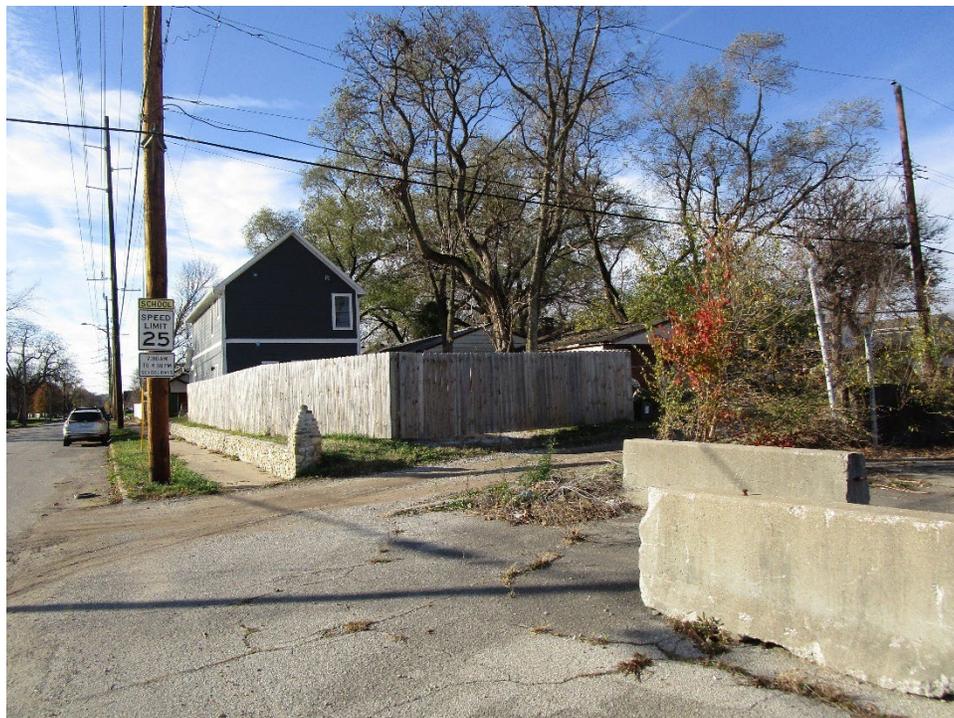
View looking east along East 21st Street



View looking west along East 21st Street



View looking southwest across intersection of East 21st Street and Rembrandt Street



View of adjacent properties looking northwest along East 21st Street



View looking northeast at adjacent property to the north of Rembrandt Street



View of adjacent property to the south looking west across Rembrandt Street



View of site looking west across Rembrandt Street



View of site looking west across Rembrandt Street



View of site looking northwest across Rembrandt Street



View of site looking southwest across East 21st Street



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

January 23, 2025

Case Number:	2024-ZON-138
Property Address:	7947 Camby Road (Approximate Address)
Location:	Decatur Township, Council District #21
Petitioner:	Arbor Homes, by Domonic Dreyer
Current Zoning:	D-A
Request:	Rezoning of 22.88 acre from the D-A district to the D-4 classification to provide for residential uses.
Current Land Use:	Undeveloped
Staff Recommendations:	Approval with commitments.
Staff Reviewer:	Marleny Iraheta, Senior Planner

PETITION HISTORY

This petition was automatically continued from the December 19, 2024 hearing to the January 23, 2025 hearing at the request of a registered neighborhood organization.

STAFF RECOMMENDATION

Staff **recommends 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 Camby 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. A traffic calming measure per the Department of Public Works standards shall be met.

PETITION OVERVIEW

LAND USE

The 22.88-acre subject site is mostly undeveloped but contains a large barn.



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The site is surrounded by undeveloped land to the north, zoned I-2, single-family dwellings and agricultural land to the east, zoned D-A, undeveloped land to the south, zoned D-2, and single-family dwellings to the west, zoned D-A and D-3.

REZONING

The grant of the request would rezone the site from the D-A district to the D-4 district to allow for residential development.

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 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.

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 Camby Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.

STAFF ANALYSIS

The request would allow the rezoning to the D-4 district to allow for a residential development that would consist of an approximate 50 single-family lots with a multi-purpose path, preserved landscaping area, and entrance landscaping to the development.

Based on the conceptual site plan submitted, staff will be requesting a commitment that a traffic calming measure for the proposed north to south street meet the standards for the Department of Public Works in addition to ensuring the right-of-way dedication request is adhered to.



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Per Table 741-302-1: Maximum Block Length, the D-4 district in the Metro Context Area has a 950-foot block length limitation that can only be exceeded if the following are demonstrated:

- a. There are pedestrian ways, provided as an improved pedestrian easement, at intervals of 400 feet or less, bisecting the block from street to street; and
- b. Adequate traffic calming provisions are made; and
- c. The proposed Block must be greater than that shown in Table 741-302-1 because of physical conditions of the land including, but not limited to, topography or the existence of natural resource areas such as jurisdictional wetlands, floodways, wildlife habitat areas, steep slopes or woodlands.

Staff is recommending approval of the rezoning request to the D-4 district since the proposed residential development would align with the suburban neighborhood recommendation of the Comprehensive Plan. Additionally, the two commitments would allow the necessary infrastructure on site and future public infrastructure to be installed.

GENERAL INFORMATION

Existing Zoning	D-A	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
North:	I-2	Undeveloped
South:	D-2	Undeveloped
East:	D-A	Residential (Single-family Dwellings) / Agricultural land
West:	D-A / D-3	Residential (Single-family dwellings)
Thoroughfare Plan		
Camby Road	Primary Arterial Street	80-foot proposed right-of-way and 30-foot existing right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	November 18, 2024	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	



COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- 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 of the site.
- The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.
- **Conditions for All Land Use Types**
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
 - Hydrological patterns should be preserved wherever possible.
 - Curvilinear streets should be used with discretion and should maintain the same general direction.
 - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- **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.



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- **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.

Indy Moves

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

- The site falls within the Indy Moves Transportation Integration Plan (2018). More specifically, IndyMoves PedalIndy 2018 proposes an on-street bike lane along Camby Road from Raceway Road to Mooresville Road.



