



# Metropolitan Development Commission Hearing Examiner (June 26, 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, June 26, 2025

**Time:** 1:00 PM

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

## Business:

### Special Requests

#### PETITIONS REQUESTING TO BE CONTINUED:

**1. 2025-MOD-012 | 8809 South Meridian Street**

Perry Township, Council District #23

C-1

Financial Center First Credit Union, by James J. Ammeen, Jr.

Modification of the Commitments related to petition 88-Z-214 to modify Commitments #3, #4 and #5 to allow for development of a proposed financial services office building, with low-level lighting of parking areas, an illuminated monument sign, and with a drive-through for teller and ATM services, (previous commitments required use of the existing structure, prohibited external lighting to reflect onto adjacent residences to the north, south, or east, and only permitted a non-illuminated incidental sign, with a maximum size of 16 square feet.

**\*\*Staff request for continuance to July 10, 2025, with Notice**

**2. 2025-ZON-054 | 126 and 130 Koehne Street**

Center Township, Council District #18

Westlane Pentecostal Assembly Church, Inc., by Justin Kingen and David Kingen

Rezoning of 0.18-acre from the D-8 (RC) (TOD) district to the SU-1 (RC) (TOD) district.

**\*\*Staff request for continuance for cause to July 24, 2025**

**3. 2025-CZN-829 / 2025-CVC-829 | 5802, 5808, 5814, and 5820 Evanston Avenue**

Washington Township, Council District #7

Roman Catholic Archdiocese of Indianapolis Properties, Inc., by Brian J. Tuohy

Rezoning of 1.56 acres from the D-5 district to the SU-2 district to provide for school uses.

Vacation of a portion of Evanston Avenue, being 50 feet in width, from the north right-of-way line of 58th Street, north 600 feet, to the north right-of-way line of Northgate Street.

**\*\*Petitioner and Staff request continuance for cause to July 10, 2025**

## Petitions for Public Hearing

#### PETITIONS TO BE EXPEDITED:

**4. 2025-APP-004 | 1340 East County Line Road**

Perry Township, Council District #23

HD-2 (FF)

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

Hospital District Two approval to provide for a proposed 420-space surface parking lot.

**5. 2025-ZON-047 (Amended) | 7525 Mc Farland Boulevard**

Perry Township, Council District #24

Manheet Singh, by Joseph D. Calderon

Rezoning of 7.46 acres from the SU-1 district to the D-6II district to provide for a multi-family residential development.

**6. 2025-ZON-056 | 8501 and 8651 South Emerson Avenue, and 5260 Noggle Way**

Franklin Township, Council District #25

Claybrooke Luxury Living, LLC, by Joseph D. Calderon

Rezoning of 9.186 acres from the C-4 and C-S districts to the D-10 district to provide for an approximately 202-unit multi-family development.

**7. 2025-ZON-058 | 1229 and 1231 Brookside Avenue**

Center Township, Council District #13

Clairoline, LLC, by Donas Singleton

Rezoning of 0.14-acre from the MU-1 (FF) district to the D-8 (FF) district.

**PETITIONS FOR PUBLIC HEARING (Continued Petitions):**

**8. 2025-MOD-008 | 7436 Rockville Road**

Wayne Township, Council District #16

C-3

Jeffrey Shelton

Modification of the Commitments for 2006-ZON-146, to terminate a portion of Commitment #9, which prohibits the use of tobacco stores (previous commitment removed tobacco stores as a permitted use).

**9. 2025-MOD-011 | 3204 Queue Line Drive**

Center Township, Council District #8

C-S / I-2 / SU-1

Monon Development Group, LLC, by Christopher White

Modification of the Commitments and Site Plan related to 2021-ZON-069 / 2021-VAR-010 to Modify Commitment #2 to permit development of the site in compliance with submitted building elevations and site plans filed with this petition (previous commitment required site plans, landscaping plans and building elevations to be submitted for Administrator's Approval, prior to the issuance of an Improvement Location Permit).

**10. 2025-ZON-040 | 2601 Cold Spring Road**

Wayne Township, Council District #12

Cold Spring Innovation Corporation, by Jennifer Milliken and Timothy Ochs

Rezoning of 22.3 acres from the D-S (W-5) district to the MU-2 (W-5) district to provide for a mixed-use development.

**11. 2025-CZN-814 / 2025-CVR-814 | 3043, 3451, 3511, and 3801 South Post Road, 9405, 9609, 9611, and 9931 East Troy Avenue, 3430, 3440, and 3610 Davis Road, and 9500 Vandergriff Road**

Franklin Township, Council District #20

Deep Meadow Ventures, LLC, by Joseph D. Calderon

Rezoning of 467.66 acres from the D-A (FF) (FW), C-4 (FF) (FW), and SU-43 (FF) (FW) districts to the C-S (FF) (FW) district for a data center campus development, and uses including light manufacturing, all research and development, utilities, agricultural uses, buildings and structures, as permitted in I-1 and office uses, as

permitted in C-1. Permitted accessory uses would include utility structures, such as power substations, water towers, and overhead and underground powerlines and wastewater treatment facilities, outdoor storage, renewable energy facility, satellite dish antenna, signs, and temporary construction yard, office, or equipment storage.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building height of 75 feet (maximum 38-foot building height permitted) and no maximum front yard setback (maximum front yard setback of 85 feet permitted).

**12. 2025-CZN-822 / 2025-CVR-822 | 3802 and 3810 North Franklin Road**

Lawrence Township, Council District #9

C-S (TOD)

Cornerstone Housing Group, LLC, by Brad Schwab and Bobbi Jo Lucas Eisold

Rezoning of 8.69 acres from the C-S (TOD) district to the D-10 (TOD) district to provide for a multi-family residential development, consisting of 186 units.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a large apartment development, with a 94-foot front building line along 38th Street, a 135-foot front building line along I-465, and a 434-foot front building line along Franklin Road (20-foot to 50-foot front building line range required), surface parking in front of the front building line (surface parking required behind the front building line), with dumpsters and garage/storage buildings in the front yard (shall not be closer to any front lot line than the established front yard setback on the lot).

**13. 2025-CAP-823 (Amended) / 2025-CVR-823 | 6800 Pendleton Pike**

Lawrence Township., Council District #9

C-S (TOD); Amerco Real Estate Company, by Stephany Sheekey

Modification of C-S Statement and Site Plan related to 2017-ZON-057, to provide for 12 additional mini-warehouse storage buildings, for a total of 32,003 square feet of additional storage space.

Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for 12 mini-warehouse structures within a transit-oriented development overlay (not permitted on lots greater than 0.5-acre and only permitted within a building).

**14. 2025-CZN-824 / 2025-CVR-824 / 2025-CVC-824 (Amended) | 963, 1001, 1007, 1008, 1010, 1011, 1015, and 1027 East Georgia Street, and 960, 1002, 1018, and 1022 and 1030 Bates Street**

Center Township, Council District #18

The City of Indianapolis, by Aryn Schounce

Rezoning of 1.76 acres from the D-8, C-S (TOD), and I-4 districts to the C-S (TOD) district to provide for not-for-profit uses, including case management and services, offices, commercial kitchen and cafeteria, multi-family dwellings, emergency shelter, and accessory uses such as outdoor gathering space, per the filed plan of operation.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a surface parking lot at 1008 and 1010 East Georgia Street, with a zero-foot front yard setback along Shelby Street and Georgia Street without landscaping (minimum 10-foot front yard setbacks required with landscaping), a four-foot west transitional yard setback without landscaping (minimum eight-foot west transitional yard setback required at alley with landscaping), without exclusive alley access (not permitted), with a four-foot wide public sidewalk along Georgia Street and Shelby Street (minimum six-foot sidewalk required at local street and minimum 12-foot wide sidewalk required at arterial street), and, a surface parking lot at 1018, 1022, and 1030 Bates Street, with a six-foot front setback along Bates Street without landscaping, (minimum 10-foot front setback required with landscaping), a two-foot east side yard without buffer landscaping (minimum 10-foot side yard required with buffer landscaping), and without exclusive access from an improved alley (not permitted), and, a mixed-use building at 963-1027 East Georgia Street within the clear sight triangle of an abutting alley and Georgia Street (not permitted within the clear sight triangle), with a nine-foot front setback along Shelby Street and zero-foot front setback along Georgia Street both without landscaping (minimum 10-foot front yard setbacks required with landscaping), a four-foot south transitional yard abutting an alley without landscaping (minimum eight-foot transitional yard required when abutting an alley with landscaping), a building height of 73 feet, (maximum 38-foot building height permitted), and a five-foot wide public sidewalk along Georgia Street and Shelby Street (minimum 6-foot sidewalk required at local street and minimum 12-foot wide sidewalk required at

arterial street), with deficient landscaping and a waiver of the minimum and maximum parking requirements, in lieu of approval by the Current Planning Administrator.

Vacation of the first north-south alley, west of Shelby Street, being 15 feet in width, from the south right-of-way line of Georgia Street, south 130.84 feet, to the north right-of-way line of the first east-west alley south of Georgia Street.

**15. 2025-CZN-826 / 2025-CPL-826 / 2025-CVR-826 (Amended) | 2955 North Meridian Street**

Center Township, Council District #12

C-1 (RC) (TOD)

2955 Indy IN, LLC, by Misha Rabinowitch

Rezoning of 8.966 acres from the C-1 (RC) (TOD) district to the C-S (RC) (TOD) district to provide for a mixed-use development consisting of townhomes, multi-family dwellings, commercial offices, and retail uses, and all uses in the C-1 and MU-3 districts.

Approval of a Subdivision Plat to be known as 2955 North Meridian Subdivision, subdividing 8.966 acres into 21 lots.

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a retail use with a drive-through component within 600 feet of a transit station, on a lot with street frontage on Meridian Street (not permitted), with 20 feet of street frontage (minimum 50 feet street frontage required), zero-foot front yard and front transitional yard setbacks (minimum 10-foot front yard and 10-foot front transitional yard setbacks required), zero-foot side and rear yard setbacks (minimum 10-foot side and rear yard setbacks required), building height of 50 feet (maximum 38-foot building height in Compact Context Area, and maximum 25-foot building height permitted within a transitional yard required), 5% transparency for a structure along 30th Street (minimum 40% transparency required), and no transparency along Talbott Street (minimum 40% transparency required), and encroachment into the clear sight triangle.

**PETITIONS FOR PUBLIC HEARING (New Petitions):**

**16. 2025-APP-005 | 2510 Westlane Road**

Pike Township, Council District #1

PK-1 (FF) (FW)

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

Park District One Approval to provide for park improvements, including a new playground, sidewalk, nature walkway, shelter, and drainage improvements for WISH Park.

**17. 2025-ZON-055 | 6225, 6233, and 6245 Kentucky Avenue**

Decatur Township, Council District #21

GBT Realty Corporation, by Joseph D. Calderon

Rezoning of 3.11 acres from the D-A districts to the C-4 district to provide for community-regional commercial uses, including an automobile fueling station.

**18. 2025-ZON-057 | 7905 East 42nd Street**

Lawrence Township, Council District #9

Kartik Patel, by Thomas Pottschmidt

Rezoning of 3.28 acres from the C-3 and C-4 districts to the C-4 district to provide for community-regional commercial uses, including a proposed hotel.

**19. 2025-CPL-827 / 2025-CVR-827 | 2855 North Franklin Road**

Warren Township, Council District #9

I-3

Castle Peak Capital, LLC, and Castle Peak Property, LLC, by Justin Kingen and David Kingen

Approval of a Subdivision Plat to be known as Castle Peak, subdividing 33.29 acres into two lots.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for proposed Lot Two with zero-foot street frontage (minimum 75-foot street frontage required).

## Additional Business:

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

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



Department of Metropolitan Development  
Division of Planning  
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

June 26, 2025

**Case Number:** 2025-MOD-012

**Property Address:** 8809 South Meridian Street

**Location:** Perry Township, Council District # 23

**Petitioner:** Financial Center First Credit Union, by James J. Ammeen, Jr.

**Request:** Modification of the Commitments related to petition 88-Z-214 to modify Commitments #3, #4 and #5 to allow for development of a proposed financial services office building, with low-level lighting of parking areas, an illuminated monument sign, and with a drive-through for teller and ATM services, (previous commitments required use of the existing structure, prohibited external lighting to reflect onto adjacent residences to the north, south, or east, and only permitted a non-illuminated incidental sign, with a maximum size of 16 square feet.

**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

Staff is requesting a **continuance from the June 26, 2025 hearing, to the July 10, 2025 hearing, with notice**, to provide additional time to provide required notice of this petition.



Department of Metropolitan Development  
Division of Planning  
Current Planning

Item 2.

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**June 26, 2025**

**Case Number:** 2025-ZON-054  
**Property Address:** 126 and 130 Koehne Street (approximate addresses)  
**Location:** Center Township, Council District #18  
**Petitioner:** Westlane Pentecostal Assembly Church, Inc., by Justin Kingen and David Kingen  
**Current Zoning:** D-8 (RC) (TOD)  
**Request:** Rezoning of 0.18-acre from the D-8 (RC) (TOD) district to the SU-1 (RC) (TOD) district.  
**Current Land Use:** Residential  
**Staff Recommendations:** No Recommendation  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

**PETITION HISTORY**

Staff is requesting a continuance from the **June 26, 2025 hearing to the July 24, 2025** hearing, to provide additional time to review additional information form the petitioner.



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**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

June 26, 2025

**Case Number:** 2025-CZN-829 / 2025-CVC-829

**Property Address:** 5802, 5808, 5814, and 5820 Evanston Avenue (Approximate Addresses)

**Location:** Washington Township, Council District #7

**Petitioner:** Roman Catholic Archdiocese of Indianapolis Properties, Inc., by Brian J. Tuohy

**Current Zoning:** D-5

**Request:** Rezoning of 1.56 acres from the D-5 district to the SU-2 district to provide for school uses.  
  
Vacation of a portion of Evanston Avenue, being 50 feet in width, from the north right-of-way line of 58th Street, north 600 feet, to the north right-of-way line of Northgate Street.

**Current Land Use:** Single-family dwellings

**Staff Recommendations:** To be determined.

**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

Staff was prepared to request a one-month continuance for cause to allow additional time to review a new site plan submitted on June 17, 2025. However, the petitioner agreed to a two-week **continuance for cause request from the June 26, 2025 hearing to the July 10, 2025 hearing** and staff does not object.

**STAFF RECOMMENDATION**

Staff recommendation to be determined.

**PETITION OVERVIEW**

This petition is to be continued to the July 10, 2025 hearing.



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**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

June 26, 2025

**Case Number:** 2025-APP-004  
**Property Address:** 1340 East County Line Road  
**Location:** Perry Township, Council District #23  
**Petitioner:** Community Health Network Foundation, Inc. by Timothy H. Button  
**Current Zoning:** HD-2 (FF)  
**Request:** Hospital District Two approval to provide for a proposed 420-space surface parking lot.  
**Current Land Use:** Vacant medical offices and parking lots.  
**Staff Recommendations:** Approval.  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

This is the first public hearing on this petition.

**STAFF RECOMMENDATION**

Approval, subject to substantial compliance with the site plan and landscape plan, both file-dated May 23, 2025.

**PETITION OVERVIEW**

This 7.2-acre site, zoned HD-2 (FF), is developed with vacant medical office buildings and associated parking lots. It is surrounded by a healthcare facility to the north, zoned HD-2 (FF); single-family dwellings to the south, across East County Line Road (Johnson County); a hospital campus to the east, across Healthcare Drive, zoned HD-1; and medical offices, parking lots and residential uses to the west, zoned HD-2.

This site was included in rezoning petition 87-Z-10 that rezoned 23.95 acres from the HD-1 District to the HD-2 classification to provide for the development of hospital support uses.

**HOSPITAL DISTRICT TWO APPROVAL**

This request would provide for Hospital District Two Approval to provide a 420-space parking lot.



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

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

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

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

This request would allow for demolition of one-story medical offices and the development of a parking lot with 420 spaces to provide for employee parking to the west of Fountain Creek that would optimize parking allocation for both hospital staff and patients.

### **Floodway / Floodway Fringe**

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



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

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

This site is located within the unregulated 500-year floodplain of Fountain Creek along the eastern boundary.

### GENERAL INFORMATION

<b>Existing Zoning</b>	HD-2 (FF)	
<b>Existing Land Use</b>	Vacant medical offices / parking lots	
<b>Comprehensive Plan</b>	Regional Special Use	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
North:	HD-2	Healthcare facility
South:	N/A (Johnson County)	Single-family dwellings
East:	HD-1	Hospital Campus
West:	HD-2	Medical offices / parking lots / residential uses
<b>Thoroughfare Plan</b>		
East County Line Road	Primary arterial	Existing 90-foot right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	Yes – unregulated 500-year floodplain of Fountain Creek	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	May 23, 3035	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	May 23, 2025	
<b>Findings of Fact</b>	May 23, 2025	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	



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## **COMPREHENSIVE PLAN ANALYSIS**

### **Comprehensive Plan**

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

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

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

### **Pattern Book / Land Use Plan**

Not Applicable to the Site.

### **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



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## ZONING HISTORY

**88-AP-74; 1350 East County Line Road**, requested HD-2 approval to provide for the development of a second medical office building to be used in conjunction with University Heights Hospital, **approved**.

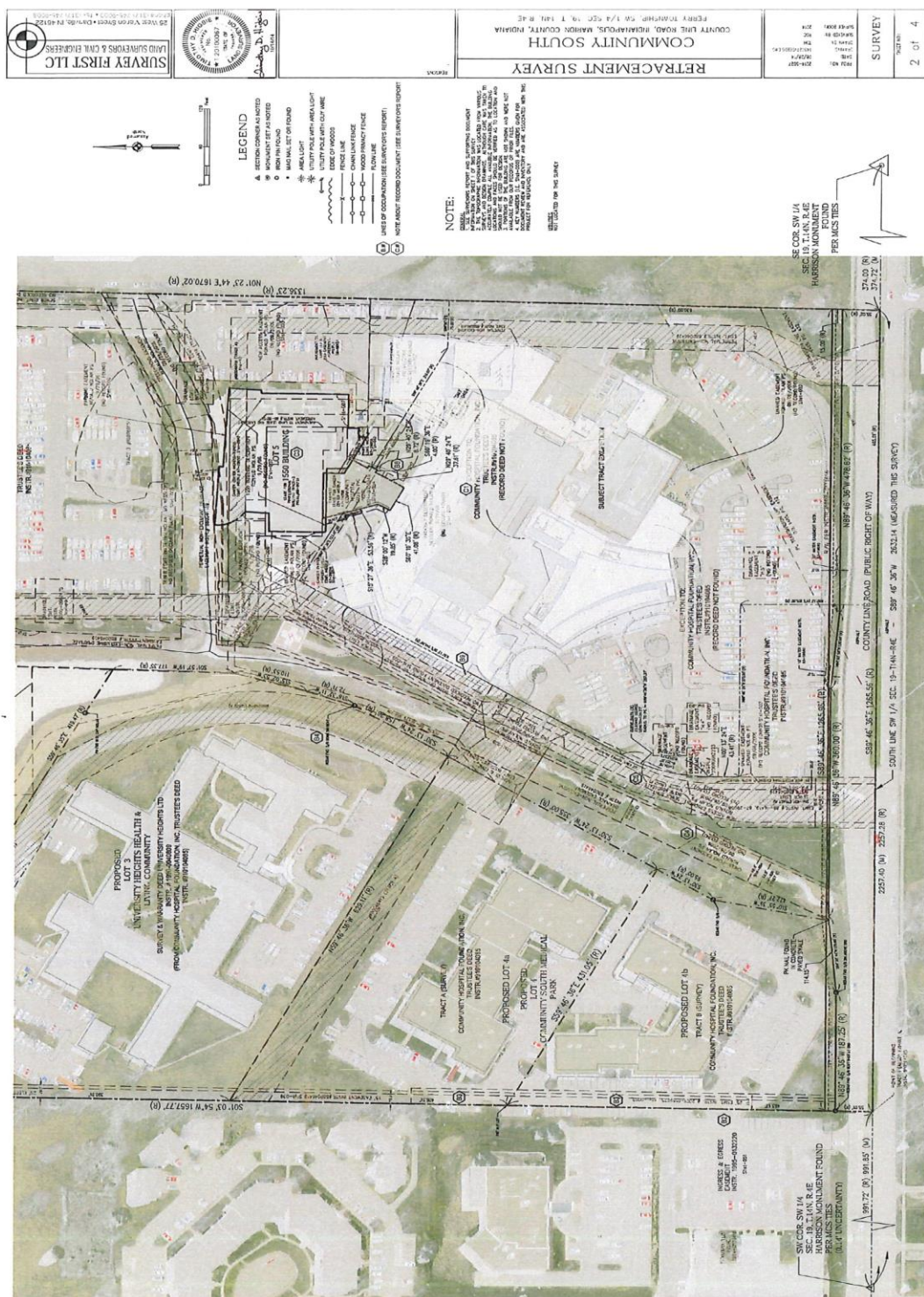
**87-AP-76; 1350 East County Line Road**, requested HD-2 approval for the construction of a medical office building, **approved**.

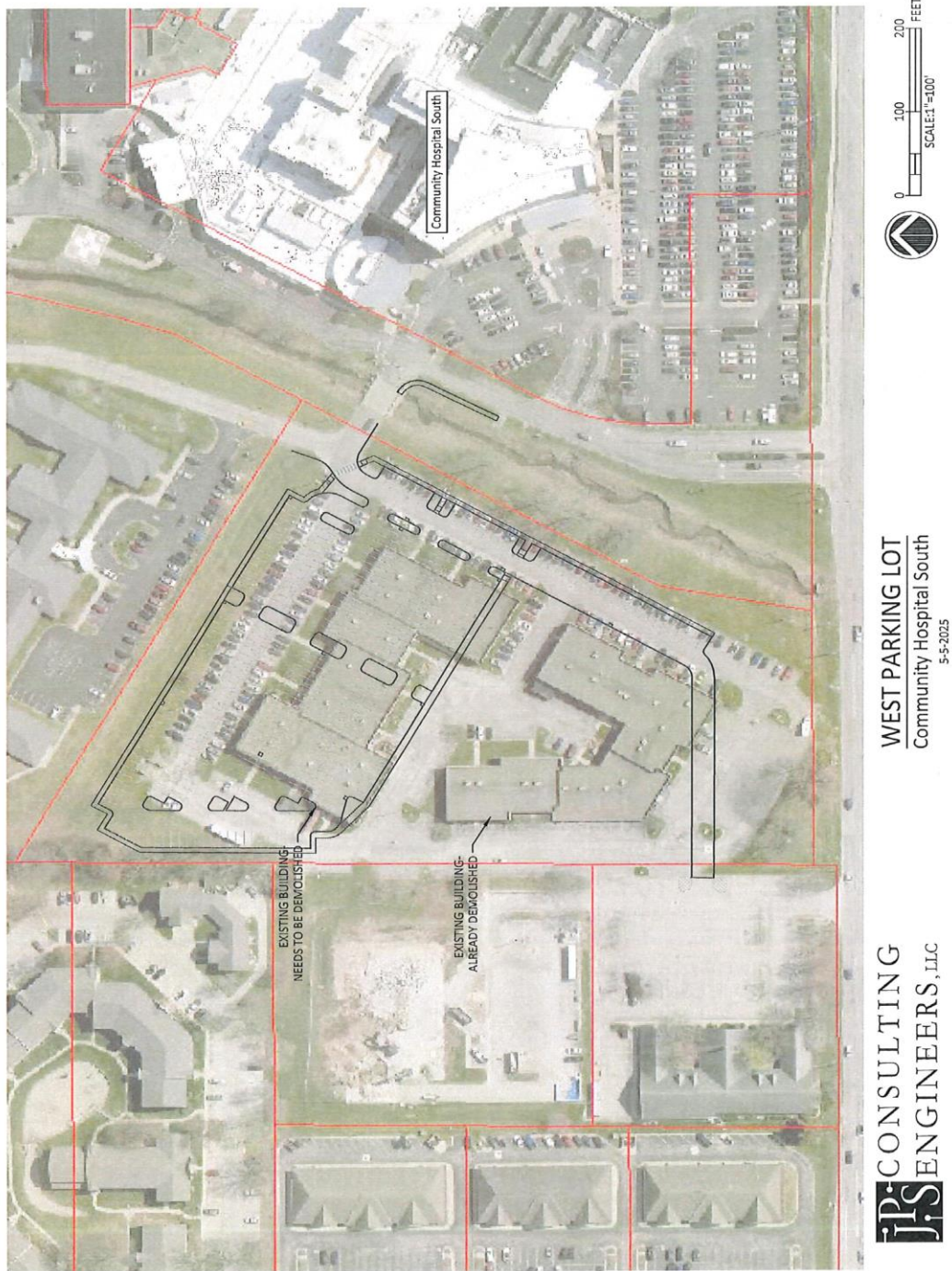
**87-Z-10; 1350 East County Line Road**, requested rezoning of 23.96 acres being the HD-1 district to the HD-2 classification to provide for the development of hospital support uses, **approved**.

EXHIBITS



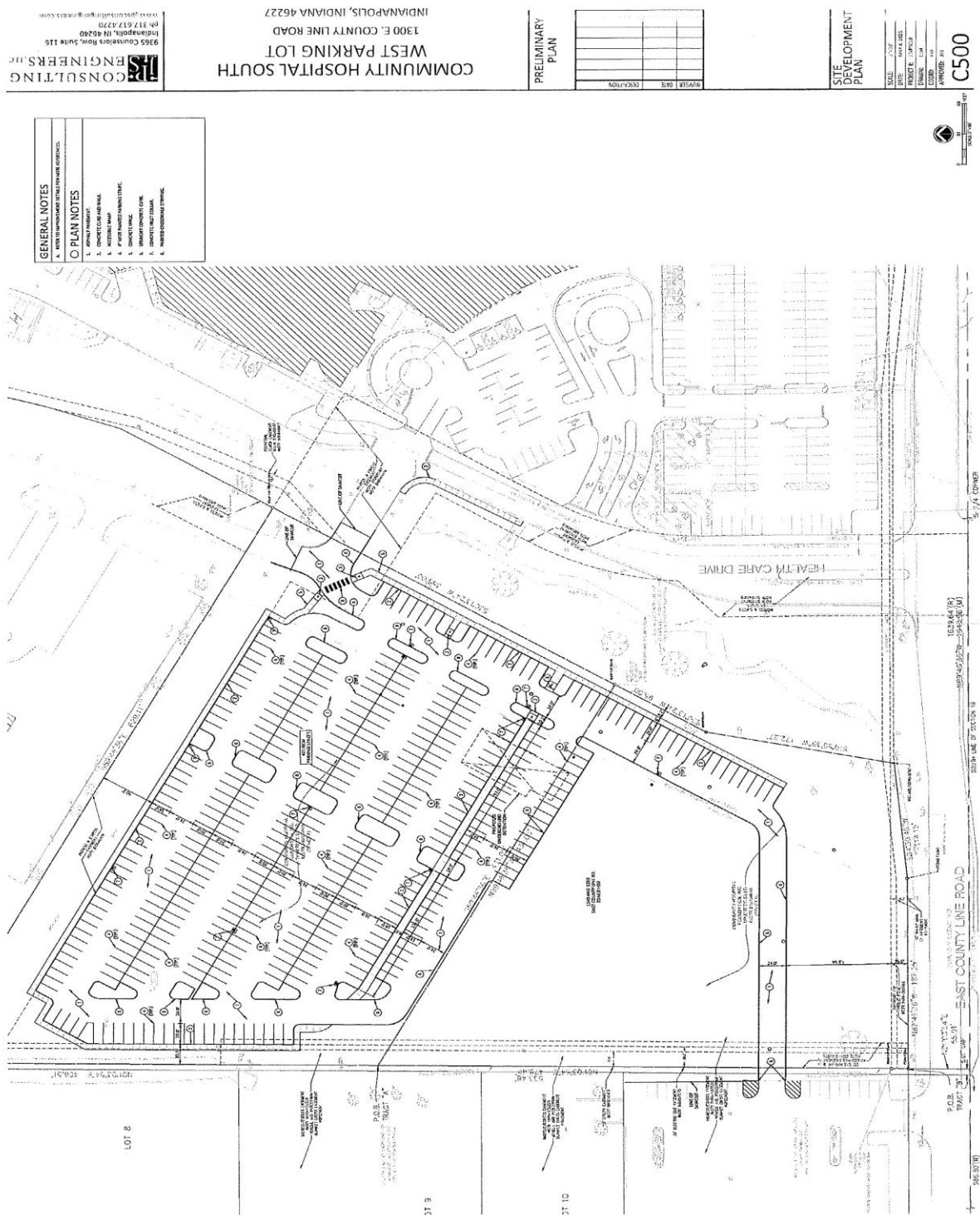
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**JPS** CONSULTING  
ENGINEERS, LLC

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Petition Number \_\_\_\_\_

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

**FINDINGS OF FACT**

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

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

The addition of the new 420 employee parking lot serving the main hospital at Community Hospital South is at an established hospital campus, and is compatible with land uses suggested for the area under the Comprehensive Plan.

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 additional employee parking will reuse vacant land, and along with the associated landscape plan will enhance patient and employee accessibility to the main hospital at Community Hospital South.

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

The new employee parking area is an upgrade to existing parking and the campus will continue to have access to IndyGo bus route #31.

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 existing roadways were designed to handle traffic on the site of the parking lot that formerly served two medical office buildings with an existing stop light and turning lane on E. County Line Road and an internal service road accessing the new employee parking area off of Bipin Way.

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

The development of this new parking area will include a new on-site underground water retention system and associated storm water BMP, so there will be negligible impact on the current drainage for the property with this re-use of the land for surface parking.



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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 reuse of the former site of the two medical office buildings and former location of their associated parking lot on this major hospital campus allocates and enhances the use of this land for the improvement in the available parking on this major hospital campus and is consistent with the Comprehensive Plan.

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 new employee parking area will reduce pedestrian-automobile conflicts by moving a significant amount of employee parking to a dedicated location and will utilize new and existing sidewalks and crosswalks for continued accessibility throughout this major hospital campus.

#### 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 south



View of site looking south along eastern boundary



View of site looking north along eastern boundary



View of site looking east along northern boundary



View of site looking south along western boundary



View of site looking north at remaining northern building (southern building demolished)



View of site looking northwest



View looking north from site at healthcare facility to the north



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**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

June 26, 2025

**Case Number:** 2025-ZON-047 (Amended)  
**Property Address:** 7525 McFarland Boulevard  
**Location:** Perry Township, Council District #24  
**Petitioner:** Manheet Singh, by Joseph D. Calderon  
**Current Zoning:** SU-1  
**Request:** Rezoning of 7.46 acres from the SU-1 district to the D-6II district to provide for a multi-family residential development.  
**Current Land Use:** Religious Uses  
**Staff Recommendations:** Approval, subject to the commitments noted below:  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

The Hearing Examiner continued the petition from the May 29, 2025 hearing, to the June 26, 2025 hearing, to amend the request and clarify the legal description.

**STAFF RECOMMENDATION**

Approval, subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least five business days prior to the MDC hearing:

1. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.
2. The final site plan, landscape plan and building elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit.
3. A recorded access easement (in perpetuity) shall be provided that allows for both vehicular and pedestrian connectivity between the site to the east (zoned D-P) and McFarland Boulevard.



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### PETITION OVERVIEW

This 7.46-acre site, zoned SU-1, is developed with religious uses, associated parking lots and accessory buildings. It is surrounded by multi-family dwellings and open space to the north, zoned D-6; religious uses to the south, zoned SU-1; open space and right-of-way of South Emerson Avenue to the east, zoned C-S and D-P, respectively; and single-family dwellings to the west, across McFarland Boulevard, zoned D-3.

This site was included in Petition 90-Z-201 that rezoned the site to the SU-1 District from the D-6 and C-1 Districts.

### REZONING

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

Permitting a variety of housing types affords flexibility to and opportunity to fulfill the sites challenges. Selective on-site recreational facilities and open space activities must be provided to maximize efficiency, site opportunities, and residents' needs. The district should be in proximity to major thoroughfares, sewers, school and park facilities. The D-6II district has a typical density of 9 to 12 units per gross acre fulfilling the medium density residential recommendation of the Comprehensive General Land Use Plan.

The Comprehensive Plan recommends suburban neighborhood typology for the site.

As proposed, this request would generally align with the Plan recommendation but would have a higher density of 17.4 units per acre.

### Site Plan

The site plan, file-dated May 29, 2025, depicts four multi-story buildings consisting of a total of 130 dwelling units.

There would be 225 parking spaces with two detached covered garages in the northern portion of the site and along the eastern boundary.

Staff would note that no landscaping or amenity areas are identified on the site plan. Consequently, staff would request that the final site plan and landscaping plan be submitted that provides for landscaping compliant with the Ordinance, along with amenity areas.



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Additionally, no information related to the maximum floor area ratio (FAR) or the minimum livability space ratio (LSR) has been provided. Because the site has minimal development (parking lots), staff would anticipate these ratios would be met and no variances would be required or supported by staff.

Renderings were submitted but the roof lines are not consistent among the documents. Consequently, staff would request Administrator Approval of the elevations prior to the issuance of an Improvement Location Permit to assure that the development would be architecturally appropriate / consistent and well-integrated with the surrounding land uses.

### **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.



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## Planning Analysis

As previously noted, the proposed rezoning would be supportable because it would be consistent with the Comprehensive Plan recommendation of suburban neighborhood typology.

Staff, however, is concerned with lack of connection to surrounding land uses and would request an access easement that accommodates for vehicles and pedestrians that would result in appropriate connectivity to adjoining properties, particularly to the abutting site to the east (zoned D-P).

Recognizing that rezonings require limited information and that the documents submitted with this request appear to be conceptual, staff would request that final plans be submitted for Administrator Approval. Staff believes the visibility and size of the proposed development merits staff's review of the final site plan, landscape plan, building elevations and connectivity to adjoining properties.

## GENERAL INFORMATION

<b>Existing Zoning</b>	SU-1	
<b>Existing Land Use</b>	Religious uses / parking lots / accessory buildings	
<b>Comprehensive Plan</b>	Suburban Neighborhood	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
North:	D-6	Multi-family dwellings
South:	SU-1	Religious uses
East:	D-P / C-S	Open Space / Emerson Avenue Right-of -Way
West:	D-3	Single-family dwellings
<b>Thoroughfare Plan</b>		
McFarland Boulevard	Local Street	Existing 68-foot right-of-way and proposed 50-foot right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	April 18, 2025	
<b>Site Plan (Amended)</b>	May 29, 2025	
<b>Elevations</b>	April 18, 2025	
<b>Elevations (Amended)</b>	May 29, 2025	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	



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## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

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

- 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.

*Multi-family Housing*

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

**Red Line / Blue Line / Purple Line TOD Strategic Plan**

Not Applicable to the Site.

**Neighborhood / Area Specific Plan**

Not Applicable to the Site.

**Infill Housing Guidelines**

Not Applicable to the Site.

**Indy Moves**

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

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

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

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



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## ZONING HISTORY

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

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

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

## VICINITY

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

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

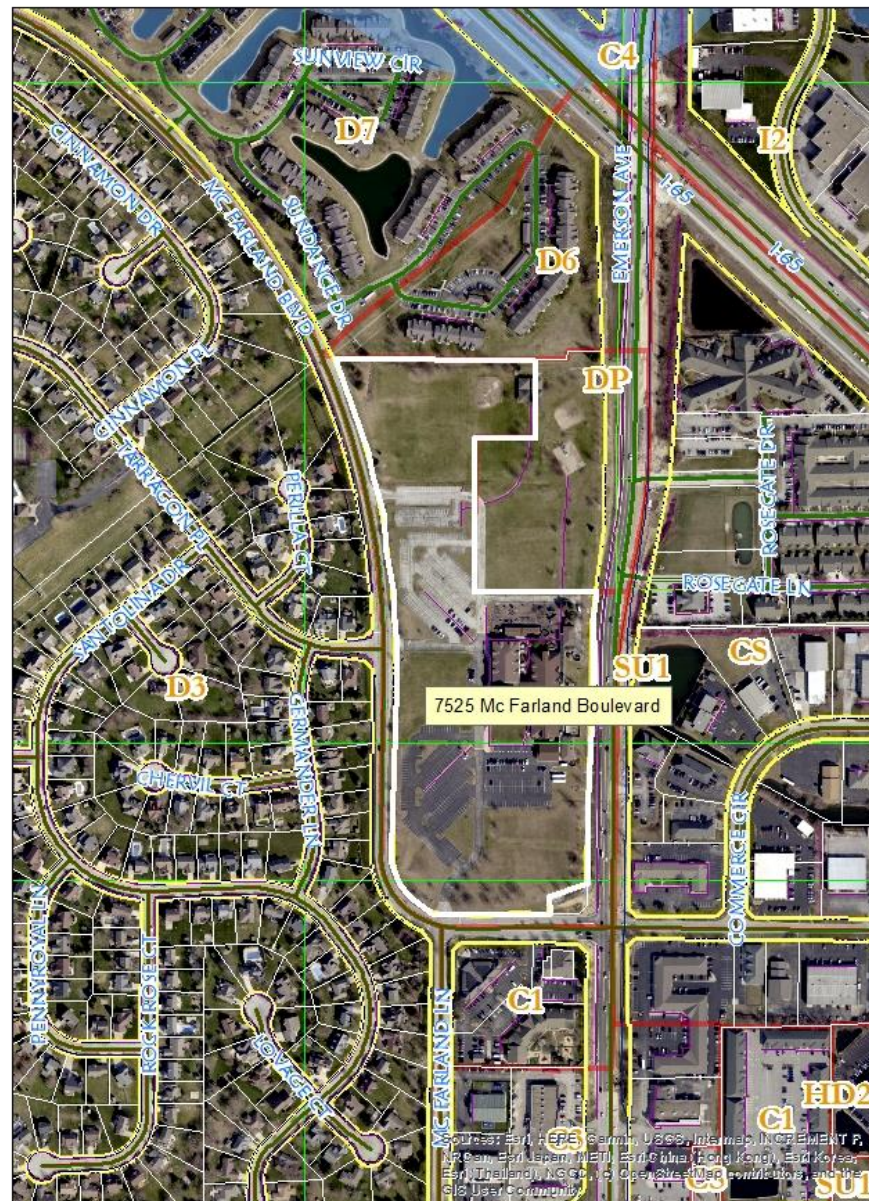
**88-Z-7; 7702 South Emerson Avenue (south of site)**, requested rezoning of 20 acres, being in the A-2 District, to the C-1 classification to provide for kindergarten, day nursery, nursing and convalescent home uses, **approved**.

