



Metropolitan Development Commission (August 7, 2024) Meeting Notice

Meeting Details

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

Date: Wednesday, August 07, 2024 **Time:** 1:00 PM

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

Business:

Adoption of Meeting Minutes: July 17, 2024

Policy Resolutions:

REAL ESTATE:

1. 2024-R-016

Authorizes DMD to convey City-owned properties to Southeast Neighborhood Development, Inc. for development as single-family affordable housing in conjunction with Community Investments HOME grant funding.

ECONOMIC DEVELOPMENT / INCENTIVES:

2. 2024-A-026 (For Public Hearing)

Resolution authorizing a hearing regarding termination of the Real Property Tax Abatement associated with Economic Revitalization Area Resolution 2015-A-051, 2015, for Exploration Center I, LLC and Republic Airways Holdings, Inc., located at 5303 Stanley Rd (aka 5151 Exploration Drive), Council District #21, Decatur Township.

COMMUNITY INVESTMENTS:

3. 2024-C-002

Authorizes the Department of Metropolitan Development to enter into an agreement with Southeast Neighborhood Development (SEND) to fund Emergency Homeowner Repair Services in an amount not to exceed one hundred fifty thousand dollars (\$150,000.00) from the Indianapolis Housing Trust Fund.

4. 2024-C-003

Authorizes the Department of Metropolitan Development to fund Emergency Homeowner Repair Services on an as needed basis in an amount not to exceed one hundred thousand dollars (\$100,000.00) from the Indianapolis Housing Trust Fund.

Zoning Petitions:

Special Requests

PETITIONS OF NO APPEAL (RECOMMENDED FOR APPROVAL):

5. 2024-MOD-005 | 8316 Belfast Drive

Decatur Township, Council District #13
C-S
Unicorp National Developments, Inc., by Mike Timko

Modification of Development Statement related to petition 95-Z-149 to modify item K. Landscape Easements, to provide for a minimum of 10-foot landscape easement measured from the back of curb along all public and private streets (current commitment required a minimum 45-foot landscape easement measured from the back of curb along all public and private streets).

6. 2024-MOD-006 | 8100 Southeastern Avenue

Franklin Township, Council District #20
D-P
Circle City Property Group, Inc., by William T. Niemier

Modification of Commitments and Site Plan related to 98-Z-63 and 2006-APP-150 to modify:
a) Commitment 45 to alter the approved site plan to provide for a 10,500-square-foot commercial building;
b) Commitment 71 to provide for a 10,500 square-foot commercial building (maximum 10,000 square-foot commercial building permitted);
c) Commitment 75 to provide for a flat roof on said proposed 10,500 square-foot commercial building (required only pitched, shingle-roofed structures).

7. 2024-ZON-060 | 2401 West Morris Street

Wayne Township, Council District #17
Amy Lapka

Rezoning of 3.99 acres from the D-5 (FF) and C-4 (FF) districts to the C-7 (FF) district to provide for a landscaping business.

8. 2024-ZON-064 | 8155 Brookville Road

Warren Township, Council District #20
Johnson's Commercial Flooring, Inc, by Joseph D. Calderon

Rezoning of 3.29 acres from the C-4 district to the I-2 district for an office and warehouse for a flooring contractor.

9. 2024-ZON-069 | 2810 and 2814 East Michigan Street

Center Township, Council District #13
Arcangel Tellez-Garcia, by David Gilman

Rezoning of 0.221-acre from the C-3 district to the D-8 district to provide for multi-family residential development.

10. 2024-CAP-822 | 1351 Roosevelt Avenue

Center Township, Council District #13
C-S (FF)
Penn Electric Partners LLC, by Brent Roberts

Modification of the Commitments for 2022-ZON-115 to Modify Commitment #3 to provide for the addition of building signage, roof sign, and architectural canopies, which shall be submitted for Administrator's Approval prior to the issuance of Class 1 Structural Permit, which approval shall not be unreasonable withheld.

11. 2024-CZN-827 / 2024-CAP-827 | 2923, 2925, 2929, 2931, and 2933 North Park Avenue

Center Township, Council District #8
City of Indianapolis, Department of Parks and Recreation, by Benjamin Jackson

Rezoning of 0.124-acre from the D-5 district to the PK-1 district for park uses.

Park District One Approval to provide for new playground equipment, a shelter, benches, and an information kiosk.

PETITIONS OF NO APPEAL (RECOMMENDED FOR DENIAL):

- 12. 2024-ZON-057 | 1709 East 38th Street**
Center Township, Council District #8
Francis Olanipekun, by Oluwaseun Famosinpe

Rezoning of 2.32 acres from the SU-1 (TOD) district to the C-4 (TOD) district to provide for commercial uses including an event hall.

Petitions for Public Hearing

PETITIONS FOR PUBLIC HEARING:

- 13. COMPANION PETITIONS TRANSFERRED FROM HEARING EXAMINER FOR INITIAL HEARING:**

2024-ZON-042 / 2024-VAR-007 (AMENDED) | 3404, 3432, 3434, 3438 and 3444 North Illinois Street
Center Township, Council District #8
Redline Holdings XII, LLC, by Emily Duncan and David Kingen

Rezoning of 1.12 acres from the D-8 (TOD) and C-4 (TOD) district to the D-10 (TOD) district to provide for multi-family dwelling uses.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a multi-family development with a two-foot front yard setback for ground-level patios (Front Building Line between 10 feet to 19.9 feet required), a two-foot rear yard setback for a surface parking lot (a minimum 10-foot rear yard setback required), a floor area ratio of 1.92 (maximum 0.8 permitted), and a livability space ratio of 0.13 (minimum 0.66 permitted).

- 14. MODIFICATION PETITION TRANSFERRED FROM HEARING EXAMINER FOR INITIAL HEARING:**

2024-MOD-014 | 11601 Melnick Lane
Lawrence Township, Council District #15
D-P
Lennar Homes of Indiana, LLC, by Brian J. Tuohy

Modification of the Development Statement related to petition 96-Z-124 (96-DP-12) to modify the Tree Preservation Plan for Winding Ridge – A Master Planned Community, to allow for resident amenities, including a pool, pool house, playground, picnic area and a surface parking area, as depicted on an Amenity Center Area Landscape Plan (current Development Statement required amenities within Area 11).

- 15. PLAT PETITION TRANSFERRED FROM THE PLAT COMMITTEE FOR INITIAL HEARING:**

2024-PLT-034 | 4620 West 84th Street, 4553 and 4625 West 86th Street, 8431 and 8435 Georgetown Road and 8460 Bearing Drive
Pike Township, Council District #1
I-2 (FF)
G&I X Industrial IN, LLC, by Andi M. Metzel

Approval of a Subdivision Plat, to be known as Northwest Business Center, subdividing 46.906 acres into six lots, with a waiver of sidewalk requirements along 84th Street, 86th Street, and Bearing Drive, per Chapter 741, Article III, Section 6 of the Consolidated Zoning and Subdivision Ordinance.

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.

Real Estate-SEND
Real Estate Sale and Conveyance

**METROPOLITAN DEVELOPMENT COMMISSION
OF
MARION COUNTY, INDIANA
Resolution No. 2024-R-016**

WHEREAS, the Department of Metropolitan Development ("DMD"), by authority of and pursuant to IC 36-7-15.1, is engaging in disposition and redevelopment activities within the Marion County Redevelopment District; and

WHEREAS, pursuant to IC 36-7-15.1-6, the Metropolitan Development Commission ("Commission") is charged with the responsibility of promoting the use of land in the manner that best serves the interest of the City of Indianapolis ("City") and its inhabitants, both from the standpoint of human needs and economic values; and

WHEREAS, the City/DMD owns various properties located in Marion County, Indiana and has access to federal HOME grant funding ("HOME Funds"); and

WHEREAS, DMD seeks to use those HOME Funds in partnership with Southeast Neighborhood Development, Inc. ("SEND") - a local community development corporation-to facilitate the creation of affordable housing opportunities on its inventory of properties ("Properties"); and

WHEREAS, DMD desires to convey title to three of such Properties to SEND as described on Exhibit A to this Resolution in consideration of certain commitments to be made by SEND for the purpose of providing development that will benefit or serve low- or moderate-income families.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. The Metropolitan Development Commission hereby authorizes the DMD to convey title to the Properties as described above and on Exhibit A for the purpose of creating affordable housing opportunities on City-owned properties.
- 2. The DMD Director is hereby authorized to execute the necessary documents, with such terms and provisions as may be deemed necessary or appropriate, to best accomplish the objectives set forth herein and all actions heretofore taken by any such official toward the completion thereof are hereby ratified, confirmed and approved, for the conveyance of said Properties in accordance with this Resolution.

Approved as to Adequacy & Legal Form
Sheila Kinney *SK*
Sheila Kinney, Asst. Corp Counsel

Metropolitan Development Commission

John J. Dillon III, President

Date: 7/31/2024

Date: _____

Exhibit A
Property Disposition Information

| 2024 General Funding Round | | | | | |
|-----------------------------------|---------------|---------------------|--------------------|-------------------|-------------------------|
| Address | Parcel | Neighborhood | Grant Funds | Sale Price | End Use |
| 216 Trowbridge | 1022736 | Twin Aire | HOME Grant | \$3,500 | Single-Family Residence |
| 266 S. Temple | 1084459 | Twin Aire | HOME Grant | \$3,500 | Single-Family Residence |
| 1221 Vandeman | 1003338 | Norwood | HOME Grant | \$1,500 | Single-Family Residence |

**METROPOLITAN DEVELOPMENT COMMISSION OF
MARION COUNTY, INDIANA
RESOLUTION TO
TERMINATE SEVEN (7) YEAR REAL PROPERTY TAX ABATEMENT FOR**

**Exploration Center I, LLC & Republic Airways Holdings Inc.
5303 Stanley Road (aka 5151 Exploration Drive)**

Resolution No. 2024-A-026

WHEREAS, I.C. 6-1.1-12.1 allows a partial abatement of property taxes attributable to redevelopment or rehabilitation activities in Economic Revitalization Areas; and

WHEREAS, pursuant to I.C. 6-1.1-12.1, Exploration Center I, LLC, and Republic Airways Holdings Inc. (collectively "Applicant") filed a designation application requesting that the subject real estate at 5151 Exploration Drive ("Subject Real Estate") be designated as an Economic Revitalization Area for the purpose of achieving real property tax savings in connection with the proposed redevelopment and rehabilitation activities ("Project"); and

WHEREAS, on Wednesday, August 5, 2015, the Metropolitan Development Commission ("Commission") adopted Preliminary Economic Revitalization Area Resolutions No. 2015-A-043, preliminarily designating the Subject Real Estate as an Economic Revitalization Area; and