ZONING HISTORY

Zoning History – Vicinity

2020-CZN-834 / 2020-CVR-834; 6400, 6449, 6455, 6500, 6559, 6565, 6600 and 6833 Kentucky Avenue; 6700, 7924, 7944, 8002, 8032 and 8210 Camby Road (north of site), Rezoning of 131.87 acres from the D-A, C-1, C-3 and C-5 districts to the I-2 district and variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for C-3 uses; vocational, technical or industrial school or training facility; hotel, motel or hostel; and heavy general retail (not permitted), **approved**.

2019-ZON-122 / 2020-VAR-001; 6400, 6449, 6455, 6500, 6559, 6565, 6600 and 6833 Kentucky Avenue; 6700, 7700, 7924, 7944, 8002, 8032 and 8210 Camby Road (north of site), Rezoning of 172.94 acres from the D-A, D-3, D-6II, C-1, C-3 and C-5 districts to the I-2 classification and a variance of use to provide for C-3 uses: vocation, technical or industrial school or training facility; hotel, motel or hostel; and heavy general retail, **withdrawn**.

2018-ZON-057; 8133 Camby Road (west of site), Rezoning of 45.6 acres from the D-A district to the D-3 (cluster) classification, **approved**.

2015-ZON-035; 6400, 6449, 6455, 6500, 6545 and 6565 Kentucky Avenue, 6700, 7700, 7924 and 8032 Camby Road and 6503 Mendenhall Road (northwest of site), Rezoning of 155.03 acres from the D-A, D-3, D-5, D-6II, C-1, C-3 and C-5 districts to the I-2-S classification, **denied**.

2005-ZON-186; 6600 and 6833 Kentucky Avenue and 8032 and 8210 Camby Road (northwest of site), Rezoning of 43.5 acres from the D-A district to the C-5 classification, **approved**.

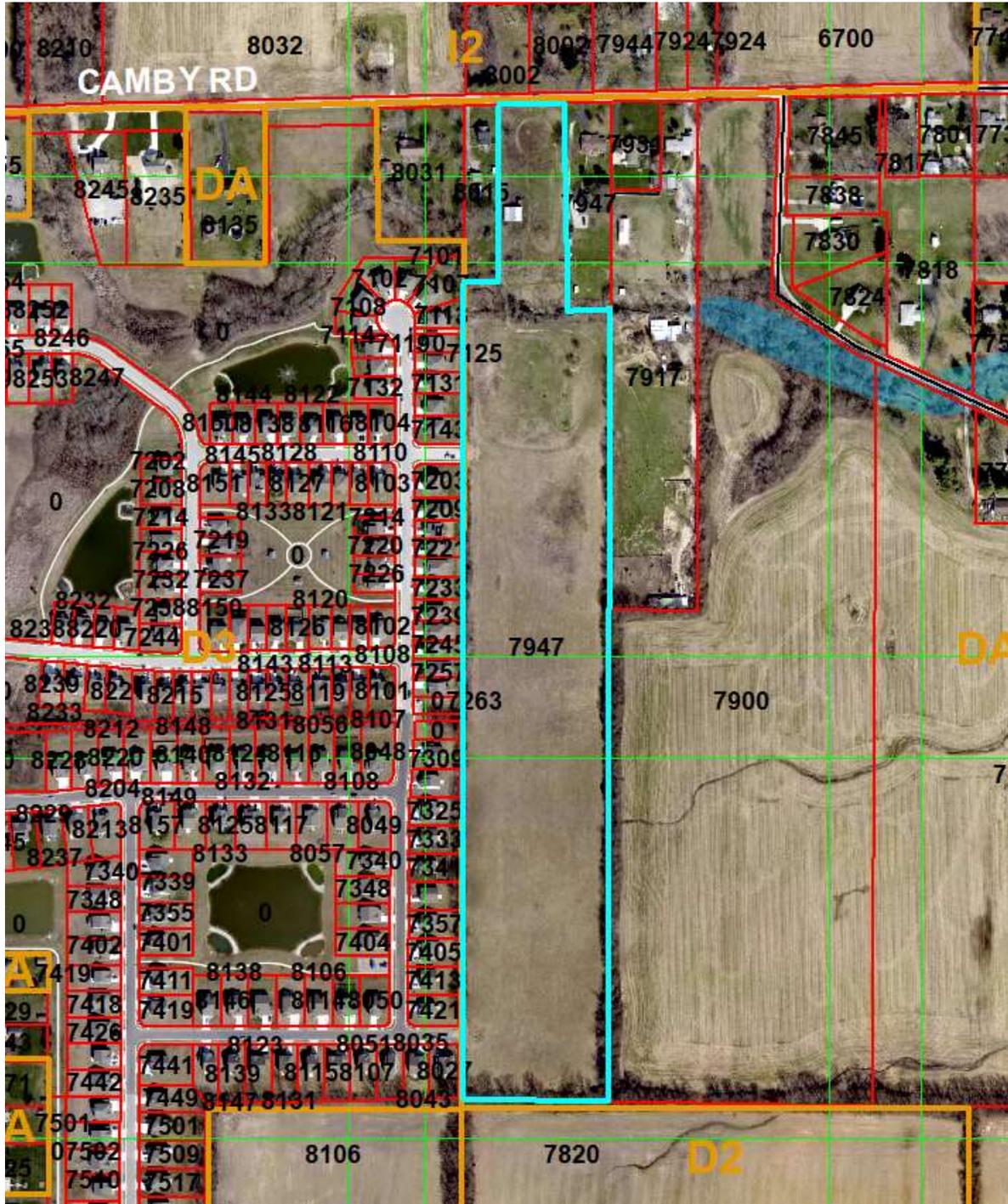
92-Z-84; 7902 Mooresville Road (south of site), Rezoning of 80-acres, being in the D-A district, to the D-2 classification to provide for residential development, **approved**.

92-Z-35; 7409 Trotter Road (west of site), Rezoning of 55.0 acres, being in the D-A district, to the D-3 classification to provide for single-family residential development, **approved**.