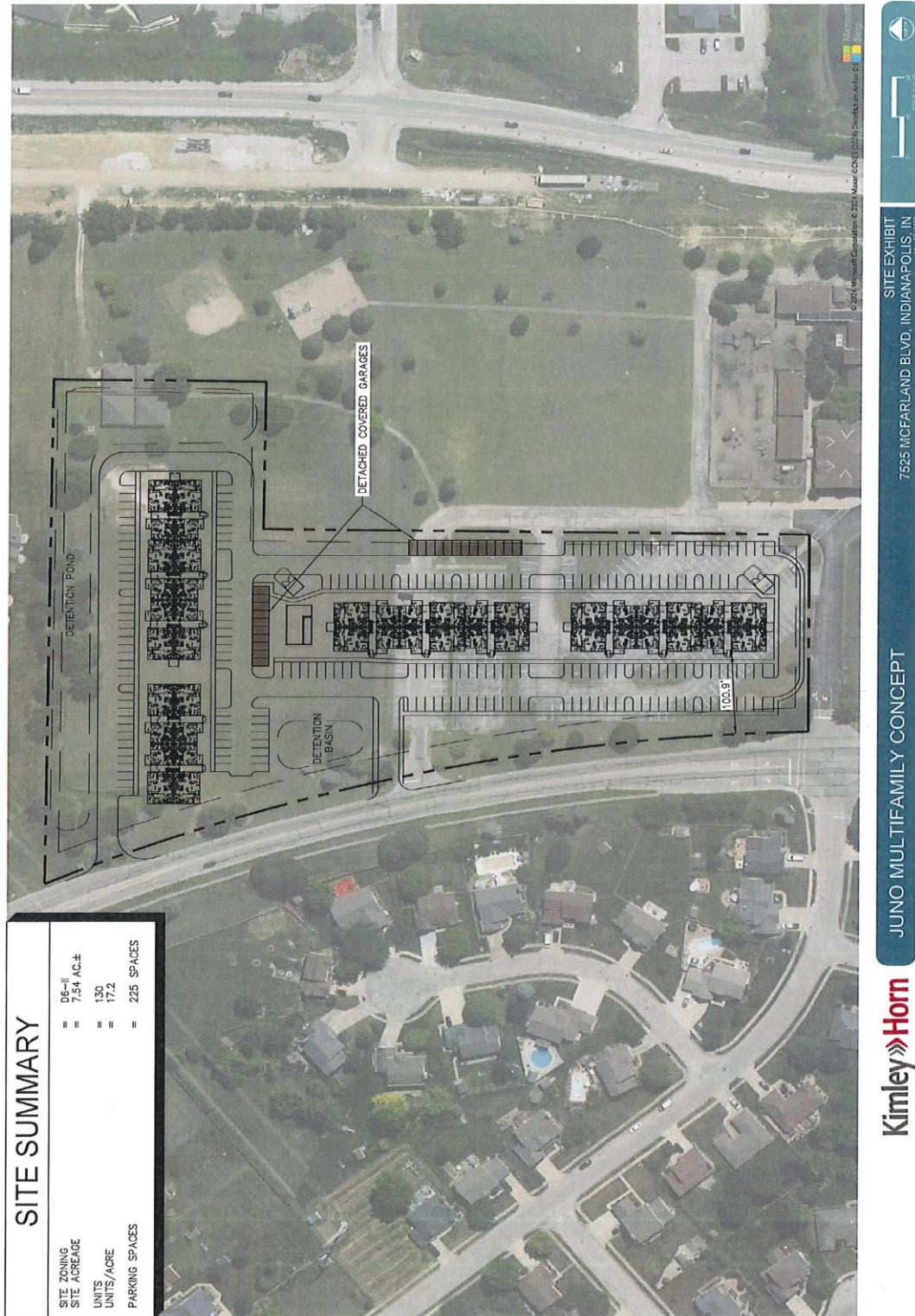
**88-Z-6; 5002 East Stop Eleven Road (south of site)**, requested rezoning of 11.64 acres, being in the A-2 District, to the C-2 classification to provide for neighborhood retail development, **approved**.

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

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

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

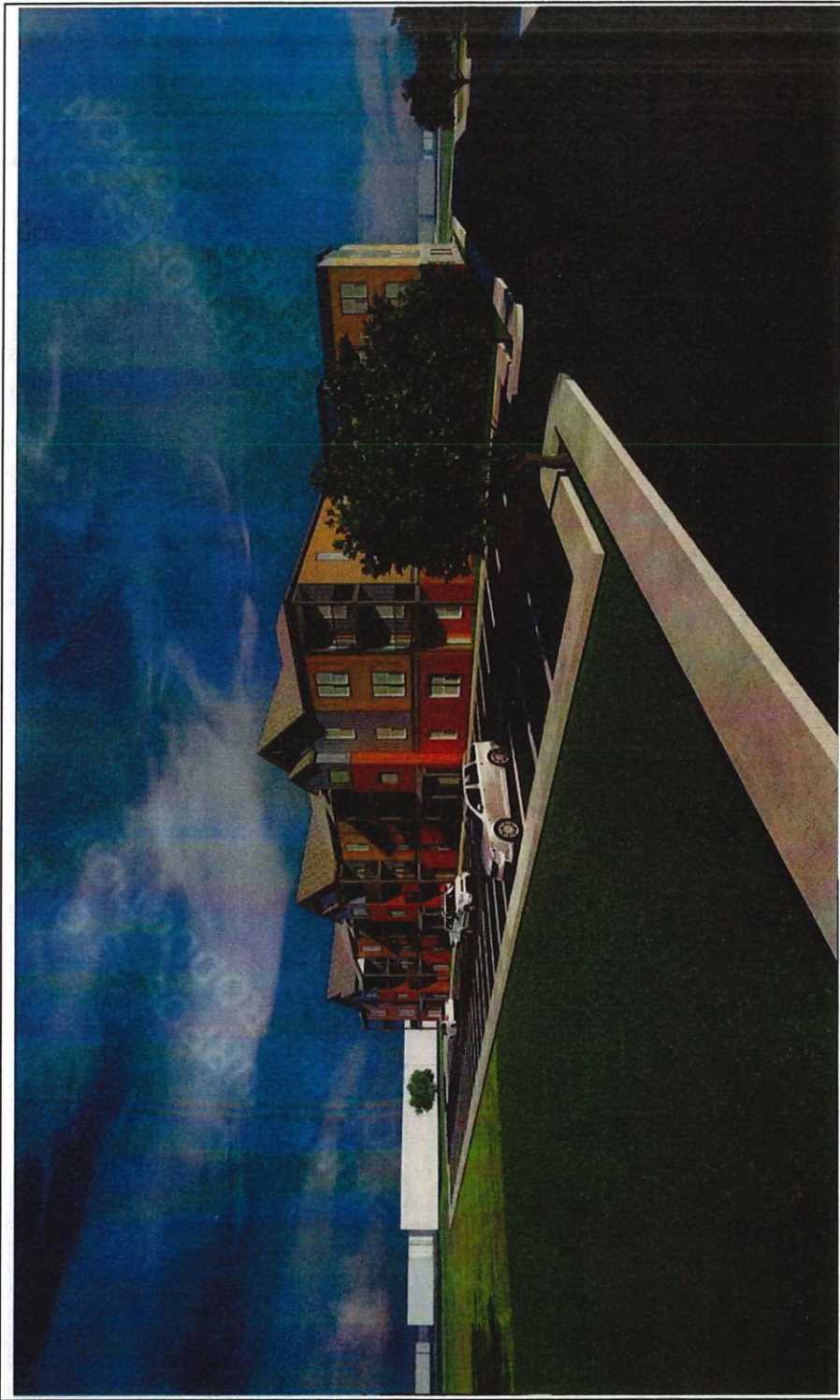







DATE : 01/15/2025

MCFARLAND BLVD, IN

	 <b>SEBREE</b> ARCHITECTS
DATE : 01/15/2025	MCFARLAND BLVD, IN



View looking north at intersection of McFarland Avenue and South Emerson Avenue



View looking east along McFarland Boulevard towards South Emerson Avenue



View looking south along McFarland Boulevard



View looking north along McFarland Boulevard



View of site looking north



View of site looking northeast



View from site looking south



View from site looking west



View from site looking east towards South Emerson Avenue



View from site looking south



View from site looking north



View from site looking east towards South Emerson Avenue



View from site looking west across McFarland Boulevard



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**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

June 26, 2025

**Case Number:** 2025-ZON-056  
**Property Address:** 8501 and 8651 South Emerson Avenue and 5260 Noggle Way  
**Location:** Franklin Township, Council District #25  
**Petitioner:** Claybrooke Luxury Living, LLC, by Joseph D. Calderon  
**Current Zoning:** C-4 / C-S  
**Request:** Rezoning of 9.186 acres from the C-4 and C-S districts to the D-10 district to provide for an approximately 202-unit multi-family development.  
**Current Land Use:** Undeveloped  
**Staff Recommendations:** Approval, subject to the commitment noted below:  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

This is the first public hearing on this petition.

**STAFF RECOMMENDATION**

Approval, subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least five business 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.

**PETITION OVERVIEW**

This 9.198-acre site, zoned C-4 and C-S, is undeveloped and surrounded by undeveloped land to the north, zoned C-4 and C-S; hotels to the south, across Claybrooke Commons Drive, zoned C-S; automobile related uses to the east, across Claybrooke Commons Drive, zoned C-4; and commercial uses to the west, zoned C-S.

Petition 96-Z-232 rezoned a portion of the site to C-4 district and Petition 2004-ZON-169 rezoned the remaining portion of the site to the C-S district.



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## REZONING

The request would rezone the site to the D-10 district. “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. “

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

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

This request would align with the Comprehensive Plan recommendation of Interchange Area Mixed-Use.

### Site Plan

The site plan, file-dated May 16, 2025, depicts four multi-story buildings surrounding an amenity space with surface and garage parking around the perimeter of the site.

There would be approximately 202 dwelling units, with 364 parking spaces. Amenities would include a clubhouse, pickleball court, firepit, pool and dog park.

### Environmental Public Nuisances

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

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



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Environmental public nuisance means:

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

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

## GENERAL INFORMATION

<b>Existing Zoning</b>	C-4 / C-S	
<b>Existing Land Use</b>	Undeveloped land	
<b>Comprehensive Plan</b>	Interchange Area Mixed-Use	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
	North: C-4 / C-S	Undeveloped land
	South: C-S	Hotels
	East: C-4	Auto related uses
	West: C-S	Commercial uses
<b>Thoroughfare Plan</b>		
South Emerson Avenue	Primary arterial	Existing 120-foot right-of-way and proposed 119-foot right-of-way.
Noggle Way	Local Street	Existing 70-foot right-of-way and proposed 50-foot right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	



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<b>Wellfield Protection Area</b>	No
<b>Site Plan</b>	May 16, 2025
<b>Site Plan (Amended)</b>	N/A
<b>Elevations</b>	May 16, 2025
<b>Elevations (Amended)</b>	N/A
<b>Landscape Plan</b>	N/A
<b>Findings of Fact</b>	N/A
<b>Findings of Fact (Amended)</b>	N/A
<b>C-S/D-P Statement</b>	N/A

## 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

I-65/County Line Road Strategic Plan (2008) recommends Interchange Area Mixed-Use for this site.

The Interchange Area Mixed-Use designation for this area allows for flexibility in development of industrial, commercial and multi-family residential projects. However, the mix of these uses within the Critical Area should not be haphazard or indiscriminate. Traffic generation, truck traffic, compatibility of uses, integration of uses, and building heights and mass should all be evaluated when considering siting of uses within the Critical Area.

This site is located within Critical Area I that includes County Line Road from I-65 to Smock Golf Course, with Todd Road being the northern boundary.

Recommended land use: "Large-scale developments are recommended for the interchange area. Large sites in proximity to interchanges are scarce and should be reserved for uses that need the combination of a large site and immediate interstate access. Examples are large industrial uses, large-scale shopping centers or corporate headquarters. Although small-scale outlot development may be appropriate along



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some streets or at certain intersections, small- to medium-scale uses should not be sited in ways that preclude large-scale development.”

I-65 at County Line Road is the most heavily traveled entry point into Indianapolis and Marion County from the south. It is important that a good first impression is made. The following design considerations are important in proximity to the interstate.

- **Materials** - buildings visible to the interstate should be constructed of high quality, durable and aesthetically pleasing materials. Examples include such materials as brick, stone, pre-cast concrete panels, tile, decorative block, wood lap siding, ceramic and glass.
- **Finished sides** - buildings should have the same materials, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public rights-of-way.
- **Blank walls** - walls visible from the interstate should be articulated with openings, changes in materials, or architectural ornamentation.
- **Landscaping** - landscaping along the I-65 frontage should be balanced between providing a lush landscape with a variety of vegetation heights, colors and textures and providing reasonable visibility of structures and signs.
- **Trash receptacles and refuse areas** - trash receptacles and refuse areas should not be located where visible from I-65 and other public rights-of-way.
- **Signs** - Signs should be architecturally compatible with and accentuate the buildings and landscaping on the site in terms of colors, materials, and style. Examples of appropriate types of signs are ground signs, awning signs, wall signs, projecting signs, suspended signs, and window signs. Types of signs that are inappropriate are animated signs, roof signs, marquee signs, message centers, digital signs and electronic variable message signs. An excessive number of signs and excessively large signs are discouraged.
- **Billboards** - Off premises advertising should be restricted from the gateway area.

Pedestrian connectivity within the area and pedestrian connectivity with the surrounding development is important. Sidewalks should be provided along all public streets except Interstate 65. Within Critical Area I walkways and bike paths should be provided to form a walkway system that functionally connects all of the buildings' main front entrances with the sidewalks located along the public streets. Provisions should be made for adequate bicycle and scooter parking.

Streetscapes and the interiors of parking lots in the Critical Area should be well landscaped to provide a lush landscape with a variety of vegetation heights, colors and textures while providing reasonable visibility of structures and signs. Trees should be planted extensively to cool paved surfaces and intercept stormwater.

### **Infill Housing Guidelines**

Not Applicable to the Site.



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**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

**2005-ZON-169; 8601, 8651 and 8921 South Emerson Avenue**, requested the rezoning of 58 acres from the D-A district to the C-S classification to provide for C-4, HD-1 and D-7 uses, **approved**.

**96-Z-232; 8821 South Emerson Avenue**, requested the rezoning of 29.8 acres from the D-A district to the C-4 classification, **approved**.

## VICINITY

**2019-ZON-153; 8516, 8600, 8814, and 8816 South Arlington Avenue, 5624 and 5740 East County Line Road (east of site)** requested the rezoning of 137 acres from the C-4 and D-A districts to the C-S classification, **approved**.

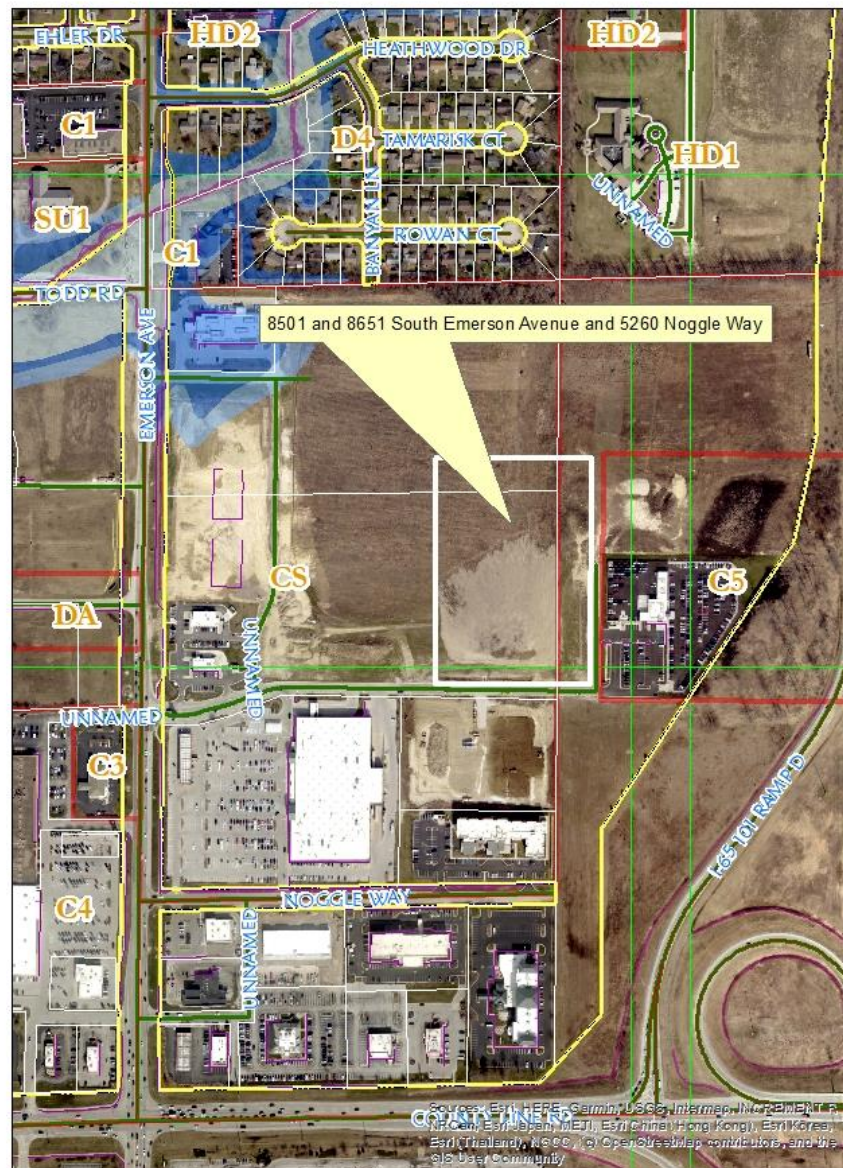
**2007-DV3-012; 8921 South Emerson Avenue (southwest of site)**, requested a variance of development standards to provide for a 77-foot-tall hotel, **approved**.

**2006-ZON-123; 8051 South Emerson Avenue (north of site)**, requested the rezoning of 31 acres from the HD-2 district to the HD-1 classification, **approved**.

**2003-ZON-153; 8111 South Emerson Avenue (west of site)**, requested the rezoning of 56.5 acres from the D-A district to the C-4 classification, **withdrawn**.

**99-ZON133; 8921 South Emerson Avenue (southwest of site)**, requested the rezoning of 17 acres from the D-A district to the C-4 classification, **approved**.

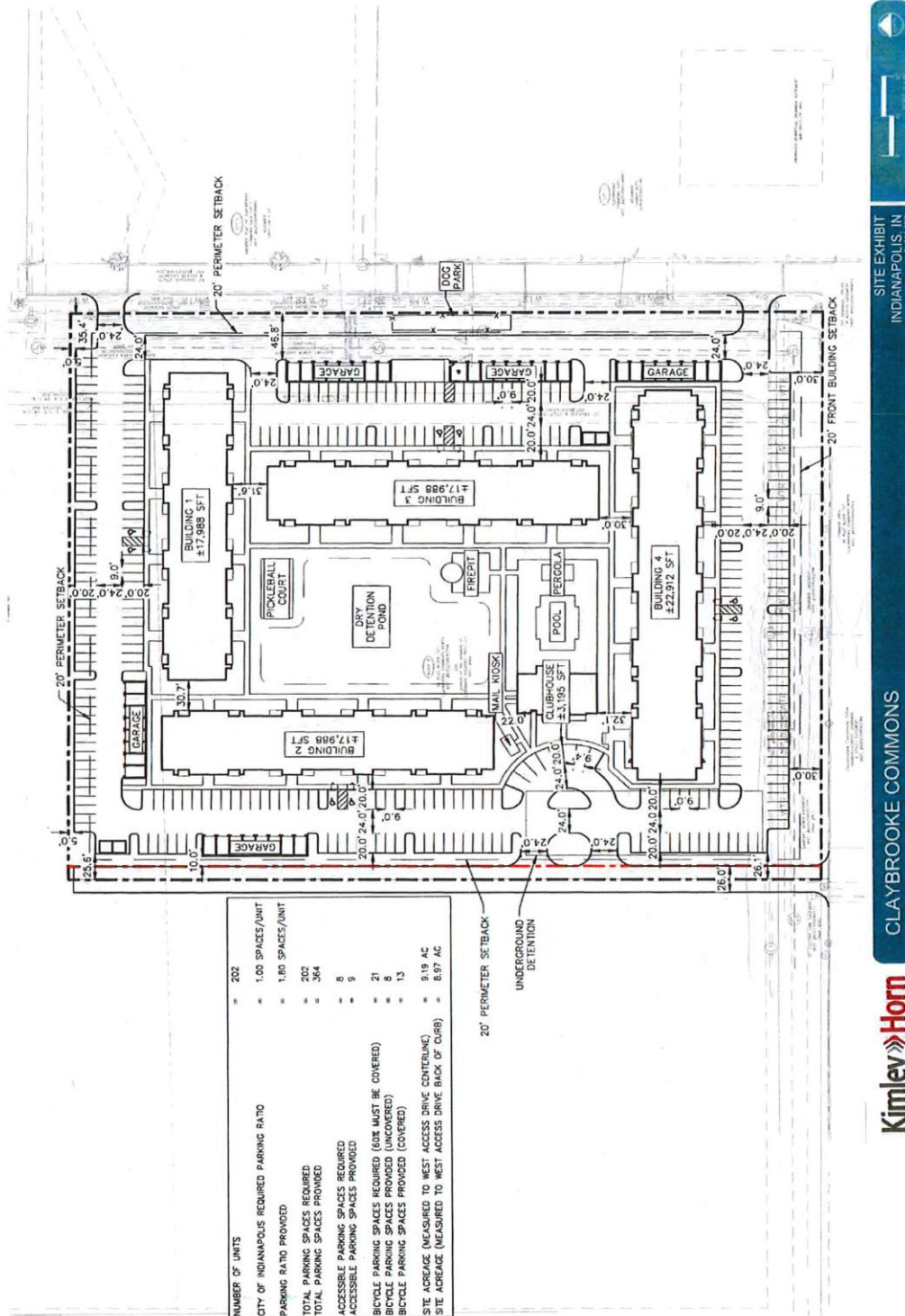
EXHIBITS



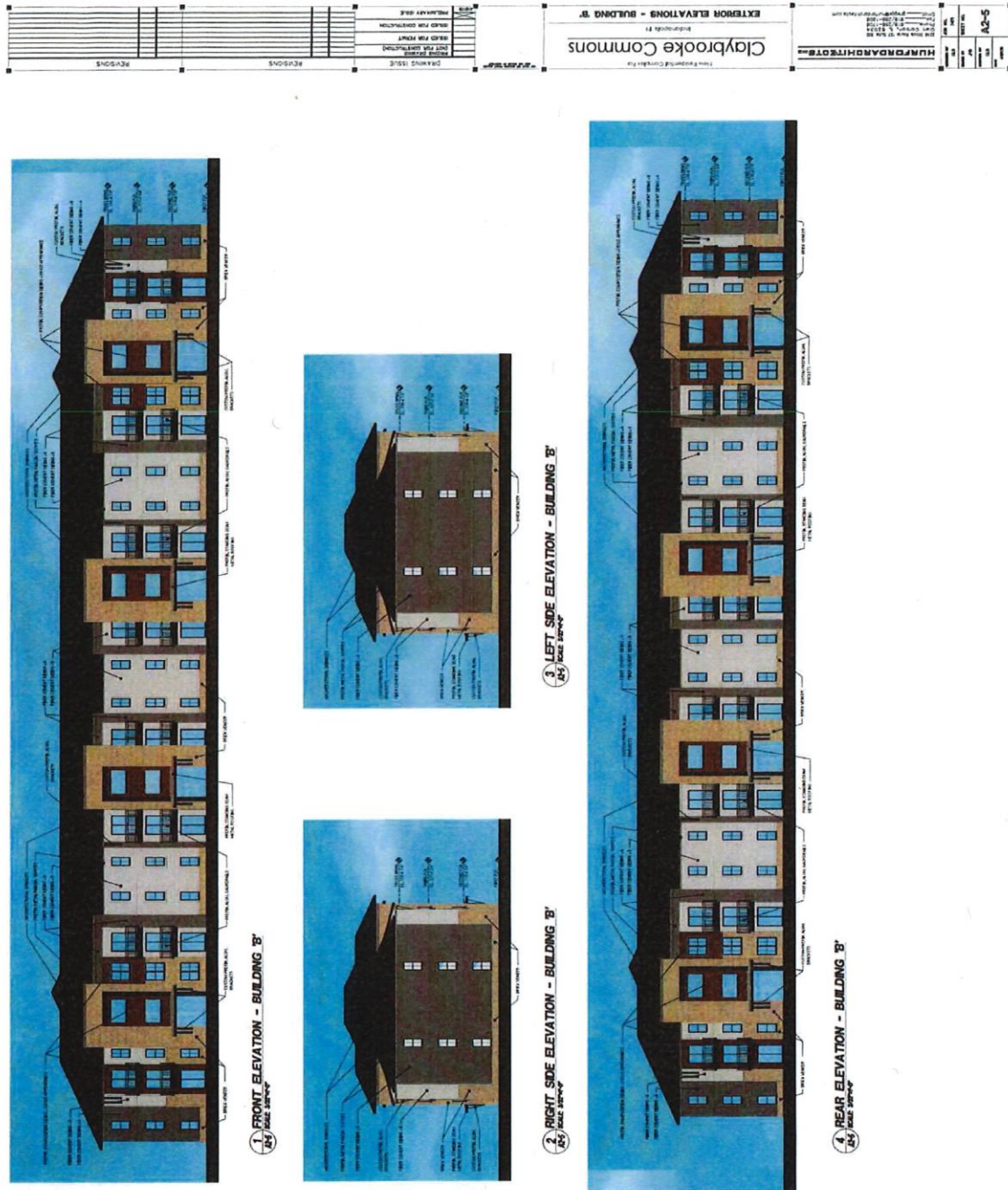
8501 and 8651 Emerson Avenue and 5260 Noggle Way

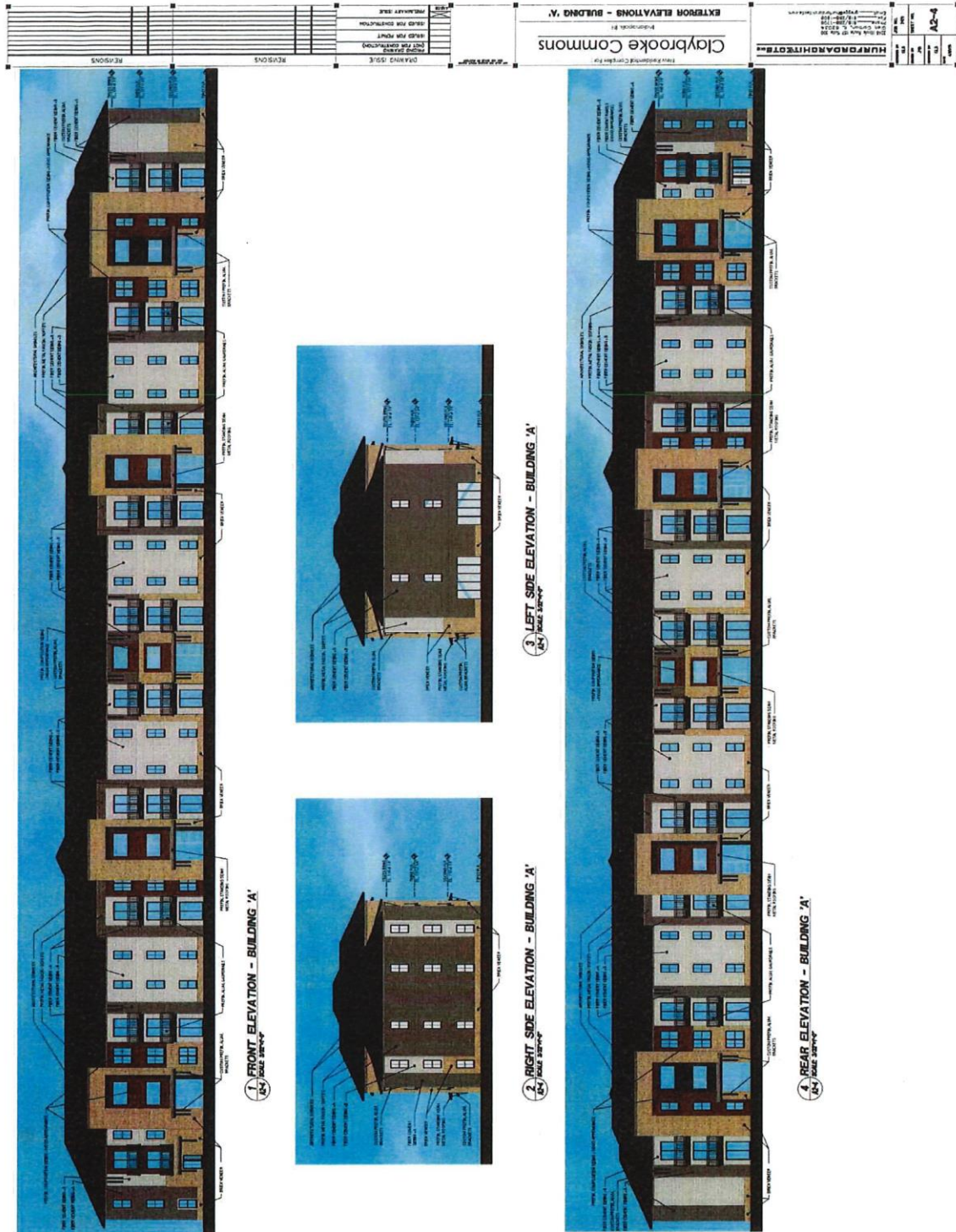


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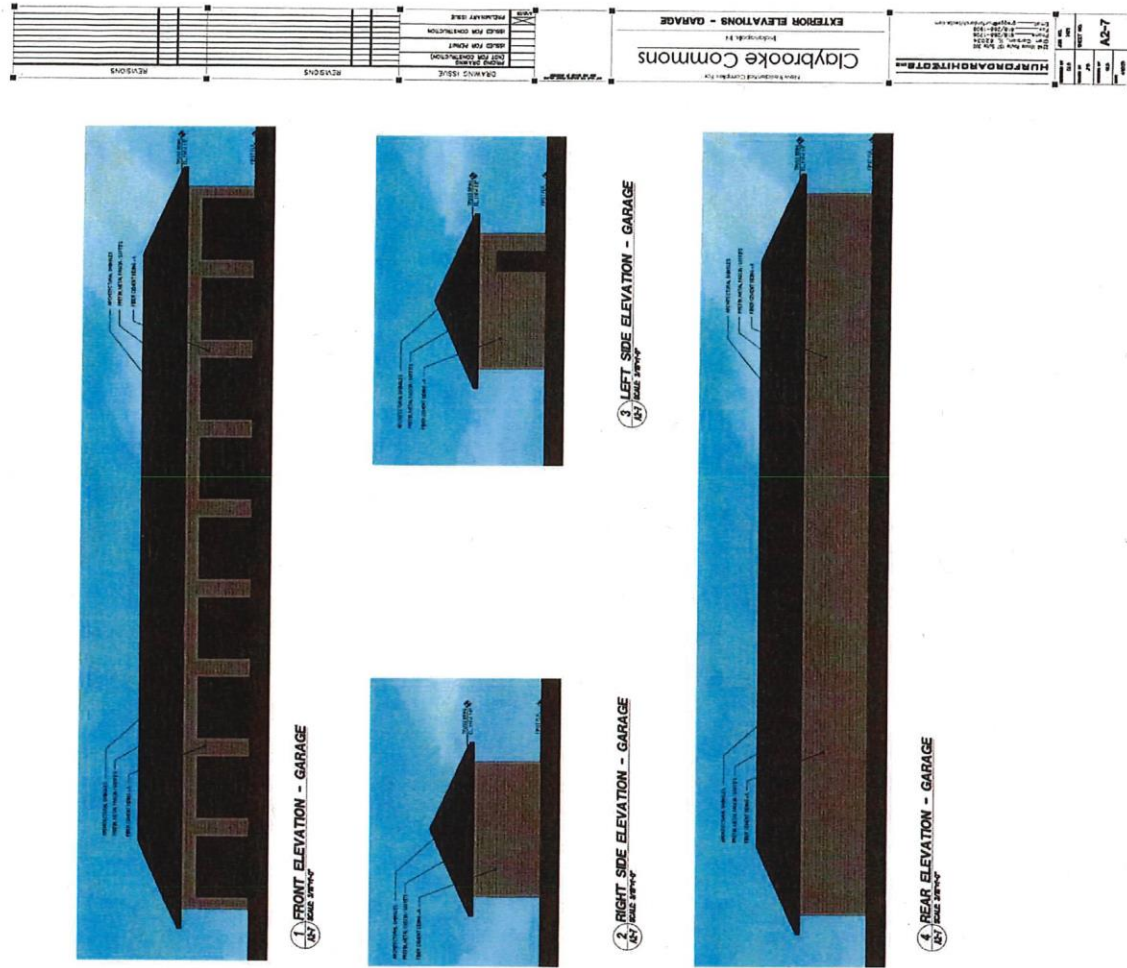
















View looking west along Claybrooke Commons Drive



View looking east along Claybrook Commons Drive (site on left)



View of site looking north across Claybrooke Commons Drive



View of site looking northeast across Claybrooke Commons Drive



View of site looking northwest across Claybrooke Commons Drive



View of site looking west across Claybrooke Commons Drive



View of site looking west across Claybrooke Commons Drive



View of site looking west across Claybrooke Commons Drive



View of site looking southwest across Claybrooke Commons Drive



View looking south along Claybrooke Commons Drive (site on the right)



Department of Metropolitan Development  
Division of Planning  
Current Planning Section

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

June 26, 2025

**Case Number:** 2025-ZON-058  
**Property Address:** 1229 and 1231 Brookside Avenue (Approximate Address)  
**Location:** Center Township, Council District #13  
**Petitioner:** Clairoline, LLC, by Donas Singleton  
**Current Zoning:** MU-1 (FF)  
**Request:** Rezoning of 0.14-acre from the MU-1 (FF) district to the D-8 (FF) district.  
**Current Land Use:** Undeveloped  
**Staff Recommendations:** Staff recommends approval  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the request.

**PETITION OVERVIEW**

**LAND USE**

The 0.14-acre subject site consists of two (2) platted lots, established in 1871, which have remained undeveloped. The site is surrounded by a single-family dwelling to the east and south, zoned D-8; undeveloped commercial land to the west, zoned MU-1; and an industrial use to the north, zoned C-S.

Although originally platted and developed as a single-family neighborhood, the surrounding area has been zoned for a mix of office and multi-family uses since the late 1960s.

The 2018 Comprehensive Land Use Plan recommends Traditional Neighborhood for the subject site. This typology envisions a full spectrum of housing types, ranging from single family homes to large-scale multi-family housing with a development pattern that is compact and well-connected. This typology usually has a residential density of five to fifteen dwelling units per acre, but a higher density in proximity of a transit line, greenway, or park. A dwelling on each of the two lots would equal 13 units per acre.



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Additionally, The 2018 Comprehensive Land Use Plan also recommends Linear Park for the south side of Brookside Avenue as it passes the subject site. A ten-foot-wide multi-purpose path has been built along this route and is heavily used by cyclists and pedestrians. Because of the high volume of pedestrians and bicyclists on the path, Indy Greenways is concerned about trail safety and access.

## REZONING

This petition proposes to rezone the subject site from the MU-1 district to the D-8 district for residential development of a single-family dwelling with a detached garage - a Use not permitted in the existing MU-1 district.

The **MU-1 (Mixed-Use One)** district is intended for the development of high-rise office uses and apartments intermixed, grouped or in the same building. MU-1 is designed for use along arterials with both high-traffic counts and positive pedestrian experience or demand, typically located in the midtown and uptown areas of the city, very near rapid transit stops, or in the midst of high intensity regional commercial complexes.

The **D-8 (Dwelling District Eight)** district is a unique district that allows all forms of residential development except mobile dwellings. The district is designed to provide for the wide range and mixture of housing types found in older, inner-city neighborhoods, as well as along older residential/commercial thoroughfares.

The **FF (floodway fringe district)** overlay district indicates a 1% chance for significant flooding as well as shallow flooding in any given year. FF is based upon hydrological data and is delineated on the FEMA maps.

## STAFF ANALYSIS

Staff supports the request to rezone the site to the D-8 district. The D-8 district allows for flexible, urban residential development and is appropriate for this location, given the site's historical subdivision pattern, the current context, and recent D-8 rezonings in the vicinity.

The request aligns with the Traditional Neighborhood land use recommendation of the 2018 Comprehensive Plan, supports the planned character of the area, and provides appropriate infill development compatible with surrounding zoning and uses.

## GENERAL INFORMATION

<b>Existing Zoning</b>	MU-1	
<b>Existing Land Use</b>	Undeveloped	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
North:	C-S	Business center
South:	D-8	Residential (Single-family dwelling)
East:	D-8	Residential (Single-family dwelling)

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West:	MU-1	Industrial
<b>Thoroughfare Plan</b>		
Brookside Avenue	Primary Collector	64-foot existing right-of-way and a 56-foot proposed right-of-way.
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	FF	
<b>Overlay</b>	Airspace Secondary District	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	May 23, 2025	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan (2019)
- Near Eastside Quality of Life Plan

### Pattern Book / Land Use Plan

**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.

- **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.

#### Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

#### Neighborhood / Area Specific Plan

- Near Eastside Quality of Life Plan

#### Infill Housing Guidelines

- 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.”



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**Indy Moves**

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

- Not Applicable to the Site.



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## ZONING HISTORY

### ZONING HISTORY-VICINITY

**2022-ZON-022; 1301 East 11th Street and 1235 & 1239 Brookside Avenue** (east of site), Rezoning of 0.23 acre from the MU-1 district to the D-8 district.

**2023-CZN-863 / 2023-CAP-863 / 2023-CVR-863 (Amended) / 2023-CPL-863; 1228, 1232, 1302 and 1306 East 10th Street (east of site)** Rezoning of 0.41 acres from the MU-1 and D-8 districts to the D-8 district. Termination of Commitments related to 2019-CZN/CVR-821 to provide for a new two-family dwelling development (previous commitments required four-foot side setbacks for single-family detached dwellings). Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for front yard setbacks of nine feet (setback range of 10-19.9 feet required); side yard setbacks of 2.2 feet for a six-unit, two-family dwelling development (five-foot side yard required); minimum lot width of 48.34 feet (60 feet required); lot area of 5,558 square feet (minimum 7,200 square feet required); and 44% open space (60% open space required). Approval of a Subdivision Plat to be known as Windsor on 10th, dividing 0.41 acres into three duplex lots (six units).

**2023-ZON-044; 1304 E 11<sup>th</sup> Street (northeast of site)**, Rezoning of 0.18 acres from the MU-1 district to the D-8 district, **approved**.

**2022-ZON-022; 1301 East 11th Street and 1235 & 1239 Brookside Avenue** (northeast of site), Rezoning of 0.23 acre from the MU-1 district to the D-8 district, **approved**.

**2019-CZN-821 / 2019-CVR-821; 1232, 1302 & 1306 East 10th Street (south of site)**, requested the rezoning of 0.27 acre from the MU-1 district to the D-8 district and a variance of development standards to provide for deficient front and side setbacks, space between primary buildings and open space, **approved**.

**2019-ZON-006; 1227 East 10th Street (south of site)**, requested rezoning of 0.149 acre from the MU-1 district to the D-8 classification, **approved**.

**2017-ZON-042; 1319 East 11th Street (east of site)**, requested the rezoning of 0.09 acre from the MU-1 district to the D-8 district, **approved**.

**2017-CZN-801 / 2017-CVR-801; 1313, 1325 & 1409 East 11th Street (northeast of site)**, requested the rezoning of 0.2 acre from the MU-1 district to the D-8 district and a variance of development standards to provide for deficient separation between primary buildings and deficient side setback on the garage, **approved**.