WHEREAS, on Wednesday, August 19, 2015, after conducting a public hearing, the Commission adopted Final Economic Revitalization Area Resolution No. 2015-A-051 ("Resolutions"), confirming designation of the Subject Real Estate as an Economic Revitalization Area for the purpose of receiving seven (7) years real property tax abatement ("Abatement"); and

WHEREAS, in the Statement of Benefits Form contained in the Resolutions and the Memorandum of Agreement ("MOA") executed by and between the Applicant and the City of Indianapolis ("City"), the Applicant indicated that \$3,852,900 in real property improvements would be made at the Subject Real Estate, and that 62 retained positions at an average hourly wage of not less than \$22.62, and 6 new full-time permanent positions would be created at an average wage of \$25 per hour as a result of the Project (collectively the "Commitments") and in consideration thereof, the Commission approved the Resolutions and the Applicant accepted the terms and conditions of the Resolutions by accepting the benefits thereof; and

WHEREAS the Resolution directed the Department of Metropolitan Development ("DMD") to survey the Applicant's Project annually and the Commission reserved its rights to reduce the dollar amount, or rescind in its entirety, the Abatement being received by the Applicant for failure to achieve the benefits described in the Statement of Benefits and/or the MOA or for failure to respond to the mandatory survey; and

WHEREAS, the Applicant has indicated they will cease operations at the Subject Real Estate; and

WHEREAS, pursuant to Resolution 2014-A-034 of the Commission, authorizes DMD to evaluate and determine on behalf of the Commission whether each property owner who has been awarded a tax abatement has substantially complied with its Statement of Benefits and whether failure to comply

was caused by factors beyond the control of the property owner. The Applicant’s annual survey was evaluated on May 15th, 2022, and DMD has determined it does not comply with its Statement of Benefits and such failure was not caused by factors beyond the Applicant’s control; and

WHEREAS, the Applicant has realized a tax savings of \$247,522.17 to date due to the Abatement; and

WHEREAS, the Department of Metropolitan Development, on behalf of the Commission and in agreement with the Applicant, determined that the Abatement should be terminated, and the Applicant will pay damages of \$247,522.17 of tax savings received by the Applicant, and subsequently they set 1:00 p.m. on Wednesday, August 7th, 2024, for the public hearing of remonstrances and objections from persons interested in whether the Abatement for the Subject Real Estate should be terminated, and payment of the damages should be reimbursed to the City; and

WHEREAS, proper legal notices were published stating when and where such final hearing would be held; and

WHEREAS, at such final hearing, evidence, and testimony (along with all written remonstrances and objections previously filed) were considered by the Commission; and

WHEREAS the DMD and the City of Indianapolis have satisfied all other conditions precedent to termination of the Economic Revitalization Area designations and associated tax abatement deductions.

NOW, THEREFORE, IT IS RESOLVED:

1. The Commission hereby confirms DMD’s preliminary finding that the Applicant has not substantially complied with the Statement of Benefits contained in the Resolutions or met the Commitments contained in the MOA.
2. The Commission now hereby determines that the Applicant has failed to or will be unable to substantially comply with the Commitments (as identified and agreed upon in the Statement of Benefits form contained in the attachments to the Resolutions and/or the MOA), entitling DMD to terminate, through the Commission, the tax abatement deductions regarding the Subject Real Estate and relative to the Project and Resolutions and authorizes the Director of DMD to sign the Termination Agreement.
3. The Commission hereby acknowledges that Applicant’s agreement and consent to the termination of the tax abatement and repayment of damages, as authorized by this Final Resolution.
4. The Commission determines that the MOA for the Subject Real Estate shall be terminated upon adoption of this Termination Resolution.
5. The Commission hereby directs that the Applicant shall pay to the City of Indianapolis damages in the amount of \$247,522.17, within 60 days of the adoption of this Final Resolution and authorizes the Director of the Department of Metropolitan Development to take such action as is necessary to recover said damages should they not be timely remitted. Upon repayment of said damages, the Commission shall release Applicant from any and all other liabilities related to the Abatement or the termination of the Abatement.

- 6. A copy of this Termination Resolution shall be filed with the Marion County Auditor and Marion County Assessor.

METROPOLITAN DEVELOPMENT COMMISSION

John J. Dillion III, President

Dated

Approved as to Legal Form
and Adequacy this 9th day
of July 2024

Sheila Kinsey

Approved for Legal Form and Adequacy
Office of Corporation Counsel

Community Investments
Housing Trust Fund
Housing Services

METROPOLITAN DEVELOPMENT COMMISSION
OF
MARION COUNTY, INDIANA
Resolution No. 2024-C-002

WHEREAS, I.C. 36-7-15.1-35.5 authorizes the Metropolitan Development /commission (“MDC”), acting as the redevelopment commission for the Consolidated City of Indianapolis, to establish a supplemental housing program and a housing trust fund; and

WHEREAS, MDC resolution 02-B-002 establishes the Supplemental Housing Program and the Indianapolis Low Income Housing Trust Fund (“Trust Fund”); and

WHEREAS, I.C. 36-7-15.1-35.5(i) establishes the housing trust fund advisory committee (Committee”); and

WHEREAS, the Department of Metropolitan Development (“DMD”) has funds available in the Indianapolis Low Income Housing Trust Fund; and

WHEREAS, the Housing Trust Fund Advisory Committee recommends Indianapolis Low Income Housing Trust funds be awarded to Southeast Neighborhood Development (SEND), to fund Emergency Homeowner Repair Services, in an amount not to exceed One Hundred and Fifty Thousand Dollars 00/100 (\$150,000.00); and

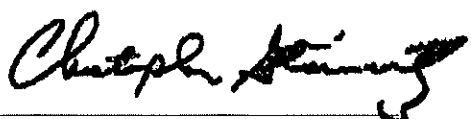
WHEREAS, the DMD and the grantee wish to enter into a new contract;

NOW, THEREFORE, BE IT RESOLVED:

1. The Director of the DMD is hereby authorized by the MDC to enter into a grant agreement with Southeast Neighborhood Development to fund Emergency Homeowner Repair Services in an amount not to exceed One Hundred and Fifty Thousand Dollars 00/100 (\$150,000.00).
2. The Director of the Department of Metropolitan Development is hereby authorized to execute the necessary documents in accordance with this Resolution.

Approved as to legal form and adequacy:

Metropolitan Development Commission:

By: 
Christopher Steinmetz, Asst. Corp. Counsel

By: _____
John J. Dillon III, President

Date: 07/30/2024

Date: _____

Community Investments
Housing Trust Fund
Housing Services

**METROPOLITAN DEVELOPMENT COMMISSION
OF
MARION COUNTY, INDIANA
Resolution No. 2024-C-003**

WHEREAS, I.C. 36-7-15.1-35.5 authorizes the Metropolitan Development /commission (“MDC”), acting as the redevelopment commission for the Consolidated City of Indianapolis, to establish a supplemental housing program and a housing trust fund; and

WHEREAS, MDC resolution 02-B-002 establishes the Supplemental Housing Program and the Indianapolis Low Income Housing Trust Fund (“Trust Fund”); and

WHEREAS, I.C. 36-7-15.1-35.5(i) establishes the housing trust fund advisory committee (Committee”); and

WHEREAS, the Department of Metropolitan Development (“DMD”) has funds available in the Indianapolis Low Income Housing Trust Fund; and

WHEREAS, the Housing Trust Fund Advisory Committee recommends Indianapolis Low Income Housing Trust Funds to The Department of Metropolitan Development (DMD), to fund Emergency Homeowner Repair Services on an as needed basis, in an amount not to exceed One Hundred Thousand Dollars 00/100 (\$100,000.00); and

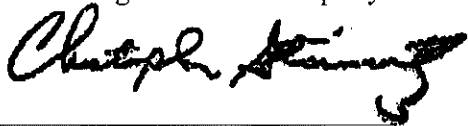
WHEREAS, the DMD and the grantee wish to enter into a new contract(s) to provide the Emergency Homeowner Repair Services;

NOW, THEREFORE, BE IT RESOLVED:

1. The Director of the DMD is hereby authorized by the MDC to fund Emergency Homeowner Repair Services, on an as needed basis, through The Department of Metropolitan Development (DMD) in an amount not to exceed One Hundred Thousand Dollars 00/100 (\$100,000.00).
2. The Director of the Department of Metropolitan Development is hereby authorized to execute the necessary documents in accordance with this Resolution.

Approved as to legal form and adequacy:

Metropolitan Development Commission:

By: 
Christopher Steinmetz, Asst. Corp. Counsel

By: _____
John J. Dillon III, President

Date: 07/30/2024

Date: _____



METROPOLITAN DEVELOPMENT COMMISSION

August 7, 2024

| | |
|-------------------------------|--|
| Case Number: | 2024-ZON-042 / 2024-VAR-007 (Amended) |
| Property Address: | 3404, 3432, 3434, 3438 and 3444 North Illinois Street (Approximate Addresses) |
| Location: | Center Township, Council District #8 |
| Petitioner: | Redline Holdings XII, LLC, by Emily Duncan and David Kingen |
| Current Zoning: | D-8 (TOD) and C-4 (TOD) |
| Request: | Rezoning of 1.12 acres from the D-8 (TOD) and C-4 (TOD) district to the D-10 (TOD) district to provide for multi-family dwelling uses. Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a multi-family development with a two-foot front yard setback for ground level patios (Front Building Line between 10 feet to 19.9 feet required), a two-foot rear yard setback for a surface parking lot (a minimum 10-foot rear yard setback required), a floor area ratio of 1.92 (maximum 0.8 permitted), and a livability space ratio of 0.13 (minimum 0.66 permitted). |
| Current Land Use: | Undeveloped |
| Staff Recommendations: | Approval of the rezoning and variance with a commitment. |
| Staff Reviewer: | Marleny Iraheta, Senior Planner |

PETITION HISTORY

ADDENDUM FOR AUGUST 7, 2024 METROPOLITAN DEVELOPMENT COMMISSION

This petition was continued from the July 17, 2024 hearing to the August 7, 2024 hearing date at the request of a registered neighborhood organization.

The petitioner submitted a final site plan and an updated multiple dwelling project analysis that increased the livability space ratio from 0.08 to 0.13. Although this is only a slight change to the calculation, it increased the overall proposed green space on site which staff requested for the benefit of the tenants. As a result of this change, the proposed number of parking spaces were reduced as well per staff's recommendation and the rear setback along half of the rear yard was increased significantly to ten feet.