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EXHIBITS



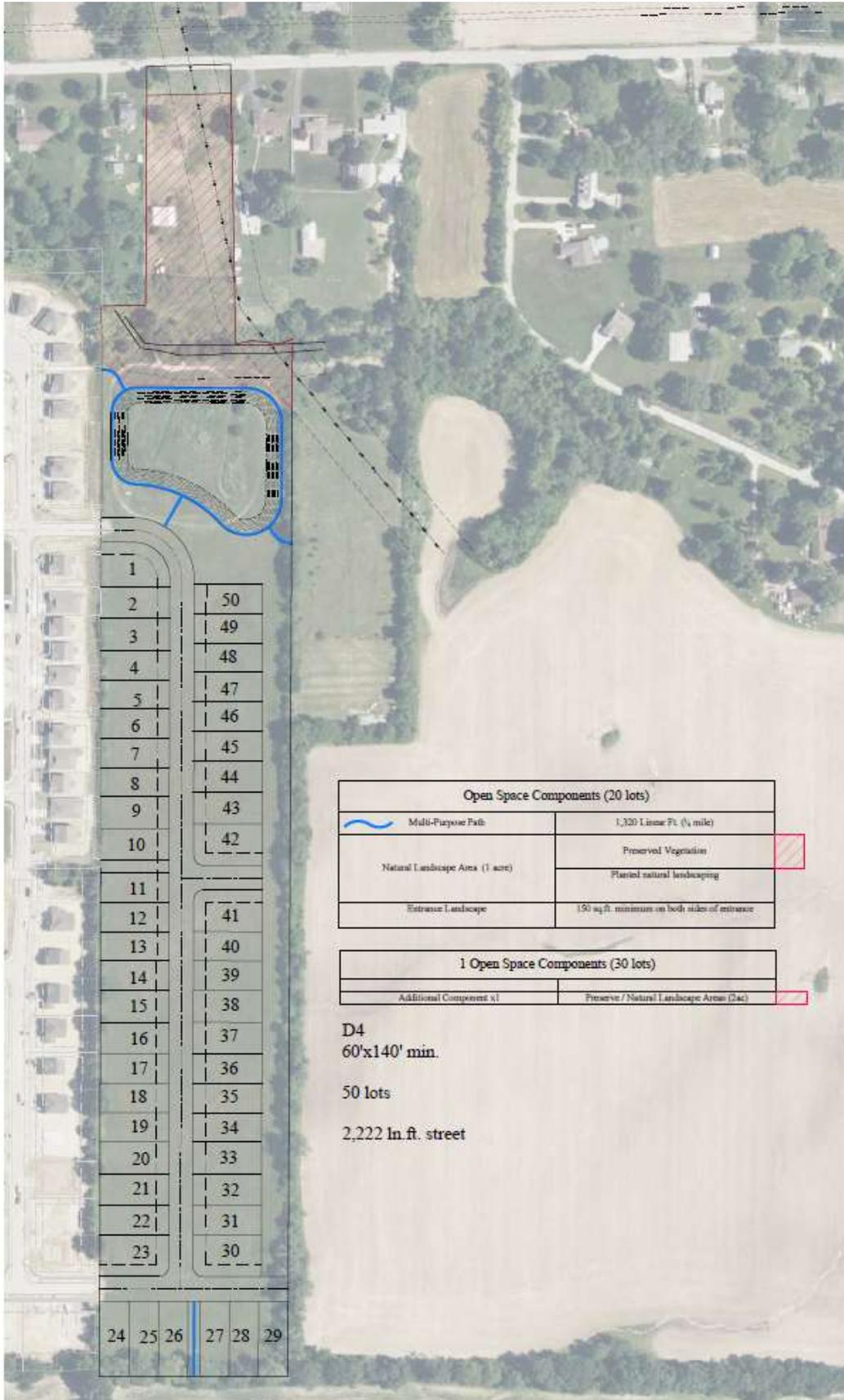




Photo of the subject site looking south from Camby Road and the single-family dwelling to the east.



Photo of the subject site looking south from Camby Road and the single-family dwelling to the west.



Undeveloped industrial land north of the site.



Undeveloped industrial land north of the site.



Single family dwellings west of the site at the Red Board Drive stub.



Photo of the Red Board Drive stub looking east onto the site.



Photo of the site looking north from the Red Board Drive stub.



Photo of the site looking north from the Red Board Drive stub.



Photo of the Wagman Street stub looking east onto the site.



Single family dwellings west of the site at the Wagman Street stub.



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-ZON-139

Property Address: 1135 and 1141 North Tacoma Avenue (Approximate Address)

Location: Center Township, Council District #13

Petitioner: Ariana & Joel D. Mathews, by Paul J. Lambie

Current Zoning: D-5

Request: Rezoning of 0.36 acres from the D-5 district to the D-5II classification to provide for residential uses.

Current Land Use: Undeveloped

Staff Recommendations: Denial

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This petition was automatically continued from the December 19, 2024 hearing to the January 23, 2025 hearing at the request of a registered neighborhood organization.

STAFF RECOMMENDATION

Staff **recommends denial** of the request.

PETITION OVERVIEW

LAND USE

The 0.36-acre subject site is comprised of two individual parcels (1043708 and 1010745) located in the Near Eastside Neighborhood. The sites are surrounded by D-5 zoned properties in each direction with undeveloped lots and single-family dwellings. There are two two-family dwellings southwest of the site, but they have not been individually subdivided and were developed with different development standards when constructed.

REZONING

This petition would rezone this site from the D-5 district to the D-5II district.

The D-5 district is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situation in established urban areas, including both



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

STAFF ANALYSIS

Staff determined that the rezoning to the D-5II would not be supportable at this location.

An approval to the D-5II district would create a precedent for additional rezonings to the D-5II district within this predominant single-family dwelling neighborhood that is currently zoned D-5. To prevent spot zoning and the possibility of row house development in the immediate area that could possibly not align with the context of the surrounding neighborhood or the Infill Housing Guidelines, staff cannot support the request as submitted.

Instead, staff would note that the exiting D-5 district already allows for a mix of residential development in line with the context of the surrounding area such as single-family dwellings with secondary dwellings unit or the construction of two-to-four-unit multi-unit houses. Both options provide an increase in housing opportunities and density without the need to alter the zoning district.

Furthermore, staff would prefer that the D-5 zoning district remain and variances for a duplex be filed instead of proceeding with the rezoning petition.