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**2016-ZON-011; 1329 and 1401 East 11th Street (northeast of site),** requested rezoning of 0.42 acre, from the C-2 (FF) District to the D-8 (FF) classification, **approved.**

**2016-ZON-004; 1322, 1326, 1330, 1402 and 1406 East 10th Street (east of site),** requested rezoning of 0.42 acre, from the C-2 (FF) District to the D-8 (FF) classification, **approved.**

**2012-ZON-033; 1129 E 10th Street (south of site),** request to rezone of 0.5716 acres, from the C-2 Zoning District, to the D-8(FF) classification, to provide for the construction of single-family residences, **approved.**

**2011-CAP-833 / 2011-CVR-933; 1500 East Michigan Street (south of site),** requested a modification of the development statement related to 2010-ZON-099 to modify the requirement that all signs be compliant with the Sign Regulations and a variance of development standard of the Sign Regulations to provide for a four-foot tall freestanding sign with reduced setbacks and an eleven-foot tall freestanding sign exceeding the required height and with reduced separation from a protected district, **approved.**

**2011-UV2-002; 1414 East 10th Street (southeast of site),** requested a variance of use and development standards of the Commercial Zoning Ordinance to provide for a single-family detached dwelling, with reduced setbacks, **granted.**

**2010-ZON-099; 1401 East 10th Street (southeast of site),** requested rezoning of 3.433 acres from the SU-2 classification to the C-S classification to provide for fire department headquarters, SU-9 uses, SU-7 uses, educational uses, C-1 uses, and commercial service and retail, **approved.**

**2004-HOV-016; 1434 East 10th Street (east of site),** requested a variance of use and development standards of the Commercial Zoning Ordinance to legally establish a single-family dwelling, with reduced setbacks, **granted.**

**2002-HOV-036; 1402 East 10th Street (south of site),** requested a variance of use and development standards of the Commercial Zoning Ordinance to legally establish a single-family and detached garage and provide for an addition to the dwelling, **granted.**

**2002-UV2-019; 1323 East 10th Street (south of site),** requested a variance of use and development standards of the Commercial Zoning Ordinance to legally establish a single-family dwelling and provide for the construction of a detached garage with reduced setbacks, **granted.**

**94-Z-47; 1418-1420 East 10<sup>th</sup> Street (east of site)** requests the rezoning of 0.09 acre, being in the C-2 District, to the D-8 classification to provide for residential use, **approved.**



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**92-Z-138, CV-18; 1125 Brookside Avenue (south of site)**, requested the rezoning of 16.7 acres from the I-4-U, PK-1, C-2 and D-8 districts to the C-S district to provide from a multi-use commercial facility including industrial and office uses, and a variance of development standards to provide for deficient yards and parking, **approved**.

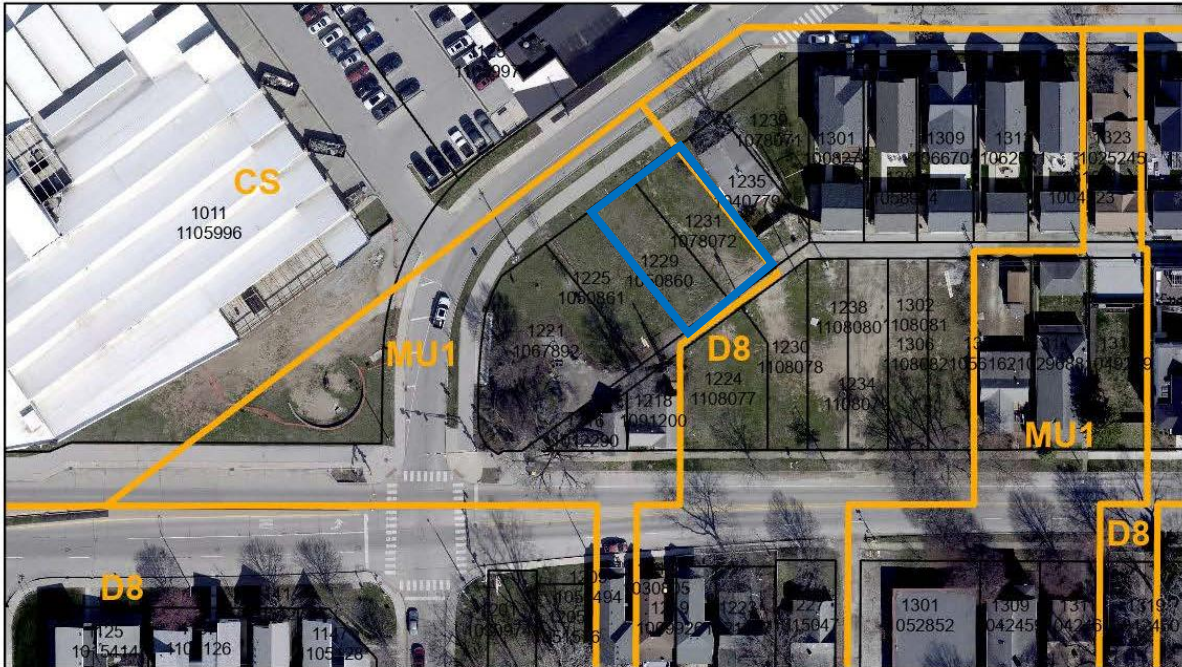
**91-UV1-84; 1333 East 10th Street (south of site)**, requested a variance of use of the Commercial Zoning Ordinance to permits an addition to an existing single-family dwelling, **granted**.

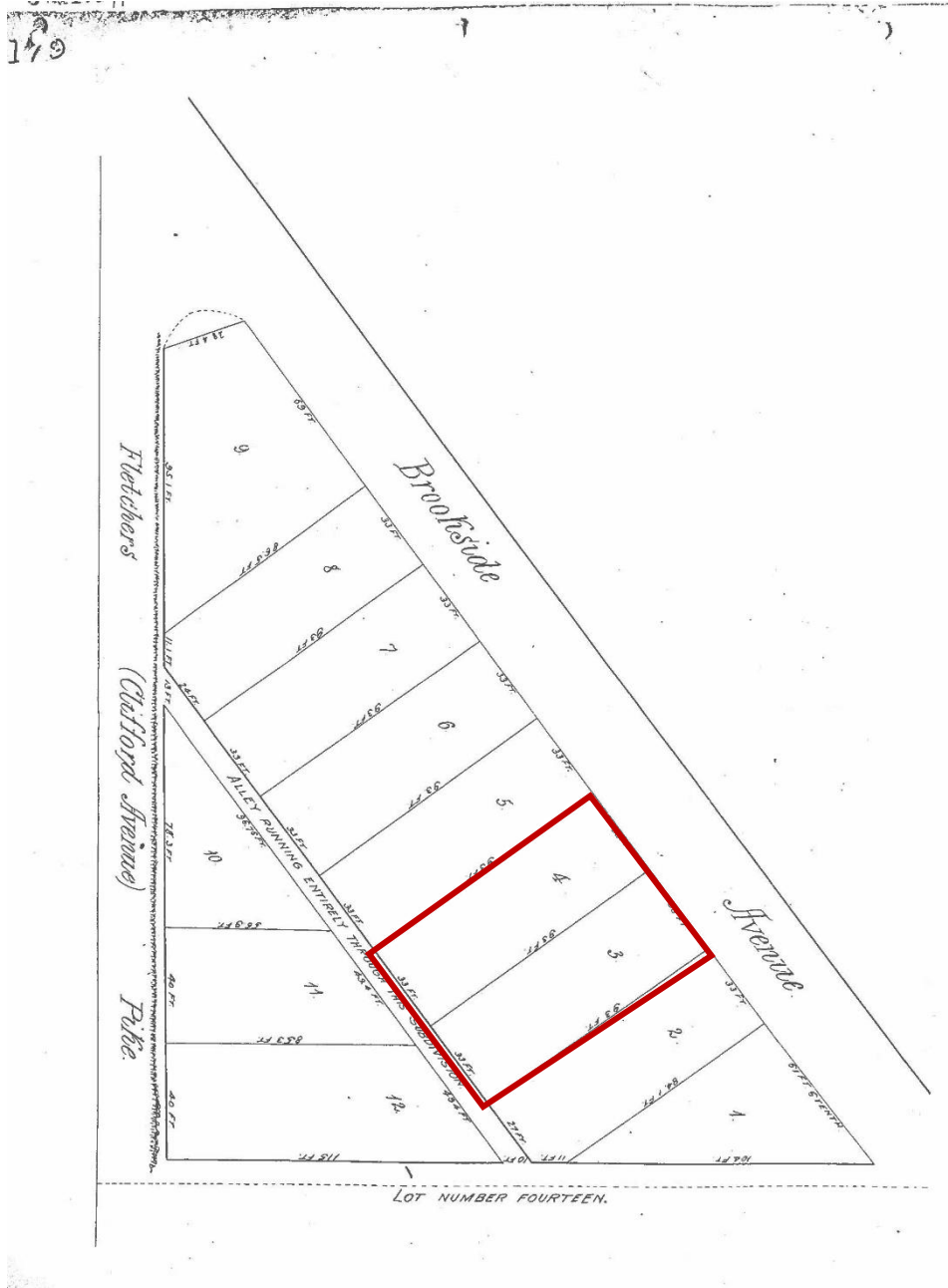
**92-Z-138, CV-18; 1125 Brookside Avenue (north of site)**, requested the rezoning of 16.7 acres from the I-4-U, PK-1, C-2 and D-8 districts to the C-S district to provide from a multi-use commercial facility including industrial and office uses, and a variance of development standards to provide for deficient yards and parking, **approved**.

[illegible]

## 74

**STAFF REPORT 2025-ZON-058, Location**



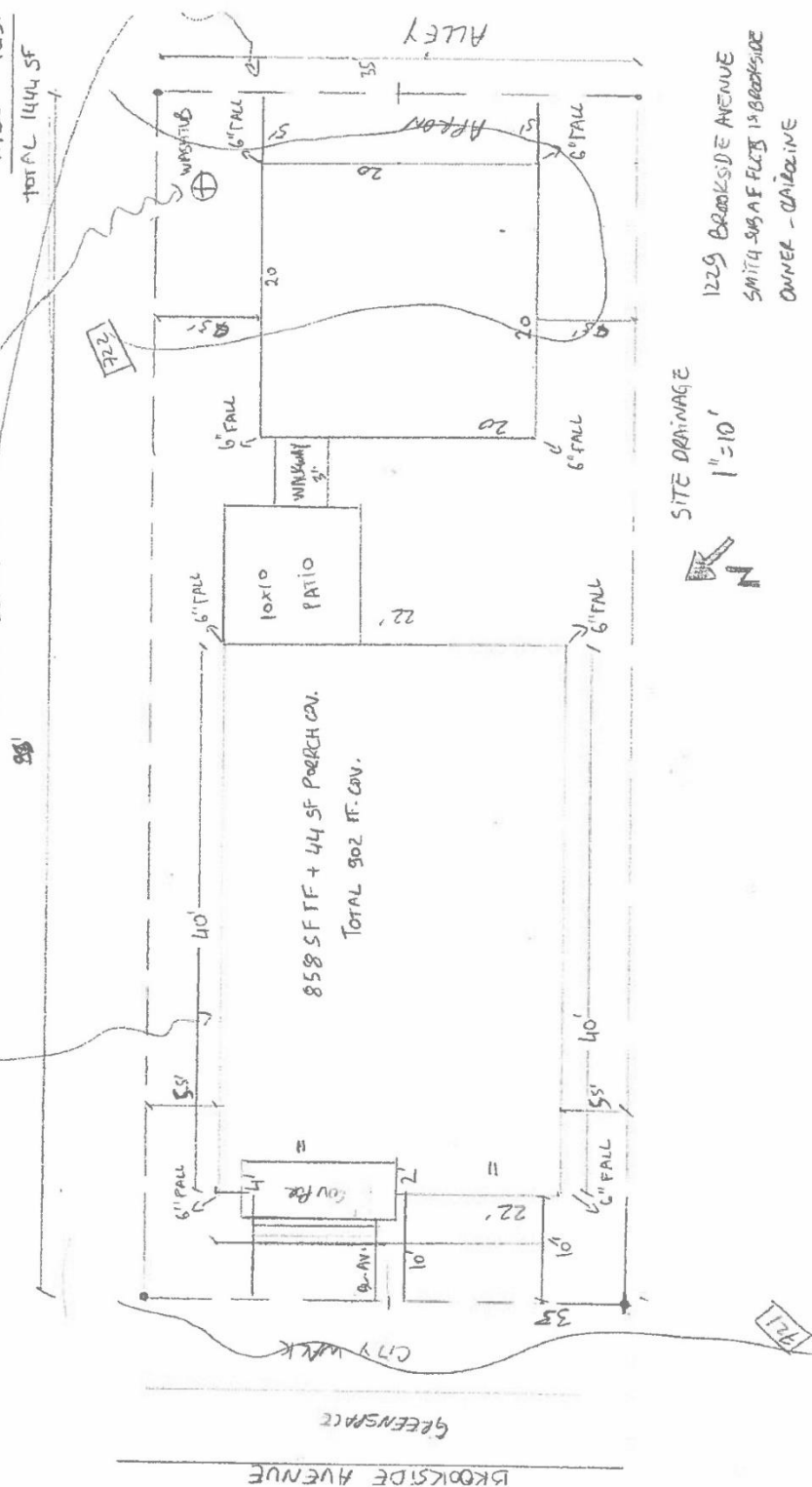


John K Smith's Subdivision, recorded June 1871

	HOUSE	902 SF
	PATIO	100 SF
	CARPARK	400 SF
	WALK	42 SF
	TOTAL	1444 SF

DRAINAGE NOTES

1. SLIT FENCE IN PLACE UNTIL VEGETATION IS IN
2. CONCRETE WASHTUBE
3. ALL HEAVY TRAFFIC FROM ALLEY
4. ALL WORK IN HWY TO CITY STS
5. ALL HEAVY DEBR: REMOVED TO CITY STS
6. CONSTRUCTION DRIVEWAY STABILIZED FOR SEQ. CONT. ROAD





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## **Development Statement for Proposed Single-Family Home Construction**

**Project Name & Location:** 1229 Brookside Avenue, Indianapolis, IN 46202

**Applicant:** Clairoline LLC

**Date:** 10 May 2025

### **Introduction**

This development statement outlines the proposed construction of a single-family residence at 1229 Brookside Avenue, Indianapolis, IN 46202. The project aims to contribute to the community by providing a thoughtfully designed home that aligns with local zoning regulations and enhances the surrounding neighborhood.

### **Project Overview**

The proposed home will be a three-bedroom, 2.5-bathroom residence, with high-quality materials and energy-efficient construction. The house will be situated on a 3069 sf. lot, ensuring ample outdoor space while maintaining harmony with neighboring properties.

### **Development Objectives**

- Create a safe, functional, and aesthetically pleasing home for future residents.
- Utilize sustainable building materials and energy-efficient design elements.
- Comply with all local building codes, zoning requirements, and environmental regulations.
- Enhance the character of the surrounding area with thoughtful architecture and landscaping.

### **Conclusion**

This single-family home development aligns with the principles of responsible urban growth and community enhancement. Through thoughtful planning and sustainable practices, the project aims to provide a high-quality living environment while respecting the neighborhood's existing character.



Looking southwest along Pouges Run trail, along Brookside Avenue towards the subject site.



Looking east at the subject site and northern neighbor.



Looking northeast from Pogue's Run multi-purpose path along Brookside Avenue, at the property rezoned from MU-1 to D-8 with 2022-ZON-022



Looking east along 11th Street.



Looking southwest at the subject site and the multi-purpose path along Brookside Avenue.



Looking southwest along the Pogues Run multi-purpose path towards new development in the area.



Looking west across Brookside Avenue at adjacent business center.



Looking west across Brookside Avenue at adjacent business center.



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**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

June 26, 2025

**Case Number:** 2025-MOD-008  
**Property Address:** 7436 Rockville Road (Approximate Address)  
**Location:** Wayne Township, Council District #16  
**Petitioner:** Jeffrey Shelton  
**Current Zoning:** C-3  
**Request:** Modification of the Commitments for 2006-ZON-146, to terminate a portion of Commitment #9, which prohibits the use of tobacco stores (previous commitment removed tobacco stores as a permitted use).  
**Current Land Use:** Commercial  
**Staff Recommendations:** No Recommendation  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

**PETITION HISTORY**

**ADDENDUM FOR JUNE 26, 2025 HEARING EXAMINER**

This petition was continued from the May 29, 2025 hearing to the June 26, 2025 hearing, to provide additional time for compliance with the legal notice requirements.

**May 29, 2025**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff is recommending **no recommendation** for this request.

**PETITION OVERVIEW**

**LAND USE**

This 0.95-acres subject site, zoned C-3, is a developed commercial lot that currently contains a grocery, and .liquor store. It is surrounded to north and west, zoned D-7, multi-family residential, the east, zoned C-3, restaurant, to the south, zoned C-1 and D-5, commercial use and residential use.



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## MODIFICATION

This request would modify commitments associated with petition 2006-ZON-146 to allow for a tobacco store. Commitment #9, see attachment B limited the number of permitted uses otherwise allowed in the C-3 district. Those uses are automobile oil change or lubrication shops; gasoline service station or truck stop; tattoo parlor; pawn shop; tobacco store; temporary seasonal retail sales use shall not include fireworks.

## STAFF ANALYSIS

A sidewalk exists along the east side of Rockleigh Avenue on the abutting property to the north. A sidewalk along this site's Rockleigh Avenue frontage would provide a pedestrian connection to the neighboring multi-family dwelling community to the north.

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.

## GENERAL INFORMATION

<b>Existing Zoning</b>	C-3	
<b>Existing Land Use</b>	Commercial Use	
<b>Comprehensive Plan</b>	Community Commercial	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	D-7	Multi-family dwellings
South:	C-1	Rockville Road
East:	C-3	Restaurant
West:	D-7	Multi-family dwelling
<b>Thoroughfare Plan</b>		
Rockville Road Rockleigh Avenue	Primary Arterial Local Street	120-foot existing right-of-way, and a 160-foot proposed right-of-way. 71-foot existing right-of-way 50-foot proposed right-of-way
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	Airspace Secondary Zoning District	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	N/A	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	



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Landscape Plan	N/A
Findings of Fact	March 17, 2025
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan (2019)

### Pattern Book / Land Use Plan

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

### Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

### Neighborhood / Area Specific Plan

- Not Applicable to the Site.

### Infill Housing Guidelines

- Not Applicable to the Site.

### Indy Moves

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



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- 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

### Zoning History- Site

**2006-ZON-146; 7436 Rockville Road (subject site)**, Rezoning of 1.18 acres, being in the C-S district to the C-3 classification to provide for neighborhood commercial uses, **approved**.

**2000-DV3-020; 7440 Rockville Road (subject site)**, variance of development standards to provide for a 14 by 48-foot outdoor advertising sign (billboard) located zero feet from a protected district, and within 450 feet of an existing billboard, **denied**.

**72-Z-34; 7450 Rockville Road (subject site)**, rezoning of 1.118 acres from D-7 to C-S to provide for a food market, **granted**.

**62-Z-187; 7210 Rockville Road (subject site)**, rezoning of 17.50 acres, being in the A-2 district to the B-2 classification to permit a shopping center.

**62-Z-186; 7210 Rockville Road (subject site)**, rezoning of 15.337 acres, being in the A-2 district to the R-6 classification to permit Apartment buildings, **approved**.

### Zoning History Vicinity

**2019-ZON-104; 7503 Rockville Road (south of site)**, Rezoning of 0.182 acre from the D-5 district to the C-1 district, **approved**

**2001-UV3-012; 7503 Rockville Road (south of site)**, request a variance of use of the Dwelling Districts Zoning Ordinance to provide for an insurance agency, within an existing dwelling, **granted**.

**98-Z-282; 7441 Rockville Road (east of site)**, requested a rezoning of 0.25 acre from the D-5 District to the C-1 classification to provide for a professional office, **approved**.

**98-Z-107; 7435 Rockville Road (west of site)**, requested rezoning of 1.498 acres, being in the D-5 district to the C-S classification to provide for the construction of self-storage facilities, **approved**.

**96-Z-57; 7515 Rockville Road (west of site)**, requested rezoning of 1.486 acres, being in the D-5 District, to the C-4 classification to provide for commercial uses including a fast food restaurant with a drive-through, **approved**.

**92-Z-13; 7445 Rockville Road (east of site)**, requested rezoning of 3.26 acres, being in the I-3-S District, to the C-1 classification to provide for commercial development, **approved**.

**88-Z-167; 7501 Rockville Road, (east of site)**, requested rezoning of 5.36 acres from the D-5 District to the C-S classification to provide for mini-warehouse development, **approved**.



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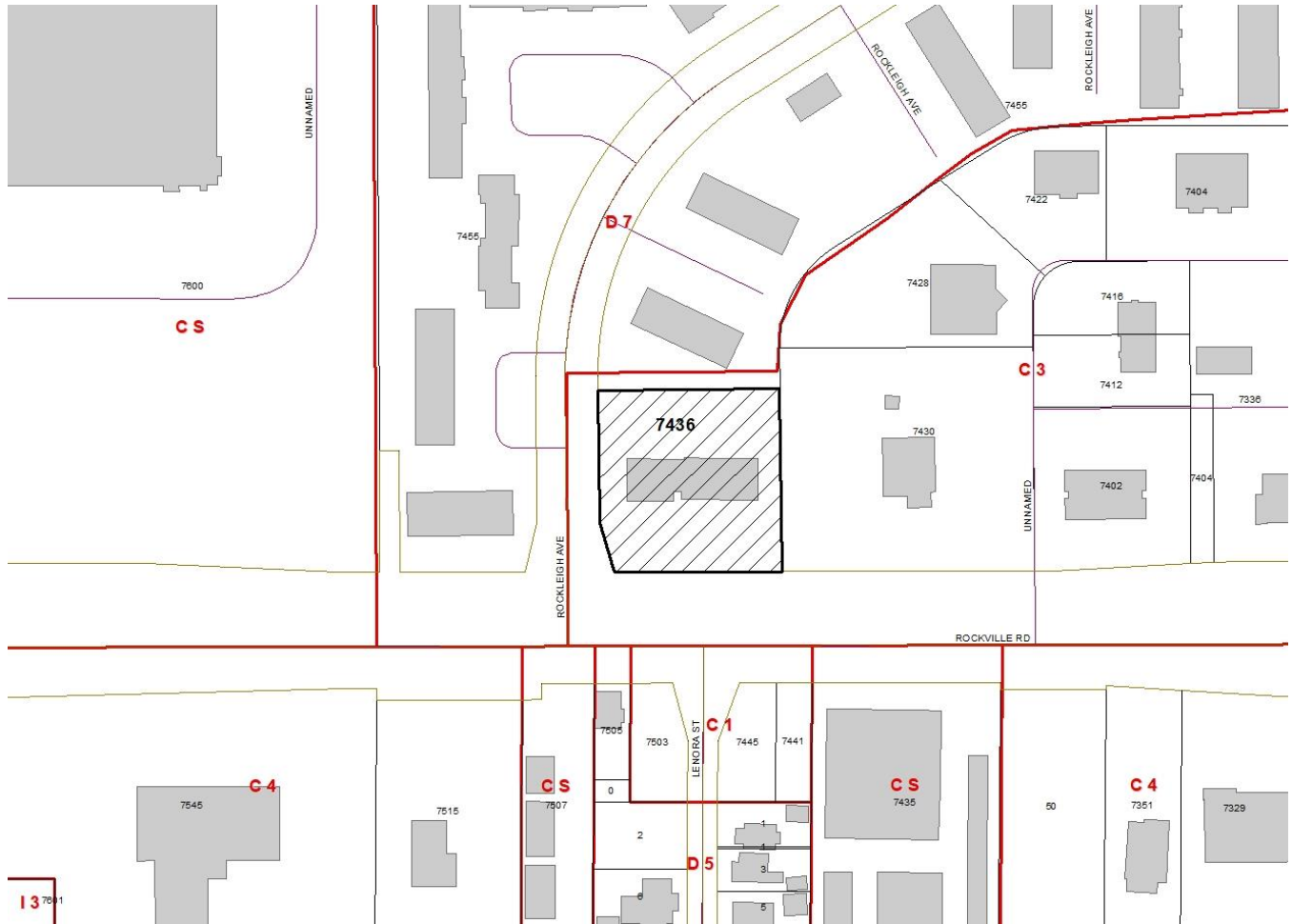
**80-Z-35; 202 South Girls School Road (east of site)**, requested rezoning of three acres, being in the C-4 District, to the SI-27 classification to provide for a library, **approved**.

**75-Z-467; 96 South Girls School Road (east of site)**, requested rezoning of 0.80 acre, being in the D-5 District to the C-4 classification to provide for commercial development, **approved**.

**67-Z-154; 7430 Rockville Road (east of site)**, requested rezoning of 7.588 acres, being in the A-2 and D-7 District, to the D-7 classification to provide for the construction of multi-family dwellings, **approved**.

**67-Z-155; 7402 Rockville Road (east of site)**, requested rezoning of 8.08 acres, being in the A-2 District, to the B-3 classification to provide for the construction of a small shopping center.

EXHIBITS



Zoning Map, showing the location and zoning district of the subject site.



## Plan of Operation for

**7436 Rockville Road, Indianapolis, IN 46214**

### 1. Workforce

- Workforce of 4 people
- Workers work on-site
- The hours of operation are between 10:00 a.m. and 11:00 p.m. Sunday through Saturday
- Workers typically drive their own vehicles and park in the parking lot
- The building is protected by an ADT alarm system and a DVR camera system with remote access.

### 2. Clients & Customers

- Customers are middle aged to elderly and typically working class or retired.
- Customers come to the business and the average number of customers is approximately 50 per day.
- Many customers walk or use wheelchairs, the majority drive and park in the provide parking lot.

### 3. Processes Conducted on Site

- The onsite activity is retail sales all conducted inside the building.
- There are no outdoor activities conducted on the site.
- Customers are monitored by the DVR system while on site for their protection.

### 4. Materials Used

- The materials used are normal items you would find in a smoke shop including cigars, E-cigarette devices, candles, and incense.
- There only hazardous materials stored on site are butane and lighter fluid used for refilling lighters.
- All hazardous materials are stored in cool, dry where they are not exposed to direct sunlight or heat.

### 5. Shipping & Receiving

- Items are shipped and received using standard delivery services including USPS, UPS, and FedEx All deliveries are made using box trucks.
- The average number of deliveries is approximately 3 per week with usual hours being between 10:00 a.m. to 4:00 p.m.

### 6. Waste

- Waste is mostly cardboard and plastic
- Waste is disposed of onsite dumpsters
- Waste that can be recycled is taken to an offsite facility to be processed

**Attachment B**

1. Petitioner agrees to the commitments requested by the Department of Public Works, attached hereto and labeled "Attachment C."
2. Sidewalks shall be installed along the right-of-way of Rockleigh Avenue, to the standards and specifications of the Department of Public Works, within eighteen (18) months of approval of this request.
3. Petitioner agrees that no new access points shall be installed along Rockville Road, but the site shall retain the existing curb cuts and access along Rockville Road and Rockleigh Avenue.
4. Petitioner agrees that if the site and the abutting property to the east are redeveloped together, the redevelopment shall be designed as an integrated center.
5. The two (2) existing freestanding signs shall not be enlarged, provided that if one (1) of the existing freestanding signs is removed, the remaining sign may be enlarged.
6. Petitioner agrees to the following if the site is redeveloped, which shall be defined as substantial removal and replacement of one or both of the existing buildings:
  - a. Construction vehicles and equipment shall not park on Rockleigh Avenue;
  - b. Any additional parking lot and building lights shall be designed to direct light downward so as to minimize the effect of such lights on the properties adjoining the subject site to the west and north;
  - c. Owners shall install and maintain a decorative vinyl fence inside the landscaping along the north side of the property. The vinyl fence shall not be of solid construction but shall have space between the slats for light and air.
7. Sweeping of the parking lot shall not be permitted between the hours of 11 :00 p.m. and 7:00a.m.
8. Owners shall regularly inspect and maintain the premises to keep it free and clear of trash, rubbish and debris.
9. These uses shall be deleted from permitted C-3 uses:
  - (2) Automobile oil change or lubrication shops;
  - (8) Gasoline service station or truck stop;
  - (11) Tattoo parlor;
  - (15) Pawn shop;
  - (15) Tobacco store;
  - (19) Temporary seasonal retail sales use shall not include Fire Works;
  - (20) Other similar uses shall not include Fire Works.

**2025-MOD-008, Photographs**



Looking at Rockleigh Avenue from subject property



Looking at entrance Rockville Road from subject property



Looking west on Rockville Road from Subject site



Looking at the intersection between Rockville Road and Rockleigh Avenue.



Looking the tenant building Sign



Department of Metropolitan Development  
Division of Planning  
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

June 26, 2025

**Case Number:** 2025-MOD-011

**Property Address:** 3204 Queue Line Drive

**Location:** Center Township, Council District #8

**Petitioner:** Monon Development Group, LLC, by Christopher White

**Current Zoning:** C-S / I-2 / SU-1

**Request:** Modification of the Commitments and Site Plan related to 2021-ZON-069 / 2021-VAR-010, to modify Commitment #2 to permit development of the site in compliance with submitted building elevations and site plans filed with this petition (previous commitment required site plans, landscaping plans, and building elevations to be submitted for Administrator's Approval, prior to the issuance of an Improvement Location Permit).

**Current Land Use:** Developing parcels

**Staff Recommendations:** Approval, with commitment below:

**Staff Reviewer:** Jeffrey York, Principal Planner II

**PETITION HISTORY**

The Hearing Examiner, on her own motion, continued this petition from the June 12, 2025, hearing, to the June 26, 2025, in order for further discussions to occur between the petitioner and staff.

Staff and the petitioner met on June 16, 2025, and discussed details of the approved plans and proposed plans. It was recognized that, during the 2021 rezoning process, a former development plan, which proposed 14 buildings, also contemplated 120 dwelling units. During the rezoning process, the development plan was reduced to 12 buildings, but the number of dwelling units was, for some reason, not reduced from 120. Obviously, the number of dwelling units would have been reduced, and should have been changed to the more appropriate number of dwelling units before final zoning approval was given. The accurate site plan is shown below under exhibits. Given the change that was conducted during to the rezoning process, and the proposed development plan is relatively close to the approved development plan, staff **recommends approval** of the request, with the commitment to add landscaping:

A landscape plan shall be submitted and subject to Administrator's Approval and included in the review for 2024-ADM-264.

**STAFF RECOMMENDATION**

Staff recommends denial.

**PETITION OVERVIEW**



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This request would provide for a modification of commitments and site plan for 2021-ZON-021 / 2021-VAR-010, to provide for a change to the proposed development of the northern-most portion of the original 14.49-acre site, named 'Monon 30'. The subject site was platted in 2024, via 2024-PLT-073 and is approximately 3.56 acres in size. It is located north of vacated 32<sup>nd</sup> Street, south of Sutherland Avenue and west of Dr. A.J. Brown Avenue. The site also abuts the Monon Trail, which is directly to the east.

Monon 30 is a 14.49-acre proposed mixed-use development, consisting of single- and multi-family dwellings, commercial retail, recreational, cultural, and industrial uses. As approved in 2021, the proposed development met the Comprehensive Plan recommendation of Village-Mixed-Use.

To date, one portion of the overall Monon 30 development has been constructed, directly east of the Monon Trail from this site, with multi-family dwellings. The building appeared to be complete and unoccupied on a staff site visit in May 2025. A few of the industrial buildings have been demolished.

The development statement for 2021-ZON-069 noted that this parcel (identified as 'Area B') would have "120, two- and three-story apartment homes with primary access from Winthrop Avenue, and an internal drive". Commitment #2 of the commitments related to 2021-ZON-069, indicated that the site would be subject to Administrator's Approval, which is typical of proposed development in C-S.

Proposed development in C-S require the submittal, review, and approval of a site and development plan. The Ordinance allows for such plans to be conceptual while progressing through the rezoning process. The site and development plan provides a guide to staff when development progresses through the permitting phase of development. However, the commitment for Administrator's Approval provides a mechanism for staff to hold the proposed development closely to the approved site and development plan. In 2024, such plans were submitted for Administrator's Approval, under 2024-ADM-264. Upon a thorough review of the plans, staff found that the proposed development would have 90 apartments (instead of 120 apartments), found side-loaded garages, rather than front-loaded garages, and discrepancies between submitted plans for permitting and for Administrator's Approval.

The development plan and site plan were approved for 120 dwelling units. The reduction to 90 dwelling units represents a 25% reduction in scope. The approved site plan also provides locations for on-site parking. The site plan does not detail the number of parking spaces; however, it does identify that greenspace would be provided between the attached dwelling unit buildings, west of the access drive. Additionally, the site plan also proposed 12 buildings.

The site plan filed for Administrator's Approval (2024-ADM-264) would provide for zero greenspace between attached buildings west of the access drive where side-loaded garages are proposed. Additionally, there would be 11 buildings.

The building elevations and site plan would change from front-loaded garages to side-loaded garages. The development, as amended, would go against one item, in particular, noted below in the Village-Mixed Use category: 'Large-scale housing should have parking behind or interior to the development'. Also, the change would provide for more parking than necessary, for 30 fewer units originally proposed. Finally, and perhaps most importantly, the proposed plan would reduce valuable greenspace.



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Review of the plans submitted for permits identified 87 units were proposed, instead of the 90 units submitted for Administrator's Approval. Another plan for permitting also varied from the plan submitted for Administrator's Approval in regard to inconsistencies between the landscape plan and site plan. Additionally, the petitioner and the Department of Public Works and IndyParks are continuing discussions with the petitioner in regard to access to the Monon Trail. That review is not part of this petition.

## GENERAL INFORMATION

<b>Existing Zoning</b>	C-S / I-2 / SU-1	
<b>Existing Land Use</b>	Developing parcels	
<b>Comprehensive Plan</b>	Village mixed-use.	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	D-9 / I-3	Industrial / Monon Trail
South:	C-S	Commercial retail / residential
East:	C-S / I-2	Monon Trail / multi-family dwellings
West:	D-5 (RC)	Single-family residential
<b>Thoroughfare Plan</b>		
Dr. AJ Brown Avenue	Secondary arterial	56-foot existing and proposed right-of-way
Sutherland Avenue	Local street	48-foot existing and proposed right-of-way
32 <sup>nd</sup> Street	Local street	48-foot existing and proposed right-of-way
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	Filed, May 8, 2025	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	Filed, May 8, 2025	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	Filed, May 8, 2025	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- The Comprehensive Plan recommends Village mixed-use for the site.

## Pattern Book / Land Use Plan

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.

- The following elements of the Pattern Book apply to this site:
  - *Attached Housing*
    - Recommended without additional conditions.
  - *Small-scale Multifamily Housing*
    - Mixed-Use structures are preferred;
    - Parking should be either behind or interior to the development.
  - *Large-Scale Multifamily Housing*
    - Mixed-Use structures are preferred;
    - Parking should be either behind or interior to the development;
    - Should be along an arterial or collector street.
  - *Assisted Living Facilities / Nursing Homes*
    - Should be in harmony with the surrounding neighborhoods and should site and screen their parking, service, and emergency vehicle areas to buffer surrounding residential uses;
    - Should not be within 1,000 feet of a highway, freeway, or expressway.
  - *Group Homes*
    - Should be in harmony with the character of the surrounding neighborhood in terms of materials, building placement, entrance location, and vehicle and service areas;
    - Should be located adjacent to residential areas;
    - Should not be located on the same block as another group home.
  - *Artisan Manufacturing and Food Production*
    - Automotive uses are excluded;
    - Operations should be full contained within buildings;
    - Should be in harmony with the character of the surrounding neighborhood in terms of materials, building placement, entrance location and vehicle and service area;
    - Should include a commercial component that is open to the public
  - *Small-Scale Offices, Retailing and Personal or Professional Service*



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- Mixed-Use structures are preferred;
  - Automotive uses (such as gas stations and auto repair) and uses with drive-through lanes are excluded;
  - Should not include outdoor display of merchandise.
- *Small-Scale Schools, Places of Worship, Neighborhood- Serving Institutions/Infrastructure, and Other Places of Assembly*
    - If proposed within a one-half mile along an adjoining street of an existing or approved residential development, then connecting pedestrian infrastructure (sidewalk, greenway, or off-street path) should be in place or provided;
    - Mixed-Use structures are preferred;
    - Schools should not be within 1000 feet of a highway, freeway, or expressway.
  - *Large-Scale Schools, Places of Worship, Community Serving Institutions / Infrastructure, and Other Places of Assembly*
    - 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 (side- walk, greenway, or off-street path) should be in place or provided;
    - Should be located within one-half mile of a bus or rapid transit stop;
    - Schools should not be within 1000 feet of a highway, freeway, or expressway.

The Pattern Book also provides guidance related to overlays and whether an overlay adds, modifies, or removes the recommended land uses within the base typology.

**Red Line / Blue Line / Purple Line TOD Strategic Plan**

- Not Applicable to the Site.

**Neighborhood / Area Specific Plan**

- Not Applicable to the Site.

**Infill Housing Guidelines**

- Not Applicable to the Site.

**Indy Moves**

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



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- Not Applicable to the Site.



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## ZONING HISTORY

**2021-ZON-069 / 2021-VAR-010 | 1118 East 30<sup>th</sup> Street, 1120 East 32<sup>nd</sup> Street, 3112, 3118, 3122, 3132, 3212, 3216, 3228, 3254 Dr. Andrew J. Brown Avenue and 2906 Columbia Avenue,** requested a rezoning of 14.49 acres from the I-2 and I-4 districts to the C-S district to provide for a mixed-use development consisting of single-family residential, multi-family residential, commercial, recreational, cultural and industrial uses, including but not limited to, retail sales; restaurants; pop-up events; freestanding vendors; temporary and permanent offices; meeting spaces; art galleries; displays and studios; food festivals; indoor and outdoor recreation and entertainment; artisan food and beverage; business home, personal services or repair; community, cultural and educational facilities; lodging; fitness activities; seasonal events; temporary events and outdoor display and sales; farmer market; outdoor displays, seating and sales; walk-up windows; grocery stores; parking; 120 two-three-story apartment homes on a private drive; and 220 multifamily units in a five-story building with 286 parking spaces; and including secured bike parking; fitness room /center; swimming pool; trail access' observation decks; specialty walkways and landscaping, and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to eliminate the development standards of the C-S district and to provide for development generally consistent with the plans filed, **approved**.

**2021-UV2-008 | 3112, 3118 and 3122 Dr. AJ Brown Avenue and 1118 East 30<sup>th</sup> Street,** requests a variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for primary uses, including event center, museum, library, art gallery, artisan food and beverage, farmers market, eating establishment or food preparation, indoor recreation and entertainment, indoor spectator venue, outdoor recreation and entertainment, ongoing outdoor display and sales, outdoor seasonal produce sales, recreational vehicle parking, tattoo parlor, walk-up window; accessory uses including light general retail, commercial parking lot, automated teller machines, radio or television broadcasting antenna, game courts sign; temporary uses including temporary outdoor display and sales, produce sales, temporary outdoor events; to permit an accessory commercial parking lot, and to permit a 10-foot front yard setback along 30<sup>th</sup> Street, two-foot transitional west side yard setback, a zero-foot east side yard and zero-foot north rear yard (1118) and zero-foot front (without landscaping), side and rear yards, and to provide for 335 parking spaces, **withdrawn**.

**2019-ZON-020 | 2942, 2946, 2950 and 2954 McPherson Street,** requested a rezoning of 0.5 acre from the D-5 district to the C-3 classification, **withdrawn**.