For these reasons, staff **recommends approval of the rezoning petition and variances**, 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:

1. A final site plan, landscape plan, and building elevations shall be submitted for Administrator's Approval prior to the Issuance of an Improvement Location Permit.



Department of Metropolitan Development
Division of Planning
Current Planning

JULY 17, 2024

This petition was scheduled for the May 15, 2024 hearing of the Metropolitan Development Commission by a special request, which was granted by the Hearing Examiner on April 11, 2024.

Staff requested this petition be continued from the May 15, 2024 hearing to the June 26, 2024 hearing to allow sufficient time for the petition to be amended and proper notice to be provided. However, the Metropolitan Development Commission continued it to the July 3, 2024 hearing date.

Staff requested a continuance for cause from the July 3, 2024 hearing to the July 17, 2024 hearing on behalf of the petitioner to allow sufficient time for the petition to be amended and proper notice to be provided.

Amendment: The petition was amended to rezone the site to the D-10 district instead of the D-9 district as previously requested due to the number of units proposed and the necessary variances were included per the amended site plan submitted on May 14, 2024.

STAFF RECOMMENDATION

Staff **recommends approval** of the rezoning petition and all other variances, 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:

2. A final site plan, landscape plan, and building elevations shall be submitted for Administrator's Approval prior to the Issuance of an Improvement Location Permit.

Staff **recommends denial** of the variances.

PETITION OVERVIEW

LAND USE

The 1.12-acre subject site is mostly undeveloped with a partial gravel lot. It is surrounded by single and two-family dwellings to the west, zoned C-4 and D-5, an undeveloped lot to the north that is part of a church property, zoned D-8, a parking lot to the south, zoned C-4, and a variety of housing types, undeveloped lots and an auto repair business east of the site, zoned D-8 and C-4.

The various parcels fall within three different platted subdivisions which are the Crown Hill Addition, McClintock's 2nd Addition, and Weghorst's North Side Addition.

REZONING

The request would rezone the subject site from the D-8 (TOD) and C-4 (TOD) district to the D-10 (TOD) district to provide for multi-family dwelling uses.

The C-4 District is designed to provide for the development of major business groupings and regional-size shopping centers to serve a population ranging from a community or neighborhoods to a major



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Current Planning**

segment of the total metropolitan area. These centers may feature a number of large traffic generators such as home improvement stores, department stores, and theatres. Even the smallest of such freestanding uses in this district, as well as commercial centers, require excellent access from major thoroughfares. While these centers are usually characterized by indoor operations, certain permitted uses may have limited outdoor activities, as specified.

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 D-10 district is intended for high density housing formats, in moderate- or large-scale multi-unit building types. This district can be used at transitions and urban centers and corridors, including the high-density residential recommendations of the Comprehensive Plan, and the City Neighborhood and Urban Mixed-Use Typologies of the Land Use Pattern Book.

VARIANCE OF DEVELOPMENT STANDARDS

The grant of the request would allow for a two-foot front yard setback for ground level patios, a two-foot rear yard setback for a surface parking lot, a floor area ratio of 1.92 and a livability space ratio of 0.08.

Per Table 744-701-2: Private Frontage Design Standards, the front building line should fall between a range of 10 feet to 19.9 feet.

Table 742.103.03 – Residential Building Type Standards notes that the minimum rear yard setback for a Large Apartment (51+ units) should be ten feet in the D-10 district.

Lastly, Table 744-201-2: Dimensional Standards for Districts D-6 through D-11 notes that the D-10 district has a maximum floor area ratio (FAR) of 0.80 for sites with buildings four to five floors. The proposed development would have four stories. The minimum livability space ratio (LSR) required in the D-10 district would be 0.66.

The Floor Area Ratio (FAR) is the aggregate floor area of all stories of all buildings within the project divided by the land area. The maximum of 0.80 would be exceeded by 1.12, which is more than double the maximum allowed.

The Livability Space Ratio (LSR) is the livability space divided by floor area, which expresses the relationship between the size of the development and the size of the outdoor, natural areas. The minimum of 0.66 would be deficient by 0.58, which is a significant deficiency.

STAFF ANALYSIS

The request seeks relief from the front setback, rear setback, floor area ratio, and livability space ratio requirements.

The site plan, file dated May 14, 2024, proposes a total of 64 parking spaces with 44 on site spaces and 20 street parking spaces.



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Division of Planning
Current Planning**

According to Table 744-402-201-1, multifamily dwelling structures over three stories have a 0.75 per dwelling unit parking space requirement. With this development being a four-story building with 101 units, it would require 75 parking spaces that could be reduced by the maximum 35% allowed by the Ordinance to bring it down to 49 required parking spaces since it is within ¼ mile of a TOD station.

Because the site is located along the Red Line Bus Rapid Transit Corridor, the reduction of parking spaces would be appropriate since the anticipated senior tenants could utilize public transportation. There is also a bus stop directly across Illinois Street to the east.

The conversion of Illinois Street from a one-way street to a two-way street would not eliminate the street parking possibility. Therefore, the 49 required parking spaces could be provided with 20 being street parking spaces and the remaining 29 would need to be on site.

The reduction of 15 parking spaces on site and the elimination of the proposed roundabout would allow the installation of outdoor recreational green space for residents to utilized and enjoy rather than having an excessive amount of hard surface area on site, thus increasing the Livability Space Ratio. Staff would recommend outdoor amenities such as outdoor seating areas, gardens, walking paths, fountain, game areas, or the like. The type of amenities would be up to the petitioner to determine.

The setback variance requests are minimal, but the two-foot rear setback along the parking lot could be increased significantly in sections if parking spaces were eliminated.

For these reasons, staff is recommending denial of the variances as proposed.

Staff is recommending approval of the rezoning because it would allow for multi-family development that is supportable by staff. However, a final site plan, landscape plan, and building elevations would be subject to Administrative Approval as a commitment.

GENERAL INFORMATION

| | | | |
|-----------------------------------|--|---|---|
| Existing Zoning | D-8 (TOD and C-4 (TOD)) | | |
| Existing Land Use | Undeveloped | | |
| Comprehensive Plan | Traditional Neighborhood and Village Mixed-Use | | |
| Surrounding Context | Zoning | Land Use | |
| | North: | D-8 | Undeveloped |
| | South: | C-4 | Parking lot |
| | East: | C-4 | Residential and Commercial |
| | West: | C-4 / D-5 | Residential (Single and Two-family dwellings) |
| Thoroughfare Plan | | | |
| Illinois Street | Primary Arterial Street | 560-foot proposed right-of-way and 59-foot existing right-of-way. | |
| Context Area | Compact | | |
| Floodway / Floodway Fringe | No | | |



Department of Metropolitan Development
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| | |
|----------------------------|---------------|
| Overlay | Yes |
| Wellfield Protection Area | No |
| Site Plan | May 1, 2024 |
| Site Plan (Amended) | May 14, 2024 |
| Elevations | N/A |
| Elevations (Amended) | N/A |
| Landscape Plan | N/A |
| Findings of Fact | June 20, 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)
- Red Line Transit-Oriented Development Strategic Plan (2021)
- Indy Bike Master Plan 2011

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends traditional neighborhood development for the three northern parcels and village mixed-use development for the southern two parcels.
- 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.



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

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The subject site falls within the Red Line Transit-Oriented Development Strategic Plan (2021).
- The closest station is within a ¼ mile east of the site at the intersection of 34th Street and Meridian Street.



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- This station is classified as a community center typology, which calls for a dense mixed-use neighborhood center with a minimum of two stories at the core, no front or side setbacks at the core and with zero to ten-foot front setbacks and zero to ten-foot side setbacks at the periphery. Multi-family housing should have a minimum of three units and structured parking should be proposed at the core with attractive surface parking at the periphery.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

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

- There is an existing on-street bike lane along Illinois Street that starts from Westfield Boulevard and goes to 26th Street.
- There are plans underway to convert this portion of Illinois Street with two-way traffic.



ZONING HISTORY

Zoning History - Vicinity

2010-ZON-080 and 2010-VAR-011; 3427 North Capitol Avenue (west of site), Rezoning of 0.37 acre, from the D-5 District, to the D-8 classification to provide for multifamily development and Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a trash container with a three-foot rear setback (minimum 15-foot rear setback required); a six-foot tall front yard fence (maximum 42-inch fence height permitted within front yard); 11 parking spaces (minimum 20 parking spaces required); and a nine-foot north perimeter yard (minimum 15-foot perimeter yard required), **approved and granted.**

2008-ZON-802 / 2008-VAR-802 (Amended); 3402 and 3416 North Meridian Street and 3401, 3403, 3415, and 3420 Salem Street (east of site), Rezoning of 1.13 acres from the D-P District, to the D-10 classification to provide for multi-family residential use and Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for a four story, 59,926 square-foot multifamily building, containing 52 dwelling units, a) with a 34-foot front setback from the existing right-of-way of Meridian Street (minimum 40-foot front setback required), and with a 10-foot front setback from the existing right-of-way of 34th Street (minimum 30-foot front setback required), b) a floor area ratio (FAR) of 0.979 (maximum FAR of 0.800 permitted), c) an open space ratio (OSR) of 0.793 (minimum OSR of 0.870 required), d) a livability space ratio (LSR) of 0.240 (minimum LSR of 0.490 required), e) a major livability space ratio (MLSR) of 0.083 (minimum MLSR of 0.095 required), f) with parking, within the required 30-foot front yard along 34th Street (not permitted), within the required 25-foot front yard along Salem Street (not permitted), and within the required twenty-foot north and east perimeter yards (not permitted), and g) with a total car ratio (TCR) of 0.788 (minimum TCR of 0.940 required) and a Variance of Use and Development Standards of the Dwelling Districts Zoning Ordinance to provide for a parking lot at 3720 Salem Street, with two-foot north and south side setbacks, and a zero-foot rear setback, within the required twenty-foot side and rear perimeter yards (not permitted), **approved and granted.**

2003-ZON-145; 3416 Salem Street (east of site), Rezoning of 0.119 acre from D-P to D-8 to provide urban dwelling use, **granted.**

2003-ZON-144; 3402 Salem Street (east of site), Rezoning of 0.358 acre from D-P to C-4 to provide for community regional commercial use, **granted.**

2000-ZON-805; 3402 North Meridian Street (east of site), Rezoning of 1.16 acres from C-4 and D-9 to D-P to provide for a mixed-use development of multi-family dwellings and retail, **granted.**

94-Z-155; 3433 North Illinois Street (east of site), Rezoning of 0.12 acre, being in the C-4 District, to the D-8 classification to provide for residential development, **approved.**