The desire to seek the zoning change is solely for the individual sale of units, which is not an adequate reason to rezone the property.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Undeveloped	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Land Use
North:	D-5	Residential (Single-family dwelling)
South:	D-5	Residential (Single-family dwelling)
East:	D-5	Residential (Single-family dwelling) / Undeveloped
West:	D-5	Residential (Single-family dwelling)
Thoroughfare Plan		
Tacoma Avenue	Local Street	48-foot proposed right-of-way and 60-foot existing right-of-way.

12 th 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)
- The Near Eastside Quality of Life Plan (2020)
- Infill Housing Guidelines (2021)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) 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.



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- **Conditions for All Housing**
 - A mix of housing types is encouraged.
 - Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
 - Primary structures should be no more than one and a half times the height of other adjacent primary structures.
 - Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
 - Developments with densities higher than 15 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.
- **Detached Housing**
 - The house should extend beyond the front of the garage. Garages should be loaded from an alley or side street when possible and should be detached if located on the side of the house.
 - Secondary units are encouraged.
 - Lots should be no larger than one and a half times the adjacent lots.
- **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.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- The site falls within The Near Eastside Quality of Life Plan (2020).
- One priority of this plan is to develop quality affordable and market-rate homeownership opportunities.
- Another priority is to develop quality affordable and market-rate rental opportunities. An action step is to develop carriage houses for low-moderate income households in areas experiencing rapid increase in property values in order to increase density and enable homeowners to stay in the neighborhood.



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- Ultimately, these two priorities of the Plan could be met if variances for the development standards were sought instead of attempting to introduce them by rezoning sites that could already be developed appropriately.

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.



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- **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)

- Not Applicable to the Site.



ZONING HISTORY

Zoning History - Vicinity

2005-LNU-027; 1213 North Tacoma Avenue (north of site), Certificate of Legally Established Non-Conforming Use (LNCU) to legally establish a three-dwelling unit building in a D-5 zoning district, **denied**.

90-UV2-79; 1128-1130 North Tacoma Avenue (southwest of site), Variance of use and development standards of the Dwelling District Zoning Ordinance to permit the continued use of a four-unit apartment building with exterior stairway and landing 2.5 feet from south property line (four feet required) and a lot width of 42 feet (50 feet required), **denied**.

87-UV2-117; 1118 North Tacoma Avenue (southwest of site), Variance of use and development standards of the Dwelling Districts Zoning Ordinance to legally establish the conversion of a single-family residence into a two-family residence with exterior stairs that encroach into the required side yard, **withdrawn**.



Photo of 1141 North Tacoma Avenue.



Photo of 1135 North Tacoma Avenue.



Photo of the subject site looking southeast from across 12th Street.



Photo of the alley east of they alley looking south.



Photo of single-family dwellings south of the site.



Photo of an undeveloped lot north of the subject site.



Photo of single-family dwellings west of the site.



METROPOLITAN DEVELOPMENT COMMISSION **January 23, 2025**
HEARING EXAMINER

Case Number: 2024-CVR-838 (2nd Amended) / 2024-CPL-838A (Amended) / 2024-CPL-838B (Amended)

Property Address: 2451 – 2682 West 78th Street, 7649 – 7757 (odd) Diamond Street, 2822 – 2863 Emerald Street, 2801 – 2936 Moonstone Street, 2808 – 2863 Ruby Boulevard, and 7650 – 7740 (even) Walnut Drive (approximate addresses)

Location: Pike Township, Council District #1

Petitioner: Apex Realty Group, by David A. Retherford

Zoning: D-5

Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for:

- a. Construction of 20% of the dwelling units, depending on the home model, at three stories in height (maximum 2.5 stories in height permitted),
- b. Minimum lot size ranging from 4,945 square feet to 4,998 square feet for up to 23 lots (minimum lot size of 5,000 square feet required),
- c. Side yard setback of four feet for Phase 2 Lots 2, 10 and 18 in Block R, Lot 14 in Block J, Lots 1, 2, 8, 16, 17, and 18 in Block S, Lot 7 in Block I, Lot 1 in Block A, Lot 13 in Block T, Lot 17 in Block Y, and Lot 18 in Block X, and for Phase 3 Lot 16 in Block A-A (minimum side yard setback of five feet required),
- d. A side yard setback of three feet for Phase 2 Lot 9 in Block S and for Phase 3 Lot 11 in Block C-C (minimum side yard setback of five feet required),
- e. Corner side yard setbacks of five feet for all corner lots (minimum corner side yard setback of eight feet required),
- f. Construction of some dwelling units, depending on the home model, with front loaded garages of up to 67% of the front façade (maximum 30% of the front façade, if within 12 feet of the front building line, or 45% of the front façade if behind 12 feet of the front building line permitted),
- g. 60% landscaped living material in the front yard (minimum 65% landscaped living material in the front yard required),
- h. Minimum main floor area of 550 square feet of livable space on the main floor of a dwelling over one story in height (minimum 660 square feet of livable space on the main floor of a dwelling over one story in height required).

Approval of a Subdivision Plat, to be known as Augusta Heights, Phase 2, dividing 12.28 acres into 84 lots, with a waiver of the amenity requirements.

Approval of a Subdivision Plat, to be known as Augusta Heights, Phase 3, dividing 3.88 acres into 32 lots, with a waiver of the amenity requirements. |



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Current Land Use: Undeveloped
Staff Reviewer: [Marleny Iraheta, Senior Planner]

PETITION HISTORY

ADDENDUM FOR JANUARY 23, 2025 HEARING EXAMINER

This petition was continued for cause from the December 12, 2024 hearing to the January 23, 2025 hearing at the request of the petitioner to allow additional time to amend the request and provide mailed notices.

The request was amended to include a 20% limitation on the number of dwelling units that would be developed with three stories where a maximum of 2.5 stories is permitted in item “a” of the request.

The request was also amended to reduce the front-loaded garage widths from 70% to 67% in item “f” of the request.

Lastly, the two subdivision plats were amended to include a waiver of the amenity requirements. This was in result of staff’s analysis that the additional number of units proposed would have required a total of five open space components which were not originally proposed with the subdivision plats submitted.