**2019-UV3-008 | 2954 McPherson Street,** requested a variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for four, two-family dwellings, with six feet between dwellings, each with a 24' x 24' detached garage containing a 799-square foot dwelling unit (three dwelling units not permitted) on 40-foot wide,



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5,440-square foot lots (minimum 70-foot lot width and 7,200-square feet lot area required), **granted.**

**2017-UV1-018 | 1120 E 32<sup>nd</sup> Street**, Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for an emergency shelter care / group home for up to 10 foster children between the ages of six and 17 (not permitted), **granted.**

**2010-UV3-018 | 3145 Dr A J Brown Avenue**, Variance of use and development standards of the Commercial Zoning Ordinance to provide for a storage shed, with a six-foot side transitional setback (10-foot side transitional setback required) and a variance of development standards of the Sign Regulations to provide for a 10-foot-tall free-standing sign encroaching five feet into the right-of-way of Dr. Andrew J. Brown, **withdrawn**

**2008-UV3-010 | 3145 Dr A J Brown Avenue** Variance of use and development standards of the Commercial Zoning Ordinance to provide for indoor sales, restoration and service of automobiles and motorcycles (not permitted), without off-street parking (minimum 30 parking spaces required for a freestanding retail use), with three parking spaces being located partially in the right-of-way of East 32nd Street with maneuvering area in the right-of-way of East 32nd Street (not permitted), and with three dumpsters being located in the required front yard along East 32nd Street (not permitted), **granted.**

**2008-VAR-811 / 2008-VAC-811 | 2939 Columbia Avenue and 2902 and 2906 Dr. Andrew J. Brown Avenue**, requests a variance of Use and Development Standards of the Industrial Zoning Ordinance to provide for the manufacture of solvents, detergents and cleaners (not permitted), and provide for a 31,000-square foot building addition with a three-foot front setback from the east right-of-way line of Columbia Avenue, as proposed by the companion vacation petition (minimum twenty-foot front setback required), to provide for loading area within the required twenty-foot front yard along Columbia Avenue, and to provide for maneuvering area for loading vehicles within the right-of-way of Columbia Avenue and Vacation of a portion of Columbia Avenue, being eight feet in width, **granted and approved.**

**2004-ZON-096 | 3005-3025 Winthrop Avenue and 1102 East 30<sup>th</sup> Street**, requests rezoning of 1.08 acres, being in the C-1 District, to the SU-1 classification to provide for religious uses, **approved.**

**86-UV3-24 | 2920 Martindale Avenue**, requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for the construction of an off-street parking lot associated with an adjacent industrial operation, **granted, subject to the provision of landscaping.**

**84-UV1-44 | 3143 Winthrop Avenue**; Variance of use of the Dwelling Districts Zoning Ordinance to provide for a 22' x 32' addition to an existing office building; **granted.**



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**71-UV3-136 | 3143 Winthrop Avenue;** requests variance of use to provide for an addition to an existing office building; **granted.**

**69-V2-206 | 3143 Winthrop Avenue;** requests variance of use to provide for an addition to the south side of an existing office building; **granted.**

**69-V2-121 | 2881 Columbia Avenue (south of subject site),** requested a variance of use of the Industrial Zoning Ordinance to provide for the construction warehouse with reduced side and rear yard setbacks, **granted.**

**65-V-448 | 2920 Martindale Avenue (portion of subject site),** requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for the construction of an office building associated with an adjacent industrial operation, **granted.**

**61-V-402 | 2936 Martindale Avenue (portion of subject site),** requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for the construction of an off-street parking lot associated with an adjacent industrial operation, **granted.**

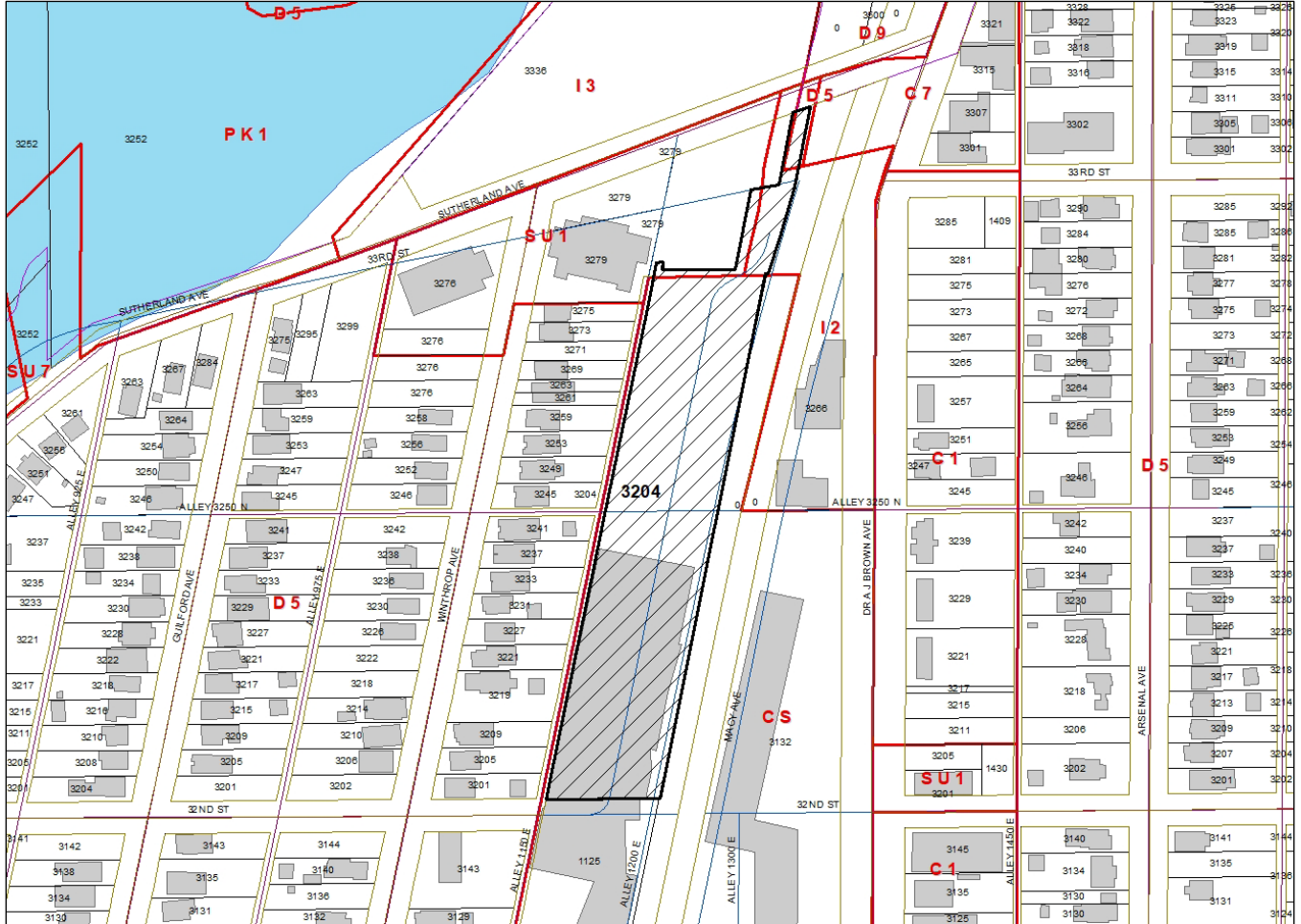
**56-V-200 | 2900 Columbia Avenue (portion of subject site),** requested a variance of use to provide for a laboratory and off-street parking associated with an adjacent industrial use, **granted.**

**23-V-146 | 2900 Columbia Avenue (portion of subject site),** requested a variance of use to provide for the construction of a factory for the manufacture of pen holders, **granted.**

JY

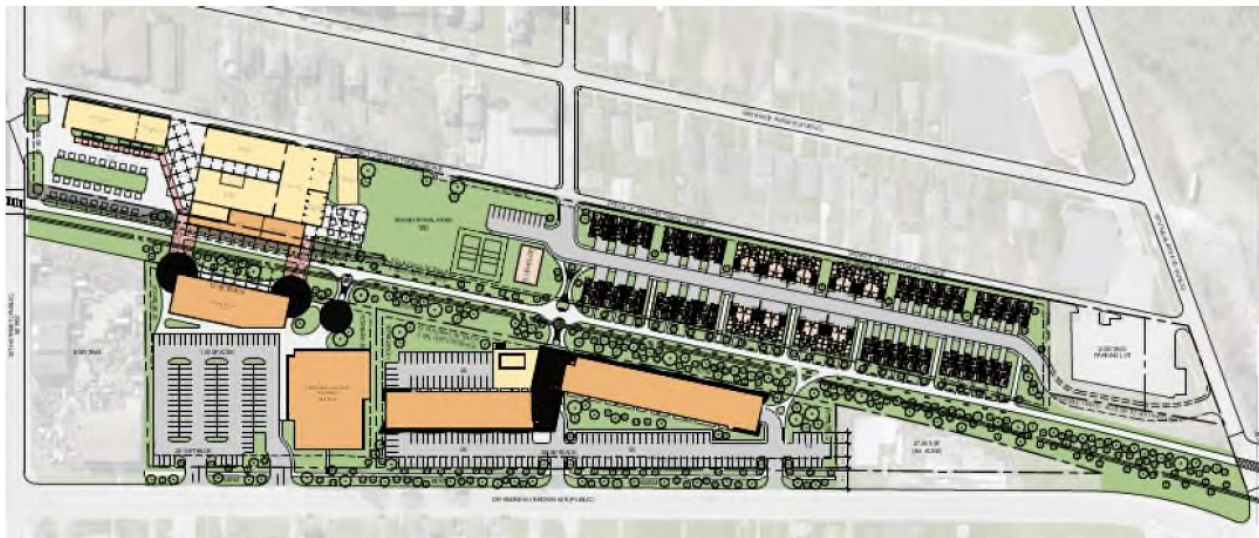
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EXHIBITS



## **Residential**

The development of a diverse mix of new, modern, market rate housing types and sizes in conjunction with new and needed community and commercial placemaking spaces will activate and energize the neighborhood in a way that is welcoming to both existing and new residents.



**Area B:** 120 two and three story apartment homes with primary access from Winthrop Ave. and an internal private drive. Urban in character bordered by the Monon Trail and existing single family residences along Winthrop Ave.

Excerpt from the C-S Development Statement for 2021-ZON-069, with Area B identified.

North is to the right on the map.



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**A202200017763**

**02/09/2022 02:52 PM**

**KATHERINE SWEENEY BELL  
MARION COUNTY IN RECORDER**

**FEE: \$ 35.00**

**PAGES: 12**

**By: DC2**

*Jg*

**STATEMENT OF COMMITMENTS**

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

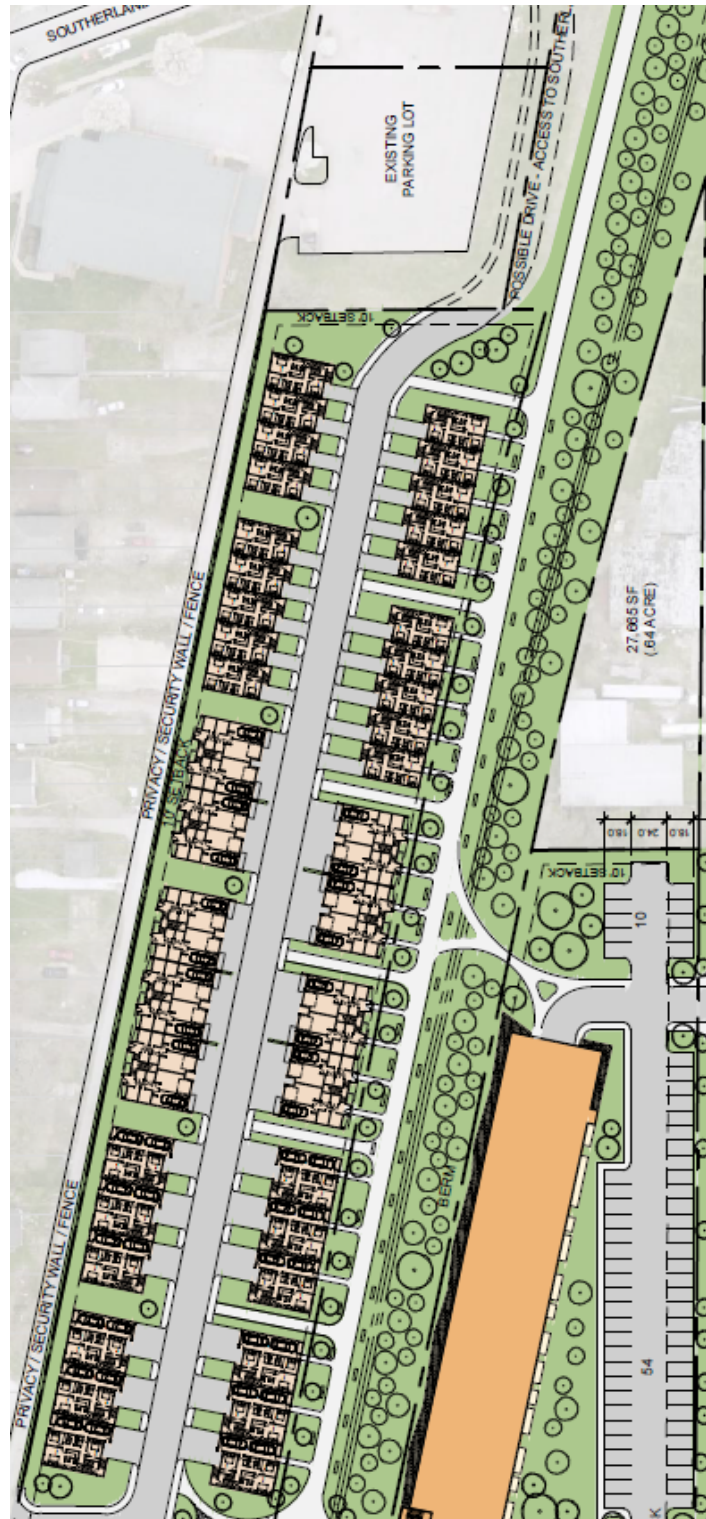
In accordance with I.C. 36-7-4-1015, the owner of the real estate located in Marion County, Indiana, which is described below, makes the following COMMITMENTS concerning the use and development of that parcel of real estate:

**Legal Description:** Please see the attached.

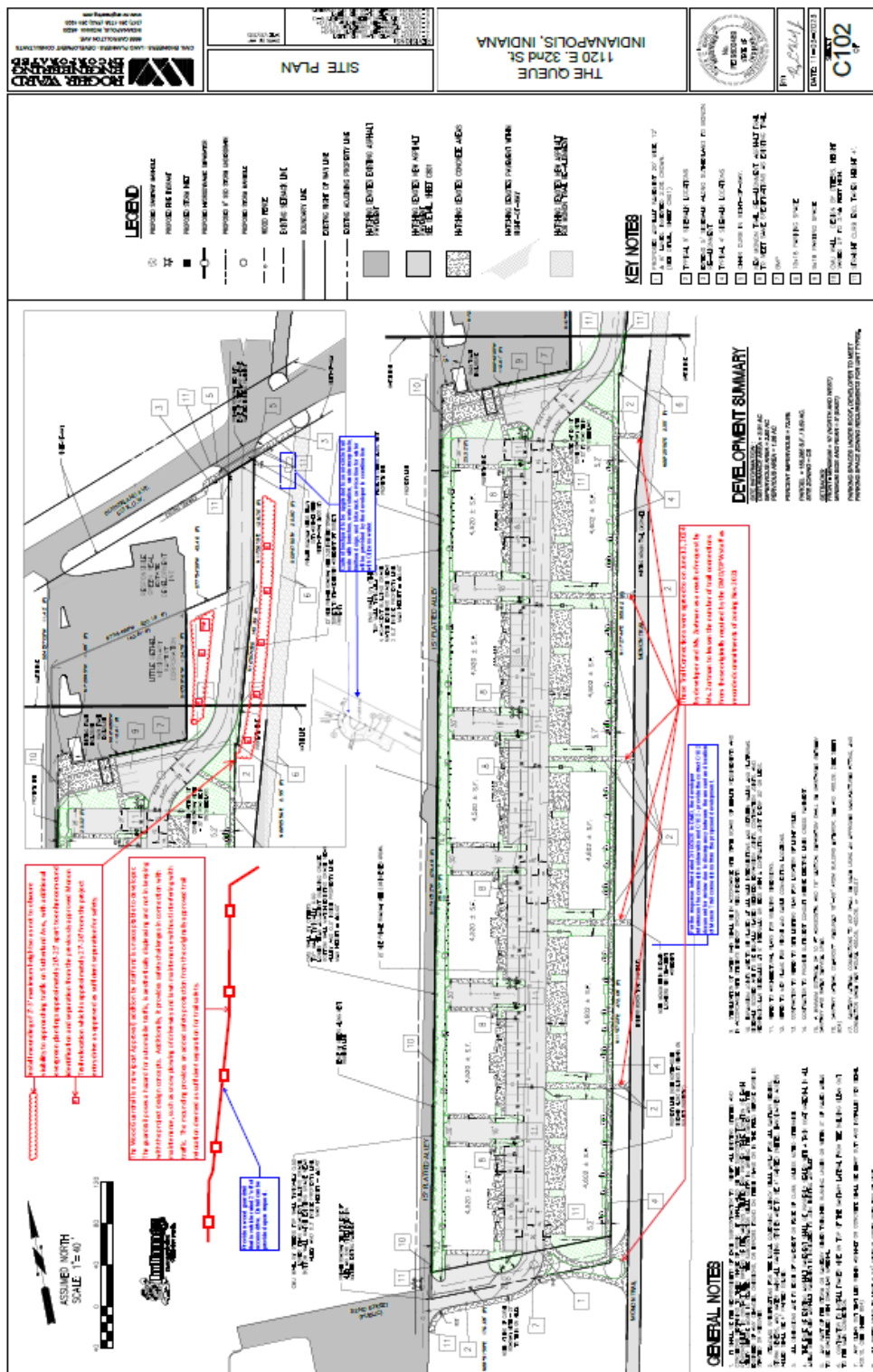
**Statement of COMMITMENTS:**

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. Final site plans, landscaping plans and building elevations shall be submitted for Administrator's Approval prior to the issuance of an Improvement Location Permit (ILP).

Portion of page one of the recorded commitments for 2021-ZON-069.



Portion of the approved site plan zoomed in to the subject site.



Proposed site plan filed under 2024-ADM-264.



BACK ELEVATION VIEW

THE FLATS  
 Monon 25  
 Indianapolis, Indiana  
 November 24, 2020

*architects forum*

8000 NORTH REVER RD SUITE 220 INDIANAPOLIS INDIANA 46240 317.642.8500

Proposed building elevation, as approved under 2021-ZON-069 / 2021-VAR-010. Note the front-loaded garages.



Birds-eye views of proposed building elevations and site plan layout. Note the paved garage access between the buildings to access side-loaded garages.



View of site (to the right of Monon Trail) from Sutherland Avenue looking south.



View of the site as it connects to Sutherland Avenue, looking south.



View of the site looking northeast from 32<sup>nd</sup> Street



View of the site from 32<sup>nd</sup> Street looking east. Newly constructed multi-family dwellings (east of the site) are in the background.



View of the site from the alley, looking east



View of the site from the alley, looking southeast

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**June 26, 2025**

**Case Number:** 2025-ZON-040  
**Property Address:** 2601 Cold Spring Road (approximate address)  
**Location:** Wayne Township, Council District #12  
**Petitioner:** Cold Spring Innovation Corporation, by Jennifer Milliken and Timothy Ochs  
**Current Zoning:** D-S (W-5)  
**Request:** Rezoning of 22.3 acres from the D-S (W-5) district to the MU-2 (W-5) district to provide for a mixed-use development.  
**Current Land Use:** Vacant Buildings  
**Staff Recommendations:** Denial  
**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

**ADDENDUM FOR JUNE 26, 2025 HEARING EXAMINER**

This petition was continued for cause from the May 15, 2025 hearing to the June 26, 2025 hearing to allow the petitioner to have further discussions with staff, provide any new information, and amend the request if necessary.

The request was not amended, but the petitioner submitted proposed commitments, an exhibit noting a no build line in front of the primary building, and documentation regarding environmental restrictive covenants and Historic Preservation Covenants. The environmental covenants were put in place due to prior contamination and notice of asbestos. These covenants are part of deed restrictions that run with the land and are binding to the current and all future owners.

Because there wasn't a development plan provided with the new information, staff's denial recommendation did not change. Instead, staff recommended rezoning to the MU-1 (W-5) district at this time to limit the site to office related uses and those that would be more compatible with the residential neighborhood. This zoning change would eliminate the majority of the retail/commercial uses that have the potential to be problematic without knowing the extent of the proposed uses.

**May 15, 2025**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends denial** of this request.

## PETITION OVERVIEW

### LAND USE

The 22.3-acre subject site is in the Marian-Cold Springs Neighborhood with the nearest intersection being at West 30<sup>th</sup> Street and Cold Spring Road north of the property. The site is developed with one primary vacant building that uses to be a hospital, multiple smaller vacant buildings, and associated parking areas.

The site is bordered to the east and south by Coffin Golf Course, zoned PK-1, a veteran's center and hotel to the north, zoned D-S. West of Cold Spring Road are apartment, zoned D-6 and D-6II, single-family dwellings, zoned D-4, and a college, zoned SU-1.

### REZONING

The request would rezone the site from the D-S district to the MU-2 district to allow for a mixed-use development which is not permitted in the existing dwelling district.

The D-S district is 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.

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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## WELLFIELD

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

There are two 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 are subject to Commission approval.

This site is specifically located within the White River W-5 Wellfield Protection District. Unless exempted by Section 742-204.D Technically Qualified Person review requirement, a Site and Development Plan shall be filed with and be subject to approval on behalf of the Commission by the Technically Qualified Person (TQP).

## STAFF ANALYSIS

The subject site consists of a large property with multiple vacant buildings and associated parking areas. While the site could accommodate a variety of uses within the existing structures, a clear development plan of the site was not provided. In staff's opinion, it is important to narrow down the intended user(s) to fully determine if this site would be appropriate. Staff provided similar feedback when an inquiry was submitted to staff regarding a proposed MU-2 district.

Due to the uncertainty of the intended use of the site, staff cannot support a blanket rezoning to the MU-2 district. A list of excluded uses was provided; however, staff did not find it to be sufficient to allow for a positive recommendation.

Instead, more details were requested from the petitioner so that the uses and associated parking requirements could be considered. Because of the Regional Special Use recommendation of the Comprehensive Plan that draws in and serves a larger population of the county, redevelopment, use changes, or other significant changes to the entire property require informed discussions amongst staff to determine land use plan recommendations.

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

## GENERAL INFORMATION

<b>Existing Zoning</b>	Enter Zoning and Secondary Districts	
<b>Existing Land Use</b>	Vacant buildings	
<b>Comprehensive Plan</b>	Regional Special Use	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
North:	D-S	Veteran's Center / Hotel
South:	PK-1	Golf Course
East:	PK-1	Golf Course

West:	D-4 / D-6 / D-6II / SU-1	Single-family dwellings / Apartments / College
<b>Thoroughfare Plan</b>		
Cold Spring Road	Primary Collector Street	80-foot proposed right-of-way and 75-foot existing right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	Yes	
<b>Wellfield Protection Area</b>	Yes	
<b>Site Plan</b>	N/A	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	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 regional special use development of the site.
- This recommendation is a non-typology land use that is a standalone land use mapped outside of the typology system due to their scale or nature of their use.
- This category provides for public, semi-public and private land uses that serve a specific institutional purpose for a significant portion of the county. Examples are large-scale, generally stable institutional uses such as cemeteries, hospitals, universities, high schools, government complexes, large museums, the Indiana State Fairgrounds, and the Indianapolis Motor Speedway. Long Range Planning staff should provide guidance regarding any property use changes in this typology. Partial property changes should remain thematically or economically supportive of the special use while also being contextually sensitive to adjacent existing development and land use plans. Redevelopment, use changes, or other significant changes to the entire property must be informed by a planning study conducted by Department of Metropolitan Development to determine Land Use Plan recommendations.

**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).
- Per the Indy Bike Master Plan (2011) and Pedal Indy 2018, there is an existing on-street bike lane along Cold Spring Road from 30<sup>th</sup> Street to Lafayette Road / I-65.

## ZONING HISTORY

### Zoning History - Vicinity

**2002-ZON-049; 2500 Cold Springs Road** (west of site), Rezone of 18.3 acres, from D-S (W-5) to SU-1 (W-5) to provide for religious uses, **approved**.

**92-Z-123; 2550 Cold Springs Road** (west of site), Rezoning of 5.51 acres, being in the D-4 District, to the D-6II classification to provide for the expansion of a 65-unit residential apartment complex, **approved**.

**91-Z-111; 2670 Cold Springs Road** (northwest of site), Rezoning of 6.1719 acres, being in the HD-1 District, to the HD-2 classification to provide for a nursing home, **approved**.

**90-Z-16; 2810 Cold Springs Road** (northwest of site), Rezoning of 15.5 acres, being in the HD-1 District, to the D-5 classification to provide for single-family residential development, **approved**.

**79-Z-67; 2701 Cold Springs Road** (northwest of site), Rezoning of 23.76 acres, being in the D-4 and D-6II Districts, to the HD-1 classification to provide for a hospital, **approved**.

**73-Z-191; 2670 Cold Springs Road** (northwest of site), Rezoning of 7.8 acres, being in the D-4 and D-6 Districts, to the D-6II classification to provide for apartments, **approved**.

**63-Z-159; 75<sup>th</sup> Street and Knue Road** (west of site), Rezoning of 3.10 acres, being in D-2 district to D-7 classification to provide for the construction of garden apartments, **approved**.

**59-Z-48; West side of Cold Springs Road and south of 30<sup>th</sup> Street** (west of site), Rezoning of 6.4 acres, being in R-2 district to R-6 classification to permit the construction of two 60-unit luxury type apartments, **approved**.

EXHIBITS



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

**LIST OF PROPOSED EXCLUDED USES**

The client would be willing to commit to excluding the following:

- Triplex or Fourplex
- Nursing Home
- Animal Boarding
- Check Cashing or Validation Services
- Outdoor Advertising
- Light Manufacturing

## PETITIONER PROPOSED COMMITMENTS

### 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 (the "Real Estate"), makes the following COMMITMENTS concerning the use and development of the Real Estate:

##### Legal Description:

Part of the Northeast Quarter of Section 28, Township 16 North, Range 3 East more particularly described as follows:

Commencing at the northwest corner of said Northeast Quarter; thence North 89 degrees 10 minutes 02 seconds East along the north line of said Northeast Quarter a distance of 1,028.18 feet; thence South 00 degrees 11 minutes 52 seconds West a distance of 2,123.17 feet to a point, said point being 100 feet east of the west line of Cold Spring Road as now located and established, said point also being the POINT OF BEGINNING; thence South 89 degrees 48 minutes 08 seconds East a distance of 800.00 feet; thence South 00 degrees 11 minutes 52 seconds West a distance of 1,215.37 feet; thence North 89 degrees 48 minutes 08 seconds West a distance of 800.00 feet to a point, said point being 100 feet east of the west line of Cold Spring Road as now located and established; thence North 00 degrees 11 minutes 52 seconds East a distance of 1,215.37 feet to the POINT OF BEGINNING, containing 22.32 acres more or less.

##### Statement of COMMITMENTS:

1. The owner agrees to abide by the Open Occupancy and Equal Employment Opportunity Commitments required by Metropolitan Development Commission Resolution No. 85-R-69, 1985, which commitments are attached hereto and incorporated herein by reference as Attachment "A".
2. The following uses shall be prohibited on the Real Estate: Triplex or Fourplex, Nursing Home, Animal Boarding, Check Cashing or Validation Services, Outdoor Advertising, Light Manufacturing.

*MDC's Exhibit B - - page 1 of 6*

PETITIONER PROPOSED COMMITMENTS (Continued)

3. Prior to any application for an Improvement Location Permit for or the commencement of any new use on any portion of the Real Estate, the owner shall submit a site plan to the Department of Metropolitan Development for administrative approval that demonstrates that parking for the proposed use or improvements complies with the parking standards in the Zoning Ordinance for Marion County, Indiana.
4. Prior to the issuance of an Improvement Location Permit for any portion of the Real Estate, a landscape plan shall be submitted to the Department of Metropolitan Development for administrative approval that demonstrates compliance with the landscaping standards of the Zoning Ordinance for Marion County, Indiana, including the removal of Heritage Trees, if any, and the addition of trees and plants.
5. No new buildings shall be constructed between the front façade of the primary building extended to the southern and northern boundary, which line is shown and labeled as the "No Build Line" on the map attached hereto as Exhibit B, and the right-of-way of Cold Spring Road.
6. Any multifamily housing constructed on the Real Estate, except for student housing, shall comply with the maximum floor area ratio and the minimum livability space ratio for the D-6II zoning district in the Zoning Ordinance for Marion County, Indiana. The provision of this Commitment 6 shall not apply if the portion of the Real Estate on which the multifamily housing is to be constructed is rezoned to a zoning district other than MU-2.

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.

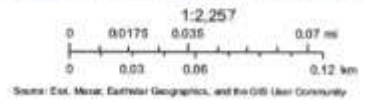
COMMITMENTS contained in this instrument shall be effective upon the adoption of rezoning petition # 2025-ZON-040 by the City-County Council changing the zoning classification of the real estate from a DS zoning classification to an MU-2 zoning classification and shall continue in effect for as long as the above-described parcel of real estate remains zoned to the MU-2 zoning classification or until such other time as may be specified herein.

Exhibit B



6/3/2025

□ Parcel



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Deed Restrictions

D. Access for IDEM. The Owner shall grant to IDEM and its designated representatives the right to enter upon the Property at reasonable times for the purpose of determining whether the land use restrictions set forth in Section A. hereof are being properly maintained and, if applicable, operated in a manner that ensures the protection of public health, safety, or welfare and the environment. This right of entry includes the right to take samples, monitor compliance with the remediation work plan (if applicable), and inspect applicable records.

E. Written Notice of the Presence of Contamination. Owner agrees to include in any instrument conveying any interest in any portion of the Property, including, but not limited to, deeds, leases and subleases (excluding mortgages, liens, similar financing interests, and other non-possessory encumbrances) the following notice provision (with blanks to be filled in):

NOTICE: THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL RESTRICTIVE COVENANT, DATED \_\_\_\_\_, 20\_\_\_\_, RECORDED IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA ON \_\_\_\_\_, 20\_\_\_\_, AS INSTRUMENT NUMBER \_\_\_\_\_ IN FAVOR OF AND ENFORCEABLE BY THE INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT.

F. Notice to IDEM of the Conveyance of Property. Owner agrees to provide notice to IDEM of any conveyance (voluntary or involuntary) of any ownership interest in the Property (excluding mortgages, liens, similar financing interests, and other non-possessory encumbrances). Owner must provide to IDEM notice within thirty (30) days of the conveyance and include (a) a certified copy of the instrument conveying any interest in any portion of the Property, and (b) if the instrument has been recorded, its recording reference(s), and (c) the name and business address of the transferee.

G. Indiana Law. This Covenant shall be governed by, and shall be construed and enforced according to, the laws of the State of Indiana.

H. Enforcement. Pursuant to Indiana Code Section 13-14-2-6 and other applicable law, IDEM may proceed in court by appropriate action to enforce this Covenant. Damages alone are insufficient to compensate IDEM if any Owner of the Property or its Related Parties breach this Covenant or otherwise default hereunder. As a result, if any Owner of the Property, or any Owner's Related Parties, breach this Covenant or otherwise default hereunder, IDEM shall have the right to request specific performance and/or immediate injunctive relief to enforce this Covenant in addition to any other remedies it may have at law or in equity. Owner agrees that the provisions of this Covenant are enforceable and agrees not to challenge the provisions hereof or the appropriate court's jurisdiction.

I. Term. The restrictions shall apply until IDEM determines that COCs on the Property no longer present an unacceptable risk to the public health, safety, or welfare, or to the environment.

J. Modification and Termination. This Covenant shall not be amended, modified, or terminated without IDEM's prior written approval. Within thirty (30) days of executing an amendment, modification, or termination of this Covenant, Owner shall record such amendment,

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**Deed Restrictions (Continued)**

modification, or termination with the Office of the Recorder of Marion County, Indiana and within thirty (30) days after recording, provide a true copy of the recorded amendment, modification, or termination to IDEM.

K. Waiver. No failure on the part of IDEM at any time to require performance by any person of any term of this Covenant shall be taken or held to be a waiver of such term or in any way affect IDEM's right to enforce such term, and no waiver on the part of IDEM of any term hereof shall be taken or held to be a waiver of any other term hereof or the breach thereof.

L. Conflict of and Compliance with Laws. If any provision of this Covenant is also the subject of any law or regulation established by any federal, state, or local government, the strictest standard or requirement shall apply. Compliance with this Covenant does not relieve the Owner from complying with any other applicable laws.

M. Change in Law, Policy or Regulation. In no event shall this Covenant be rendered unenforceable if Indiana's laws, regulations, guidelines, or remediation policies, including those concerning environmental restrictive covenants or institutional or engineering controls, change as to form or content. All statutory references include any successor provisions.

N. Notices. Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other pursuant to this Covenant shall be in writing and shall either be served personally or sent by first class mail, postage prepaid, addressed as follows:

To Grantee:  
Indiana Department of Administration  
402 W. Washington St., Rm. W479  
Indianapolis, IN 46204  
Attn: Steve Harless

To IDEM:  
Indiana Brownfields Program  
100 N. Senate Avenue, Rm. 1275  
Indianapolis, Indiana 46204  
Attn: Mitchell Smith

Any party may change its address or the individual to whose attention a notice is to be sent by giving written notice in compliance with this paragraph.

O. Severability. If any portion of this Covenant or other term set forth herein is determined by a court of competent jurisdiction to be invalid for any reason, the surviving portions or terms of this Covenant shall remain in full force and effect as if such portion found invalid had not been included herein.

**2. CERCLA COVENANT**

Grantor provides the following notice and covenant:

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Deed Restrictions (Continued)

A. Pursuant to Section 120(h)(3) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. Section 9620(h)(3) ("CERCLA") and based upon a complete search of agency files, the Department hereby notifies Grantee, its successors and assigns, of the storage, release and disposal of hazardous substances on the Property.

For the purpose of this Deed, "hazardous substances" shall have the same meaning as Section 101(14) of CERCLA. Available information regarding the type, quantity, and location of such substances and the action taken is included in Exhibits B, D, E and F attached hereto, including the No Further Action Letter, dated August 19, 2020, prepared for and issued to Grantor by IDEM, previously provided to Grantee for review (the "NFA").

B. CERCLA Covenant. Pursuant to Section 120(h)(3)(A)(ii) of CERCLA (42 U.S.C. 9620(h)(3)(A)(ii)), the United States warrants that all remedial action necessary to protect human health and the environment with respect to any such substance, identified in Section 1.A. hereof, and remaining on the Property has been taken before the date of transfer. Any additional remedial action found to be necessary after the date of this transfer shall be conducted by the United States.

This covenant is at all times subject to applicable law, and shall not apply in any circumstance in which Grantee, its successors or assigns, or any successor in interest to the Property or part thereof, is a Potentially Responsible Party ("PRP") with respect to the Property.

C. Access. Grantor reserves a right of access to all portions of the Property for environmental investigation, remediation or other corrective action. This reservation includes the right of access to and use of available utilities at reasonable cost to Grantor. These rights shall be exercisable in any case in which a remedial action, response action or corrective action pursuant to Section 2.B, hereof, is found to be necessary after the date of this conveyance. Pursuant to this reservation, Grantor, and its respective officers, agents, employees, contractors and subcontractors, shall have the right (upon reasonable advance written notice to the record title owner) to enter upon the Property and conduct investigations and surveys, to include drilling, test-pitting, borings, data and records compilation and other activities related to environmental investigation, and to carry out remedial or removal actions as required or necessary, including, but not limited to, the installation and operation of monitoring wells, pumping wells, and treatment facilities. Any such entry, including such activities, responses or remedial actions, shall be coordinated with the record title owner and shall be performed in a manner that minimizes interruption with activities of authorized occupants.

3. NOTICE OF THE PRESENCE OF ASBESTOS AND COVENANT

A. Grantee is hereby informed and acknowledges that non-friable asbestos or asbestos-containing materials ("ACM") has been found on the Property in the following locations: various hydraulic lifts located within Buildings 1, 2, 3, and 33 at the Property, and asbestos containing materials and lead based paint in various structures and buildings on the Property. Grantee further acknowledges given the age of the Property's buildings, ACM may be identified in other locations.

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**Deed Restrictions (Continued)**

B. Grantee covenants and agrees that its use and occupancy of the Property will be in compliance with all applicable laws relating to ACM; and that Grantor assumes no liability for future remediation of ACM or damages for personal injury, illness, disability, or death, or all suits, claims, demands or actions, liabilities, judgments, costs and attorneys' fees, to Grantee, its occupants, successors or assigns, or to any other person, including members of the general public, arising from, incident to, or in any manner predicated upon, the transportation, removal, handling, use, disposition, any future remediation or abatement of ACM or other activity causing or leading to contact of any kind whatsoever with ACM on the Property after the date of this transfer, whether or not Grantee, its successors or assigns have properly warned or failed to properly warn the individual(s) injured. Grantee shall be responsible for any future remediation or abatement of ACM found to be necessary on the Property. Grantee acknowledges that it has inspected or has had the opportunity to inspect the Property as to its ACM content and condition and any hazardous or environmental conditions relating thereto. Grantee shall be deemed to have relied solely on its own judgment in assessing the overall condition of all or any portion of the Property, including, without limitation, any ACM hazards or concerns.

C. No warranties, either express or implied, are given with regard to whether the ACM is or is not safe for a particular purpose. The failure of Grantee to inspect or to be fully informed as to the condition of all or any portion of the Property offered, will not constitute grounds for any claim or demand against the United States.

D. Grantee further agrees to waive and releases Grantor, its officers, agents and employees, from and against all suits, claims, demands, actions, liabilities, judgments, costs and attorneys' fees arising out of, or in any manner predicated upon, exposure to ACM on any portion of the Property after this transfer of the Property to Grantee, or any future remediation or abatement of ACM or the need therefor.

**4. CONDITION OF PROPERTY**

A. Grantee is placed on notice that the presence of arsenic, lead, methylnaphthalene, naphthalene, tetrachloroethylene (PCE), benz(a)anthracene, chloroform, ethylbenzene, bromodichloromethane, chloroform, naphthalene, and trichloroethylene (TCE) were detected on the Property. Grantee acknowledges prior receipt and review of the NFA. Grantee further acknowledges conducting its own investigation to more completely evaluate the condition of the Property.

B. Grantee is advised that these conditions should be taken into consideration when engaging in any redevelopment of the Property, and that the costs, if any, associated with addressing these conditions in the act of redevelopment and use of the Property are within the scope of the "as is" terms of this transaction as outlined in Section 4.C. hereof, and are not within the scope of the CERCLA Section 120(h) covenant outlined above in Section 2 hereof.

C. Grantee hereto understands and agrees that it is receiving the Property "as is," "where is" and "with all faults" and without any representation or warranty on the part of Grantor except as otherwise specified herein. Grantee is solely responsible for obtaining all necessary

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**Deed Restrictions (Continued)**

development approvals from applicable entities. Grantor does not represent that any approval has been given for development on the Property.