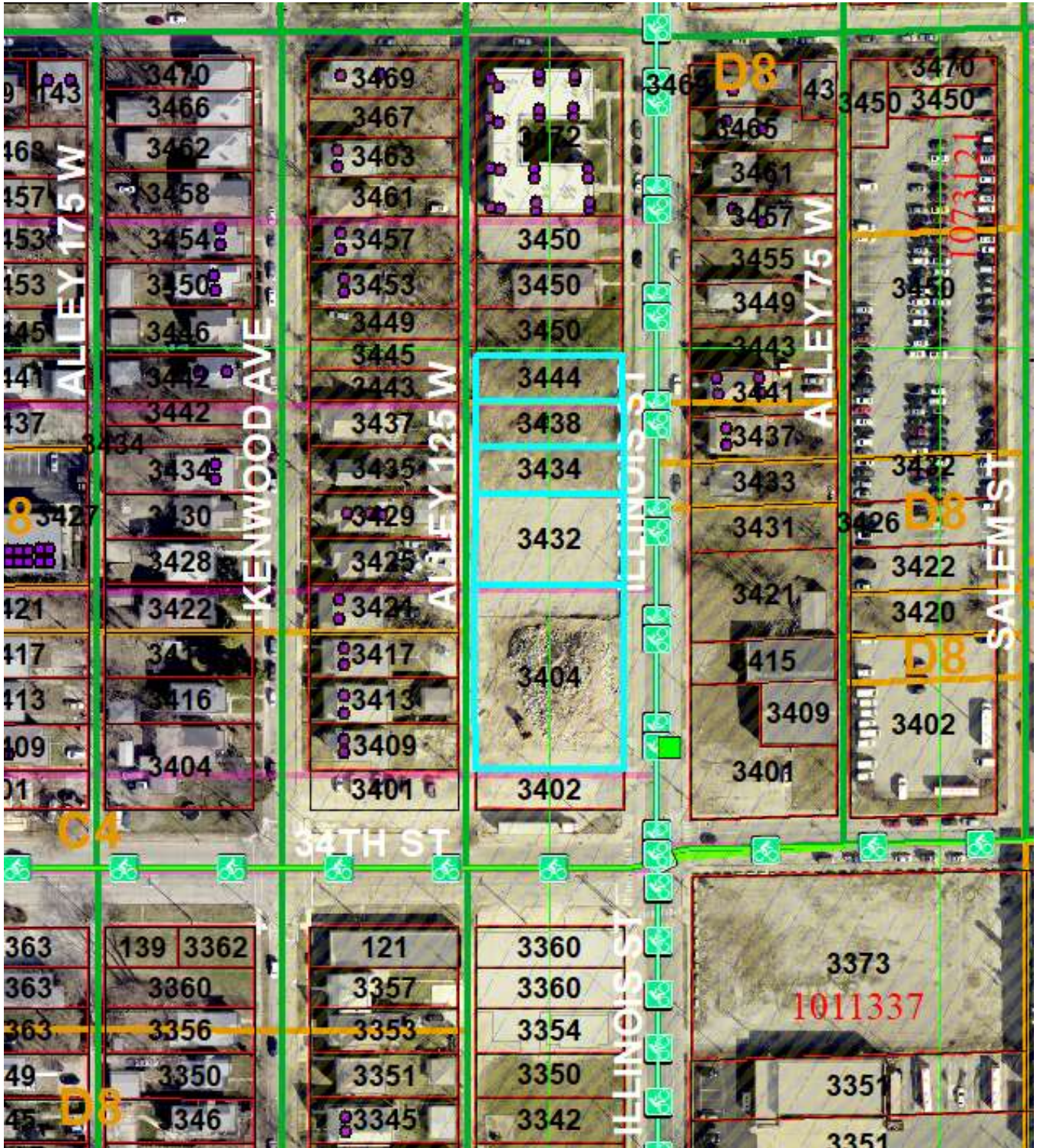
81-Z-9; 3402-05 Graceland and 3402-09 Capitol Avenues (west of site), Rezoning of 0.43 acres, being in C-4 and C-5 districts, to C-4 classification, to provide protection for existing landscaping of formal landscaped entrance into Crown Hill Cemetery, **approved.**

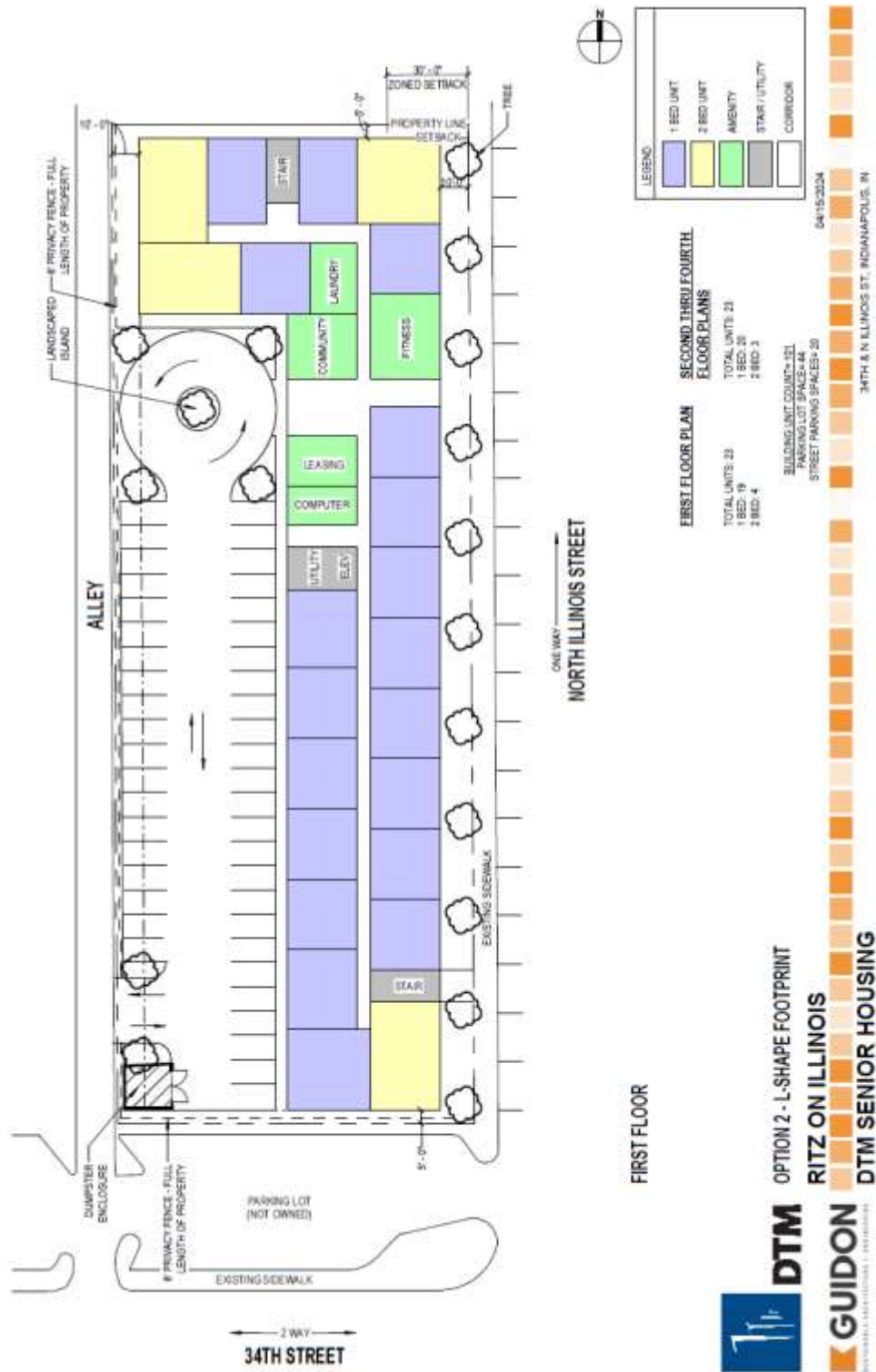


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80-Z-1; 3450 North Meridian Street (east of site), Rezoning of 2.0 acres, being in D-5 and D-9 districts, to C-1 classification to provide for the construction of a one car garage to be used as a claim service office, **approved.**