The Recreational Amenities Plan, dated December 18, 2024, notes Common Area A with an Option “A” Playground measuring 10,539 square feet, a Nature Area measuring 22,748 square feet, a five-foot wide concrete walk measuring 361 total linear feet, and a five-foot wide wood chip path measuring 778 total linear feet. Common Area B is a Dry Detention Area. It also notes a Common Area in Phase I that is a 12,350 square foot Option 2 Playground Area.

The Nature Preserve Area map, dated December 18, 2024, notes four Nature Preserve Areas with a total of 70,276 square feet. It also highlights the Nature Area called out in the Recreational Amenities Plan.

Staff now **recommends approval** of all variance requests as amended.

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

Staff recommends that the Hearing Examiner **approves** and find that the plats, file-dated August 27, 2024, and December 5, 2024 comply with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provide 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.



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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 all standards related to 741.201.A-C – Primary Plat Requirements be met prior to recording the final plat.
13. That a Traffic Control Plan compliant with Section 741-203.D of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat.
14. That a Natural Infrastructure Plan compliant with Section 741-203.E of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat.
15. That all standards related to 741.305 – Numbering and naming be met prior to recording the final plat.
16. That an amended plat with sidewalks compliant with Section 741-306 of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat.
17. That all standards related to 741.310 – Common Areas, Open Space and Public Sites (Compact Context Area) be met prior to recording the final plat.
18. That a Monumentation plan compliant with Section 741-312 of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat.
19. That a street lighting plat compliant with Section 741-316 of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat.
20. That the approval shall be in accordance with the variances requested.
21. That the amenity spaces be subject to the Nature Preserve Area map and Recreational Amenities Plan both dated December 18, 2024.

December 12, 2024

This petition was continued for cause from the November 14, 2024 hearing to the December 12, 2024 hearing at the request of staff to allow the petitioner additional time to amend the request to include additional variances that were needed and to add an additional lot to the Augusta Heights, Phase 2 subdivision plat that the petitioner wanted to include.

STAFF RECOMMENDATION

Staff **recommends denial** of the variance for the Construction of some dwelling units, depending on the home model, with front loaded garages of up to 70% of the front façade.

Staff **recommends approval** of all other variances as requested.

Staff recommends that the Hearing Examiner **approves** and find that the plats, file-dated August 27, 2024, and December 5, 2024 comply with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provide 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 all standards related to 741.201.A-C – Primary Plat Requirements be met prior to recording the final plat.
13. That a Traffic Control Plan compliant with Section 741-203.D of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat.
14. That a Natural Infrastructure Plan compliant with Section 741-203.E of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat.
15. That all standards related to 741.305 – Numbering and naming be met prior to recording the final plat.
16. That an amended plat with sidewalks compliant with Section 741-306 of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat.
17. That all standards related to 741.310 – Common Areas, Open Space and Public Sites (Compact Context Area) be met prior to recording the final plat.



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18. That a Monumentation plan compliant with Section 741-312 of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat.
19. That a street lighting plat compliant with Section 741-316 of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat. |

PETITION OVERVIEW

HISTORY

The subject site contains 116 lots of the Augusta Heights subdivision as recorded in 1922. None of the 116 lots have been developed. The original Augusta Heights subdivision consists of 456 lots and extends from Michigan Road on the west, Walnut Drive on the east, 79th Street on the north and Crooked Creek on the south. Of the twelve proposed streets internal to the original plat, only portions of five streets were ever constructed.

Within the portion of the plat that is the subject of this petition, portions Amethyst Avenue have been improved. There are dwellings accessing some of these streets which are not part of the 116 lots within the subject site.

Because the streets were already dedicated as right-of-way and the individual lots were subdivided with the original plat, the purpose of this request is not to subdivide lots or dedicate right-of-way. The developer is planning to construct the streets within the existing right-of-way and have them dedicated as public streets. The 116 lots would then be available for development within the D-5 classification.

Staff requested the developer file this plat to add drainage easements that will be needed over some of the lots and to also require the submission of surety bonds for the construction of the infrastructure. Since the right-of-way already exists, the streets could be built and the lots developed without this plat approval, provided the Department of Public Works would accept the streets.

VARIANCES

The grant of the request would allow for deviations from the 2.5 stories in height limitation for three story buildings, minimum lot size ranging from 4,945 square feet to 4,998 square feet for up to 23 lots where 5,000 square feet is required, four-foot side yard setbacks for 15 lots where five feet are required, three-foot side yard setbacks for two lots where five feet are required, five-foot corner yard setbacks for all corner lots where eight feet are required, some dwelling units with up to 70% of the front façade with front loaded garages which are limited to 30% or 45% based on the front building line, 60% landscape living material where 65% is required, and minimum main floor area of 550 square feet of livable space on the main floor of dwellings over one story in height where 660 square feet are required.

The standards that address setbacks and minimum lot sizes are requested to allow for the existing lots that were previously platted to be maintained and used for residential development.

The requests for the three-story buildings, garage width increase on the façade, reduced living material, and reduced main floor area are due to the intent to develop the remaining lots with similar products as was proposed in Phase One in the 2020 plat petition (2020-PLT-042).



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However, the petitioner was going to provide a percentage limit for the number of dwellings that would have the increased garage width increase of 70%. This percentage limitation has yet to be provided to staff and would need to be confirmed before staff is comfortable with supporting item f, "Construction of some dwelling units, depending on the home model, with front loaded garages of up to 70% of the front façade (maximum 30% of the front façade, if within 12 feet of the front building line, or 45% of the front façade if behind 12 feet of the front building line permitted)", of the request.

Staff is supportive of all other variances as requested.

STREETS

Vehicular access would be via West 78th Street, Diamond Street, Emerald Street, Moonstone Street, Ruby Boulevard and Walnut Drive. Portions of seven previously platted public streets would be constructed with this plat petition.

All the interior streets included in the plat are local streets. Sapphire Boulevard intersects with Michigan Road to the west and Amethyst Avenue and Walnut Drive connect to 78th Street to the north. Walnut Drive continued further north to connect to 79th Street.

It was determined that the required street width can be accommodated within the existing right-of-way of the original plat with some street widths of 40 feet and others with 50 feet.

SIDEWALKS

Sidewalks would be required along all internal and external streets.