D. Grantee represents and warrants to Grantor that Grantee is relying solely upon Grantee's own investigations and inspections of the Property. Grantee hereby waives and releases Grantor from any present or future claims arising from or relating to the presence or alleged presence of Hazardous Materials, including, but not limited to, asbestos, lead, and PCBs in, on, under or about the Property including, without limitation, any claims under or on account of (i) CERCLA, and similar federal, state or local statutes, and any regulations promulgated thereunder, (ii) any other federal, state or local law, ordinance, rule or regulation, now or hereafter in effect, that deals with or otherwise in any manner relates to, environmental matters of any kind, or (iii) this Deed. The provisions of this Section 4 will survive closing and delivery of the Deed. All references in Sections 1, 2, 3 and 4 hereof to "Grantee" or "Grantor" will be deemed to include Grantee's and Grantor's representatives, agents and employees.

**5. HISTORIC PRESERVATION COVENANT**

A. Grantee covenants for itself, its successors, and assigns and every successor in interest to the Property hereby conveyed, or any part thereof, that the Property is hereby conveyed subject to the conditions, restrictions, and limitations hereinafter set forth, which are covenants running with the land, and that Grantee, its successors, and assigns, covenants and agrees that in the event that the Property is sold or otherwise disposed of, these covenants and restrictions shall be inserted in the instruments of conveyance.

B. Grantee acknowledges and understands that the Property was individually listed on the National Register of Historic Places on February 21, 2012. Grantor is transferring approximately 22 acres of the Property to Grantee, including 16 buildings (1, 2, 3, 5, 8, 10, 11, 15, 18, 22, 20, 22, 36, 37, 38 and 39), nine of which are contributing resources to the historic district (1, 2, 3, 8, 10, 11, 15, 18 and 22).

C. Grantee covenants and agrees that the Property will be preserved and maintained in accordance with this covenant. When developing plans for the Property, Grantee covenants and agrees that Grantee's modifications to any of the contributing resources shall be developed in compliance with the most current version of the *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*.

D. Grantee covenants and agrees that Grantee shall obtain the prior written approval of the Indiana State Historic Preservation Officer ("SHPO") before undertaking any activity that affects the Property, especially any of the Property's significant character defining exterior features. Grantee further covenants that Grantee shall submit to the SHPO any and all plans to modify, renovate, and/or add to the Property. Grantee covenants that Grantee shall not commence any undertaking until the SHPO approves of the plans. All plans shall be submitted to the SHPO at the address below, or to such other address designated by the SHPO.

State Historic Preservation Officer  
Indiana Department of Natural Resources  
402 W. Washington Street, W274



Photo of the subject site looking south on Cold Spring Road.



Photo of the subject site looking east from Cold Spring Road.



Photo of the subject site looking north on Cold Spring Road.



Photo of multifamily dwellings west of Cold Spring Road.



Photo of single-family dwellings west of the site.



Photo of the building on site looking east.

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Photo of the southern portion of the building on site.



Photo of the northern portion of the building on site.



Photo of the parking area north of the building.



Photo of the rear portion of the property looking south at other buildings on site.



Photo of a veteran's center and hotel to the north of the site.

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**June 26, 2025**

**Case Number:** 2025-CZN-814 / 2025-CVR-814

**Property Address:** 3043, 3451, 3511, and 3801 South Post Road, 9405, 9609, 9611, and 9931 East Troy Avenue, 3430, 3440, and 3610 Davis Road, and 9500 Vandergriff Road (Approximate Addresses)

**Location:** Franklin Township, Council District #20

**Petitioner:** Deep Meadow Ventures, LLC, by Joseph D. Calderon

**Current Zoning:** D-A (FF) (FW), C-4 (FF) (FW), and SU-43 (FF) (FW)

**Request:** Rezoning of 467.66 acres from the D-A (FF) (FW), C-4 (FF) (FW), and SU-43 (FF) (FW) districts to the C-S (FF) (FW) district for a data center campus development, and uses including light manufacturing, all research and development, utilities, agricultural uses, buildings and structures, as permitted in I-1 and office uses, as permitted in C-1. Permitted accessory uses would include utility structures, such as power substations, water towers, and overhead and underground powerlines and wastewater treatment facilities, outdoor storage, renewable energy facility, satellite dish antenna, signs, and temporary construction yard, office, or equipment storage.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building height of 75 feet (maximum 38-foot building height permitted) and no maximum front yard setback (maximum front yard setback of 85 feet permitted).

**Current Land Use:** Residential / Agricultural / Undeveloped

**Staff Recommendations:** Approval with commitments and conditions.

**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

**ADDENDUM FOR JUNE 26, 2025 HEARING EXAMINER**

This petition was continued for cause from the June 12, 2025 hearing to the June 26, 2025 hearing at the request of the petitioner's representative and staff to allow the petitioner additional time provide supplementary information for review.

A Traffic Impact study (TIS) was submitted to DPW at the end of day Friday, June 13<sup>th</sup>. Comments have not been provided by DPW regarding the traffic impact study nor has there been any commitment language drafted regarding the results of the study.

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The TIS notes the following recommendations:

**Post Road & Site Access:**

- o Provide northbound and southbound left-turn lanes. Provide a northbound right-turn lane upon 2031 Construction traffic conditions.
- o The access associated with the proposed development should comply with the City of Indianapolis's construction standards.

**Post Road & Commercial Drive:**

- o Provide a southbound left-turn lane upon 2033 No Build conditions.

**Post Road & I-74 WB Ramp:**

- o Provide a northbound left-turn lane upon 2033 No Build conditions.

**Post Road & I-74 EB Ramp:**

- o Provide a southbound left-turn lane upon 2033 No Build conditions.

**Post Road & Atlantis Drive:**

- o Provide northbound and southbound left-turn lanes at the intersection upon 2027 No Build conditions. Provide a southbound right-turn lane upon 2027 No Build conditions.

Staff continues to recommend approval of the rezoning and variance requests subject to commitments and conditions as outlined in the June 12, 2025 staff report that follows.

**June 12, 2025**

This petition was automatically continued from the April 10, 2025 hearing to the May 15, 2025 hearing at the request of a Registered Neighborhood Organization.

The petition was continued for cause from the May 15, 2025 hearing to the June 12, 2025 hearing at the request of staff to allow additional time for the petitioner to submit further information for review.

Staff was informed that the petitioner may intend to request a two-week continuance for cause from the June 12, 2025 hearing to the June 26, 2025 hearing, which staff would support. It is staff's understanding that the Registered Neighborhood Organization who filed the automatic continuance is also in agreement with a continuance. Staff is in agreement with a two-week continuance, but would prefer a continuance to the July 10, 2025 hearing.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the rezoning subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three (3) days prior to the MDC hearing:

1. A 40-foot half right-of-way shall be dedicated along the frontages of Troy Avenue, Davis Road, and Vandergriff 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 59.5-foot half right-of-way shall be dedicated along the frontage of Post 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

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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).

Staff **recommends approval** of the rezoning and variances subject to the following conditions:

1. Documentation from AES and Citizens Energy Group shall be provided confirming that the plans and proposed development has been reviewed to determine that they are able to provide the necessary services or that the petitioner will assist to provide improvements to meet the capacity.
2. The Traffic Impact Study shall be submitted for review and comment by the Department of Public Works.
3. The petitioner shall work with the division of Trails and Greenways and Department of Public Works to outline perimeter connectivity for a trail system.
4. A final C-S Statement shall be submitted to staff prior to the hearing that addresses the changes to the proposed height limitation areas, 200-foot building setbacks, and 150-foot setbacks for all other structures.

## PETITION OVERVIEW

### LAND USE

The 467.66-acre subject site is comprised of 13 parcels. The majority of the parcels are undeveloped agricultural land, but five (5) parcels are developed with a mix of single-family dwellings, accessory structures, cattle farm, and agricultural accessory buildings.

### REZONING

The request would rezone the property from the D-A (FF) (FW), C-4 (FF) (FW), and SU-43 (FF) (FW) districts to the C-S (FF) (FW) district for a data center campus development, and uses including light manufacturing, all research and development, utilities, agricultural uses, buildings and structures, as permitted in I-1 and office uses, as permitted in C-1. Permitted accessory uses would include utility structures, such as power substations, water towers, and overhead and underground powerlines and wastewater treatment facilities, outdoor storage, renewable energy facility, satellite dish antenna, signs, and temporary construction yard, office, or equipment storage.

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.

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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 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 SU-43 district only permits the use of power transmission lines.

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

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

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

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

## **VARIANCE OF DEVELOPMENT STANDARDS**

The grant of the request would allow for a building height of 75 feet and no maximum front yard setback.

Per Table 744-201-3, the C-S district in the Metro Context area has a maximum building height of 35 feet along transitional yards. Buildings and structures height along a transitional yard may increase one foot per one foot of additional side setback up to 45 feet.

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Fronts along primary thoroughfares have a maximum of 85 feet from the proposed right-of-way or existing right-of-way, whichever is greater. Fronts along freeways do not have a maximum setback.

### **FLOODWAY / FLOODWAY FRINGE**

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

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

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

### **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 Troy Avenue, Davis Road, and Vandergriff Road and 59.5-foot half right-of-way along Post Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.

A Traffic Impact Study was requested by the Department of Public Works. To staff's knowledge, this study has yet to be submitted. If it was submitted to DPW, then staff is unaware of any findings proposed within the study at this time.

Therefore, staff requests that Traffic Impact Study be submitted for review and comment by the Department of Public Works.

### **STAFF ANALYSIS**

The site falls within multiple land use typologies of the Comprehensive Plan with the majority being non-residential recommendations that include light industrial, office/industrial mixed-use, and regional commercial that make up more than half of the site on the western end. The eastern portion of the site notes rural or estate neighborhood typology. There are other typologies that make up a small fraction of the site which are floodway and linear park recommendation.

With regards to the Comprehensive Plan recommendations, as a whole staff determined that the proposed uses would be compatible with the uses recommended in the light industrial, office/industrial mixed-use, and regional commercial recommendations. Because a data center in particular is not called

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out in the Comprehensive Plan, staff has the flexibility to make the interpretation where the use would be appropriate based on size of the property, proposed layout of the development, and the context of the surrounding area.

Due to the site's proximity to I-74 and the entrance and exit ramps, it would be a prime location for access to the facility. As proposed, the entrance to the site would be off Post Road which already has truck traffic for the adjacent industrial and commercial uses located along this primary arterial street.

### **C-S STATEMENT**

The C-S Statement proposes a variety of uses to be permitted within this C-S district. Little is mentioned regarding landscaping, but the landscape plan would be subject to Administrative Approval due to the C-S zoning district and the review would reflect the landscape details included in this report.

Permitted sign types are mentioned and would ultimately need to meet the Sign Regulations of the Ordinance when submitted for Administrative Approval. The site plan provided is a Concept Plan and the final site and development plan will be submitted for Administrative Approval.

Staff requests that a final C-S Statement be submitted prior to the hearing to note the changes in the proposed height limitation areas, 200-foot building setbacks, and 150-foot setbacks for all other structures.

### **NOISE**

Staff was informed that an initial noise study was completed for the project and resulted in a 63 dBA level at the property line under peak operation conditions which would be the hottest day of the year with all servers being utilized. A copy of this study was not submitted to the case file.

The petitioner proposed a commitment that the maximum noise level at the property line once fully operational shall not exceed 65 decibels, except for emergency use of generators or periods of testing emergency generators.

### **WATER**

Staff was informed that the site would be planned to utilize two to three million gallons of water. According to the petitioner's representative, Citizens Energy Group has indicated the required volume of water is available to the project on a max day (hottest day of the year and all computing equipment being utilized).

A letter or memorandum from Citizens Energy Group has not been provided to staff confirming this information. Therefore, staff would request that documentation from Citizens Energy Group be provided confirming that the plans and proposed development have been reviewed to determine that they are able to provide the necessary services or that the petitioner will assist to provide improvements to meet the capacity.

### *ELECTRICITY*

AES is the power company that will provide electricity to the project site. Staff was informed that AES has helped identify and evaluate the site for feasibility. They are working to determine how much electrical power is needed and working to ensure the site can be supplied.

A letter or memorandum from AES has not been provided to staff confirming whether the project is feasible. Therefore, staff would request that documentation from AES be provided confirming that the plans and proposed development have been reviewed to determine that they are able to provide the necessary services or that the petitioner will assist to provide improvements to meet the capacity.

### *LINEAR PARK*

There is a linear park recommendation of the Comprehensive Plan that should be considered and incorporated into the site design layout. The Southeast Trail is proposed through the Indy Greenways Full Circle Master Plan, Part One (2014).

The client has committed to keeping the land between Ficher Ditch and Troy Avenue as open space and working with the City of Indianapolis DPW Trails and Greenways to accommodate a portion of the Southeast Trail through the portion of the site between Ficher Ditch and Troy Avenue.

However, Staff would request further discussions occur between both parties to outline perimeter connectivity for a trail system since only proposing a section along Troy Avenue would ultimately hinder possible connections to this section of the trail preventing the planned trail from coming to fruition.

### *STREAM PROTECTION CORRIDOR*

The site has two (2) Stream Protection Corridors that run along Ficher Ditch on the north section of the site and Miller Ditch on the south section the site. Both named ditches require 50-foot-wide corridors in the Metro Context area measured parallel to the top of bank on both sides.

The following activities are permitted within the Stream Protection Corridor:

- a. Flood control structures.
- b. Residential support facilities and recreational facilities, such as trail or hiking paths, docks, picnic shelter, scenic overlook, provided however the cumulative area of subsections b. and c. activities does not exceed 10% of the Stream Protection Corridor area on the lot.
- c. Minor residential features, decks associated with an individual dwelling unit, mini- barns or sheds that are 200 square feet or less and are not on a permanent foundation, provided however the cumulative area of subsections b. and c. activities does not exceed 10% of the Stream Protection Corridor area on the lot.
- d. Passive uses such as wildlife sanctuaries, nature preserves, forest preserves, fishing areas, and public and private parkland.
- e. Crossings, subject to the following, and as approved by the Administrator:
  1. Road or railroad crossings, with the right-of-way the minimum width needed to allow for maintenance access and installation and with the angle of the crossing to be

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- perpendicular to the stream. In the case of proposed development or modification to existing development, there shall be one stream crossing per development project, to be no closer than 1000 feet to any other crossing.
2. Intrusions necessary to provide access to a property provided that the angle of crossing is perpendicular to the stream in order to require less buffer clearing.
  3. Public sewer or utility easement crossings, including such land disturbance and impervious cover as is necessary for operation and maintenance, including, but not limited to, manholes, vents, and valve structures.
  4. Livestock crossings.

Disturbances in the Stream Protection Corridor. Any tree or vegetation removal must be replaced with native species of shade trees and shrubs at the rate of one shade tree and 4 large shrubs per 1,000 square feet of disturbed area.

The site plan notes the only disruptions to these corridors would be the road crossings which are proposed.

#### ***BUILDING HEIGHT***

A Rezoning Height Exhibit was submitted to indicate the area on site that would allow for the 75-foot maximum building height and an area that indicates 50-foot maximum building heights with 65-foot maximum equipment height for water tanks and cooling equipment.

Actual renderings of the anticipated buildings have not been provided, but an example rendering was submitted and included in this report.

Because the plan calls for a 150-foot landscape buffer zone, with an additional 50-foot building setback for a total minimum setback of 200 feet in addition to the proposed 10- to 15-foot-tall mounds with deciduous trees and six-foot tall evergreen trees to be installed within the first phase of development, the height variance request is supportable.

#### ***ADDITIONAL ITEMS***

Staff requested that the existing above ground utilities be buried with the development of the site, to which the petitioner's representative confirmed they would work with the owners of the existing utilities to facilitate burial of existing overhead utility lines where feasible.

The amended site plan notes the location of a, an ornamental security fence and another area for a security fence. Based on information relayed to staff, there will be a 4-foot ornamental fence along the perimeter of the site, an 8-foot-tall decorative security fence at the main entrance, an 8-foot-tall anti-climb security fence, an 8-foot-tall black coated chain link fence around the storm water management basins, and an 8-foot tall, barbed wire fence around the electrical substations. The petitioner should be aware that the maximum fence height for the C-S district is 3.5 feet in the front yard and six (6) feet in the side and rear yards. Additionally, barbed wire is prohibited. Variances would need to be sought to exceed the height limitations and for the inclusion of barbed wire. Staff would not support the barbed wire proposal.

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## CONCLUSION

Staff is recommending approval of the rezoning and variance request subject to two (2) right-of-way dedication commitments and four (4) conditions as indicated previously regarding documentation from AES and Citizens Energy Group to be provided to staff confirming that they will be able to provide the necessary services or that the petitioner will assist to provide improvements to meet the capacity, the traffic impact study shall be submitted for review and comment by the Department of Public Works, the petitioner to work with Trails and Greenways and DPW to outline perimeter connectivity for a trail system, and for the submittal of a final C-S Statement prior to the hearing that addresses the changes to the proposed height limitation areas, 200-foot building setbacks, and 150-foot setbacks for all other structures.

## GENERAL INFORMATION

<b>Existing Zoning</b>	Enter Zoning and Secondary Districts	
<b>Existing Land Use</b>	Residential / Agricultural / Undeveloped	
<b>Comprehensive Plan</b>	Light Industrial, Office/Industrial Mixed-Use, Regional Commercial, Rural or Estate Neighborhood, Floodway, and Linear Park.	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	D-A	Residential / Agricultural
South:	D-A / C-5	Residential / Commercial
East:	D-A / D-2 / D-P / SU-43	Residential / Transmission Easement
West:	SU-1 / C-S / C-4 /	Church / Industrial / Commercial
<b>Thoroughfare Plan</b>		
Post Road	Primary Arterial Street	119-foot proposed right-of-way and 50-foot existing right-of-way.
Troy Avenue	Primary Collector Street	80-foot proposed right-of-way and 40-foot existing right-of-way.
Davis Road	Primary Collector Street	80-foot proposed right-of-way and 45-foot existing right-of-way.
Vandergriff Road	Primary Collector Street	80-foot proposed right-of-way and 30-foot existing right-of-way.
I-74	Freeway	205-foot existing right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	Yes	
<b>Overlay</b>	Yes	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	March 5, 2025	
<b>Site Plan (Amended)</b>	May 29, 2025	
<b>Elevations</b>	May 29, 2025	

<b>Elevations (Amended)</b>	N/A
<b>Landscape Plan</b>	N/A
<b>Findings of Fact</b>	February 26, 2025
<b>Findings of Fact (Amended)</b>	N/A
<b>C-S/D-P Statement</b>	February 26, 2025

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Indy Greenways Full Circle Master Plan, Part One (2014).
- Indy Moves Transportation Integration Plan (2018)

### Pattern Book / Land Use Plan

- The Comprehensive Plan recommends light industrial, office/industrial mixed-use, regional commercial, rural or estate neighborhood, floodway, and linear park typologies.
- The Light Industrial typology provides for industrial, production, distribution, and repair uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Typical uses include warehousing, self-storage, assembly of parts, laboratories, wholesaling, and printing. Industrial or truck traffic should be separated from local/residential traffic.
- **Light Industrial Uses**
  - Industrial truck traffic should not utilize local, residential streets.
  - Streets internal to industrial development must feed onto an arterial street.
  - Removed as a recommended land use where they would be adjacent to a living or mixed-use typology.
- The Office/Industrial Mixed-Use (Business Park) typology is intended to provide for light industrial, distribution, and office uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. The typology is characterized by groups of buildings within office/warehouse parks. Examples of typical uses include warehousing, wholesaling, research and development facilities, testing and evaluation facilities, offices, education resource centers, assembly of high technology products, and conference centers. Industrial or truck traffic should be separated from local/ residential traffic in this typology.
- **Conditions for All Land Use Types**
  - Master-planned developments in excess of 2 acres should include pedestrian amenities for passive and active recreation internal to the development.

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- **Light Industrial Uses**
  - Industrial truck traffic should not utilize local, residential streets.
  - Streets internal to industrial development must feed onto an arterial street.
  - Removed as a recommended land use where they would be adjacent to a living or mixed-use typology.
- **Research and Production of High-Technology or Biotechnology Related Goods**
  - Recommended without additional conditions.
- **Offices**
  - Recommended without additional conditions.
- The Regional Commercial typology provides for general commercial, and office uses that serve a significant portion of the county rather than just the surrounding neighborhoods. Uses are usually in large freestanding buildings or integrated centers. Typical examples include shopping malls, strip shopping centers, department stores, and home improvement centers.
- **Conditions for All Land Use Types**
  - All land use types except small-scale parks in this typology must have adequate municipal water and sanitary sewer.
  - All development should include sidewalks along the street frontage.
- **Large-Scale Offices**
  - Pedestrian connections between buildings should be provided.
  - Street connections to perimeter roads should be provided.
- The Rural or Estate Neighborhood typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space.
- The Floodway category delineates areas that exhibit a great potential for property loss and damage from severe flooding, or for water quality degradation. No development should occur within the floodway. Nonconforming uses currently within a floodway should not be expanded or altered.
- 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.
- When located in Environmentally Sensitive Areas the following uses are removed from the recommendations: light industrial uses and research and production of high-technology or biotechnology related goods.

**Red Line / Blue Line / Purple Line TOD Strategic Plan**

- Not Applicable to the Site.

**Neighborhood / Area Specific Plan**

- Not Applicable to the Site.

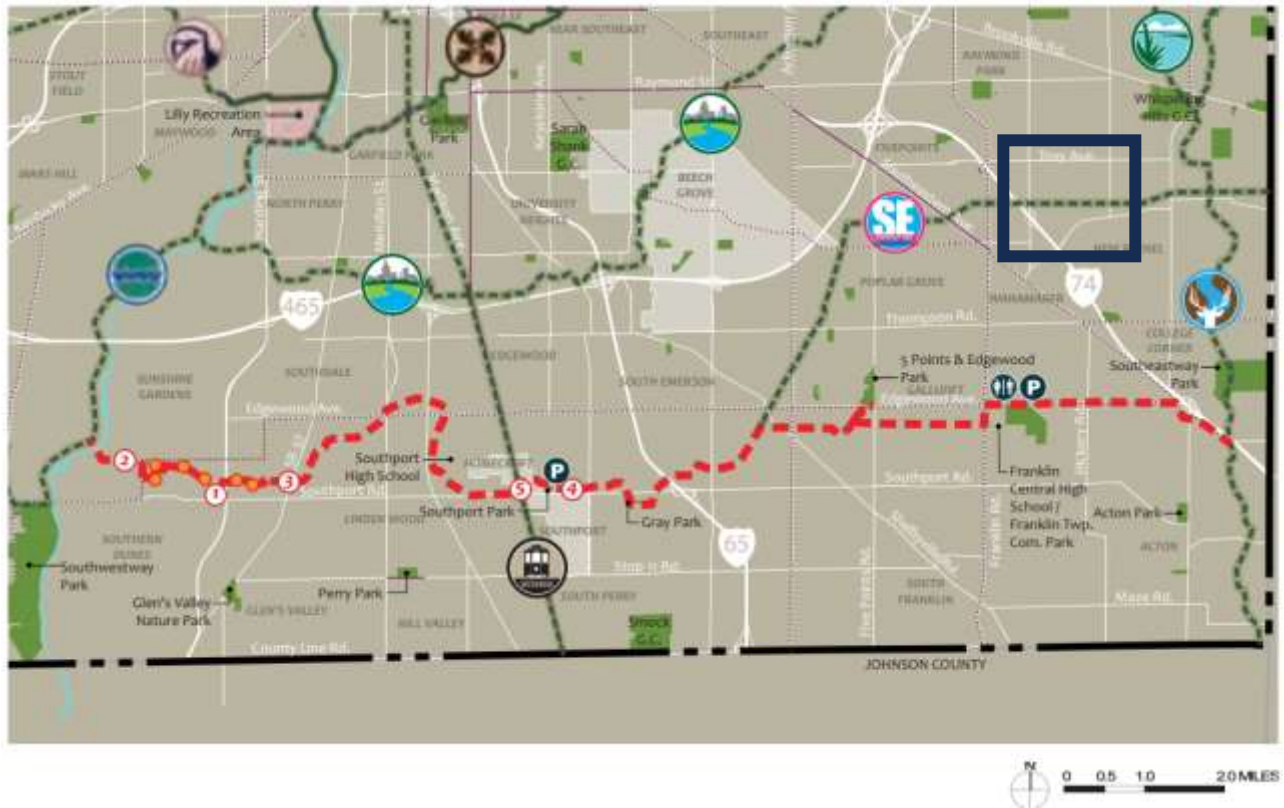
**Infill Housing Guidelines**

- Not Applicable to the Site.

**Indy Moves**

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

- The site falls within the Indy Greenways Full Circle Master Plan, Part One (2014) and Indy Moves Transportation Integration Plan (2018).
- A multi-use path is proposed along Post Road from Hanna Avenue to the Pennsy Trail.
- A greenway, specifically the Southeast Trail is proposed through the subject site. At this point, the route shares the overhead utility easement with the Southeast Trail for 0.8 miles, extending northeast to the intersection of Edgewood and Shelbyville Road.



SOUTHEAST TRAIL PROPOSAL

## ZONING HISTORY

### Zoning History – Site

**2015-ZON-078; 3511 South Post Road** (subject site), Rezoning of 38 acres from the C-4 district to the I-2-S classification to provide for a distribution facility, **withdrawn**.

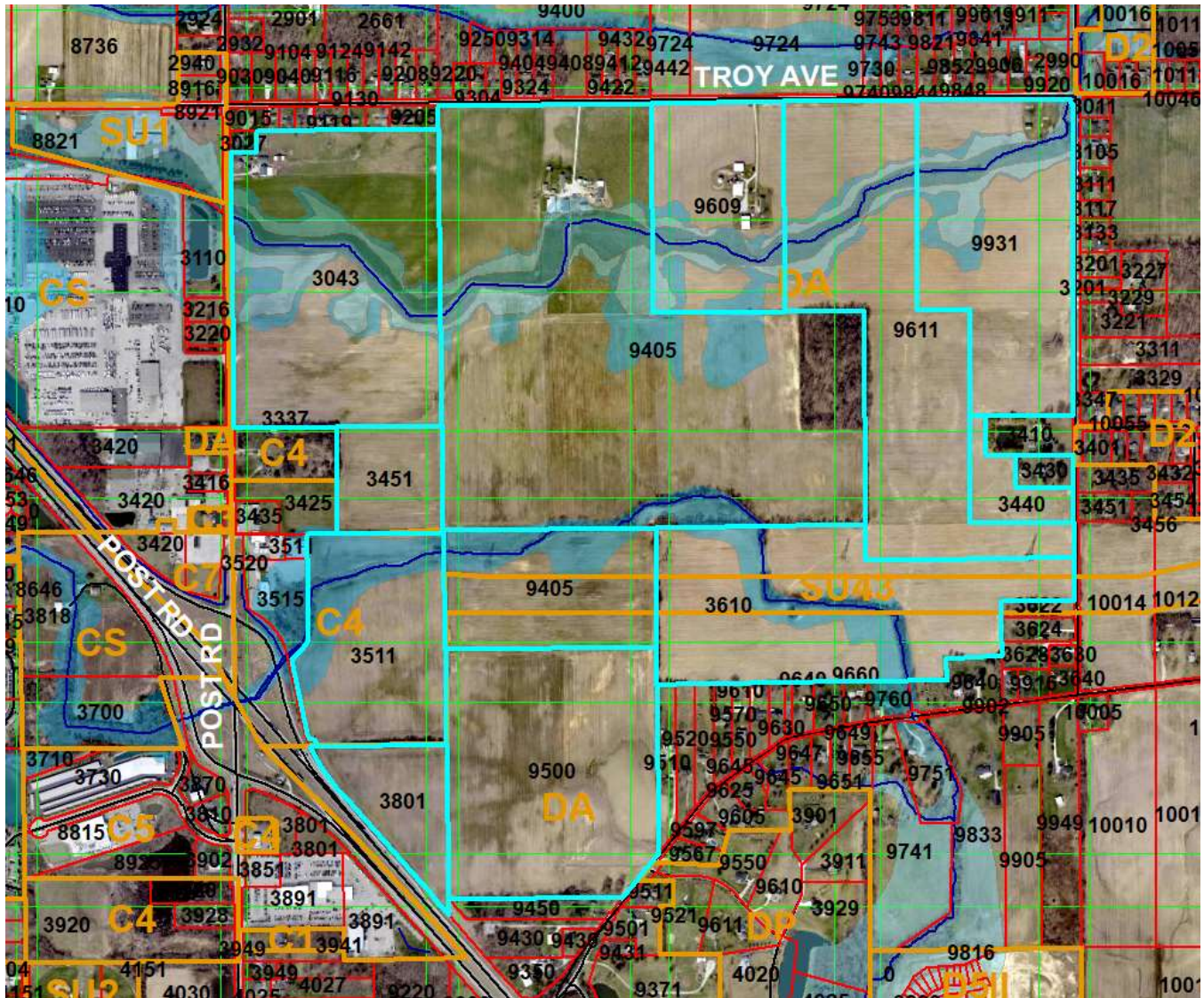
**2005-ZON-181; 3801 South Post Road (subject site,)** Rezoning of 11.13 acres, being in the D-A District, to the C-4 classification to provide for community-regional commercial uses, **withdrawn**.

**2000-ZON-009; 3513 South Post Road,** (subject site) Rezoning of 37.982 acres from C-4 and D-A to C-S, to provide for C-4 and C-6 uses and light and medium industrial uses, **withdrawn**.

**90-Z-13; (south of site),** Rezoning of 40.59 acres from D-A to C-4, **approved**.

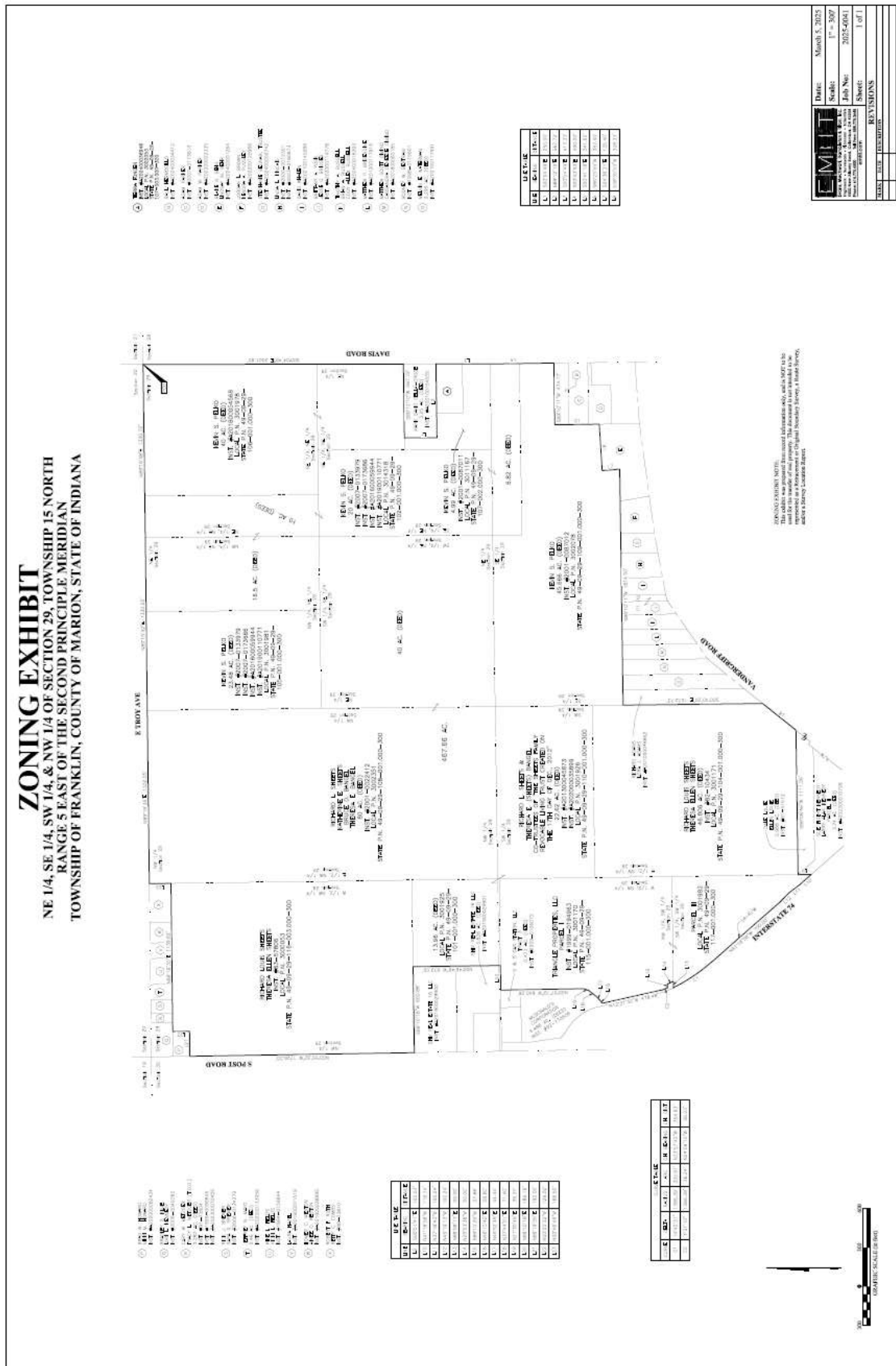
**61-Z-101;** (subject site), Rezoning from the A-2, R-3, and B-4 to classification special use (43) – Electric power transmission tower lines of a strip of land one hundred and fifty feet in width for an electric transmission tower line extending from a Station Site of Indianapolis Power & Light Company, located adjacent to Hanna Avenue and the New York Central Railroad in Section 26, in generally Easterly direction through Franklin Township, consisting of three long East-West tangents connected by two short diagonals in Section 26, 25, 30, 29, 28, and 27, to the Hancock County line about 1 ½ miles south of the County Home, **approved**.

## EXHIBITS



AERIAL WITH FLOOD PLAINS

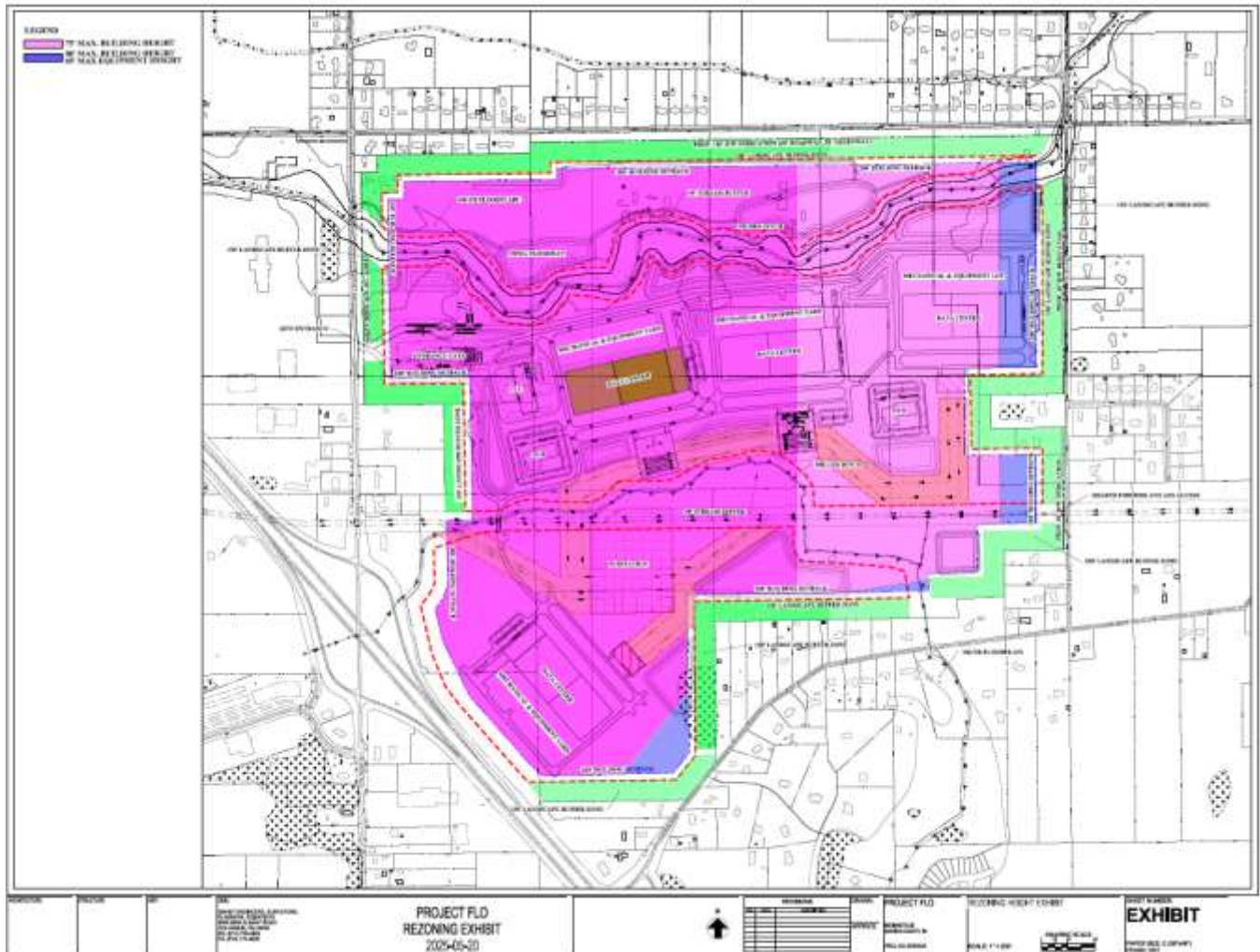




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REZONING HEIGHT EXHIBIT



**Troy Road Greenway Commitment**





Department of Metropolitan Development  
Division of Planning  
Current Planning

Petition Number \_\_\_\_\_

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

the proposed project is to be developed as an integrated campus and due to the large amount of acreage involved and the presence of certain ditches/streams, enhanced setbacks are required. Additionally, there are technological requirements that may require certain buildings / structures to exceed the forty-five (45) foot height limitation.

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

there will be adequate setbacks and landscaped berms which will mitigate the setback and height variances requested.

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

the C-S zoning designation is ideally suited for projects such as the data center campus proposed, but the forty-five (45) foot maximum height limited is inappropriate for industrial / utility type uses, and the maximum setback is inappropriate for a large, multi-building facility located on significant acreage.

DECISION

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

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**C-S Development Statement**

**Introduction:** Petitioner, Deep Meadow Ventures LLC, seeks to rezone approximately 465.9 acres of property commonly known as 3043 South Post Road, 9405, 9611 and 9931 East Troy Avenue, 3430 Davis Road, and 9440 and 9500 Vandergriff Road (the “Subject Property”) as shown on the conceptual site development plan attached hereto as Exhibit “A” (“Concept Plan”), in order to facilitate initial development of the Subject Property for a data center campus.

**Zoning:** The Subject Property is currently zoned D-A, SU-43, and C-4 as more particularly set forth in the City of Indianapolis Consolidated Zoning and Subdivision Ordinance last updated May 8, 2023 (“Zoning Ordinance”). Because Petitioner’s proposed use of the Subject Property is not adequately defined in the Zoning Ordinance, it is proposing a C-S zoning.

Proposed Permitted Primary Uses of the Subject Property as described and defined in the Zoning Ordinance shall be as follows:

- 1) “Data Center”, which shall mean “A centralized location for storing and managing large volumes of digital data, which includes, but is not limited to, a physical facility that houses critical computing and networking equipment, including servers, storage systems, and network infrastructure, and ancillary uses such as, but not limited to, office spaces, warehousing for data center accessory equipment and materials and storage in bulk for data center accessory equipment and materials.”
- 2) “Light Manufacturing”, all “Research and Development”, “Utilities”, “Agricultural Uses, “Buildings and Structures”, as permitted in the I-1 zoning district.
- 3) “Office” uses, as permitted in the C-1 zoning district.