EXHIBITS

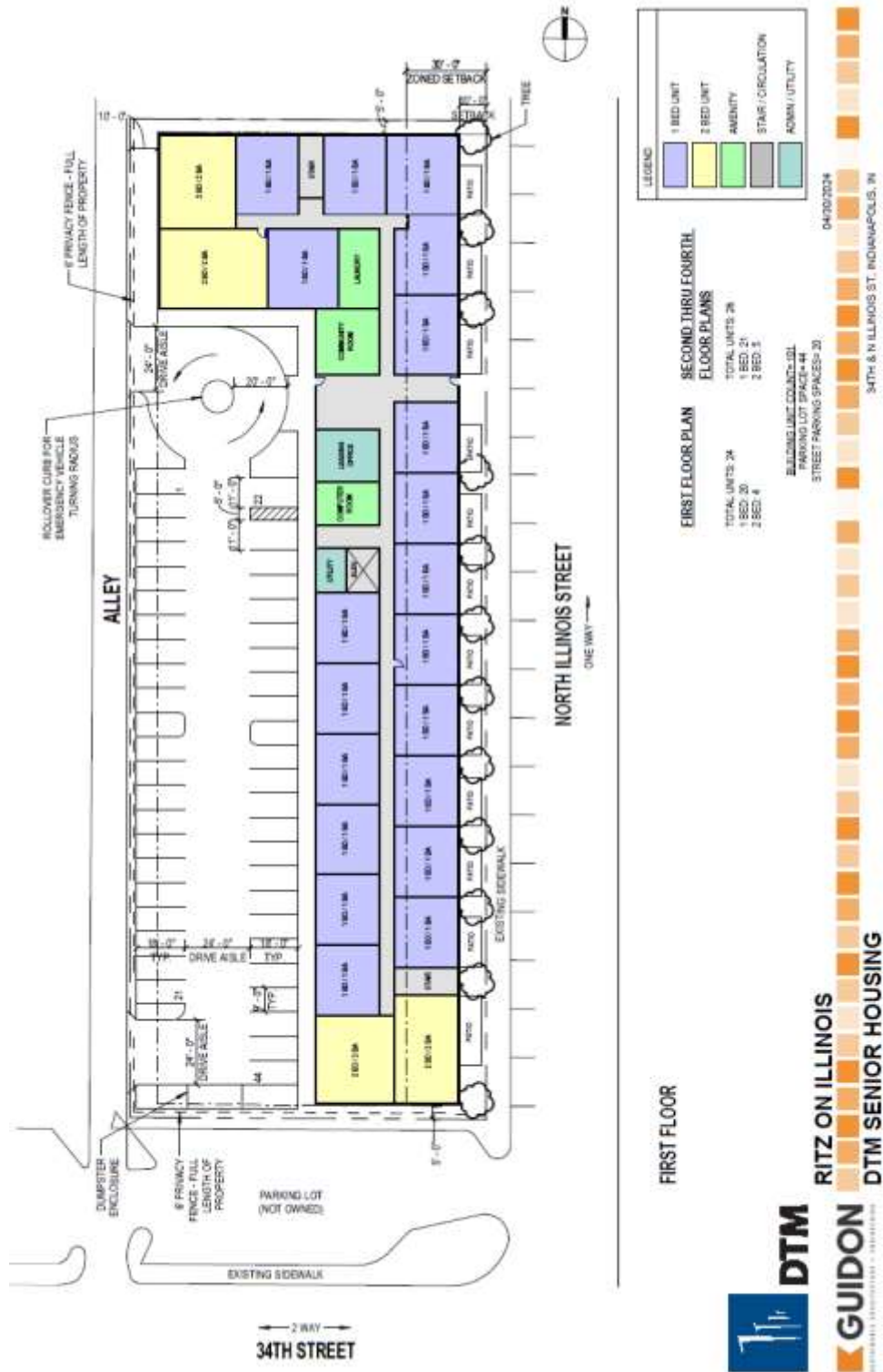




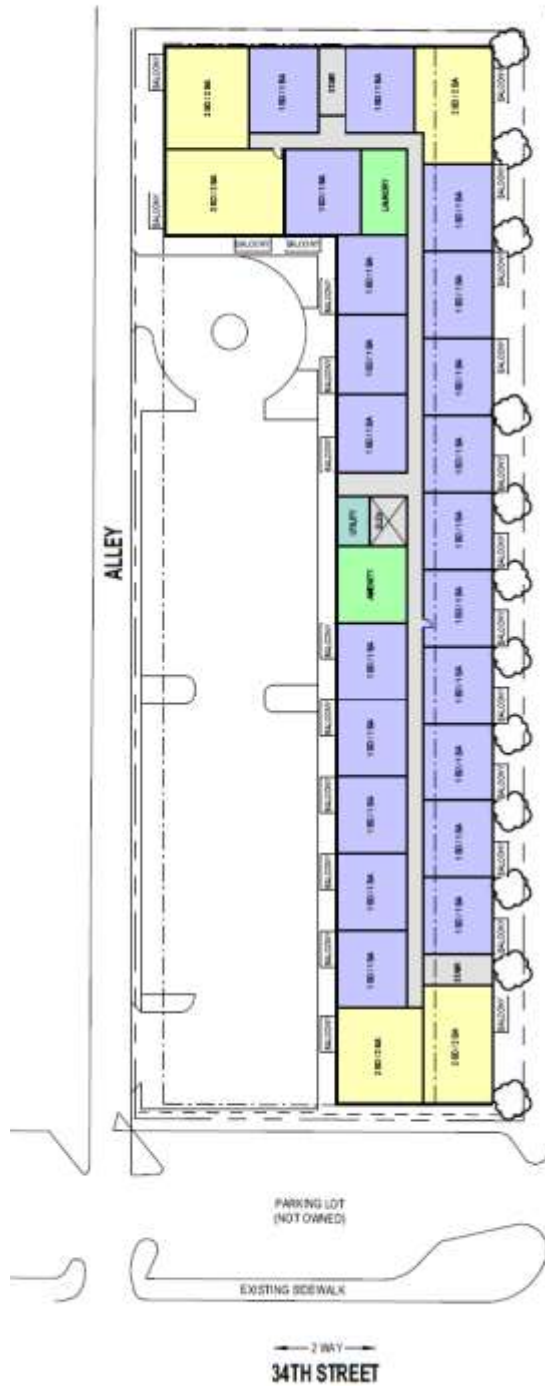
Site Plan



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Amended Site Plan



LEGEND

- 1 BED UNIT
- 2 BED UNIT
- AMENITY
- STAIRS / CIRCULATION
- ADMIN / UTILITY

04/03/2024

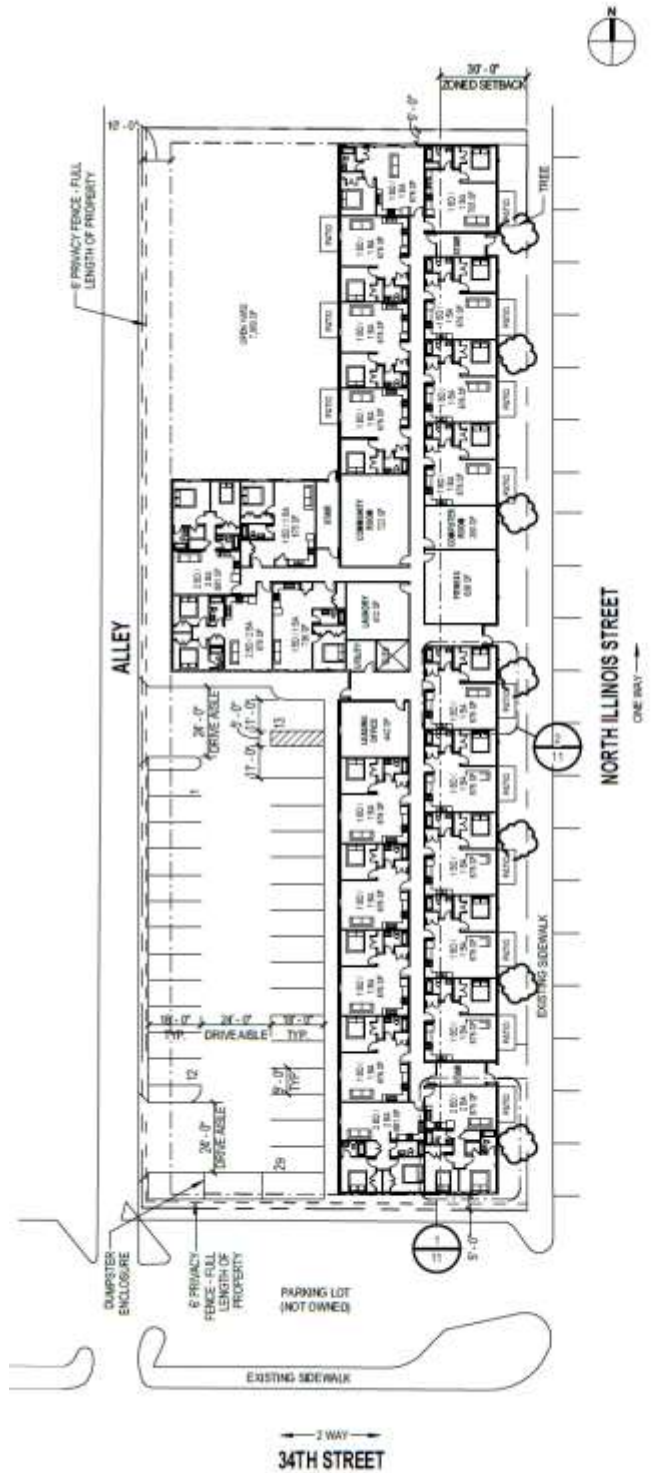
34TH & N ILLINOIS ST., INDIANAPOLIS, IN

TYPICAL UPPER FLOOR (2-4)

DTM
GUIDON
 ARCHITECTURAL SERVICES • INTERIORS

RITZ ON ILLINOIS
DTM SENIOR HOUSING

Amended Site Plan – Upper Floors



FIRST FLOOR PLAN
 TOTAL UNITS: 23
 1 BED: 19 - AVG 691 SF
 2 BED: 4 - AVG 878 SF

SECOND THRU FOURTH FLOOR PLANS
 TOTAL UNITS: 26 / FLR
 1 BED: 21 - AVG 675 SF
 2 BED: 5 - AVG 838 SF

BUILDING UNIT COUNTS: 301
 PARKING LOT SPACES: 29
 STREET PARKING SPACES: 26

07/09/2014
 34TH & N ILLINOIS ST, INDIANAPOLIS, IN

FIRST FLOOR

RITZ ON ILLINOIS
DTM SENIOR HOUSING



Final Site Plan



Department of Metropolitan Development
 Division of Planning
 Current Planning

MULTIPLE DWELLING PROJECT ANALYSIS
DEPARTMENT OF METROPOLITAN DEVELOPMENT
DIVISION OF PLANNING

Property Address: 3400 N. Illinois St. Date: 7/15/24
 Project Name: Ritz on Illinois Date of Plans: 7/8/24
 Zoning Classification: D-10

| | Required Ratios by Ordinance | Computed Ratios |
|-------------------------------------|------------------------------|----------------------|
| Floor Area Ratio | FAR = | 1.92 |
| Open Space Ratio | OSR = | 0.26 |
| Livability Space Ratio | LSR= | 0.13 |
| Major Livability Space Ratio | MLSR= | 0.05 |
| Total Car Ratio | TCR= | 0.49 |
| What to Determine | How to determine it | Determination |
| Floor Area – FA | From Plans | FA 93,788 |
| Land Area – LA | From Plans in square feet | LA 48,839 |
| Floor Area Ratio – FAR | FA / LA | FAR 1.92 |
| Building Area – BA | From Plans | BA 24,852 |
| Usable Roof Areas – URA | From Plans | URA 0 |
| Uncovered Open Space – UOS | LA-BA+URA | UOS 23,987 |
| Covered Open Space – COS | From Plans | COS 0 |
| Open Space – OS | UOS + ½ COS | OS 23,987 |
| Open Space Ratio – OSR | OS / FA | OSR 0.26 |
| Car Area – CA | From Plans | CA 11,972 |
| Livability Space – LS | OS – CA | LS 12,015 |
| Livability Space Ratio – LSR | LS / FA | LSR 0.13 |
| Major Livability Space – MLS | From Plans | MLS 4,630 |
| Major Livability Space Ratio – MLSR | MLS / FA | MLSR 0.05 |
| Number of Dwelling Units – DU | From Plans | DU 101 |
| Number of Parking Spaces – PS | From Plans | PS 49 |
| Total Car Ratio – TCR | PS / DU | TCR 0.49 |
| Gross Density – GD | DU / (LA / 43,560) | GD 90.09 |

Multiple Dwelling Project Analysis



Department of Metropolitan Development
Division of Planning
Current Planning

Ritz on Illinois Narrative

DTM Real Estate, a highly experienced real estate developer, owner, operator and service provider, is pursuing a 4% Low Income Housing Tax Credit allocation to finance The Ritz on Illinois, a new construction senior-focused development. The Ritz on Illinois will provide a supportive, services- and amenity-rich environment where the community's seniors across the income spectrum can thrive. The proposed project directly responds to both the city's and community's need for attainable senior housing by offering extremely low rents that support future residents and focusing factors that aid sustainability and healthier living.