STAFF ANALYSIS

The final plat for Phase One consisted of 66 total lots with five common areas that measured 69,470 square feet. This met the one required open space component of one acre of natural landscaping, but it did not incorporate the second open space component that was needed.

The proposed plats for Phases Two and Three would consist of an additional 116 lots to the overall subdivision. This would require a total of five open space components throughout the subdivision in addition to the one open space component, natural landscaping, that was needed for the initial 20 dwelling units.

Because the plats for Phases Two and Three would not incorporate any additional open space components, a waiver would be required to not meet the additional open space component required for every 30 dwelling units (or portion thereof) over the initial 20 dwelling units in accordance with Table 741-310-2: Additional Open Space Components and Minimum Standards for Residential Subdivisions.

Staff determined that this petition would need to be continued to address the open space components that would not be met with the two subdivision plats.



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Existing Zoning	D-5	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
	North:	D-5 Residential (Single-family dwellings) / Undeveloped lots
	South:	D-5 Residential (Single-family dwellings) / Undeveloped lots
	East:	D-5 / SU-35 Residential (Single-family dwellings) / Telecommunications Tower
	West:	Enter Zoning Enter Land Use
Thoroughfare Plan		
West 78 th Street	Local Street	50-foot proposed and existing right-of-way.
Diamond Street	Local Street	50-foot proposed and existing right-of-way.
Emerald Street	Local Street	50-foot proposed right-of-way and 40-foot existing right-of-way.
Moonstone Street	Local Street	50-foot proposed right-of-way and 40-foot existing right-of-way.
Ruby Boulevard	Local Street	50-foot proposed and existing right-of-way.
Walnut Drive	Local Street	50-foot proposed and existing right-of-way.
Amethyst Avenue	Local Street	50-foot proposed and existing right-of-way.
Petition Submittal Date	September 16, 2024	
Final Plat Submittal Date	December 5, 2024	



SUBDIVISION PLAT REGULATIONS

741-203 Required Documents for Approval		EVALUATION
	<p>741.201.A-C – Primary Plat Requirements:</p> <ul style="list-style-type: none"> • Plat name, Legal Description, Surveyor Seal, Scale. • Boundary Lines, Existing Street Names and dimensions. • Layout of Proposed Streets – names, widths, classifications. • Layout of all easements and purpose thereof. • Layout of lots with numbering and dimensions. • Floodway/Floodplain Delineation. • Topographic Map. • Area Map. 	<p>Not Satisfied.</p>
	<p>741-203.D – Traffic Control Plan</p> <ul style="list-style-type: none"> • Traffic control street signs and devices. • Traffic calming devices. • Bicycle facilities. • Sidewalks and pedestrian facilities. • Transit facilities, such as bus stops pads or shelter. • Street lighting. 	<p>Not Satisfied</p>
	<p>741-203.E– Natural infrastructure plan (major plats containing more than 20 lots)</p> <ul style="list-style-type: none"> • Placement of all proposed drainage facilities for the subdivision, indicating type of facility and if the facility is to be designed to be wet or dry • Location of Open Space Areas of the open space common area, indicating size and general improvements • Location of any Stream Protection Corridors in accordance with Section 744-205 (Stream Protection Corridors) 	<p>Not Satisfied</p>



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	<p>741-205 – Waivers</p> <ul style="list-style-type: none"> • The granting of the waiver or modification will not be detrimental to the public health, safety, or welfare or injurious to other property • 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 of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; • The 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; and • 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. 	<p>None Requested</p>
<p>741-300 Design and Installation Standards</p>	<p>All proposed plats submitted for Committee approval under the provisions of these regulations shall meet these standards to the satisfaction of the Committee unless waived by the Committee.</p>	<p>EVALUATION</p>
	<p>741-302.A – Lots:</p> <ul style="list-style-type: none"> • Comply with zoning district and any cluster approval or variance grant. • Lots must have positive drainage away from buildings. • No more than 25% of lot area may be under water. • Side lots lines at right angles to streets or radial to curving street line. • Layout of lots with numbering and dimensions. • Floodway/Floodplain Delineation. • Topographic Map. 	<p>Satisfied</p>
	<p>741-302.B – Frontage and Access:</p> <ul style="list-style-type: none"> • Through lots should be avoided except where necessary for primary arterial separation and topography challenges. • Triple frontage lots are prohibited. • Lots abutting alleys must have vehicular access exclusively from alley. • Lots shall not have direct access to arterial streets. • Non-residential plats shall provide cross-access easements to limits points of access to existing street network to no more than one per 500 feet. 	<p>Satisfied</p>



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	<p>741-302.C – Blocks:</p> <ul style="list-style-type: none"> • Shall not exceed maximum block lengths per Table 741-302.1 • If exceeded, it must be demonstrated that: <ul style="list-style-type: none"> ○ There are improved pedestrian easements at intervals of 400 feet or less. ○ Adequate traffic calming provisions are made. ○ The block length must be exceeded because of physical conditions of the land. 	<p>Satisfied</p>
<p>741-303 Streets and Connectivity</p>	<p>All proposed plats shall allocate adequate areas for streets in conformity with the Comprehensive Plan and Official Thoroughfare Plan for Marion County, Indiana, and these regulations.</p>	<p>EVALUATION</p>
	<p>741-303.A – General:</p> <ul style="list-style-type: none"> • Subdivisions shall provide a logical street layout in relation to topographical conditions, public convenience, safety, multi-modal use and the proposed use of the land to be served by such streets. <i>Triple frontage lots are prohibited.</i> • Streets shall intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than 75 degrees. • Not more than two streets shall intersect at any one point. • Bicycle lanes meeting the Indiana Manual on Uniform Traffic Control Devices (IMUTCD) for location, width, and marking shall be provided along collector streets. • All streets shall be dedicated to the public. Alleys may be private. • Turn lanes or other improvements recommended by the Department of Public Works shall be added to the existing street system to minimize the impact of the connection upon the existing street system. 	<p>Satisfied</p>
	<p>741-303.B – Through Connectivity (Metro Context Area):</p> <ul style="list-style-type: none"> • Emergency vehicles must not have to use more than two different local streets (any street other than a primary arterial, a secondary arterial or a collector street) to reach their destination. • Permanently dead-ended streets and alleys, except for cul-de-sac streets, are prohibited. • All existing or platted streets that terminate at the property boundary line of a proposed subdivision shall be continued into the proposed subdivision to provide street connections to adjoining lands and streets within the proposed subdivision. • Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of 125 ft. between their centerlines. • Whenever cul-de-sac streets are created, a 15-foot-wide pedestrian access/public utility easement shall be provided between the cul-de-sac head or street. • Subdivisions with 30 or more lots shall have more than one entrance to the existing street network. 	<p>Satisfied</p>
	<p>741-303.D – Cul-de-sacs (Metro Context Area):</p> <ul style="list-style-type: none"> • In the Metro Context Area, cul-de-sac lengths shall not exceed 500 feet or serve more than 20 dwelling units. 	<p>Satisfied</p>