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

- 1) Utility structures, including, but not limited to, power substations, water towers, and overhead and underground powerlines, and wastewater treatment facilities.
- 2) Outdoor Storage (limited to construction of permitted buildings and structures, and outside of construction, limited to areas shown on the Concept Plan).
- 3) Renewable Energy Facility, Solar or Geothermal.
- 4) Satellite Dish Antenna.
- 5) Sign(s).
- 6) Temporary Construction Yard, Office, or Equipment Storage.

**Development Standards:**

Petitioner hereby incorporates the Lot and Building Dimensions for properties in the C-S zoning district set forth in Chapter 744; Art. II, Section 01.C, Table 744-201-3 of the Zoning Ordinance, except that (i) the maximum building height shall be seventy five feet (75’); and (ii) there shall be

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no maximum setback from proposed right of way required, subject to approval of variances for said standards.

Landscaping plans are not yet fully developed as the site has not been fully engineered or site planned; however, the landscaping plans for each building or project phase shall be consistent with the Concept Plan and tendered for Administrative Approval prior to obtaining an Improvement Location Permit.

**Signs:**

The following sign types shall be permitted on the Subject Property:

- 1) Pylon or Monument Sign (not to exceed ten (10) feet in height and no more than two (2) total).
- 2) Wall Signs, Awning, Canopy and Window Signs.
- 3) Incidental, Temporary, and Other Signs as would otherwise be permitted in a commercial zoning district.

A sign program shall be developed and tendered for Administrative Approval prior to obtaining an Improvement Location Permit.

**Phasing of Development:**

The project may be developed as generally shown on the Concept Plan; provided, however, prior to applying for an Improvement Location Permit, a final site and development plan shall be tendered for Administrators Approval. Nothing contained in this C-S Statement or shown on the Concept Plan shall preclude or restrict the number or configuration of buildings and structures which may be located on the Subject Property, so long as the standards contained in this C-S Statement are met.

## 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:** See Exhibit "A" Attached Hereto And Incorporated By Reference (the "Subject Property").

#### 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. After an improvement location permit is issued for the first building in the proposed data center project (the "Project"), but before the first building within the Project opens for business, Petitioner shall install a mounded buffer area with a minimum width of 150 feet (the "Buffer Area"), in those areas shown on the Conceptual Site Plan attached hereto as Exhibit "B" (the "Site Plan"). The mounding in the Buffer Area shall be a minimum of 10 feet in height measured from grade, and shall feature landscaping along and on the top of the mounding with a minimum of three (3) deciduous trees and six (6) evergreen trees for every 100 lineal feet. All trees shall meet the species and minimum planting requirements of the City of Indianapolis Consolidated Zoning / Subdivision Ordinance (the "Zoning Ordinance"). Petitioner shall, at all times, maintain the mounded buffer area.
3. No permanent buildings or structures shall be built on the portion of the Subject Property north of the Ficher ditch. (the "North No-Build Area"). However, this commitment shall not preclude construction staging, construction trailers and construction offices, as well as the outside storage of materials and equipment in the North No Build Area during periods of construction on the Subject Property.

4. A complete set of drainage plans for the project on the Subject Property shall be submitted to the Franklin Township Civic League for review and comment at least ten (10) days prior to submitting same to the City of Indianapolis, Department of Business and Neighborhood Services, for a drainage permit.
5. Petitioner has started and shall diligently complete a traffic impact study ("TIS"), for the proposed data center project on the Subject Property per the scope required by the City of Indianapolis, Department of Public Works ("DPW") and the Indiana Department of Transportation ("INDOT"). Once completed and accepted by DPW and INDOT, Petitioner shall, in conjunction with the initial development of the Project, complete or contribute its proportionate share such infrastructure projects, including but not limited to, dedication of right-of-way, acceleration / deceleration lanes, lane dedications /extensions, and passing blisters, based on the recommendations of the TIS in order to provide an acceptable level of service at the intersections studied as part of the TIS. This commitment shall not be construed to be a prerequisite to the issuance of any improvement location permit required for the first building in the Project.
6. There shall only be one main and one construction entrance to the project on the Subject Property, via Post Road, generally in the location shown on the Site Plan, but subject to DPW or INDOT approval. If required by DPW, an emergency ingress / egress drive to and from the Subject Property shall be permitted along Vandergriff Road, in a location approved by DPW and applicable public safety agencies..
7. All freestanding lighting fixtures shall feature full cut off shields, and light omissions shall not exceed the maximum level of footcandles at the property line, as set forth in the Zoning Ordinance.
8. Petitioner shall install a ten foot (10") wide asphalt multi-use path along the Subject Property's frontage on Troy Avenue, within the right of way to be granted.
9. Except for emergency use of generators or periods of testing emergency generators, the maximum noise level at the property line once fully operational shall not exceed 65 decibels.

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.

COMMITMENTS contained in this instrument shall be effective upon:

- (a) the adoption of rezoning petition # 2025-CZN-814 by the City-County Council changing the zoning classification of the real estate from a C4, DA, SU43 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:

## TRAFFIC IMPACT STUDY SUMMARY AND RECOMMENDATIONS



# 1 EXECUTIVE SUMMARY

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## 1.1 STUDY PURPOSE AND OBJECTIVE

The purpose of this Traffic Impact Study is to determine and evaluate the potential impacts that the proposed Project Flo development will have on traffic operations within the study area. As part of this effort, the following study objectives were identified:

- Evaluate peak hour traffic operations associated with 2027 and 2033 background traffic volumes (without the development).
  - Evaluate peak hour traffic operations associated with the proposed 2027 Build, 2031 Construction, and 2033 Build traffic volumes that include peak hour traffic generated by the proposed development.
  - Assess the impact of traffic generated by the proposed development in the study area.
  - Develop recommendations for roadway or intersection improvements to minimize the traffic impacts of the proposed development on adjacent roadways.
- 

## 1.2 STUDY AREA & LOCATION

The proposed site consists of four data center buildings on approximately 470 acres. The proposed development is bound by Troy Avenue to the north, Davis Road to the east, Post Road to the west, and both Vandergriff Road and Interstate Route 74 (I-74) to the south.

The site access drive is planned to be located on the western side of the site, with access to Post Road, across from a commercial driveway on the west side of Post Road, approximately 1,600 feet south of the Post Road and Troy Avenue intersection. The primary focus for traffic operations is at the following intersections:

- |   |                                   |
|---|-----------------------------------|
| • Post Road & Raymond Street            | • Post Road & I-74 Westbound Ramp |
| • Post Road & Troy Avenue               | • Post Road & I-74 Eastbound Ramp |
| • Post Road & Site Access/Manheim Drive | • Post Road & Atlantis Drive      |
| • Post Road & Commercial Access Road    | • Troy Avenue & Davis Road        |
- 

## 1.3 CAPACITY ANALYSIS

Capacity analysis was completed for each of the following scenarios in order to estimate the impact of the proposed development on the operations of adjacent roadways and intersections:



- **2027 No Build Traffic** - This analysis scenario was based on background (2027) traffic volumes and used to determine the operating Level of Service (LOS) of current roadway geometrics.
- **2033 No Build Traffic** - This analysis scenario was based on background (2033) traffic volumes and used to determine the operating Level of Service (LOS) of current roadway geometrics.
- **2027 Build Traffic** - This analysis scenario added the estimated traffic generated by Scenario 1, one operational building, for the proposed development to the 2027 background traffic volumes.
- **2031 Construction Traffic** - This analysis scenario added the estimated traffic generated by Scenario 2, three operational buildings, and one under construction, for the proposed development to the 2031 background traffic volumes.
- **2033 Build Traffic** - This analysis scenario added the estimated traffic generated by Scenario 4, four operational buildings (full buildout), for the proposed development to the 2033 background traffic volumes.

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## 1.4 SUMMARY & RECOMMENDATIONS

The following recommendations were made based on the analysis conducted:

- **Post Road & Site Access:**
  - Provide northbound and southbound left-turn lanes. Provide a northbound right-turn lane upon 2031 Construction traffic conditions.
  - The access associated with the proposed development should comply with the City of Indianapolis's construction standards.
- **Post Road & Commercial Drive:**
  - Provide a southbound left-turn lane upon 2033 No Build conditions.
- **Post Road & I-74 WB Ramp:**
  - Provide a northbound left-turn lane upon 2033 No Build conditions.
- **Post Road & I-74 EB Ramp:**
  - Provide a southbound left-turn lane upon 2033 No Build conditions.
- **Post Road & Atlantis Drive:**
  - Provide northbound and southbound left-turn lanes at the intersection upon 2027 No Build conditions. Provide a southbound right-turn lane upon 2027 No Build conditions.

**The recommendations outlined herein are based on the projected land uses as provided by the developer. Should any of the land uses change significantly, the projected traffic volumes may increase or decrease, and subsequently, the recommendations for roadway improvements would also need to be reevaluated and revised as necessary.**

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Photo of the subject site at 9500 Vandergriff Road looking west from Vandergriff Road.



Photo of the subject site at 9500 Vandergriff Road looking northwest from Vandergriff Road.



Photo of single-family dwellings southeast of Vandergriff Road.



Single-family dwelling south of 9500 Vandergriff Road.



Single-family dwellings south of the site north of Vandergriff Road.



A single-family dwelling south of 3610 Davis Road within the transmission line zoning district of SU-43.

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Photo of the subject site looking north towards 3440 Davis Road.

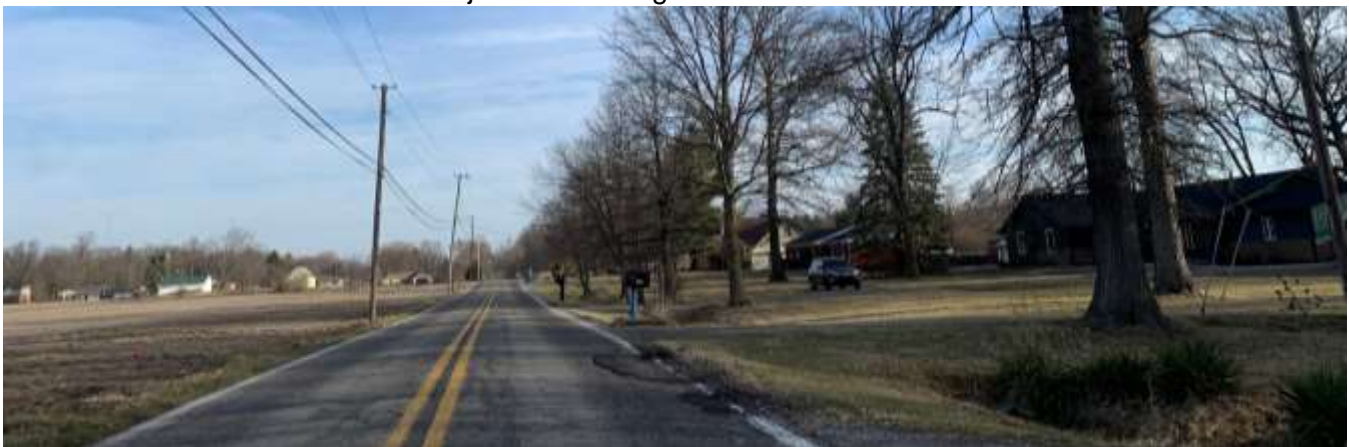


Photo of single-family dwellings east of the subject site across Davis Road.



Photo of the transmission line easement that cuts through the subject site looking west.

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Photo of the property at 3430 Davis Road included in the subject site.



Photo of the property at 3410 Davis Road that is not included in the subject site.



Photo of the subject site at 9931 East Troy Avenue looking southwest.

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Photo of the subject site at 9931 East Troy Avenue looking northwest.



Photo of the property at 9931 East Troy Avenue looking southwest.



Photo of the property at 9611 East Troy Avenue looking southwest along Troy Avenue.



Photo of single-family dwellings north of Troy Avenue.



Photo of the property at 9609 Troy Avenue looking south.



Photo of the property at 9406 Troy Avenue looking southwest.



Photo of single-family dwellings north of Troy Avenue.



Photo of single-family dwellings north of the site looking west along Troy Avenue.



Photo of single-family dwelling north of the site looking south along Post Road.



Photo of the subject site at 3043 South Post Road.



Photo of the subject site looking southeast from Post Road.



Photo of the religious use west of the site.

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Photo of an auto auction west of the subject site.



Photo of the commercial properties west of the subject site.



Photo of the gas station west of the site.

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Photo of the subject site at 3511 South Post Road looking east towards the transmission easement.

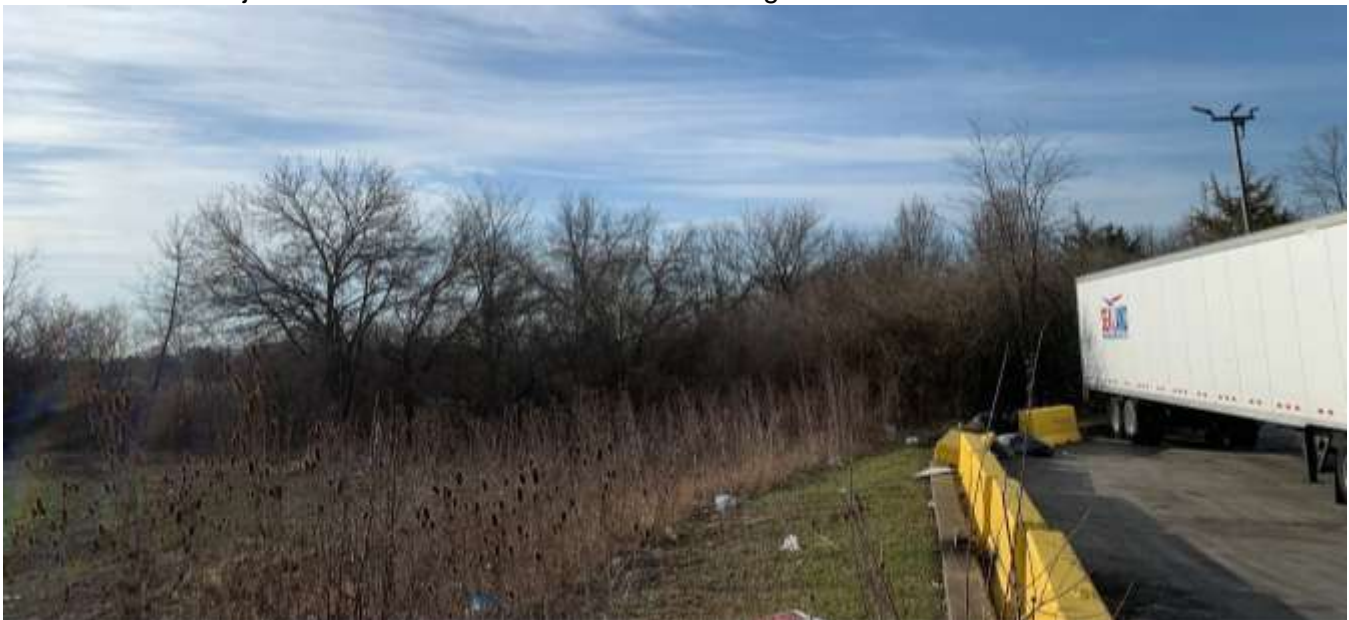


Photo of the subject site looking southeast towards the southern ditch that runs east to west.



Photo of the subject site looking southwest from Post Road.

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**June 26, 2025**

**Case Number:** 2025-CZN-822 / 2025-CVR-822

**Property Address:** 3802 and 3810 North Franklin Road (Approximate Address)

**Location:** Lawrence Township, Council District #9

**Petitioner:** Cornerstone Housing Group, LLC, by Brad Schwab and Bobbi Jo Lucas Eisold

**Current Zoning:** C-S (TOD)

**Request:** Rezoning of 8.69 acres from the C-S (TOD) district to the D-10 (TOD) district to provide for a multi-family residential development, consisting of 186 units.  
  
Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a large apartment development, with a 94-foot front building line along 38th Street, a 135-foot front building line along I-465, and a 434-foot front building line along Franklin Road (20-foot to 50-foot front building line range required), surface parking in front of the front building line (surface parking required behind the front building line), with dumpsters and garage/storage buildings in the front yard (shall not be closer to any front lot line than the established front yard setback on the lot).

**Current Land Use:** Undeveloped

**Staff Recommendations:** Approval with commitments.

**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

**ADDENDUM FOR JUNE 26, 2025 HEARING EXAMINER**

This petition was continued for cause from the June 12, 2025 hearing to the June 26, 2025 hearing at the request of the petitioner to allow them additional time to make changes to the site plan and address concerns from the Department of Public Works.

**Amendment:** The petitioner submitted an amended site plan, file-dated June 17, 2025, to eliminate the 94-foot front building line along 38<sup>th</sup> Street with a compliant 45-foot front building line and relocated the surface parking lot, dumpsters, and garage/storage buildings along 38<sup>th</sup> Street behind the apartment buildings as requested by staff. This amendment of the request will need to be made by the petitioner at the hearing.

Staff now **recommends approval** of the 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. The 38<sup>th</sup> Street driveway location shall be submitted for review and approval by DPW for a right in/right out (RIRO) condition at 38<sup>th</sup> Street. The centerline of the proposed driveway shall be

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located 140 feet west of the centerline of the driveway south of the subject site, across 38<sup>th</sup> Street, prior to the issuance of an Improvement Location Permit.

2. The final site plan and building elevations shall be submitted for Administrative Approval and review by the City Architect.

**June 12, 2025**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the rezoning.

Staff **recommends denial** of the variances.

**PETITION OVERVIEW**

**LAND USE**

The 8.69-acre subject site, zoned C-S, is comprised of two (2) undeveloped lots. The property is surrounded by commercial uses to the south, zoned C-3 and C-S, to the east by commercial properties, zoned C-3 and C-S, a religious use and commercial uses to the west, zoned SU-1 and C-S, to the north by an industrial property, zoned C-S, and multi-family dwellings, zoned MU-1 and D-6II.

**REZONING**

The request would rezone the property from the C-S (TOD) district to the D-10 (TOD) district to provide for multi-family residential development, consisting of 186 units.

The current C-S Development Statement allows for industrial use of the site and does not permit multi-family development.

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 the front building line ranges to exceed the maximum permitted and would allow for surface parking areas, dumpsters and garage/storage buildings in the front of the front building line within the front yard.

Per Table 744-701-2: Private Frontage Design Standards, the site would need to meet the Neighborhood Yard Frontage standards that include a front building line range between 20 feet to 50 feet. The subject

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site has three (3) front yards to the west, east, and south and would propose three front different building line ranges as follow: 94 feet along 38<sup>th</sup> Street, 135 feet along I-465, and 434 feet along Franklin Road.

The Neighborhood Yard Frontage standards also require surface parking lots to be locate behind the front building line.

In the D-10 dwelling district, minor residential structures and residential support facilities or amenities shall not be located closer to any front, rear or side lot line than the required minimum perimeter yard setback of the dwelling district, or, in the case of a front yard, the established front yard setback on the lot, whichever is greater.

### **Secondary Zoning District “Overlay”**

This site is also located within a Secondary Zoning District, 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.

The closest transit station is located within a 1/4 mile southeast of the site at 38<sup>th</sup> Stret and Franklin Road with a Community Center typology.

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

### **DEPARTMENT OF PUBLIC WORKS**

Staff from the Department of Public Works (DPW) provided the following comments:

- DPW is now requesting new traffic counts at 38th & Franklin with queue analysis of the south bound left turn at 38th and northbound left turn into the site. The goal is to see how much storage is needed for the left-turn queues and if there’s sufficient room for both to occur within the center lane. This could be a letter/memo submittal rather than a report.
- A driveway access across from the storage entrance would not be preferred because it would require modification of the Purple Line infrastructure to install an east bound, left turn lane into the site.
- Depending on the traffic analysis results of the Franklin driveway, a determination could be made on the 38<sup>th</sup> Street drive and would need to coordinate with IndyGo.

## **STAFF ANALYSIS**

Staff determined that the rezoning request to the D-10 district to allow for a multi-family development to be proposed would be supportable because it would be adjacent to the 38<sup>th</sup> Street and Franklin Road Purple Line Bus Rapid Transit station. This location would be ideal for residents to be able to access public transportation for their everyday needs, increase ridership of the bus line, and promote additional development along the corridor.

The two (2) existing billboards would be removed from site with this development if rezoned, which staff is supportive of.

Staff had concerns with the number of parking spaces proposed, lack, of residential amenities, location of the dumpsters and garage/storage buildings in the front yard, and the parking areas proposed in front of the front building line along 38<sup>th</sup> Street. However, staff's biggest concern was the excessive 94-foot front setback variance requested to have the buildings along 38<sup>th</sup> Street exceed the required range of 20 to 50 feet.

Any difficulty with meeting the development standards of the Ordinance is completely self-imposed due to the proposed layout of the site.

Staff found that the site was large enough to accommodate parking at the rear of the site and relocation of the accessory uses as well. With an existing range of 23 feet to 75 feet of existing right-of-way from the southern property boundary to the back edge of the sidewalk along 38<sup>th</sup> Street, staff determined it would be more than enough separation buffering from 38<sup>th</sup> Street. The minimum 20-foot front building line range would increase it further.

Staff found that the increased separation from I-465 would be supportable since there is no hard barrier to protect or buffer the anticipated residents from the interstate and the eastern increased setback from Franklin Road is a small technicality since most of the building faces the eastern side yard. Staff was willing to support the variance requests along I-465 and Franklin Road if the front setback of the buildings along 38<sup>th</sup> street would fall within the permitted range. The change would have ensured the Transit Oriented Development goals could have been met by providing first floor activation along the street to enhance the pedestrian experience on 38<sup>th</sup> Street. This could have been accomplished by relocating the surface parking behind the buildings to provide sufficient room to push the buildings forward.

Unfortunately, the amended site plan provided on May 29, 2025 only included the relocation of accessory structures out of the front yard. It did not address the relocation of the parking area along 38<sup>th</sup> Street or the front setback. Little was done to reduce the total parking count as well.

The request for new traffic counts by DPW were not addressed. If there was additional time with a continuance, the petitioner could have provided this information for a determination to be made on the newly proposed drive on 38<sup>th</sup> Street noted in the amended site plan.

For these reasons, staff is recommending approval of the rezoning and denial of the variances.

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## GENERAL INFORMATION

<b>Existing Zoning</b>	C-S (TOD)	
<b>Existing Land Use</b>	Undeveloped	
<b>Comprehensive Plan</b>	Office Commercial Uses and eight to 15 residential units per acre	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	C-S / MU-1 / D-6II	Industrial / Multi-family dwellings
South:	C-3 / C-S	Commercial
East:	C-3 / C-S	Commercial
West:	SU-1 / C-S	Religious Use / Commercial
<b>Thoroughfare Plan</b>		
Franklin Road	Primary Arterial Street	90-foot proposed right-of-way and 119-foot existing right-of-way.
38 <sup>th</sup> Street	Primary Arterial Street	112-foot proposed right-of-way and 160-foot existing right-of-way.
I-465	Freeway	248-foot existing right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	Yes	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	April 21, 2025	
<b>Site Plan (Amended)</b>	May 29, 2025	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	May 9, 2025	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- East 38th Street Corridor Plan (2012)
- Purple Line Transit-Oriented Development Strategic Plan (2021)
- Indy Moves Transportation Integration Plan (2018)

### **Pattern Book / Land Use Plan**

- Not Applicable to the Site. Please see East 38th Street Corridor Plan (2012) below.

### **Red Line / Blue Line / Purple Line TOD Strategic Plan**

- The site falls within the Purple Line Transit-Oriented Development Strategic Plan (2021).
- The closest transit station is located within a 1/4 mile southeast of the site at 38th Street and Franklin Road with a Community Center typology.
- Characteristics of this typology include dense mixed-use neighborhood center, minimum of two stories at core, no front or side setbacks at core, zero to ten-foot front and side setbacks at the periphery and multi-family housing with a minimum of three units. Structured parking should be at the core and attractive surface parking at the periphery.

### **Neighborhood / Area Specific Plan**

- The site falls within the East 38th Street Corridor Plan (2012).
- The Plan recommends office commercial uses and 8-15 residential units per acre development of the site.
- The office commercial uses land use category is for low-intensity office uses, integrated office development and compatible office-type uses. Retail uses are not promoted in this category, unless those uses are significantly subordinate to the primary office use or the retail use exclusively serves an abundance of office uses in proximity to the retail use. Office Commercial Uses can exist either as buffers between higher intensity land uses and lower intensity land uses or as major employment centers. The following uses are representative of this land use category: medical and dental facilities, education services, insurance, real estate, financial institutions, design firms, legal services, day care centers, mortuaries, and communications studios.
- The residential development recommendation greater than eight (8) and equal or less than 15 units per acre is typically the highest density serviceable in suburban areas. In suburban areas it would typically be a multi-family (apartment or condominium) category. In urban areas, this is the highest density single-family residential category and a common multi-family category. Development at this density is appropriate for all types of mass transit corridors.
- Corridors serve to move people and goods. They provide ways to reach destinations. Corridors also define the community's identity and help to shape the overall quality of life. Land use policies, transportation needs and market forces must work harmoniously together to ensure that land use and infrastructure meet the long-term needs of the community.
- Corridor plans do not focus strictly on engineering plans for the purpose of added roadway capacity. This corridor plan attempts to provide a more comprehensive view of the principal roads and their

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context. While automobile travel dominated past plans, all travel modes must now be considered. It is essential to integrate transit, bicycle and pedestrian modes while maintaining automobile traffic capacity. The public investment in the road infrastructure and related utility infrastructure must be protected as a fully balanced multimodal approach becomes the standard. All these aspects of corridor planning were applied in the preparation of the East 38th Street Corridor Plan.

- An objective of the plan is to encourage a variety of new housing facilities that can meet the needs of persons with disabilities and others that need additional support services. A full range of housing options and prices is desirable in the community. A balance of single family and multi-family housing options should remain but not to result in housing densities that exceed current levels.
- Another objective would be to develop an overall corridor beautification plan that will include improvements within the public right-of way and in properties that have frontage on the street. Develop a streetscape plan in coordination with planning improvements in street conditions, new sidewalks and bicycle infrastructure.

**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).
- The Franklin Road multi-use path is proposed along Franklin Road from Rawles Avenue to 56<sup>th</sup> Street to span 6.47 miles. The path will provide a safe north-south connection for multi-modal access on the East side of Indianapolis.
- A multi-use path is proposed along 38<sup>th</sup> Street from Sutherland Avenue to Post Road.

## ZONING HISTORY

### Zoning History - Site

**2020-MOD-016; 3802 and 3810 North Franklin Road and 7745 East 42nd Street** (subject site) Modification of Commitments related to 95-Z-105 to modify Commitment Two, Commitment Three and the site plan to provide for a revised site plan to provide for additional parking spaces, maintenance facility, wash bays and fuel dispensers related to an industrial development (requires substantial compliance with the plan filed dated July 13, 1995; landscape plan requires administrative approval with 10-foot landscape strips), **withdrawn**.

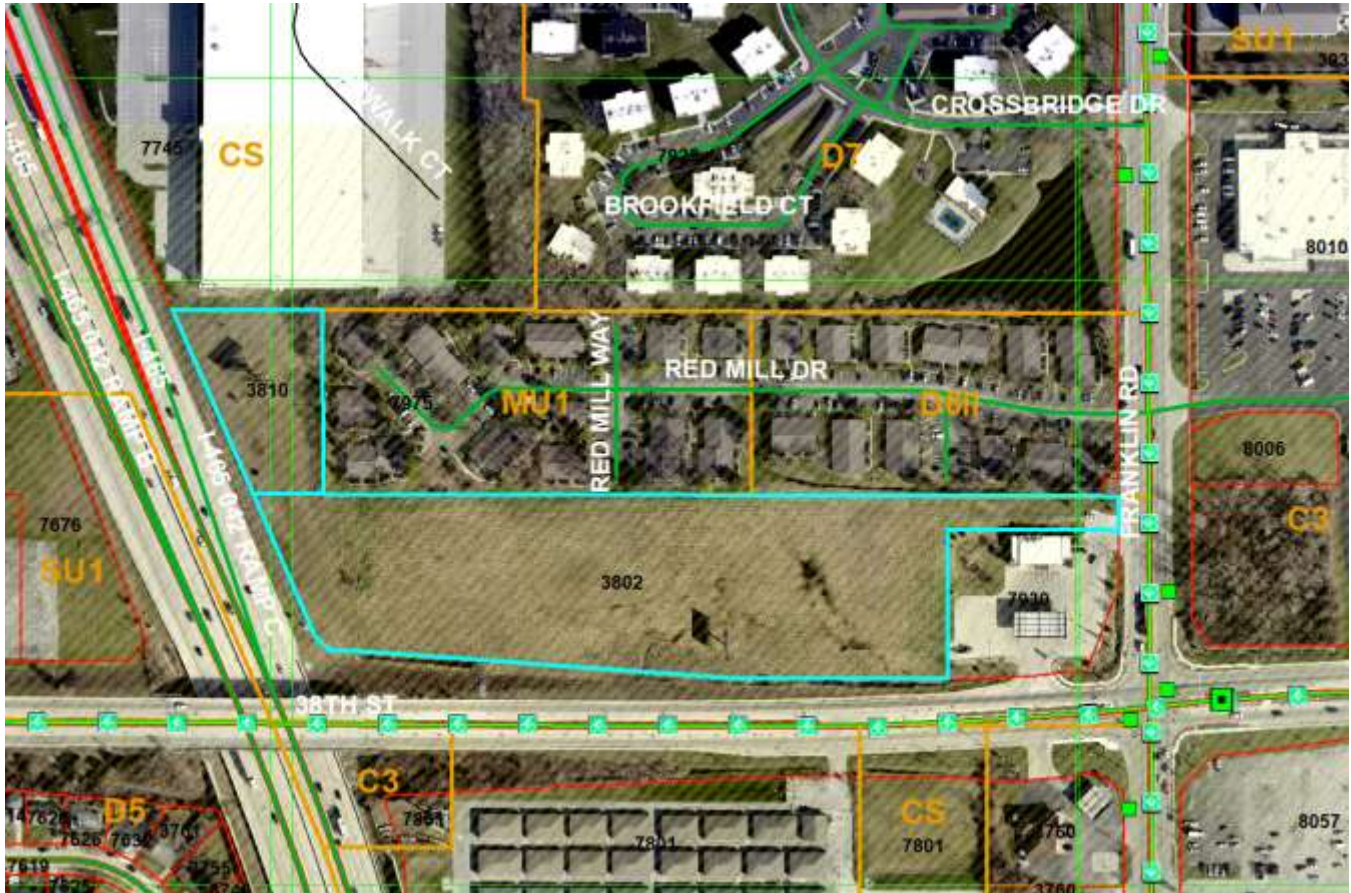
**95-Z-105; 7808 East 38th Street and 7705 East 42nd Street** (subject site), Rezoning of 30 acres from the C-2 C-ID, D-7 and C-3 to C-S classification to provide for office / commercial / industrial park, **approved**.

**90-Z-21; 7940 East 38<sup>th</sup> Street** (subject site), Rezoning of 4.875 acres, being in the C-2 district, to the C-3 classification to provide for commercial development, **approved**.

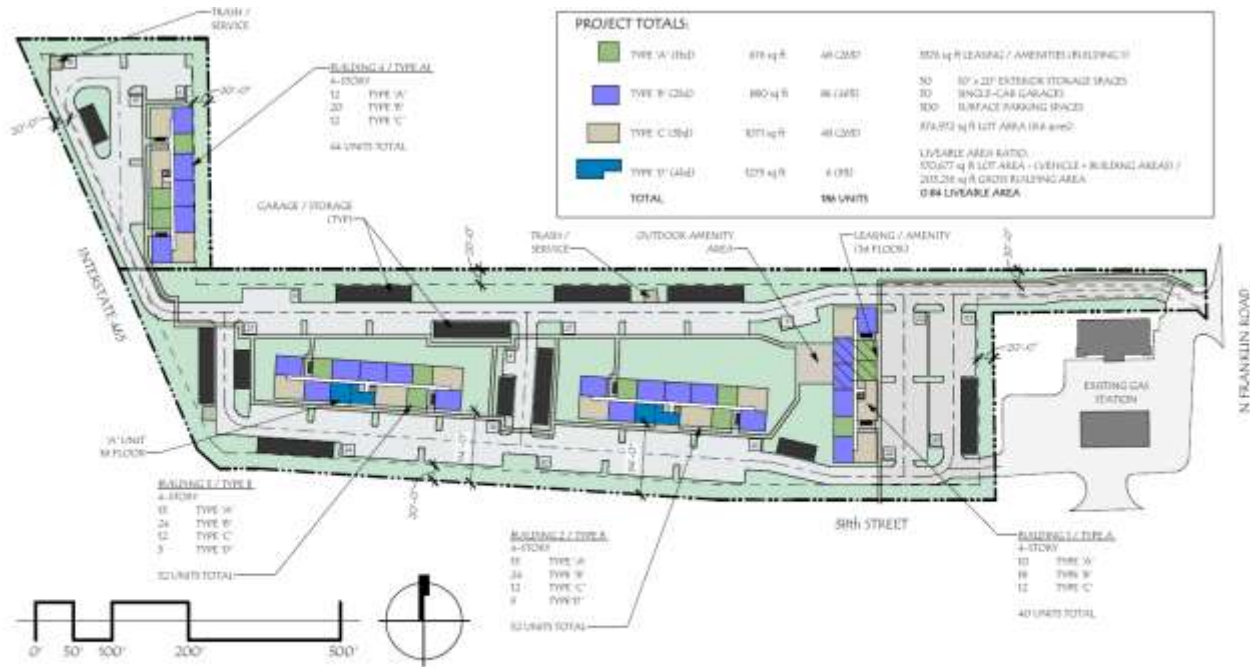
**71-Z-239A; 7950 East 38th Street** (subject site), Rezoning of 8.76 acres, being in the D-5 District, to the C-3 classification to provide for commercial development, **approved**

**71-Z-239B; 7802 East 38th Street** (subject site), Rezoning of 10.96 acres, being in the A-2 District, to the C-2 classification to provide for offices and other allowable development, **approved**.

EXHIBITS



## SITE PLAN

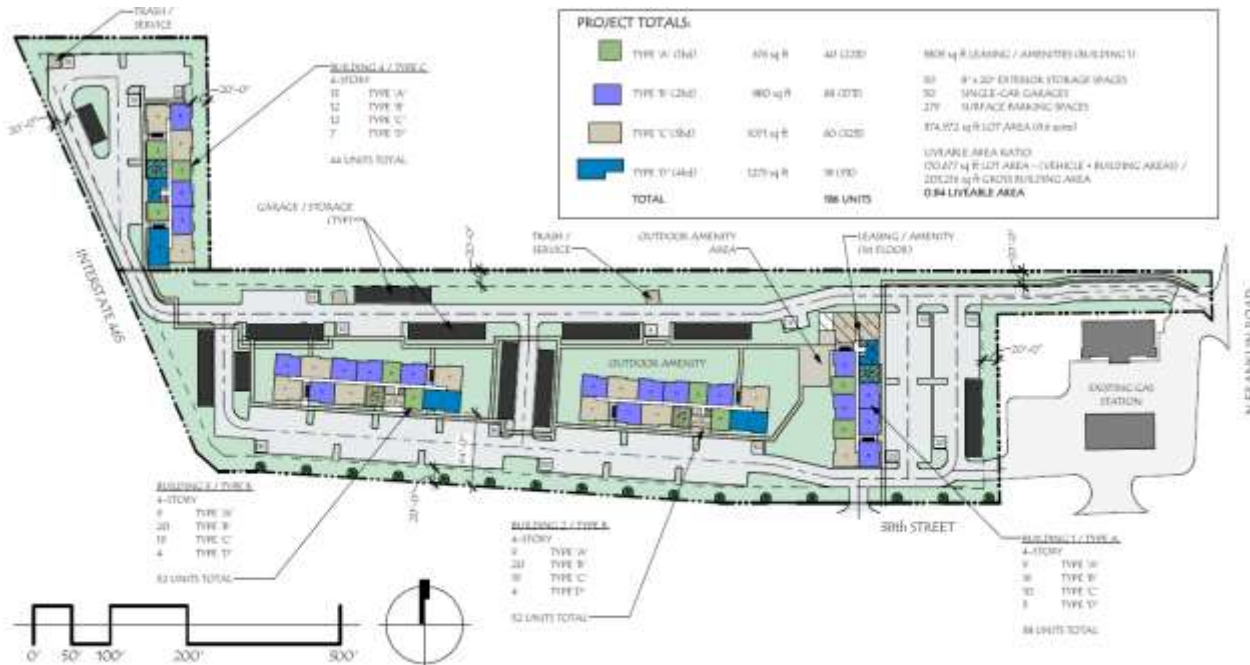


3802 N Franklin Road | Cornerstone Housing Group  
Site Concept Plan

04/10/2025



## AMENDED SITE PLAN



3802 N Franklin Road | Cornerstone Housing Group  
Site Concept Plan

05/29/2025 REV



2<sup>nd</sup> AMENDED SITE PLAN



3802 N Franklin Road | Cornerstone Housing Group  
Site Concept Plan

06/17/2025 REV



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**MULTIPLE DWELLING PROJECT ANALYSIS  
DEPARTMENT OF METROPOLITAN DEVELOPMENT  
DIVISION OF PLANNING**

Property Address: 3802 N Franklin Rd Date: 05/02/2025  
Project Name: Cornerstone Apartments Date of Plans: 04/10/2025  
Zoning Classification: D-10, Dwelling District Ten

	Required Ratios by Ordinance	Computed Ratios
Floor Area Ratio	FAR = 0.80 maximum	<b>0.54</b>
Open Space Ratio	OSR =	<b>1.56</b>
Livability Space Ratio	LSR= 0.66 minimum	<b>0.89</b>
Major Livability Space Ratio	MLSR=	<b>0.12</b>
Total Car Ratio	TCR=	<b>1.61</b>
What to Determine	How to determine it	Determination
Floor Area – FA	From Plans	FA <b>201,216 sq ft</b>
Land Area – LA	From Plans in square feet	LA <b>374,972 sq ft</b>
Floor Area Ratio – FAR	FA / LA	FAR <b>0.54</b>
Building Area – BA	From Plans	BA <b>50,304 sq ft</b>
Usable Roof Areas – URA	From Plans	URA <b>N/A</b>
Uncovered Open Space – UOS	LA-BA+URA	UOS <b>304,668 sq ft</b>
Covered Open Space – COS	From Plans	COS <b>20,000 sq ft</b>
Open Space – OS	UOS + ½ COS	OS <b>314,668 sq ft</b>
Open Space Ratio – OSR	OS / FA	OSR <b>1.56</b>
Car Area – CA	From Plans	CA <b>136,191 sq ft</b>
Livability Space – LS	OS – CA	LS <b>178,477 sq ft</b>
Livability Space Ratio – LSR	LS / FA	LSR <b>0.89</b>
Major Livability Space – MLS	From Plans	MLS <b>23,693 sq ft</b>
Major Livability Space Ratio – MLSR	MLS / FA	MLSR <b>0.12</b>
Number of Dwelling Units – DU	From Plans	DU <b>186</b>
Number of Parking Spaces – PS	From Plans	PS <b>300</b>
Total Car Ratio – TCR	PS / DU	TCR <b>1.61</b>
Gross Density – GD	DU / (LA / 43,560)	GD <b>21.6</b>

## Cornerstone Apartments Indianapolis, IN



Cornerstone Housing Group, LLC, Developer, is proposing to construct 186-units of affordable workforce housing at 3802 & 3810 N. Franklin Road, to be known as the Cornerstone Apartments. The development will provide 1, 2, 3, and 4-bedroom homes to families at 50%, 60%, and 70% of the Marion County area median income (AMI).