DTM is proposing the new construction of a 100 to 125-unit attainable senior multifamily housing complex, to be located at the corner of 34th and Illinois Street in Indianapolis, IN. The project shall be comprised of one- and two-bedroom units on a 1.79 AC land parcel. To ensure we are truly improving the lives of the demographic we are serving, we are proposing all rents will be subsidized on a 30% AMI basis, with tenants paying only 30% of the total rent charged based on fair market rents. With the commitment of Project Based Vouchers to the project, we can ensure residents will not exceed paying over 30% of the AMI for the lifetime of the development as all vouchers would remain with the project.

Interior community amenities will be centralized on the first floor of the building and will include a large community room with an entertainment kitchen and cabinet space for storage. This space, with at least one attached service provider office, will serve as the focal point of The Ritz on Illinois services programming. Additional community amenity spaces may include but are not limited to:

- Secured Entry System
- On-site management & maintenance
- Free, well-lit surface parking for residents
- On-site Laundry

At DTM, we truly believe in setting our future residents up for success through service. Resident services are at the forefront of DTM's attainable housing model, and The Ritz on Illinois will certainly be no exception. We are currently reaching out to community organizations to bring in experienced individuals to lead and facilitate hours of programming each week, focused on social interactions which play a major role for both mental and physical health for seniors.

Proposed Tenant Services will include:

- Meals on Wheels
- Senior Transportation Services
- Community room for miscellaneous events
- Card game/board game club
- Healthcare services in partnership with local healthcare clinics/networks

Additionally, due to the convenient location of this property near a major corridor, residents will have easy access to public transportation with the Red Line being located exactly one block West of the proposed project site.



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Division of Planning
Current Planning**

Community Outreach:

This projected development fits well within the scope of the “Crown Hill Neighborhood 34th Street Redevelopment Plan” as well as “Miracle on 34th Street Plan”, two plans authorized by the Crown Hill Neighborhood Association. We have reached out and have spoken with the following about this project:

- Ms. Danita Hoskin – President, Crown Hill Neighborhood Association
- Ms. Kimberly Estep – Vice President, Crown Hill Neighborhood Association
- Mr. Bryan Bradford – President, Butler-Tarkington Neighborhood Association

Financing Sources:

In addition to 4% tax credit equity, the financing plan assumes the use of a traditional construction loan and permanent mortgage, gap financing, and deferred development fee. An application for PILOT (payment in lieu of taxes) will be submitted to alleviate the associated property taxes due to restricted incomes and a dedicated focus on sustainable building materials used and services provided.

Development Team:

Ezra Burdix, the DTM Founder, has over thirty years of professional real estate experience, including multifamily and retail development, acquisition and disposition of distressed assets, property management, positions in the land title business, residential and commercial real estate valuation, and commercial real estate brokerage.

Other members of the development team include:

- Kuhl & Grant, LLP - tax credit and real estate attorneys
- Ice Miller - Bond Attorney
- DOZ – LIHTC Accountant
- TBD - Architect
- TBD – Contractors

DTM has good relations with each team member listed. Recently, this team closed on a \$50 million 4% LIHTC 206-unit senior development in East Chicago in 2022. Lakeshore Manor will provide housing for seniors in the Lake County area and those who were displaced from the Nicosia Apartments that were deemed inhabitable by HUD due to structural deficiencies. DTM was able to secure 206 Project Based Vouchers for the project.

The Ritz on Illinois will provide essential quality senior housing for seniors in Central Indianapolis. We believe that this development can be the catalyst for major economic development in the area, sparking transformational change in a neighborhood that has been disenfranchised for far too long.



Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

The site is not large from east to west, thus the building, with patios at grade needs to be positioned so that the front setback of the building is closer to the front property line, which is characteristic of multi-family structures along the No. Illinois Street corridor. The rear setback variance is to allow the parking to abut the alley again because the lot is narrow east to west.

The need for the reduction of the rear yard setback for the parking lot and the cul-de-sac for emergency vehicles is necessitated by the narrow width of the lot (east to west). Two variances for the FAR and the LSR are needed because the building for seniors is large for the lot and the livability ratio shall be compensated by the close proximity to the MLK Center.

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 or value of the area adjacent shall be enhanced with the replacing of a vacant lot with a multi-family senior housing use with reduced setbacks for the building, with patios at grade to the east and with a reduced setback of the parking and the cul-de-sac to the west and with the MLK center and the redline in such close proximity.

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

The site is not large and to accommodate this needed use, building in this location and with on-site parking, the east and west setbacks, need to be reduced and the FAR and the LSR need to be compromised for any quality development to occur on these parcels.

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 looking north.



Photo of the alley west of the site looking north.



Photo of the alley west of the site looking south.



Photo of 3404 North Illinois Street looking west.



Photo of 3432 North Illinois Street.



Photo of 3434 and 3438 North Illinois Street.



Photo of 3444 North Illinois Street.



Photo of the existing sidewalk and street frontage along Illinois Street looking south.



Photo of the undeveloped land to the north and church.



Photo of a multi-unit house and duplex east of the site.



Photo of a single-family dwelling and undeveloped lots east of the site.



Photo of undeveloped lots east of the site.



Photo of an auto repair shop east of the site.



Photo of the parking lot south of the site.



METROPOLITAN DEVELOPMENT COMMISSION **August 7, 2024**

Case Number: 2024-MOD-014

Property Address: 11601 Melnick Lane

Location: Lawrence Township, Council District #15

Petitioner: Lennar Homes of Indiana, LLC, by Brian J. Touhy

Current Zoning: D-P

Request: Modification of the Development Statement related to petition 96-Z-124 (96-DP-12) to modify the Plan for Winding Ridge – A Master Planned Community, to allow for resident amenities, including a pool, pool house, playground, picnic area and a surface parking area, as depicted on an Amenity Center Area Landscape Plan (current Development Statement required amenities within Area 11)

Current Land Use: Undeveloped land

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

MODIFICATION

This 13.65-acre site, zoned D-P, is comprised of two undeveloped parcels that were included in the 96-Z-124 / 96-DP-12) that rezoned approximately 857 acres to the D-P district to provide for residential uses, a golf course, commercial uses and amenity areas. It is surrounded by single-family dwellings to the north, across Melnick Lane; undeveloped land to the south; single-family dwellings to the east; and single-family dwellings to the west, across Hovenweep Way, all zoned D-P.

The 1996 rezoning provided for the amenity area (swimming pool / tennis courts) in Area 11 that is located south of East 56th Street. See Exhibit A.



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Division of Planning
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This proposed modification would provide for an additional amenity area south of East 46th Street, at the intersection of Melnick Lane and Hovenweep Way. See Exhibit B.

Staff supports this modification because it would seem reasonable and appropriate to provide an additional amenity area to those residents living in the southern portion of this large development that would be approximately a mile from the existing amenity area.

GENERAL INFORMATION

| | | |
|-----------------------------------|--------------------------------------|--|
| Existing Zoning | D-P | |
| Existing Land Use | Undeveloped | |
| Comprehensive Plan | East 38th Street Corridor Plan | |
| Surrounding Context | Zoning | Land Use |
| | North: | D-P Residential uses |
| | South: | D-P Undeveloped land |
| | East: | D-P Residential uses |
| | West: | D-P Residential uses |
| Thoroughfare Plan | | |
| Melnick Lane | Local Street | Existing 50-foot right-of-way; no proposed right-of-way available. |
| Hovenweep Way | Local Street | Existing 60-foot right-of-way; no proposed right-of-way available. |
| Context Area | Metro | |
| Floodway / Floodway Fringe | Yes | |
| Overlay | No | |
| Wellfield Protection Area | No | |
| Site Plan | June 19, 2024 | |
| Site Plan (Amended) | N/A | |
| Elevations | N/A | |
| Elevations (Amended) | N/A | |
| Landscape Plan | February 28, 2024 (Approved) | |
| Findings of Fact | N/A | |
| Findings of Fact (Amended) | N/A | |
| C-S/D-P Statement | June 19, 2024 (Proposed Description) | |

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Not Applicable to the Site.

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

- The 38th Street Corridor Plan (2012) recommends residential uses at a density of 1.75 to 3.5 units per acre.

Infill Housing Guidelines

- The Infill Housing Guidelines (2021)
- Not Applicable to the Site.

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

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

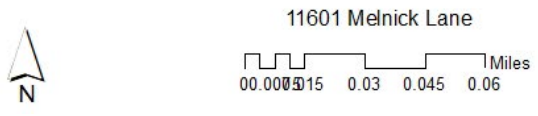
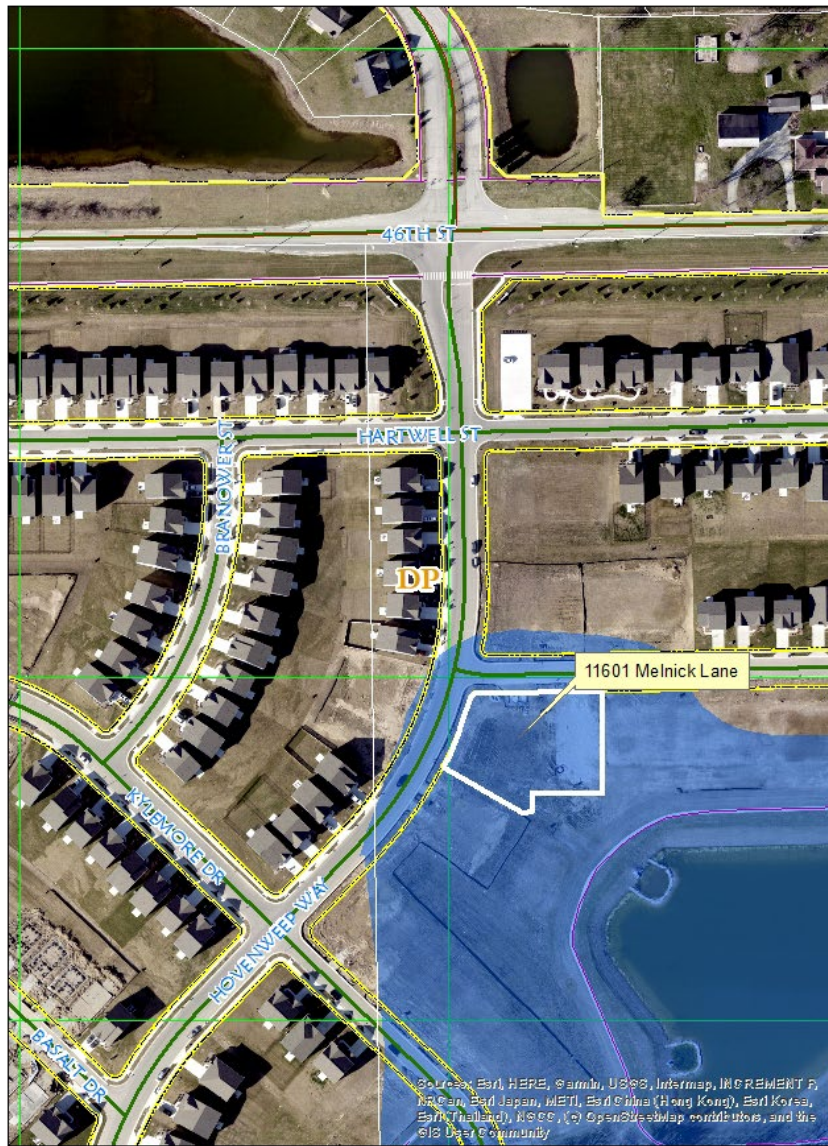