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741-304-316 Additional Development Items		EVALUATION
741.304.A-C – Traffic Control Devices:	<ul style="list-style-type: none"> Street name signs, traffic control signs, bike route signs. Traffic control devices for streets exceeding 900 feet in length. Bicycle Facilities for subdivisions with a collector street serving more than 100 dwelling units. 	Satisfied
741.305 – Numbering and naming:	<ul style="list-style-type: none"> Street numbering per adopted addressing guidelines. Streets that are extensions or continuations of existing or approved streets must bear the name of such existing street. 	Not Satisfied.
741.306 – Sidewalks:	<ul style="list-style-type: none"> Sidewalks shall be provided along all internal and external streets. 	Not Satisfied
741.307-309 – Easements, Utilities, Stream Protection Corridors:	<ul style="list-style-type: none"> Utility easements shall be located along lot lines and shall be a minimum of 10 feet. All BMPs and drainage facilities must be located within an easement. The easement must accommodate adequate access for maintenance. Generally, pedestrian easements shall be 15 feet in width and be considered open to the public unless specifically declared otherwise. All utilities shall be located underground. All subdivisions must be designed in accordance with the Stream Protection Corridor requirements of Section 744-205. 	Satisfied
741.310 – Common Areas, Open Space and Public Sites (Compact Context Area):	<ul style="list-style-type: none"> Required for subdivisions with more than 20 dwelling units. Access easements shall be provided to connect all common areas to a public street right-of-way. The minimum width of such access must be at least 15 feet. Basic Open Space Requirements: Multi-purpose path, natural landscaping area, entrance landscaping. Additional Open Space Requirements: Community garden, dog park, game court, picnic area, playground, pool, etc. Additional component required for every 30 additional dwelling units overall. Reservation of land for public/semi-public purpose. 	Not Satisfied.
741-312 – Monuments	<ul style="list-style-type: none"> Permanent reference monuments shall be placed in the subdivision by a Professional Surveyor. Where no existing permanent monuments are found, monuments must be installed no more than 600 feet apart in any straight line and in accordance with the schedule in Table 741-312-1. 	Not Satisfied.