**Preliminary market analysis** has provided information regarding the demand for housing in this area. Reports indicate the need for housing is strong, projecting a capture rate of only 5.3% on the proposed 186-units.

**The 8.69-acre property** is currently zoned Commercial-Special District and will require a rezoning to permit multifamily housing. The site is currently vacant, except for 2 billboards, which will be removed to maximize the developable area.

The property is within ¼ mile of a sheltered bus stop on IndyGo's new Purple Line (Stop ID 70083), connecting to the Downtown Transit Center, Ivy Tech Community College & the Benjamin Harrison YMCA

**The development** consists of four (4) buildings, each being 4 stories in height. The exterior will consist of a brick/stone combination to compliment the use of hardy-board or stucco material. Final design will be determined through the plan review process with the City. The intent is to create a building theme that is contemporary, energy efficient, and compliments the surrounding area.

**Development amenities** include on-site management, 24 hr on-call maintenance, interior mail room, a community room, business center, fitness room, social areas, dog park/dog run, a dog washing station, garages and personal storage units for rent. The buildings are designed with a focus on accessibility and security, thus each building is elevator served.

Each home is designed with open concept in mind and will be equipped with Energy Star Rated fixtures and appliances, including but not limited to refrigerator, electric stove/oven, microwave, dishwasher, garbage disposal and washer/dryer; water conserving faucets, shower heads, and bathroom facilities; full window coverings, ceiling fans, coat closet, cable/Internet connections.

**Construction** is estimated to commence in early 2026 and will consist of a 24-month build out.

**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:

a deeper front building line and parking in front of the front building line will improve the quality of life of our residents and their families by:

(1) Providing greater separation between residential units and E 38th St., a four-lane arterial carrying high speed and high volume cross-city traffic, helps mitigate vibration, road noise, and air pollution experienced by our residents; (2) Providing a deeper front building line also improves the views of front facing units that would otherwise look directly onto E 38th St or into the E 38th St berm installed to lift the road over I-465; (3) Placing parking in front allows the thoughtful placement of open space, gathering space, and outdoor amenities further from the road and behind the buildings further protecting residents from road noise and air pollution increasing their use and enjoyment of the property while outdoors.

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:

we only have three neighbors with shared common property lines, two of which include a large warehouse to our north and a gas station to our east. The third, Autumn Trails Apartments to our north, will not be adversely affected by the variances and may benefit by having some parking loaded in front of our buildings reducing traffic, head lights, and door closings adjacent to their property. The greater area includes a mix of land uses with a variety of building setbacks and with parking in front.

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

The property naturally slopes from west to east. Using the natural contours of the land for conveying and detaining stormwater indicates the low spot at the southeast corner is the ideal location for detention pond placement. It is anticipated that the detention pond will be close to one acre and will run parallel to E 38th St creating a need for buildings in the middle and on the east side to be setback further. Buildings on the west side also benefits from a greater setback otherwise it will be encumbered by being too close to the berm constructed to elevate E 38th St over I-465. The road berm is over 20' higher than the property near the southwest property corner.

**DECISION**

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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



Photo of the subject site looking west from the abutting gas station to the east.



Photo of the subject site looking northwest towards the multi-family dwellings to the north.



Southern property boundary looking west along 38th Street with the storage facility south of the site.



Photo of the existing sidewalk along 38<sup>th</sup> street looking west.



Northern property boundary looking west along the proposed entrance drive location.



Photo of the eastern property boundary along Franklin Road looking east.



Photo of the gas station east of the site.



Photo of the closest transit stop station for the Purple Line at 38<sup>th</sup> Street and Franklin Road.



Northwest property boundary looking east.



Western property boundary looking south along I-465.



Religious use west of the site across I-465.

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**June 26, 2025**

**Case Number:** 2025-CAP-823 (Amended) / 2025-CVR-823

**Property Address:** 6800 Pendleton Pike

**Location:** Lawrence Township, Council District #9

**Petitioner:** Amerco Real Estate Company, by Stephany Skeekey

**Current Zoning:** C-S  
Modification of C-S Statement and Site Plan related to 2017-ZON-057, to provide for 12 additional mini-warehouse storage buildings, for a total of 32,003 square feet of additional storage space.

**Request:** Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for 12 mini-warehouse structures within a transit-oriented development overlay (not permitted on lots greater than 0.5-acre and only permitted within a building).

**Current Land Use:** Self-Storage Facility

**Staff Recommendations:** Denial

**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

The Hearing Examiner continued this petition from the May 29, 2025 hearing, to the June 26, 2025 hearing, to provide time for the petition to be amended and new notice provided.

**STAFF RECOMMENDATION**

Denial. If approved staff would request that approval be subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least five business 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 / receptables provided for the proper disposal of trash and other waste.

## PETITION OVERVIEW

This 12.914-acre site, zoned C-S is developed with a self-storage facility and vehicle rental operation. It is surrounded by a utility facility and railroad right-of-way to the north, zoned SU-18 (Light / Power Substation) and C-S, respectively; commercial uses to the south, across Pendleton Pike and East 38<sup>th</sup> Street, zoned C-4 and C-5; commercial uses to the east, zoned C-4; and commercial uses and undeveloped land to the west, across North Elizabeth Street, zoned C-3 and SU-16 (Indoor or Outdoor Recreation and Entertainment), respectively.

Petition 2017-ZON-057 rezoned this site to the C-S district to provide for self-storage, truck and trailer rental and sharing and related retail uses. Petition 2018-ZON-001 rezoned the western parcel to the C-S classification to provide for covered storage of recreational vehicles associated with the permitted uses in the 2017 petition.

## MODIFICATION

The request would modify the C-S Statement and Site Plan related to 2017-ZON-057 and 2018-ZON-001 to provide for 12 additional mini-warehouse storage buildings that would bring the total of storage space on this site to 32,003 square feet, plus 104,775 square feet within the existing one-story 107,216 square-foot building.

The East 38<sup>th</sup> Street Corridor Plan recommends community commercial.

## Overlays

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

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

## 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.

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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.

## **VARIANCE OF USE**

This request would provide for 12 mini-warehouse structures within a transit-oriented development overlay that is not permitted on lots greater than 0.5-acre site and only permitted within a building.

Because of the principles and standards of the TOD overlay, staff believes this variance request would negatively impact surrounding land uses and the recent investment in the Purple Line. Consequently, staff does not support this variance of use and strongly recommends denial.

## **Planning Analysis**

As proposed, this request would not align with the Neighborhood Plan that recommends community commercial or the Transit-Oriented Development Plan.

Staff supported previous petitions for this site and use because they allowed for redevelopment of a large vacant building. However, the Ordinance was updated in 2021 to include the Transit-Oriented Development (TOD) overlay that provides design standards related to certain uses and some prohibited uses.

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

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

The expansion and intensification of a use that is not supportive of the TOD overlay or the Neighborhood Plan, would not be appropriate and would be detrimental to the surrounding land uses. Staff, therefore, strongly recommends denial of this modification request.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	C-S	
<b>Existing Land Use</b>	Self-Storage Facility / Vehicle Rental	
<b>Comprehensive Plan</b>	Community Commercial	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	C-S / SU-18	Railroad right-of-way / utility facility
South:	C 3 / C4	Commercial uses
East:	C-4	Commercial uses
West:	C-4 /SU-16	Commercial uses / undeveloped land
<b>Thoroughfare Plan</b>		
Pendleton Pike	Secondary Arterial	Existing 100-foot right-of-way and proposed 78-foot right-of-way.
East 38 <sup>th</sup> Street	Primary Arterial	Existing 90-foot right-of-way and proposed 80-foot right-of-way.
North Elizabeth Street	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	

<b>Overlay</b>	Yes – Transit Oriented Development (TOD)
<b>Wellfield Protection Area</b>	No
<b>Site Plan</b>	April 21, 2025
<b>Site Plan (Amended)</b>	N/A
<b>Elevations</b>	N/A
<b>Elevations (Amended)</b>	N/A
<b>Landscape Plan</b>	N/A
<b>Findings of Fact</b>	April 21, 2025
<b>Findings of Fact (Amended)</b>	N/A
<b>C-S/D-P Statement</b>	April 21, 2025

## 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

Purple Line Transit-Oriented Development Strategic Plan (2021)

This site is located within a ¼ mile walk a transit stop located at the intersection of East 38<sup>th</sup> Street and North Shadeland 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

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This district follows the policies and principles of the comprehensive plan, the transit-oriented development strategic plans, and the Livability Principles in this code, and has the following specific design objectives:

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

### **Neighborhood / Area Specific Plan**

The East 38<sup>th</sup> Street Corridor Plan (2012)

This land use category is for low-intensity retail commercial, and office uses, which serve predominantly residential market adjacent to very near, the location of the use. The uses in this land use category are designed to fulfill a broad range of retail, personal, professional and business services and are either freestanding or part of a small integrated center typically anchored by grocery store. These centers contain no, or extremely limited, outdoor display of merchandise. Generally, these uses are consistent with the following characteristics:

Maximum Gross Floor Area: 125,000 square feet

Maximum Acreage: 25 acres

Service Area Radius: 2 miles

Location: On an arterial or at the intersection of an arterial with a collector

Maximum Out lots: 3

### **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

**2018-ZON-001; 6800 Pendleton Pike**, requested rezoning of 3.39=8 acres, from the C-4 district to the C-S classification to provide for covered storage of recreational vehicles, approved.0

**2017-ZON-057; 6800 Pendleton Pike**, requested rezoning of 9.75 acres from the C-4 district to the C-S classification to provide for self-storage, truck and trailer rental and sharing and related retail uses, approved.

### VICINITY

**2021-ZON-034; 6880 Pendleton Pike (east of site)**, requested rezoning of 5.11 acres from the CS district to the C-4 district, **approved**.

**2010 UV3-005; 6801 East 38<sup>th</sup> Street (south of site)**, requested a variance use of the Commercial Zoning Ordinance to provide for automobile sales, **denied**.

**2004-ZON-132; 6801 East 38<sup>th</sup> Street (south of site)**, requested rezoning from C-4 to C-5 to provide for used automobile sales, **dismissed due to lack of prosecution**.

**97-UV3-26; 6850 Pendleton Pike (east of site)**, requested a variance of use of the Commercial Zoning Ordinance to provide for the operation of a retail truck leasing facility with outside storage of rental trucks, in C-4, **granted**.

**96-UV1-78; 6802 Massachusetts Avenue (south of site)**, requested a variance of use and Development Standards of the Commercial Zoning Ordinance to provide for the operation of an automobile sales facility with outdoor display and sales, with customer parking and display of vehicles being 6 feet from Massachusetts Avenue, customer display within the required yards, and with a landscape strip of six feet in width along Massachusetts Avenue, in C-4, **withdrawn**.

**94-UV3-30; 6710 East 38<sup>th</sup> Street (west of site)**, requested a variance of use of the Commercial Zoning Ordinance to provide for outdoor automobile sales, rental and display, in C-4, **denied**.

**94-Z-111; 6906 East 38<sup>th</sup> Street (south of site)**, requested rezoning of 1.39 acres from the D-3 District to the C-5 classification, **approved**.

**88-Z-115; 6901 East 38<sup>th</sup> Street (south of site)**, requested rezoning of 9.5 acres, being in the C-4 District, to the C-5 classification to conform the zoning with the existing use, **approved**.

**59-V-549; 6801 East 38<sup>th</sup> Street (subject site)**, requested a variance of to provide for a restaurant serving food and alcoholic beverages, in C-4, **granted**.

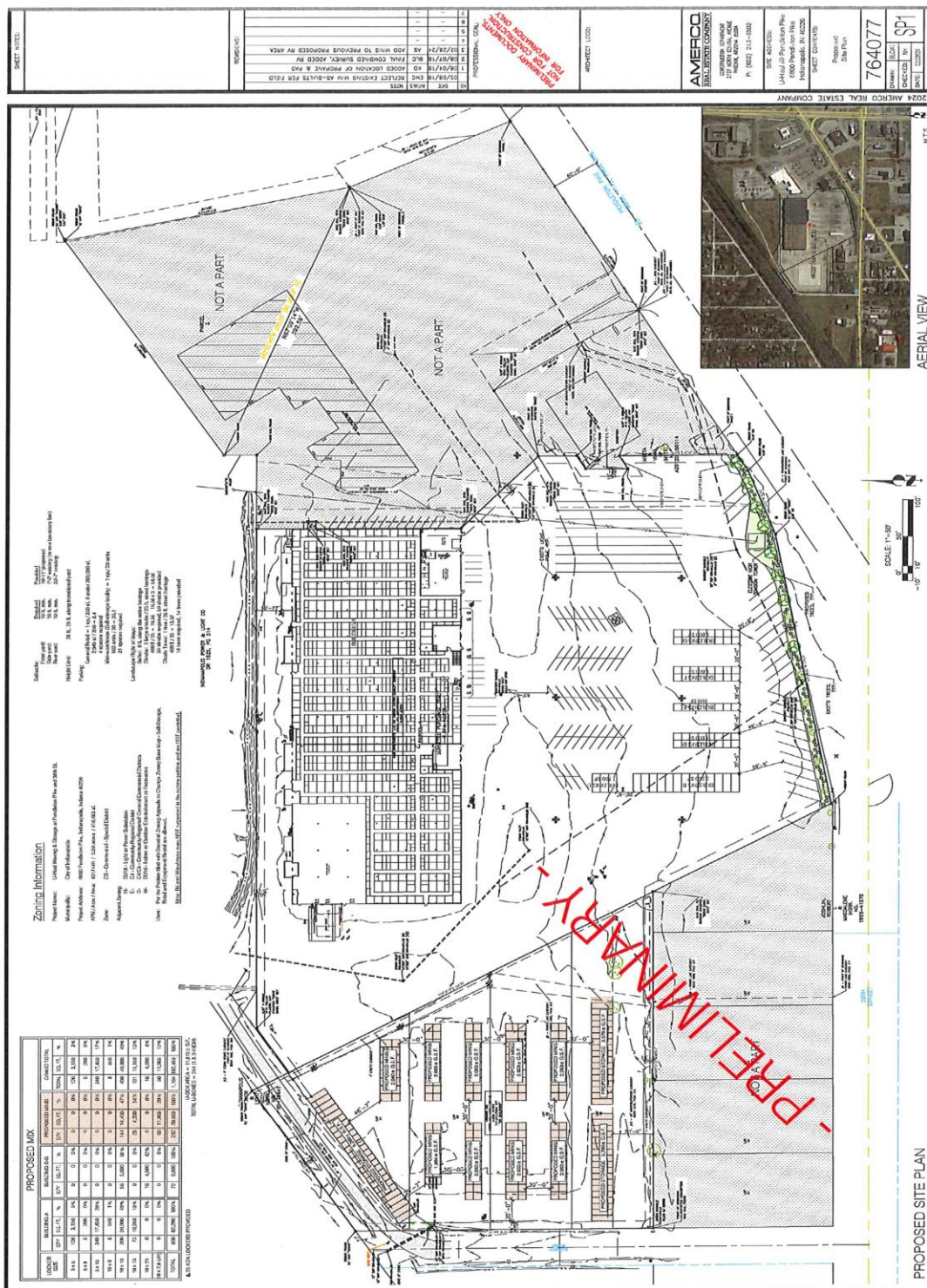
EXHIBITS



[illegible]

Site Plan 2018-ZON-001







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 USE

FINDINGS OF FACT

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

Our proposal will not be injurious to the public health, safety, morals, or general welfare of the community. This site has operated as a U-Haul Moving and Storage Store for almost ten years and the use requested has proven to have no injurious impacts on the community. The site currently has 71,890 GSF of self-storage (932 units) and our request to add an additional 30,565 GSF(232 units) of self-storage should be viewed simply as a small expansion of an existing use.

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

The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. As mentioned above, this site already operates as a U-Haul Moving and Storage Store. This request to add an additional 30,565 gsf of self-storage will only serve to further increase the value of adjacent properties, in the same way our initial development did.

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

At the time this site was developed, the use of self-storage was not limited to a .5 acre site, nor was interior access to units listed as a requirement required. The TOD zoning was applied to this property after the fact. In order to make better use of the site, we are requesting a use variance to allow us to add additional self-storage units on site to better serve the community's storage needs. This request does not substantially change the nature or use of the site, it simply expands an existing use.

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 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 zoning ordinance was changed after we developed our site and the new code limits the functioning of our existing site and the ability for us to effectively serve our customers.

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

The grant does not interfere substantially with the comprehensive plan because the request for the use variance is not bringing a new use to the site. It is simply expanding the existing use. In our experience, the use of self-storage is both necessary and successful in TOD areas. When situated near public transit, approximately 50% of our customers utilize alternative transportation to access their storage units. One of the many benefits of a TOD is to allow for a variety of housing options. For many, a self-storage unit acts as an extension of their home. This is certainly true of those who live in smaller homes and apartments.

DECISION

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



View looking east along Pendleton Pike



View looking west along Pendleton Pike

Department of Metropolitan Development  
Division of Planning  
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View of site looking west



View of site looking west in area of proposed expansion



View of site looking west in area of proposed expansion



View of site looking west in area of proposed expansion



Views of site looking south



View of site looking west



View of site looking northeast along northern boundary



View of site looking east



View of site looking southeast



View of site looking east



View of site looking east



View of site looking northeast



View of site looking west



View of site looking north



View of site looking northwest



View for site looking southeast towards Pendleton Pike



View for site looking southwest towards Pendleton Pike



View for site looking southwest towards Pendleton Pike

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**June 26, 2025**

**Case Number:** 2025-CZN-824 / 2025-CVR-824 / 2025-CVC-824 (Amended)

**Property Address:** 963, 1001, 1007, 1008, 1010, 1011, 1015, and 1027 East Georgia Street, and 960, 1002, 1018, and 1022 and 1030 Bates Street (Approximate Addresses)

**Location:** Center Township, Council District #18

**Petitioner:** The City of Indianapolis by Aryn Schounce

**Current Zoning:** D-8, C-S (TOD), and I-4

**Request:** Rezoning of 1.76 acres from the D-8, C-S (TOD), and I-4 districts to the C-S (TOD) district to provide for not-for-profit uses, including case management and services, offices, commercial kitchen and cafeteria, multi-family dwellings, emergency shelter, and accessory uses such as outdoor gathering space, per the filed plan of operation.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a surface parking lot at 1008 and 1010 East Georgia Street, with a zero-foot front yard setback along Shelby Street and Georgia Street without landscaping (minimum 10-foot front yard setbacks required with landscaping), a four-foot west transitional yard setback without landscaping (minimum eight-foot west transitional yard setback required at alley with landscaping), without exclusive alley access (not permitted), with a four-foot wide public sidewalk along Georgia Street and Shelby Street (minimum six-foot sidewalk required at local street and minimum 12-foot wide sidewalk required at arterial street), and, a surface parking lot at 1018, 1022, and 1030 Bates Street, with a six-foot front setback along Bates Street without landscaping, (minimum 10-foot front setback required with landscaping), a two-foot east side yard without buffer landscaping (minimum 10-foot side yard required with buffer landscaping), and without exclusive access from an improved alley (not permitted), and, a mixed-use building at 963-1027 East Georgia Street within the clear sight triangle of an abutting alley and Georgia Street (not permitted within the clear sight triangle), with a nine-foot front setback along Shelby Street and zero-foot front setback along Georgia Street both without landscaping (minimum 10-foot front yard setbacks required with landscaping), a four-foot south transitional yard abutting an alley without landscaping (minimum eight-foot transitional yard required when abutting an alley with landscaping), a building height of 73 feet, (maximum 38-foot building height permitted), and a five-foot wide public sidewalk along Georgia Street and Shelby Street (minimum 6-foot sidewalk required at local street and minimum 12-foot wide sidewalk required at arterial street), with deficient landscaping and a waiver of the minimum and maximum parking requirements, in lieu of approval by the Current Planning Administrator.

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

Vacation of the first north-south alley, west of Shelby Street, being 15 feet in width, from the south right-of-way line of Georgia Street, south 130.84 feet, to the north right-of-way line of the first east-west alley south of Georgia Street.

**Current Land Use:** Vacant commercial and residential buildings, Undeveloped land

**Staff Recommendations:** Approval with commitments.

**Staff Reviewer:** Marleny Iraheta, Senior Planner

## PETITION HISTORY

This petition was continued from the May 29, 2025 hearing to the June 26, 2025 hearing at the request of staff to allow additional time to amend the request and provide proper notice.

## STAFF RECOMMENDATION

**Amendment:** The petitioner should amend the request to reflect the changes made to the C-S Statement and site plan which include the following:

1. The removal of the multi-family dwellings from the rezoning request.
2. A surface parking lot at 1008 and 1010 East Georgia Street with deficient landscaping instead of having no landscaping.
3. An eight-foot sidewalk along Shelby Street and a six-foot sidewalk along Georgia Street to be met at 1008 and 1010 East Georgia Street.
4. A surface parking lot at 1018, 1022, and 1030 Bates Street with deficient landscaping instead of having no landscaping.
5. A mixed-use building at 963-1027 East Georgia Street with deficient landscaping instead of having no landscaping and the 10-foot front setback along Shelby Street to be met.
6. Six-foot wide sidewalks along Georgia Street and Shelby Street to be met at 963-1027 East Georgia Street. A 12-foot sidewalk at this section of Georgia Street is not required.

Staff **recommends approval of the variances and vacation** requests.

Staff **recommends approval** of the rezoning, 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 39-foot half right-of-way shall be dedicated along the frontage of Shelby 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).
2. Final site plan, landscape plan, building elevations and lighting plan shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).

**RECOMMENDED MOTION:** That the Hearing Examiner finds that the proposed vacation is in the public interest and that the Hearing Examiner confirms and ratifies the adoption of Declaratory Resolution 2025-CVC-824; subject to the rights of public utilities under IC 36-7-3-16.

## PETITION OVERVIEW

### LAND USE

This 1.76-acre site, zoned D-8, C-S (TOD), and I-4, is comprised of 14 parcels and developed with vacant commercial and residential buildings and includes undeveloped land. It is surrounded by a commercial building to the north, zoned I-4 (TOD); an addiction treatment center, zoned I-3, industrial uses and undeveloped land to the east, zoned I-4; single-family dwellings, zoned D-8, and a railroad to the west, zoned I-4; and undeveloped land and a railroad to the south, zoned I-4.

Prior to this request a portion of the property was rezoned to provide for a housing hub for those experiencing homelessness including associated supportive services.

### REZONING

This request would rezone the site from the D-8, C-S (TOD), and I-4 districts to the C-S (TOD) classification to provide for not-for-profit uses, including case management and services, offices, commercial kitchen and cafeteria, emergency shelter, and accessory uses such as outdoor gathering space, per the filed plan of operation

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

### OVERLAYS

This site is located within two overlays, specifically the Industrial Reserve (IR) overlay and 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 Industrial Reserve (IR) is intended for areas that are prime for industrial development due to factors such as large parcel size, proximity to compatible uses, and/or interstate access.

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There are no added or modified uses with the Industrial Reserve Overlay, but there are removed uses which include Small-Scale Offices, Retailing, and Personal or Professional Services and Heavy Commercial Uses.

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.

There are no added uses for the TOD overlay, but there are modified uses that include Small-Scale Offices, Retailing, and Personal or Professional Services and Light Industrial Uses. Two removed uses within this overlay are Heavy Commercial Uses and Wind or Solar Farms.

### **VARIANCE OF DEVELOPMENT STANDARDS**

Per Table 744-201-3, the C-S district requires minimum 10-foot front and side yard setbacks, minimum eight-foot side transitional yards when abutting an alley and has a maximum 35-foot building height permitted. Front and transitional yards are required to be landscaped.

No obstructions shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede visibility between the heights of 2-½ feet and 8 feet above grade level of the adjoining right-of-way within the clear sight triangular area.

The Ordinance requires minimum six-foot sidewalks along all streets and minimum 12-foot-wide sidewalks along arterial streets in the Transit-Oriented Development Secondary District.

When a lot abuts an improved alley and the street frontage is less than 200 feet, vehicle access to that lot shall be exclusively from that alley.

Parking requirements for individual uses are per Table 744-402-1: Required Parking Table.

### **VACATION**

This vacation petition would vacate the first north-south alley, west of Shelby Street, being 15 feet in width, from the south right-of-way line of Georgia Street, south 130.84 feet, to the north right-of-way line of the first east-west alley south of Georgia Street.

The request would permit adjacent properties east of the alley to be combined for the development of the proposed building. The public alley would then be relocated to fall within the property at 936 East Georgia Street which is currently west of the existing alley. A depiction of the proposed alley relocation is included in the report.

After evaluation of the above considerations, staff finds that the vacation would be in the public interest and recommends the vacation petition be approved. The vacation will not require an assessment of benefits waiver since it is to be used by a governmental or public use.

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

## PROCEDURE

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

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

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

Petitioners and abutters of the vacated right-of-way should consult their own attorneys for advice regarding the ownership of the vacated right-of-way. In this instance, the abutting properties are all owned by the same property owner.

## GENERAL DESCRIPTION:

Vacation of the first north-south alley, west of Shelby Street, being 15 feet in width, from the south right-of-way line of Georgia Street, south 130.84 feet, to the north right-of-way line of the first east-west alley south of Georgia Street.

## UTILITIES AND AGENCY REPORT

Telephone:	No answer, retain easement, if requested
CEG, Gas:	No answer, retain easement, if requested
CEG, Wastewater:	No answer, retain easement, if requested
CEG, Water:	No answer, retain easement, if requested
Power:	No answer, retain easement, if requested
Cable:	No answer, retain easement, if requested
DPR:	No answer, retain easement, if requested
DPW, TS:	No answer, retain easement, if requested

## 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 Shelby Street (primary arterial). This dedication would also be consistent with the Marion County Thoroughfare Plan.

## C-S STATEMENT

The C-S Statement, file-dated May 1, 2025, states that the site would be developed as a housing hub for individuals experiencing homelessness, and a center of operations for a non-profit organization, which may include but not be limited to for not-for-profit uses, including case management and services, offices,

commercial kitchen and cafeteria, multi-family dwellings, emergency shelter, and accessory uses such as outdoor gathering space.

## **SITE PLAN**

The site plan, file-dated June 16, 2025, is conceptual and provides for a 63,400 square-foot building and two surface parking lots. The northern one would contain 36 parking spaces and the southern one would contain 23 parking spaces for a total of 59 spaces.

Because of the proposed C-S rezoning, Administrator Approval would be required for the site plan, landscape plan, building elevations, signage, and lighting (photometric) plan.

Review of the finalized plans would include, but not limited to, consideration of the following items and / or features; architectural design that is compatible and well-integrated with the surrounding land uses; appropriate green / open space to serve the site; and project signage that complies with the Sign Regulations.

## **STAFF ANALYSIS**

The request would not be consistent with the Comprehensive Plan recommendation of light industrial typology or the industrial reserve overlay, but The Pattern Book guidelines recommend that light industrial uses be removed as a land use adjacent to living typologies.

For approximately ten years living typologies have been introduced to this area by rezonings to the D-8 district between the railroad right-of-way to the west and Shelby Street to the east. It should also be noted that historically, this area was developed residentially.

This site lies within two TOD overlays (Red Line and Blue Line) with District Center and Central Business District typologies, both of which recommend mixed-use, including residential uses, with a minimum building height of three to five stories. Staff is supportive of the height variance to promote the recommendations of the Red Line and Blue Line Transit-Oriented Development Strategic Plans.

The approximate 130.84-foot-long alley is used by the public, but staff is supportive of the vacation request due to the planned relocation of the public alley to the west and finds it would be in the best interest of the public to have the alley be utilized for the development of a facility that will provide public services.

Although the proposed development of the site requires a number of variances, the requests are ones that staff supports to provide as many parking spaces on site while incorporating landscaping where possible to ensure these vital public services are made available to the individuals facing life challenges.

Because this site will be zoned C-S, the final site plan, landscape plan, building elevations and lighting plan shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).

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

For all these reasons, staff supports and determined the request would generally be compatible with the adopted land use plans and the current ongoing redevelopment of this area. Staff recommends approval of the requests so long as the amendments as follow are made at the hearing:

1. The removal of the multi-family dwellings from the rezoning request.
2. A surface parking lot at 1008 and 1010 East Georgia Street with deficient landscaping instead of having no landscaping.
3. An eight-foot sidewalk along Shelby Street and a six-foot sidewalk along Georgia Street to be met at 1008 and 1010 East Georgia Street.
4. A surface parking lot at 1018, 1022, and 1030 Bates Street with deficient landscaping instead of having no landscaping.
5. A mixed-use building at 963-1027 East Georgia Street with deficient landscaping instead of having no landscaping and the 10-foot front setback along Shelby Street to be met.
6. Six-foot wide sidewalks along Georgia Street and Shelby Street to be met at 963-1027 East Georgia Street. A 12-foot sidewalk at this section of Georgia Street is not required.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-8, C-S (TOD), and I-4	
<b>Existing Land Use</b>	Vacant commercial and residential buildings, Undeveloped land	
<b>Comprehensive Plan</b>	Light Industrial	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
	North: I-4 (TOD)	Commercial Building
	South: I-4	Undeveloped / Railroad
	East: I-3 / I-4	Addiction Treatment Center / Industrial / Undeveloped
	West: D-8 / I-4	Residential (Single-family dwellings)
<b>Thoroughfare Plan</b>		
Georgia Street	Local Street	48-foot proposed right-of-way and 53-foot existing right-of-way.
Bates Street	Local Street	48-foot proposed right-of-way and 60-foot existing right-of-way.
Shelby Street	Primary Arterial Street	78-foot proposed right-of-way and 68-foot existing right-of-way.
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	Yes	
<b>Site Plan</b>	April 1, 2025	
<b>Site Plan (Amended)</b>	June 16, 2025	
<b>Elevations</b>	June 16, 2025	
<b>Elevations (Amended)</b>	N/A	

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<b>Landscape Plan</b>	May 9, 2025
<b>Findings of Fact</b>	June 20, 2025
<b>Findings of Fact (Amended)</b>	N/A
<b>C-S/D-P Statement</b>	May 1, 2025

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Pattern Book (2019)
- Blue Line Transit-Oriented Development Strategic Plan (2018)
- Red Line Transit-Oriented Development Strategic Plan (2021)
- Indy Moves Transportation Integration Plan (2018)

### Pattern Book / Land Use Plan

- The Comprehensive Plan recommends light industrial development of the site.
- The Light Industrial typology provides for industrial, production, distribution, and repair uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Typical uses include warehousing, self-storage, assembly of parts, laboratories, wholesaling, and printing. Industrial or truck traffic should be separated from local/residential traffic.
- The Pattern Book lays out a land use classification system that guides the orderly development of the county, protects the character of neighborhoods, and serves as a policy guide for development or redevelopment of a site. The following elements of the Pattern Book apply to this site:
- **Light Industrial Uses**
  - Industrial truck traffic should not utilize local, residential streets.
  - Streets internal to industrial development must feed onto an arterial street.
  - Removed as a recommended land use where they would be adjacent to a living or mixed-use typology.
- **Heavy Commercial Uses**
  - Removed as a recommended land use where they would be adjacent to a living typology.
- **Small-Scale Offices, Retailing, and Personal or Professional Services**
  - Should be subordinate to and serving the primary uses of production, warehousing, and offices.
  - Should be adjacent to interstate interchanges if present. If no interchange is present, should be located along arterial streets at the edge of the light industrial typology.

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- Should be located and served in such a way that the use will not interfere with industrial traffic or loading.
- The Pattern Book also provides guidance related to overlays and whether an overlay adds, modifies, or removes the recommended land uses within the base typology. This site lies within two Transit-Oriented Development overlays (Red Line TOD and Blue Line TOD).
- **Modified Uses**
  - Small Scale Offices, Retailing, and Personal or Professional Services - Development should be supportive of pedestrian activity (e.g. compact, connected to a pedestrian system, no more than one third of the frontage used for parking.)
  - Light Industrial Uses - Development should be supportive of pedestrian activity (e.g. compact, connected to a pedestrian system, no more than one third of the frontage used for parking.) Only small-scale light industrial uses are appropriate in this overlay.
- **Removed Uses**
  - Heavy Commercial Uses
  - Wind or Solar Farms

**Red Line / Blue Line / Purple Line TOD Strategic Plan**

- The site falls within two TOD overlays, including the Red Line and the Blue Line, identified with a District Center typology, as well as the Central Business District typology.
- Red Line - This site is located within a ½ mile walk of the Fletcher Place transit stop located at the intersection of Virginia Street and Merrill Street with a District Center typology.
- Blue Line – This site is located within a ¼ mile walk of the proposed transit station located at the intersection of U.S. 40 (Washington Street) and Southeastern Avenue / Shelby Street with a Central Business District 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 include a dense mixed-use hub for multiple neighborhoods with tall buildings, minimum of three (3) 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.
- Characteristics of the Central Business Center typology include the densest core of the city with the tallest buildings, a mix of office, entertainment, civic retail, active public place and residential, minimum of 5 stories throughout with no front or side setbacks with structure parking only with active first floor.

**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, the IndyMoves PedalIndy (2018) plan proposes an active transportation bike neighborway along Shelby Street from Prospect Street to Southeastern Avenue

## ZONING HISTORY

### Zoning History – Site

**2023-ZON-121; 1007, 1008, 1010, 1011, 1015 & 1027 East Georgia Street and 1018, 1022 & 1030 Bates Street** (subject site), Rezoning of 1.16 acres from the I-4 (TOD) District to the C-S (TOD) District to provide for a housing hub for those experiencing homelessness including associated supportive services, **approved**.

**2019-CZN-839 / 2019-CVR-839; 960, 1002, 1006, 1010 and 1014 Bates Street and 1001 East Georgia Street** (subject site), Rezoning of 0.73 acre from the I-4 district to the D-8 district and variances or development standards to legally establish and provide for three single-family dwellings and detached garages with reduced side setbacks and separation between dwellings, **approved and granted**.

**2006-UV2-018; 1007, 1011, and 1015 East Georgia Street** (subject site), Variance of use of the Industrial Zoning Ordinance to provide for continued lawn mower sales and repair (not permitted), and used carpet sales (not permitted), as permitted temporarily by petition 2001-UV1-016 until May 1, 2006, **granted**.

**2003-VAC-028; 1002 Bates Street** (subject site), Vacation of a portion of the first north-south alley west of Shelby Street, being 15 feet in width from the north right-of-way of Bates Street to a point 130.67 feet to the north of said right-of-way line, along the south right-of-way line of the first east-west alley north of Bates Street, **approved**.

**2001-UV1-016; 1007-1015 East Georgia Street** (subject site), Variance of use of the Industrial Zoning Ordinance to provide for lawn mower sales and repair, and carpet sales in I-4-U, as previously approved by 96-UV3-43, **granted (temporary for five years, exclusive to petitioner)**.

**97-UV2-36; 1002 Bates Street** (subject site), Variance of use and development standards of the Industrial Zoning Ordinance to provide for construction of a 22 by 24-foot detached garage for an existing single-family dwelling, with reduced setbacks, **denied**.

**96-UV3-43; 1007-1015 East Georgia Street** (subject site), Variance of use of the Industrial Zoning Ordinance to provide for lawn mower sales and repair, carpet sales, and light mechanical automobile repair in I-4-U, **granted (temporary for five years, exclusive to petitioner)**.

**60-V-528; 1022 Bates Street** (subject site), Variance of use to permit an addition to the rear of the existing single-family residence, **granted**.

### Zoning History- Vicinity

**2013-CZN-835 / 2013-CVR-835; 939, 943, 947, 954, 958 and 964 East Georgia Street** (west of site), Rezoning of 0.50 acre from the I-4U district to the D-8 classification to provide for single-family development and variances of development standards to legally establish reduced setbacks and open space and provide for detached garages with reduced setbacks, **approved and granted**.