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ZONING HISTORY

96-Z-124 / 96-DP-12; 11750 and 11501 East 46th Street and 5201 North German Church Road, requested rezoning of 857 acres, being in the D-A Districts, to the D-P classification to provide for the construction of a residential golf course development, consisting of single- / multi-family residential uses, neighborhood commercial retail, day care facility, self-storage facility, fire station and recreational amenities including an 18-hole golf course, pool and tennis facility, **approved**.

EXHIBITS





Department of Metropolitan Development
Division of Planning
Current Planning

EXHIBIT A

The desire in the "Comp Plan" for open space park area is met and substantially exceeded by an eighteen (18) hole golf course of approximately 244 acres. The golf course weaves itself throughout the interior of the Site and in and among the planned separate and individually identifiable subdivisions within the Site.

The location of the golf course takes into account the high tension power lines and utilizes the location of Indian Creek in the design. A Site surface water drainage system that provides water hazards to golfers also simultaneously serves as retention/detention ponds for the individual subdivisions.

The golf course (Area 20) is expected to be open to the public for a daily fee but the Developer reserves the right for the golf course to become private in the future. No resident in the Site will be mandated to become a member of this course if the course becomes public.

Additional recreational facilities in the nature of a pool, tennis court, playground and possibly basketball standards may be provided in Area 11. The playground and basketball (if any) area will be available to everyone in the Winding Ridge community. Area 11 will be open for use to the residents of the Winding Ridge Project, without charge, unless the umbrella Homeowners Association at a time its controlled by the residents decides otherwise. The front setback for Area 11 will be 25 ft and will have a minimum of 56 parking spaces. The balance of this recreational facility will be subject to a paid membership approach with a forecast for approximately 400 members with preference for membership being available to the residents of Winding Ridge. Approximately 4 acres is reserved for this purpose. Consequently, an aggregate of 248 acres is designated for open space and recreational use in the Winding Ridge concept.

Areas 17 through 19 are accessible and convenient neighborhood retail area of the C3 classification for the residential community. Area 14 shall be either the same zoning classification as Areas 17 through 19 or the CS classification if the Developer finds a mini warehouse use to be compatible to the needs of the Winding Ridge community. Areas 15 & 16 totaling 3 acres are set aside for community service sites - however Area 15 as a fire station may, per the wishes of the City of Lawrence, be located outside the confines of the Winding Ridge Project in which this Area 15 will become an outlot lot for neighborhood commercial retail use. The expected uses is a fire station and a water tower. The overall acreage approximates 38 acres for Areas 14 through 19.

Area 9 may optionally become a school site if such interest matures in a manner satisfactory to the Developer and the school authority. If no such prospect succeeds Area 9 shall remain designed for single family residential (MLR).

The major thrust of the Winding Ridge community is residential use with the predominate residential use being single family, a small portion of which may be attached. The community will provide for an affordable multi family option of approximately 38 acres to be located in Area 12 next to the reference retail area. Approximately 497 acres of the community is earmarked for residential development. The maximum number of residential units, whether single family or multi family will not exceed 2,450. Based upon the total acreage involved in the Winding Ridge community THE PROJECTED OVERALL DENSITY WILL BE LESS THAN THREE (3) UNITS TO THE ACRE.

Status Reports Relative to the Limit of 2450 Residential Units in Winding Ridge Project

The Developer will file with DMD a summary of residences platted, or as provided for in any multi-family development seeking an Improvement Location permit, at the time a new preliminary plat or multi-family improvement permit request is initiated by Developer so that DMD is assured of the Developer's commitment not to exceed 2450 residential units.

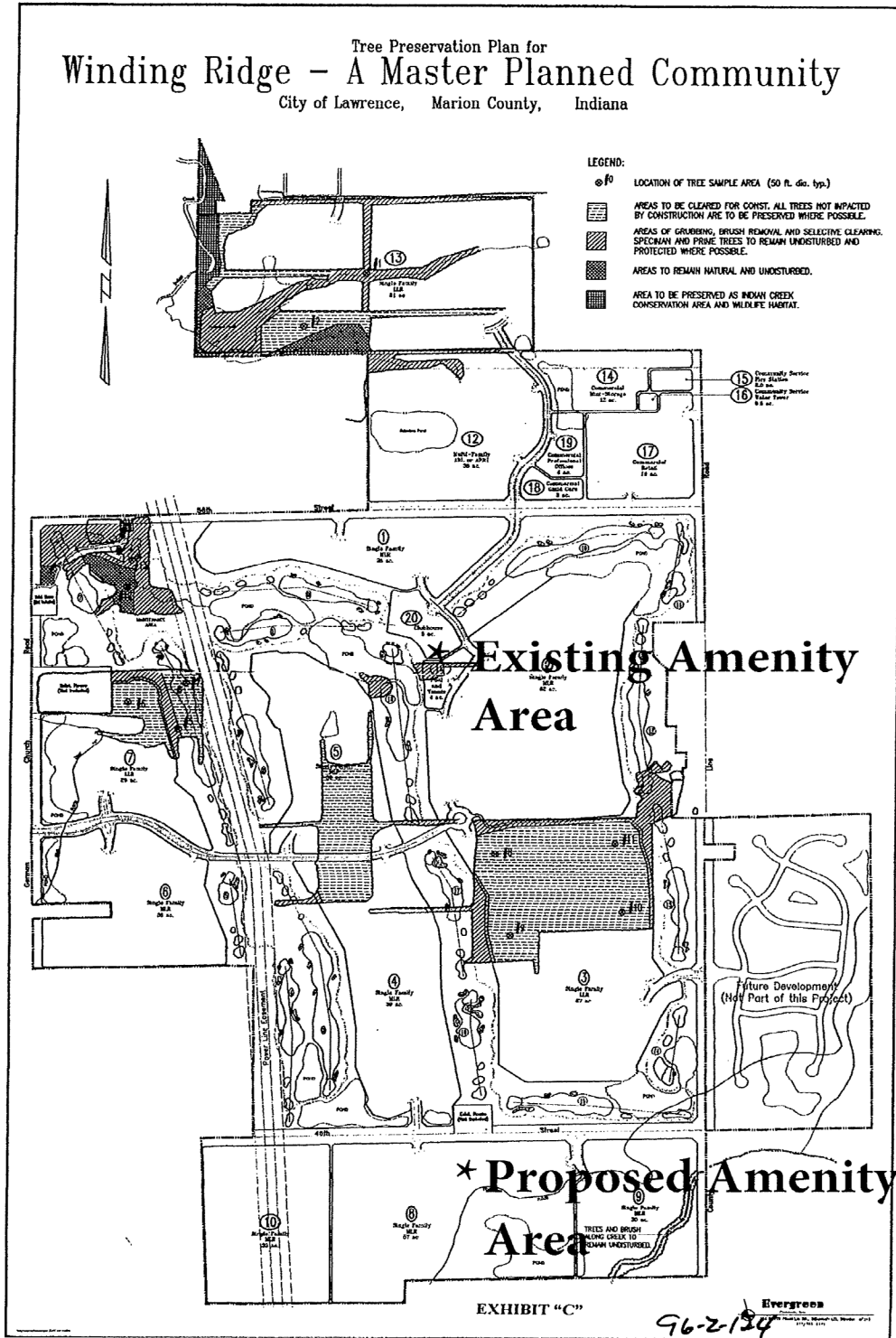




EXHIBIT B

Proposal Description

11601 Melnick Lane and adjacent Common Area
(Block A and Common Area #1-4 in Loudoun Place Section 1) (“Site”)

In 1996, the Site was rezoned to DP in Case No. 96-Z-124 (96-DP-12) (the “Original Rezoning”). As to the Site, Petitioner respectfully requests to modify the Winding Ridge¹ Development Statement (the “DP Statement”) and any plans filed in connection with the Original Rezoning, including the plan titled “Tree Preservation Plan for Winding Ridge – A Mater Planned Community” (the “1996 Plan”) filed herewith.

Petitioner proposes to develop the Site with a Pool Area, Pool House, Playground Area, Picnic Area and related Parking Area (collectively, the “Amenities”) for use by residents of the neighborhood as approximately depicted on the Amenity Center Area Landscape Plan filed herewith.² The fourth paragraph of Page 2 of the DP Statement references recreation facilities to be located within Area 11. The Site is not located in Area 11 as depicted on the 1996 Plan. Petitioner requests that the DP Statement and any plans filed in connection with the Original Rezoning be amended to allow for the Site to be improved with the Amenities as approximately depicted on the Amenity Center Area Landscape Plan.

¹ The Site is part of the subdivision platted as Loudoun Place, which is a platted area within the Winding Ridge Planned Community.

² It is Petitioner’s understanding that the Amenity Center Area Landscape Plan was Administratively Approved on February 28, 2024 as to the landscaping only.