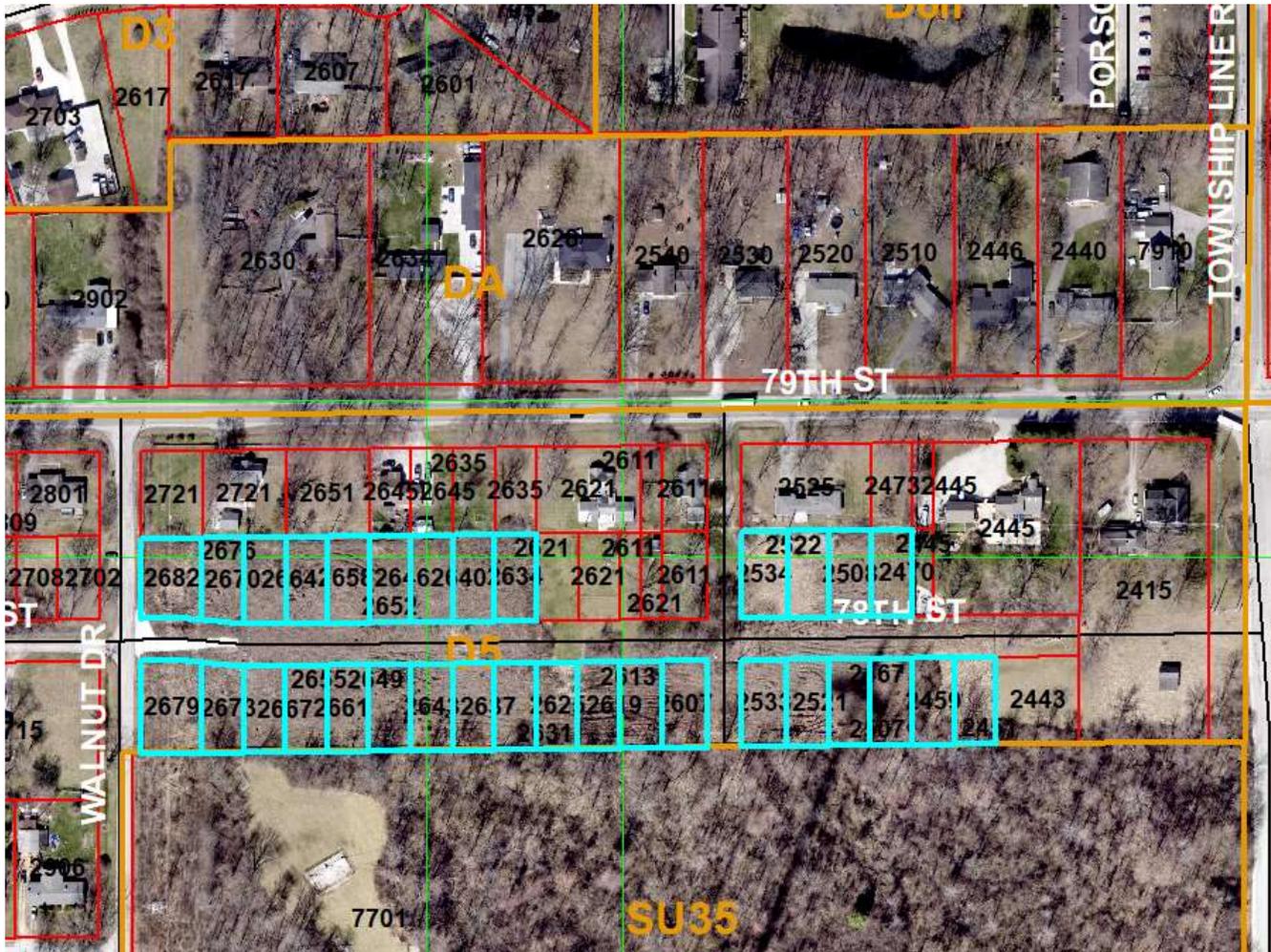


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	<p>741.313 – Flood Control:</p> <ul style="list-style-type: none">• All development shall comply with all provisions of Section 742-203 (Flood Control Zoning District).• Floodway and Floodway Fringe zones shall be delineated and labeled on the primary plat and the plat to be recorded.• For Zone AE areas, the plat must show the BFE topographic line.• For Zone A areas, the plat must show the delineation study with the floodway and floodway fringe lines shown on the FIRM maps.	<p>Satisfied</p>
	<p>741.316 – Street Lighting:</p> <ul style="list-style-type: none">• All subdivisions must be designed and constructed in accordance with the Street Lighting requirements of Section 744-600 (Street and Exterior Lighting).	<p>Not Satisfied</p>



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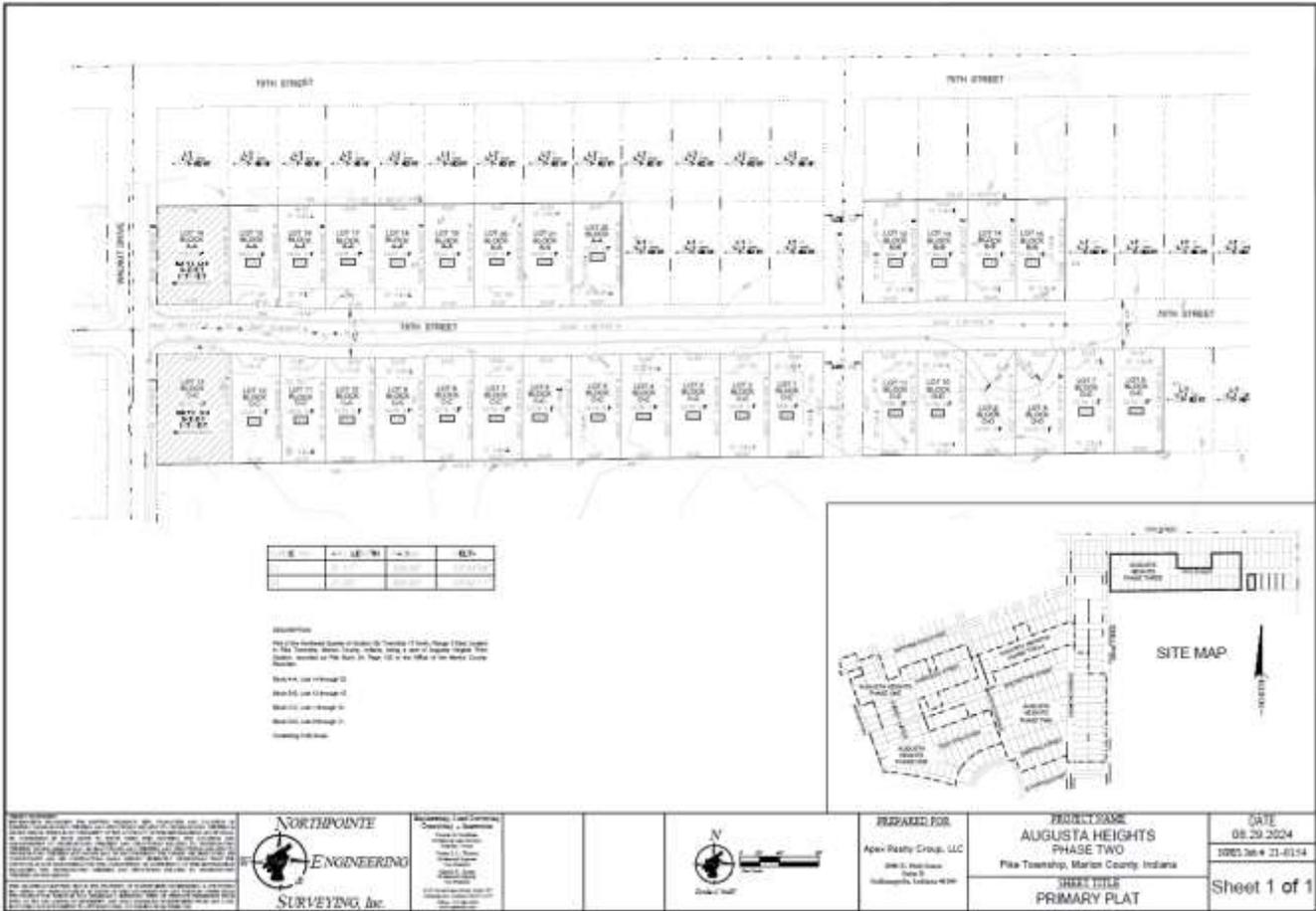




Photo looking northeast along Moonstone Street.



Photo looking southwest along the north side of Moonstone Street from Amethyst Avenue.



Photo looking southwest along the south side of Moonstone Street from Amethyst Avenue.



Photo looking east along Moonstone Street from Amethyst Avenue.



Photo looking north on Amethyst Avenue from Moonstone Street.



Photo looking at the north side of east along Ruby Boulevard.



Photo looking at the south side of east along Ruby Boulevard.



Photo looking northeast along Emerald Street from Amethyst Avenue.



Photo looking southwest along Emerald Street from Amethyst Avenue.



Photo looking east along Bloodstone Street.



Photo of Amethyst Avenue looking north.



Photo of the north side of 78th Street looking east from Walnut Drive.



Photo of the south side of 78th Street looking east from Walnut Drive.



Photo of the subject site looking west from Walnut Drive.



Photo looking south along Walnut Drive.



Photo of the subject site looking west from Walnut Drive.