View looking east along Melnick Lane



View looking west along Melnick Lane towards Hovenweep Way



View of site looking southwest across adjacent property to the east



View looking northeast across Melnick Lane at dwellings to the north of site



METROPOLITAN DEVELOPMENT COMMISSION **August 7, 2024**

Case Number: 2024-PLT-034

Property Address: 4620 West 84th Street, 4553 and 4625 West 86th Street, 8431 and 8435 Georgetown Road and 8460 Bearing Drive (*Approximate Addresses*)

Location: Pike Township, Council District #1

Petitioner: G&I X Industrial IN, LLC, by Andi M. Metzel

Zoning: I-2 (FF)

Request: Approval of a Subdivision Plat, to known as Northwest Business Center, subdividing 46.906 acres into six lots, with a waiver of the sidewalk requirements along 84th Street, 86th Street, and Bearing Drive, per Chapter 741, Article III, Section 6 of the Consolidated Zoning and Subdivision Ordinance.

Waiver Requested: Waiver of sidewalks

Current Land Use: Industrial

Staff Reviewer: Jeffrey York, Principal Planner

PETITION HISTORY

This petition was **transferred** upon a request by the petitioner from the Plat Committee on July 10, 2024, to the Metropolitan Development Commission, for initial hearing on **August 7, 2024**.

This petition was continued from the June 12, 2024, Plat Committee, to the July 10, 2024, hearing, by request of the petitioner. On July 10, 2024, the petitioner submitted supplemental information regarding an update to the IndyGo bus routing system that indicates that the existing bus stop along the 86th Street frontage would be eliminated. Staff considered this in an additional discussion, however, staff continues to **recommend denial** of the sidewalk waiver request along 86th Street.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated May 2, 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.
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 the sidewalk waiver request be approved along 84th Street and Bearing Drive.
13. That the sidewalk waiver request be denied along 86th Street.

PETITION OVERVIEW

SITE PLAN AND DESIGN

This site is zoned I-2 (FF) and developed as a light industrial park. The site is bounded by public streets – 84th Street, 86th Street, Georgetown Road, and Bearing Drive. The proposed plat would subdivide the property into six lots. Five of the lots have existing buildings and one lot is undeveloped. The proposed plat meets the standards of the I-2 zoning classification.

STREETS

Lot 1 would front 86th Street, but would have access to Georgetown Road and Bearing Drive, via an internal private drive. Lot 2 would have access to Georgetown Road and Bearing Drive, via internal private drives. Lot 3 would have access to 84th Street and Bearing Drive, via an internal private drive. Lot 4 would have access to Georgetown Road and 84th Street, via internal private drives. Lot 5 would have access to Georgetown Road, via internal private drives. Lot 6 would have direct access to Bearing Drive. No new streets are proposed.

SIDEWALKS

There is currently an existing sidewalk along both sides of Georgetown Road. Sidewalks do not exist along 84th Street, 86th Street or Bearing Drive, abutting the subject site. Sidewalks would be required along these streets.



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86th Street is a major primary arterial street, with access to Interstate 465. Staff noted on a site visit that a bus stop is located east of the 86th Street and Georgetown intersection along the north property line of the subject site, with no concrete or asphalt path from the existing sidewalk along Georgetown Road to the bus stop. Persons have to walk on and stand on the grass to approach the bus stop and wait for the bus.

The petitioner’s findings of fact indicate that ‘current topography, drainage and utilities along 86th Street will not make installation of a sidewalk feasible’. Staff disagrees that topography of along 86th Street would prevent installation of a sidewalk. If a bus stop can be located in this area so can a sidewalk. Specifics on drainage or utilities were not submitted with the petition. Therefore, staff recommends denial of the waiver request to not install sidewalks along 86th Street. If the plat committee approves the waiver against staff’s recommendation, a contribution in lieu of sidewalk installation should be required as a condition of approval subject to Section 744-301.G.

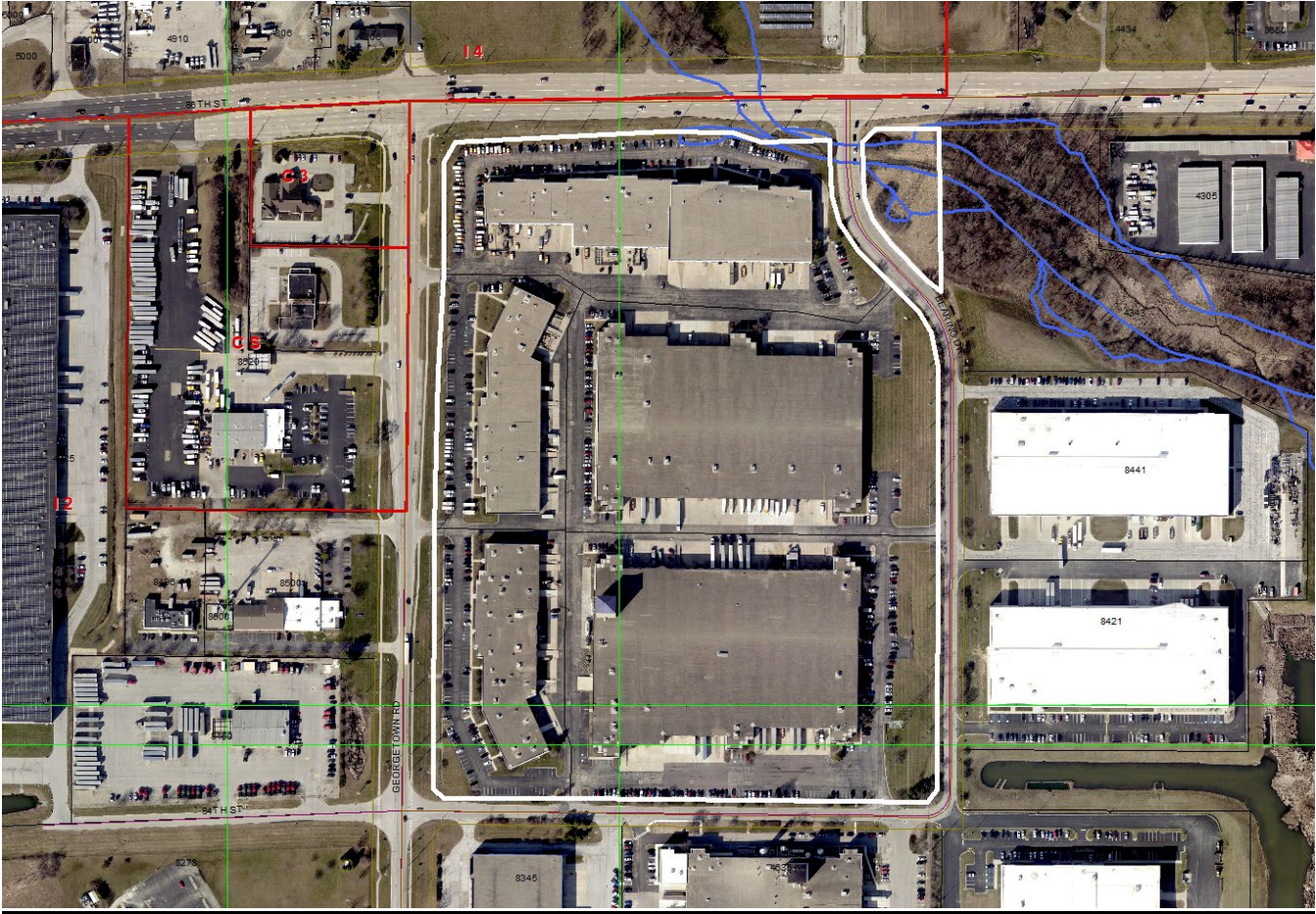
The sidewalk waiver request along 84th Street and Bearing Drive is justified in that significant landscaping has been installed along the property boundaries along these streets. It is also unlikely that pedestrians would utilize sidewalks that are internal to an industrial park. Therefore, staff recommends approval of the waiver of sidewalks along 84th Street and Bearing Drive.

GENERAL INFORMATION

| | | |
|--------------------------------|-----------------------|---|
| Existing Zoning | I-2 (FF) | |
| Existing Land Use | Light industrial park | |
| Comprehensive Plan | Light Industrial | |
| Surrounding Context | Zoning | Land Use |
| | North: | I-4 (FF) Heavy industrial |
| | South: | I-2 Light industrial |
| | East: | I-2 Light industrial |
| | West: | C-3 / C-S / I-2 Commercial and Industrial |
| Thoroughfare Plan | | |
| 84 th Street | Local Street | 50-foot right-of-way existing and proposed |
| 86 th Street | Primary Arterial | 124-foot right-of-way existing and proposed |
| Georgetown Road | Primary Arterial | 119-foot right-of-way existing and proposed |
| Bearing Drive | Local Street | 50-foot right-of-way existing and proposed |
| Petition Submittal Date | May 2, 2024 | |

EXHIBITS

2024-PLT-034 ; Aerial Map





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2024-PLT-034; Findings of Fact

Petition Number _____

REQUESTED WAIVER:

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

WAIVER OF THE SUBDIVISION REGULATIONS
FINDINGS OF FACT

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

This industrial area was developed decades ago with sidewalks along Georgetown Road. There are currently no sidewalks along internal streets within the industrial area, namely along Bearing Dr. and 84th Street, and the area and adjoining properties along those streets have been developed without pedestrian connectivity. Current topography, drainage and utilities along 86th Street will not make installation of a sidewalk feasible.

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:

Current topography, drainage and utilities along 86th Street will not make installation of a sidewalk feasible. Mature landscaping, berms and drainage along Bearing Dr. & along W 84th St. do not make installation of a sidewalk feasible.

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:

Current topography and drainage along 86th Street will not make installation of a sidewalk feasible. With the exception of the existing sidewalks installed along Georgetown Road, there are currently no sidewalks that connect the subject property to/from adjacent properties.

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

The existing industrial developed area and adjoining properties have been developed without pedestrian connectivity.

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 existing development occurred decades ago. No new development is proposed and a waiver for sidewalks shall not impact other ordinances.

DECISION

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

Adopted this _____ day of _____, 20 ____

PHOTOS

2024-PLT-034; Pictures



Existing sidewalk at 86th Street and Georgetown Road intersection– sidewalk begins at this location and runs south



View of 86th Street and Georgetown Road intersection at the northwest portion of the site – looking west



North boundary of site along 86th Street looking east – note bus stop in grass area



North boundary of site along 86th Street looking west



View of 86th Street intersection with Bearing Drive



View of western boundary of site along Georgetown Road



View of site to the south of subject site (south of 84th Street); note the continuation of the sidewalk along Georgetown Road



View of southern boundary of site along 84th Street looking east



View of an internal drive connecting to 84th Street looking east



View of south boundary of site along 84th Street looking west



View of Bearing Drive intersection with 84th Street at the southeast corner of the site



View of Bearing Drive looking north. Subject site is to the left.



View of an internal drive connecting to Bearing Drive looking north



View of site along Bearing Drive looking northwest



View of site at Bearing Drive and 86th Street intersection