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**99-Z-186; 1133 East Georgia Street** (east of site), Rezoning of 1.597 acres from SU-9 to I-3-U to provide for medium intensity urban industrial development, **approved.**

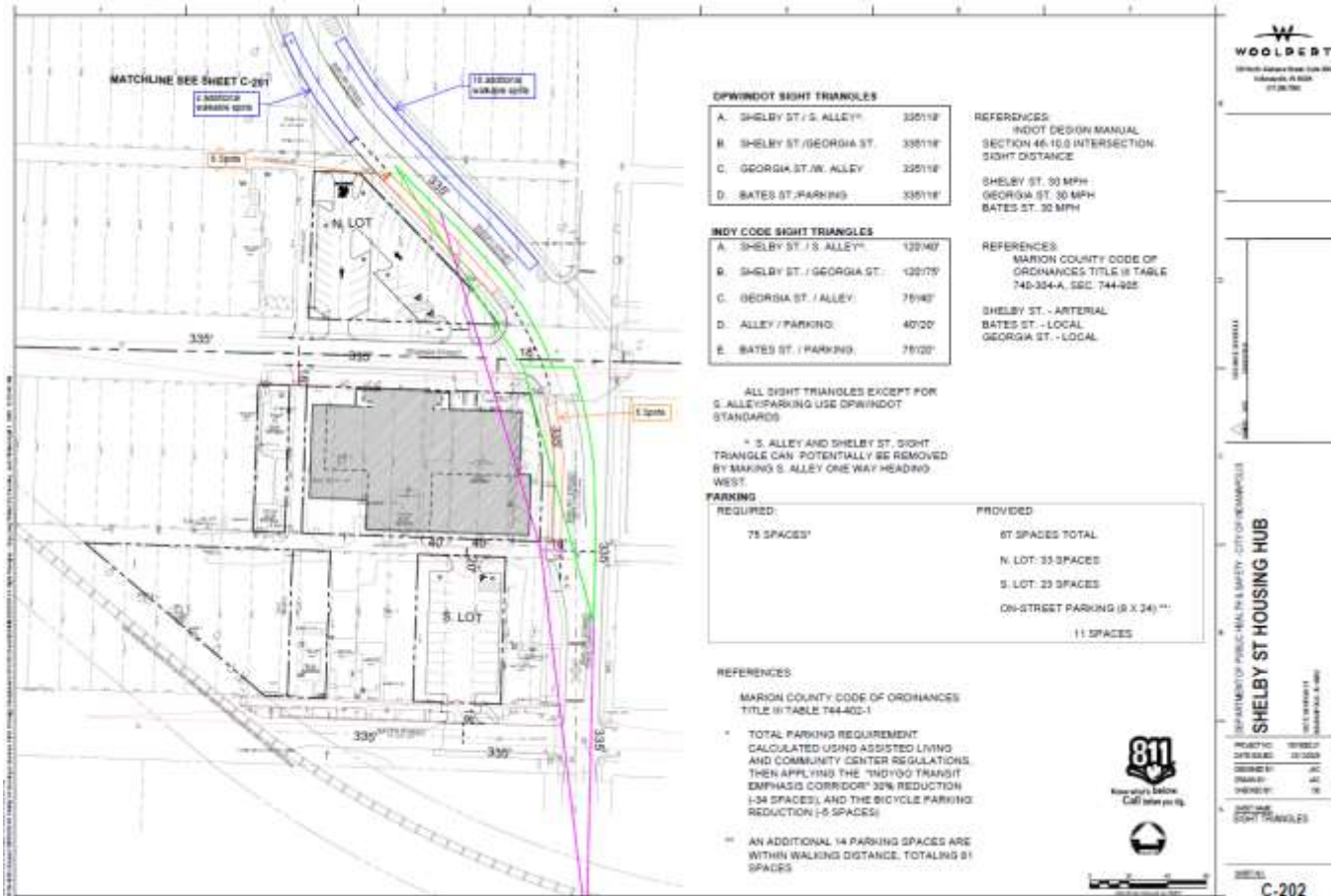
**94-Z-116; 1129-1225 East Georgia Street** (east of site), Rezoning of 2.66 acres, being in the SU-9 District, to the I-3-U classification, **approved.**

**90-Z-197; 1129-1225 East Georgia Street** (east of site), Rezoning of 2.66 acres, being in the I-4-U District, to the SU-9 classification, **approved.**

EXHIBITS



## SITE PLAN



PARKING REQUIRED:	PROVIDED
75 SPACES*	67 SPACES TOTAL
	N. LOT: 33 SPACES
	S. LOT: 23 SPACES
	ON-STREET PARKING (8 X 24) **
	11 SPACES

## REFERENCES

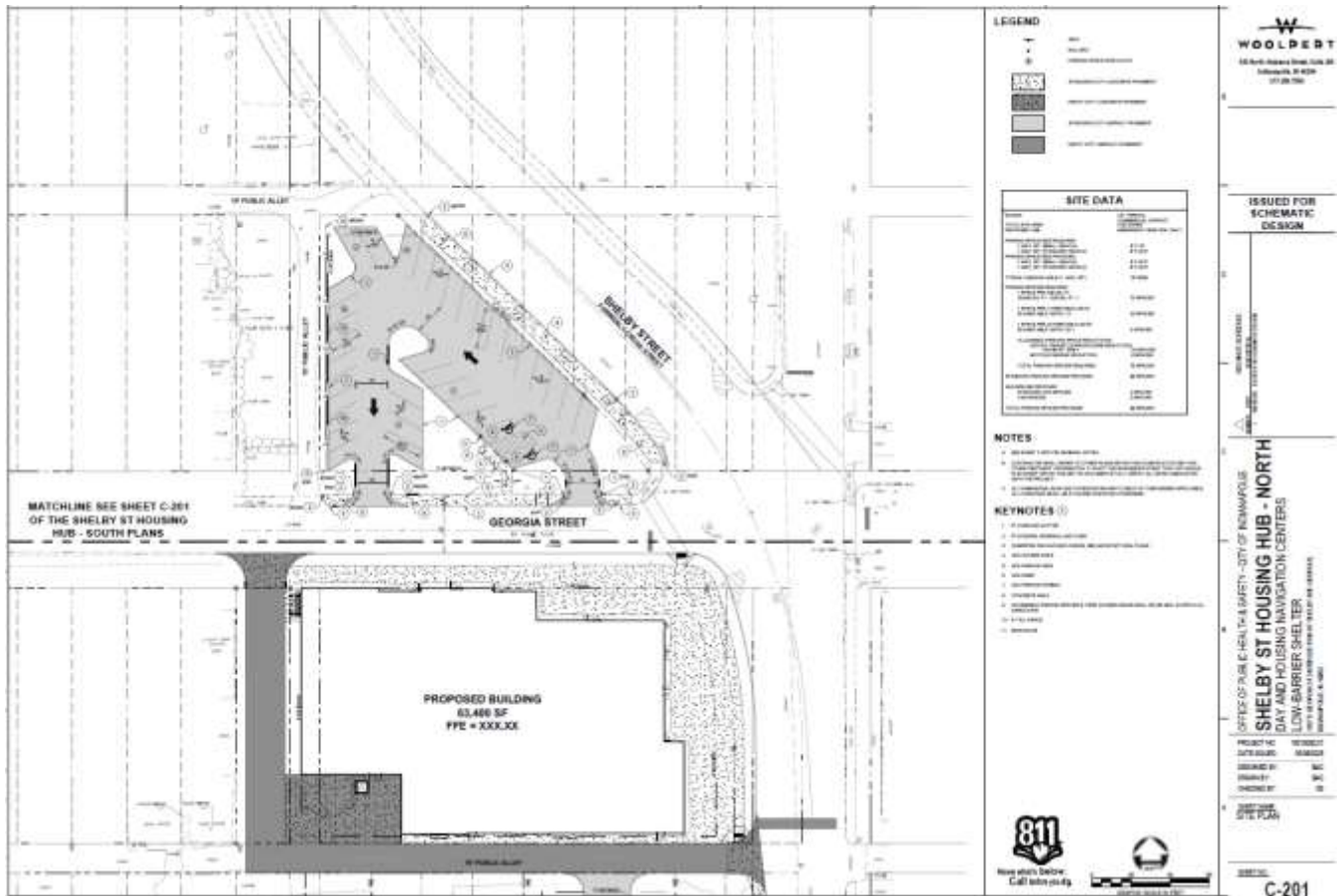
MARION COUNTY CODE OF ORDINANCES  
 TITLE III TABLE 744-402-1

- \* TOTAL PARKING REQUIREMENT CALCULATED USING ASSISTED LIVING AND COMMUNITY CENTER REGULATIONS, THEN APPLYING THE "INDYGO TRANSIT EMPHASIS CORRIDOR" 30% REDUCTION (-34 SPACES), AND THE BICYCLE PARKING REDUCTION (-5 SPACES)

- \*\* AN ADDITIONAL 14 PARKING SPACES ARE WITHIN WALKING DISTANCE, TOTALING 81 SPACES

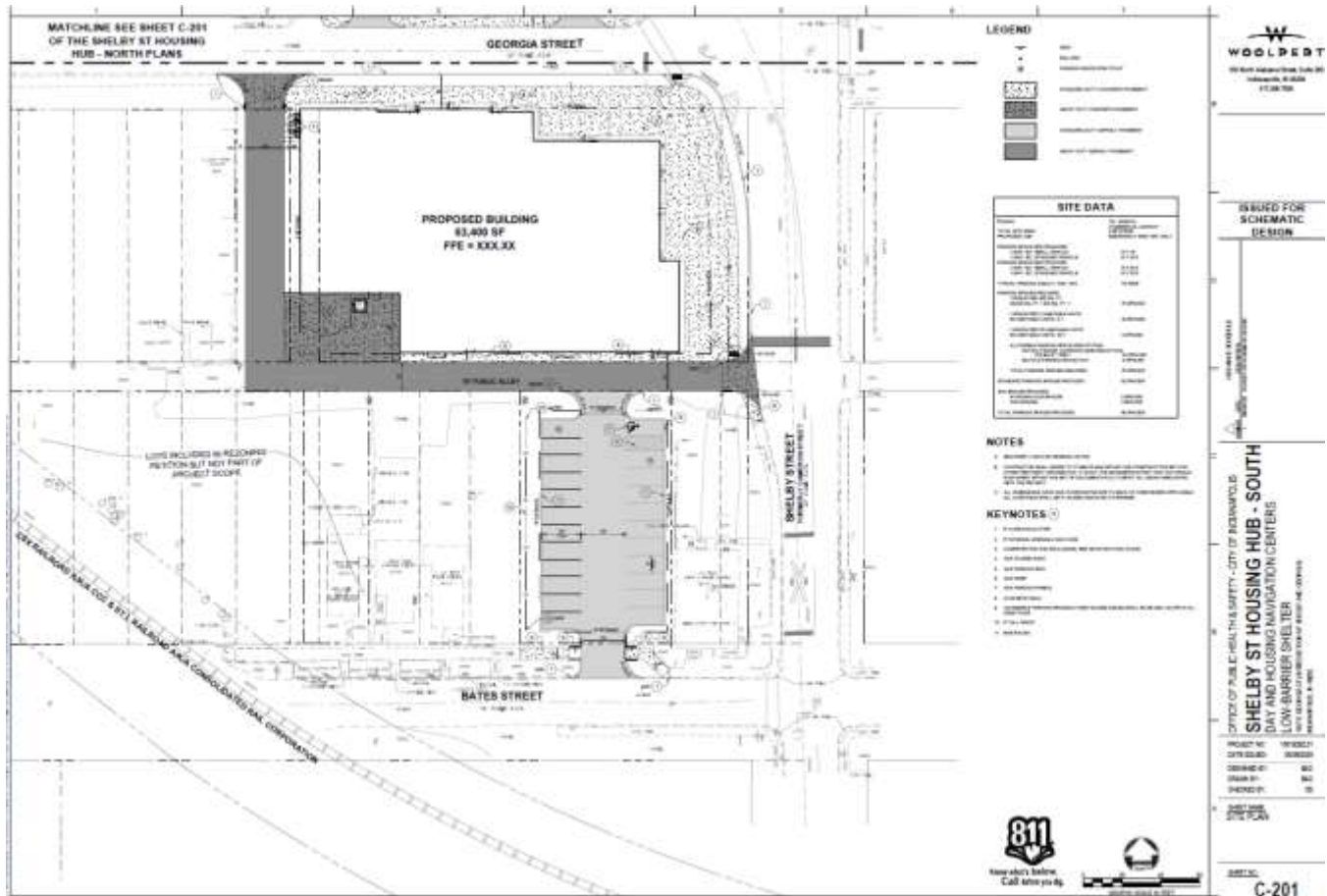


# AMENDED SITE PLAN



SITE DATA	
ZONING	CS - SPECIAL COMMERCIAL DISTRICT
TOTAL SITE AREA	0.86 ACRES
PROPOSED USE	EMERGENCY SHELTER, DAILY
PARKING SPACE SIZE REQUIRED	
1-WAY, 60", SMALL VEHICLE	8' X 16'
1-WAY, 60", STANDARD VEHICLE	9' X 20.5'
PARKING SPACE SIZE PROVIDED	
1-WAY, 60", SMALL VEHICLE	8' X 20.5'
1-WAY, 60", STANDARD VEHICLE	9' X 20.5'
TYPICAL PARKING AISLE (1-WAY, 60")	16' WIDE
PARKING SPACES REQUIRED	
1 SPACE PER 400 SQ. FT.	
26,000 SQ. FT. / 400 SQ. FT. =	70 SPACES
1 SPACE PER 2 HABITABLE UNITS	
80 HABITABLE UNITS / 2 =	40 SPACES
1 SPACE PER 20 HABITABLE UNITS	
80 HABITABLE UNITS / 20 =	4 SPACES
ALLOWABLE PARKING SPACE REDUCTIONS	
INDYGO TRANSIT CORRIDOR (30% REDUCTION)	34 SPACES
(75'-40'+4') * 30% =	
BICYCLE PARKING REDUCTION	5 SPACES
TOTAL PARKING SPACES REQUIRED	79 SPACES
STANDARD PARKING SPACES PROVIDED	52 SPACES
ADA SPACES PROVIDED	
STANDARD ADA SPACES	0 SPACES
VAN SPACES	3 SPACES
TOTAL PARKING SPACES PROVIDED	55 SPACES

AMENDED SITE PLAN (Continued)

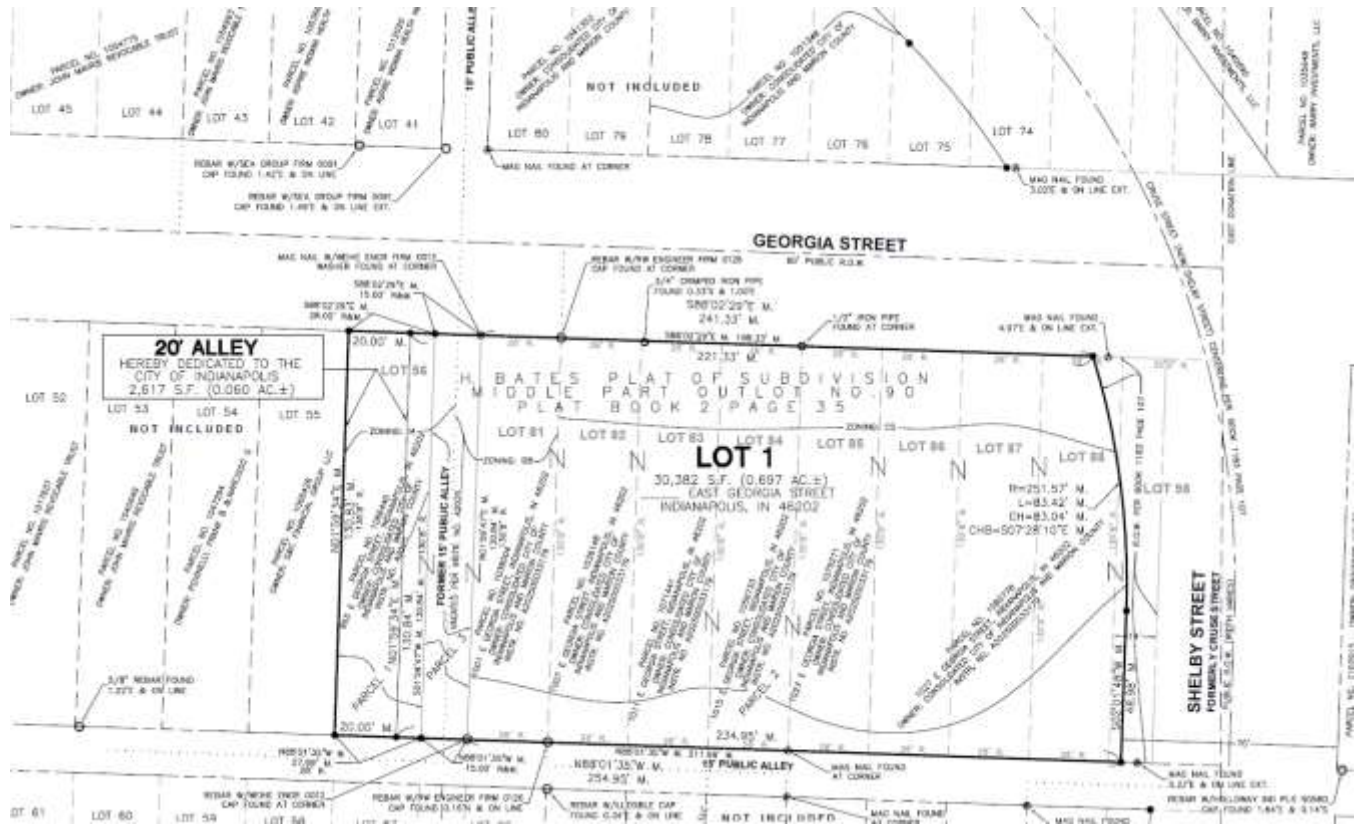


## LANDSCAPE PLAN





# PROPOSED ALLEY RELOCATION





0 30 60  
SCALE: 1"=30'

## VACATION EXHIBIT

ALLEY TO BE VACATED LOCATED WITHIN H. BATES PLAT OF SUBDIVISION  
OF THE MIDDLE PART OF OUTLOT NO. 90 IN THE DONATION LANDS OF  
THE CITY OF INDIANAPOLIS AS RECORDED IN PLAT BOOK 2, PAGE 35

### NOTES:

1. THIS EXHIBIT & THE ASSOCIATED LEGAL DESCRIPTION ARE NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT IN ACCORDANCE WITH 865 IAC 1-12-12 AND ARE BASED UPON REFERENCE DOCUMENTATION AND A FIELD SURVEY PERFORMED IN FEBRUARY 2025.
2. "M." DESIGNATES MEASURED DIMENSION/BEARING, "R." DESIGNATES RECORD DIMENSION/BEARING.
3. DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
4. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON.
5. OWNERSHIP INFORMATION AND PARCEL NUMBERS SHOWN HEREON ARE PER THE MAPINDY GIS WEBSITE.
6. THE BASIS OF MEASURED BEARINGS AND HORIZONTAL DATUM SHOWN HEREON IS THE INDIANA STATE PLANE COORDINATE SYSTEM EAST ZONE (NAD 83).

### PROPERTY ADDRESS:

963 & 1001 EAST GEORGIA STREET,  
INDIANAPOLIS, IN 46202

### DESCRIPTION - ALLEY TO BE VACATED:

THE FIFTEEN (15) FEET WIDE ALLEY BETWEEN LOT 56 AND LOT 81 IN H. BATES PLAT OF SUBDIVISION OF THE MIDDLE PART OF OUTLOT NO. 90 IN THE DONATION LANDS OF THE CITY OF INDIANAPOLIS AS RECORDED IN PLAT BOOK 2, PAGE 35, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA. CONTAINING 0.045 ACRES, MORE OR LESS.

### PREPARED BY:

WILLIAM L. DOUGHERTY, PS  
REGISTRATION NO. LS80880038  
IN THE STATE OF INDIANA

CERTIFIED: \_\_\_\_\_

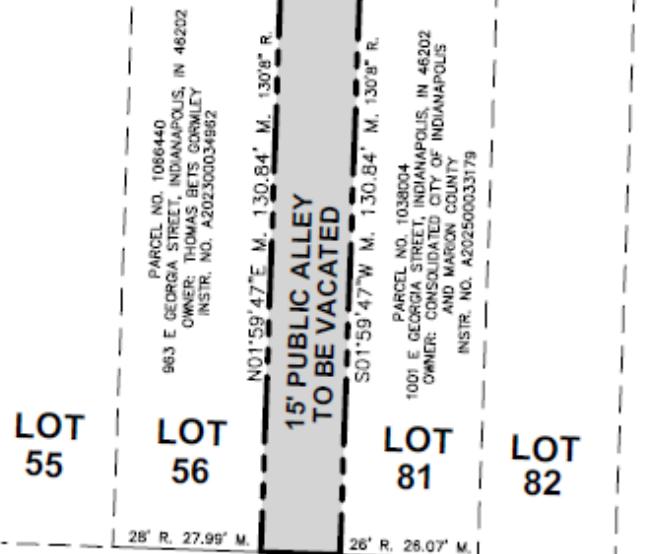


### GEORGIA STREET

60' PUBLIC R.O.W.

S88°02'29"E M.  
15.00' R&M.

H. BATES PLAT OF SUBDIVISION  
MIDDLE PART OUTLOT NO. 90  
PLAT BOOK 2 PAGE 35



LOT  
55

LOT  
56

LOT  
81

LOT  
82

N88°01'35"W M.  
15.00' R&M.

15' PUBLIC ALLEY

58

57

96

95

15' PUBLIC ALLEY VACATED  
PER INSTR. NO. 2003-0223345

### REDACT STATEMENT:

I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT THIS DOCUMENT WAS PREPARED BY ME AND I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

WILLIAM L. DOUGHERTY



WOOLPERT, INC.  
333 North Alabama St.  
Suite 200  
Indianapolis, IN 46204  
317.299.7500  
FAX: 317.291.5805

PROJECT NO:

10019292

DATE 05/30/25

DES. SRK

DR. PTK

CKD. WLD

NO.

DATE

REVISION

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

Petition Number \_\_\_\_\_

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

**PETITION FOR VACATION OF A PLATTED SUBDIVISION**

**FINDINGS OF FACT**

**1. THE CONDITIONS IN THE PLATTED AREA HAVE CHANGED SO AS TO DEFEAT THE ORIGINAL PURPOSE OF THE PLAT because:**

the southern alley to which the subject area for vacation connected to previously was vacated, which no longer creates the need for the existing location of the alley. Instead, a newly relocated alley will be proposed west of its current location to allow for a larger building proposal that would provide additional room for sidewalk and landscaping improvements to occur along Shelby Street.

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**2. IT IS IN THE PUBLIC INTEREST TO VACATE ALL OR PART OF THE PLAT because:**

it would allow for the optimum building placement on site while ensuring residents access to their properties with the relocation of the alley.

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**3. THE VALUE OF THAT PART OF THE LAND IN THE PLAT NOT OWNED BY THE PETITIONER WILL NOT BE DIMINISHED BY VACATION because:**

the alley would be relocated west and would still be made available to the residents in the immediate area to gain access to their properties.

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**DECISION**

IT IS THEREFORE the decision of this body that this VACATION petition is 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 \_\_\_\_

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Department of Metropolitan Development  
Division of Planning  
Current Planning

Petition Number 2025-CVR-824

METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER  
METROPOLITAN BOARD OF ZONING APPEALS, Division HE/MDC  
OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

The grant of the requests related to yard encroachment and reductions of amenity standards, such as setbacks, clear sight triangle encroachment, landscaping reduction, and a waiver of the parking maximum requirement will not be injurious to the public health, safety, morals or general welfare due to the project's status as a non-profit whose on-site operation aims to alleviate social inequities related to populations experiencing houselessness and other income deficient statuses. The approval of the request will help ameliorate any externalities in the immediate and broader community, resulting in an enhancement to the quality of life for the area in general.

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 majority of abutting lots have been acquired to be incorporated into the project area. The proposed project is a mixed-use development, which when weighed against the new Transit Oriented Development overlay, will allow for a more appropriate development than would otherwise be promoted by the light industrial recommendation for the principle lot. Given that mixed-use building often strive for street activation and a reduced reliance on automobile programmed space, the request would enhance the character of the immediate area and serve as a benchmark standard for future infill.

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

The Zoning Ordinance outlines lot standards for commercial and mixed use districts, without the establishment of minimum lot sizes. In practice, this treats all such zoned lots as if they were of a common size with equal ability for compliance, without consideration for impacts on development feasibility. As such, the Ordinance incorporates an inherent practical difficulty on lots that predate the establishment of zoning and modern subdivision regulations in Indianapolis. This is particularly true of projects that include lots that were established with one land use in general, but through the evolution of neighborhoods, economics, and plan recommendations, are now better suited to non-contemplated reuse, and associated relief required for such realization.

DECISION

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Department of Metropolitan Development  
Division of Planning  
Current Planning

Petition Number 2025CVR824

METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER  
METROPOLITAN BOARD OF ZONING APPEALS, Division HE/MDC  
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 building height will not be injurious as it represents an infill redevelopment opportunity that, in addition to its use, the proposed building height will provide for more working and residential members to engage in commerce of the general area, allowing for an enhancement to the local economy of the nearby neighborhoods. The construction activity will comply with all other applicable codes, safety standards and strive to limit the imposition of any negative externalities associated with use and construction.

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:

This area of the near east side is currently envisioned as being part of a broadened Regional Center zoning update. The Regional Center overlay district strives for enhanced building materials, styles, combination of uses and the enhancement of a sense of vibrancy in the City's economic core. Such potential approval will lead to the inevitable deployment of Central Business District zoning requests which are largely free of traditional building development standards, a flexibility that is extended due to the approval process associated with the district for construction activities. This request, while anticipating such a set of circumstances, also provides the public with the opportunity to public comment, while deploying a district that limits the use of such a keystone redevelopment in the area for assurance of scope, and the guarantee of future input.

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

The MU-2 District imposes a peculiar building height limitation that the other mixed-use districts do not possess, while the Ordinance seems to envision the MU-2 District as the most permissible mixed-use district in regards to use, that is permitted by-right by the Ordinance. The MU-3 and MU-4 Districts, which permit building height limitations of 50-90 feet, depending on context and eligibility for bonuses, are not able to be requested by the general public in regard to rezoning requests. The MU-1 District, which does not permit as many by-right non-residential uses, does not have a maximum height whatsoever. Given this oversight, and the fact that the proposed project will in fact be a traditional mixed use building, it can reasonably be assumed that the proposed height is in alignment with the general vision of these districts.

DECISION

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**C-S Development Statement**

963, 1001, 1007, 1008, 1010, 1011 1015, 1019 (aka 1027), 1027 East Georgia Street; 960, 1002, 1018, 1022, 1030 (aka 1026 Bates Street)

Petitioner respectfully requests the Site be rezoned to the C-S District to develop a housing hub for individuals experiencing homelessness, and a center of operations for a non-profit organization, which may include but not be limited to the following uses:

**Day Services Center**

- Executive and staff office
- Case management and Services
- Access to showers, restrooms, laundry, mail and other vital documents
- Storage and distribution of donated personal items such as clothing, hygiene products and shelf stable food.

**Housing Navigation Center**

- Collaborative working space for homeless service providers and other key governmental partners to work with clients of both the day center and emergency shelter.
- Conference rooms and training space with capacity for up to 30 people.
- Employment lab.
- Homelessness diversion services.
- Housing navigation services.
- Operator office space.

**Emergency Shelter**

- Management and staff offices
- Case management services
- Individual, couples and family units (private, secure space with personal storage and bed(s))
- Single occupancy restroom/shower facilities
- No defined length of stay
- Cafeteria with commercial warming/prep kitchen and refrigerated food storage

**Incidental Uses**

- Auxiliary amenities for pet housing and care may be allowed
- Some outdoor seating/gathering space may be provided
- Outdoor improvements commonly associated with employment break times and residential amenities
- Parking, whose standards and numerical requirement are to be approved by the Current Planning Administrator based upon final plans and anticipated intensity
- Loading area for deliveries, maintenance, donations, kitchen

Attached as Exhibit A is a proposed preliminary Conceptual Site Plan, which depicts the contemplated improvements on the site. Prior to development of the Site, a final site plan depicting the size and location of improvements, landscaping, signage, parking, and access to and from the Site shall be submitted for Administrators Approval.



Photo of 1008 and 1010 East Georgia Street.



Photo of 1027 East Georgia Street looking west from Shelby Street.



Photo of an addiction treatment center east of the site.



Photo of the existing front yard along Shelby Street at 1027 East Georgia Street.

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1027 East Georgia Street looking south.



1027 and 1015 East Georgia Street looking south.

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1001, 1007, 1011 East Georgia Street looking south.



Photo of the single-family dwelling at 963 to be demolished and where the alley will be relocated.



Photo of single-family dwellings west of 963 East Georgia Street



Photo of a single-family and alley north of the subject site.



Photo of the intersection of the alleys looking northeast at the proposed building location.



Photo of the alley to be vacated facing towards Georgia Street.



Photo of 963 East Georgia Street where the alley relocation will be located.



Photo looking east at the alley south of the proposed building.



Photo of 960 Bates Street looking north.



Photo of 960 Bates Street looking northwest.

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Photo of the single-family dwellings east of 1002 Bates Street and west of the southern parking lot.



1018, 1022 and 1030 Bates Street where the proposed southern parking lot will be located.

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Photo of a single-family dwelling south of the proposed building and east of the proposed parking lot.



Photo of the undeveloped property south Bates Street.

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**June 26, 2025**

**Case Number:** 2025-CZN-826 / 2025-CPL-826 / 2025-CVR-826 (Amended)

**Property Address:** 2955 North Meridian Street

**Location:** Center Township, Council District #12

**Petitioner:** 2955 Indy IN, LLC by Misha Rabinowitch

**Current Zoning:** C-1 (RC) (TOD)

Rezoning of 8.966 acres from the C-1 (RC) (TOD) district to the C-S (RC) (TOD) district to provide for a mixed-use development consisting of townhomes, multi-family dwellings, commercial offices, and retail uses, and all uses in the C-1 and MU-3 districts.

Approval of a Subdivision Plat to be known as 2955 North Meridian Subdivision, subdividing 8.966 acres into 21 lots.

**Request:**

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a retail use with a drive-through component within 600 feet of a transit station, on a lot with street frontage on Meridian Street (not permitted), with 20 feet of street frontage (minimum 50 feet street frontage required), zero-foot front yard and front transitional yard setbacks (minimum 10-foot front yard and 10-foot front transitional yard setbacks required), zero-foot side and rear yard setbacks (minimum 10-foot side and rear yard setbacks required), building height of 50 feet (maximum 38-foot building height in Compact Context Area, and maximum 25-foot building height permitted within a transitional yard required), 5% transparency for a structure along 30<sup>th</sup> Street (minimum 40% transparency required), and no transparency along Talbott Street (minimum 40% transparency required), and encroachment into the clear sight triangle (not permitted).

**Current Land Use:** Commercial Office Building / Parking Lot

Approval of the plat.

Approval of the rezoning, subject to the commitments noted below.

**Staff**

**Recommendations:**

Approval of the subdivision plat, subject to the conditions noted below.

Denial of the variance of use and development standards for a retail use with a drive-through component within 600 feet of a transit station with street frontage along Meridian Street and reduced street frontage.

Approval of reduced setbacks and increased building height.

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Denial of the reduced transparency along East 30<sup>th</sup> Street and Talbott Street.

Approval of the variance for encroachment into the clear sight triangle.

**Staff Reviewer:** Kathleen Blackham, Senior Planner

## PETITION HISTORY

The Hearing Examiner continued these petitions from the June 12, 2025 hearing, to the June 26, 2025 hearing, at the request of staff and the petitioner's representative for further discussions and to provide new notice.

## STAFF RECOMMENDATION

Staff recommends that the Hearing Examiner approve and find that the plat, file dated May 5, 2025, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provides a bond as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
2. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
4. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
5. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
6. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
11. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.
12. That the plat shall be recorded within two (2) years after the date of conditional approval by the Hearing Examiner.

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Approval of the rezoning to the C-S (TOD) (RC) subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least five (5) business days prior to the MDC hearing:

1. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.
2. The following uses shall be prohibited: automobile fueling station, tavern and night club / cabaret.

## **PETITION OVERVIEW**

This 8.966-acre site, zoned C-1 (RC) (TOD), is bifurcated by vacated North Pennsylvania Street (Petition 93-VAC-47). A 34,626-square foot office building is located along the North Meridian Street frontage, with parking on the eastern portion of the site. It is surrounded by a park, telephone exchange facility and a parking lot to the north, across East 30<sup>th</sup> Street, zoned C-3 (RC) (TOD) and C-4 (RC) (TOD), respectively; a commercial office building / associated parking and a park to the south, across East 29<sup>th</sup> Street, zoned C-1 (RC) (TOD) and PK-1 (RC) (TOD); single-family and two-family dwellings to the east, across North Talbott Street, zoned D-5 (RC) (TOD); and commercial office uses to the west, across North Meridian Street, zoned C-S (RC) (TOD).

## **PLAT**

### **Site Plan**

Petition 2024-PLT-010 divided the site into two lots and two blocks to be known as 29<sup>th</sup> & Meridian Subdivision. This plat (2025-CPL-826) request would divide 8.966 acres into 21 lots resulting in a subdivision to be known as 2955 North Meridian Subdivision.

The existing commercial office building is located on Lot 1 (2.72 acres); Lots 2 and 3 (0.58 acre) are located at the southwest corner and proposed for commercial uses; multi-family dwellings are proposed on Lot 4 (1.05 acre) that would be located at the southeast corner of the site; Lot 21 (0.40 acre) at the northeast corner of the site would provide space for a non-profit entity; lots C-Plat-30, C-Plat-28 and 7 through 20 would provide for townhomes along Talbott Street. The remaining area (3.86 acres) would be common space consisting of the existing drives and parking lot and proposed access drive on North Meridian Street

### **Streets**

The proposed subdivision occupies a city block bound by the follow primary arterials: North Meridian Street, North Talbott Street, East 29<sup>th</sup> Street and East 30<sup>th</sup> Street.

## **Sidewalks**

Sidewalks exist along all four street frontages and appear to be in reasonable condition. Replacement, in accordance with the Department of Public Works standards, would be required if the sidewalks would be damaged during development and construction on the lots.

## **Waivers**

None requested.

## **REZONING**

The request would rezone the site from the C-1 district to the C-S (Special Commercial) district to provide for mixed-use development consisting of townhomes, multi-family dwellings, commercial offices, retail uses, C-1 uses and MU-3 uses.

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

The Mapleton Fall Creek Neighborhood Land Use Plan recommends office buffer commercial. As proposed, the development would not align totally with the Plan recommendation. Only the western portion of the site would be consistent with this Plan.

## **C-S Statement**

The C-S Statement, file dated May 5, 2025, described the overall development, permitted uses that would include uses in the C-1 and MU-3 districts, along with two drive-through components along North Meridian Street.

Development standards were outlined, all of which would require the grant of a variances, including reduced setbacks, increased building height, and reduction in building transparency.

Parking would be located within the common areas and shared among owners and invitees, ultimately managed by an owner’s association.

## **Overlays – Transit-Oriented Development (TOD) / Regional Center (RC)**

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

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

This site is also located within the Regional Center (RC) overlay that requires Regional Center approval including design review and approval of all external changes or modifications including site plan, elevations, landscape plan and signs.

## **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.

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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.

**VARIANCES OF USE AND DEVELOPMENT STANDARDS**

The request would provide for drive-through components within 600 feet of a transit station on a lot with street frontage on North Meridian Street, both of which are not permitted within the TOD overlay.

“The intent of the Transit Oriented Development (TOD) Secondary District is to coordinate more compact, walkable and urban development patterns with public investment in the transit system. These development patterns ensure that walking and biking are viable options for short trips and transit is a priority for longer trips.”

Development patterns and site designs that prioritize automobile travel undermine these public and private investments. Staff believes the introduction of drive throughs along North Meridian Street clearly places automobile travel over and above the safety of pedestrians and bicyclists that would be drawn to and be present in this proposed development.

Consequently, staff strongly recommends denial of this variance of use and development standard that would allow this feature along the Meridian Street corridor and in proximity of a district transit station.

This request would provide for zero-foot front yard, front transitional yards, site yard and rear yards when the Ordinance requires 10-foot front yard, front transitional yards, side yards and rear yards setbacks.

Staff supports these requests for zero-foot setbacks because all four site boundaries front on arterial streets and the reduced setbacks would allow for appropriate integration of this development with the surrounding urban character of this site located along the Meridian Street corridor.

The request would also provide for a building height of 50 feet when the Ordinance limits building height to 25 feet within a transitional yard. Because of the surrounding architectural character, a 50-foot-tall building would be consistent with the surrounding multi-story buildings and architectural character in the area.

The request would also allow for 5% reduction of transparency of a structure along 30<sup>th</sup> Street and zero transparency along Talbot Street when the Ordinance requires 40% transparency along both of those streets. Staff does not support a reduction of this magnitude because of the need to provide visibility and visual connection with surrounding land uses at the pedestrian and human level. Lack of transparency compromises connections and appropriate integration with the surrounding land uses.

Finally, the request would allow for encroachment into the clear sight triangles at the northeast and southeast corners of the site. This encroachment results from the reduced building setbacks that staff supports because it would have minimal impact on surrounding land uses and provide for appropriate integration with the surrounding land uses.



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## Planning Analysis

As previously noted, the development would not be completely consistent with the Neighborhood Plan recommendation of office buffer commercial, but it would generally align with the characteristics of the TOD District Center typology of dense mixed-use hub with tall buildings with no front or side setbacks that consist of multi-family dwellings.

The proposed western portion of the site would align with the Neighborhood Plan recommendation of office buffer commercial because the existing structure would remain with the current office uses. The eastern half of the site would not be consistent with the Plan recommendation, but the proposed residential uses would serve as an appropriate buffer and compatible transition to the neighborhoods to the north, east and south. Staff also believes that the proposed development would result in a supportable land use that would replace the large, unused parking lot and bring a new dynamic and vitality to the area.

The requested variances for reduced setbacks and building height support and are consistent with the TOD characteristics and typology.

As previously noted, Staff does not support the variance of use for the proposed drive-through components, frontage / access along North Meridian Street or the lack of transparency along East 30<sup>th</sup> Street and Talbott Street, all of which are not supportive of TOD principles.

## GENERAL INFORMATION

<b>Existing Zoning</b>	C-1 (RC) (TOD)	
<b>Existing Land Use</b>	Commercial Office / Parking Lot	
<b>Comprehensive Plan</b>	Office Buffer Commercial	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	C-3 (RC) (TOD) / C-4 (RC) (TOD)	Park / utility facility / parking lot
South:	C-1 (RC) (TOD) / PK-1 (RC) (TOD);	Commercial office uses / park
East:	D-5 (RC) (TOD)	Single-family dwellings
West:	C-S (RC) (TOD)	Commercial office uses
<b>Thoroughfare Plan</b>		
North Meridian Street	Primary Arterial	Existing 50-foot right-of-way and proposed 80-foot right-of-way.
Talbott Street	Primary Arterial	Existing 60-foot right-of-way and proposed 56-foot right-of-way.
East 29 <sup>th</sup> Street	Primary Arterial	Existing 60-foot right-of-way and proposed 78-foot right-of-way.

East 30 <sup>th</sup> Street	Primary Arterial	Existing 50-foot right-of-way and proposed 78-foot right-of-way.
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	Yes. Transit Oriented Development (TOD) / Regional Center (RC)	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	May 5, 2025	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	May 5, 2025 / May 14, 2025,	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	May 5, 2025	
<b>Findings of Fact</b>	May 5, 2025 / June 17, 2025	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	May 5, 2025	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Indianapolis Regional Center Plan 2020 (2004).
  - This Plan recommends residential development (garden apartment and townhouses) at 16-26 dwelling units per acre.
- Indianapolis Regional Center Guidelines (2008).
  - These design guidelines provide a community standard for urban design. They were developed to encourage creativity, interest, and variety, and to build upon local heritage and character. The guidelines are intended to protect the investments of stakeholders by maintaining downtown Indianapolis as an efficient, sustainable, and vital place in which to live, work, learn and spend free time.
  - The purpose of these Guidelines is to set standards that will produce a more thoughtful design response to Regional Center development projects. They focus on a wide range of characteristics of the built environment.
  - This proposed development would be required to file an approval petition for Regional Center that would require design review in accordance with the Guidelines.

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- The North Meridian Street Corridor – 16<sup>th</sup> Street to 30<sup>th</sup> Street (2008)
  - Recommends Non-Core Office land use described as uses will generally be single-owner office and professional service uses that are not necessarily linked with one neighborhood and may be used by worker, visitor and resident populations. Ancillary street-level commercial.
  - The Plan also includes this site in the Campus typology is characterized by a campus-style orientation of buildings, often organized around a central node such as a plaza or open space. The environment is pedestrian in nature and usually master planned. Parking is clustered in garages, but there may be large surface parking lots at the edges of the development. There is typically a single educational, corporate, or government owner. Examples are the Lilly Corporate Center, IUPUI and Medical Center, the Indiana Government Center, and IVY Tech.

**Pattern Book / Land Use Plan**

Not Applicable to the Site.

**Red Line / Blue Line / Purple Line TOD Strategic Plan**

The Redline Transit-Oriented Development Strategic Plan (2021).

This site is located within a ¼ mile walk a transit stop located at the intersection of East 30<sup>th</sup> Street and North Meridian Street, 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

This district follows the policies and principles of the comprehensive plan, the transit-oriented development strategic plans, and the Livability Principles in this code, and has the following specific design objectives:

1. Place a wide range of housing types within walking distance of commercial centers and transit stops or stations, and at a critical mass that supports these places.
2. Create connections through many different modes of transportation between neighborhoods and places for commercial services and employment.
3. Provide a concentration of many different and small-scale uses with a fine-grained pattern

4. Ensure human-scale design that prioritizes relationships of sites and buildings to the streetscapes.

### **Neighborhood / Area Specific Plan**

Mapleton Fall Creek Neighborhood Land Use Plan (2013) recommends office buffer commercial and a C-1 zoning district.

This land use category is for low-intensity office uses, integrated office development and compatible office-type uses. Retail uses are not promoted in this category, unless those uses are significantly subordinate to the primary office use, or the retail use exclusively serves an abundance of office uses in proximity to the retail use. Office Commercial Uses can exist either as buffers between higher intensity land uses and lower intensity land uses or as major employment centers. The following uses are representative of this land use category: medical and dental facilities, education services, insurance, real estate, financial institutions, design firms, legal services, day care centers, mortuaries, and communications studios.

### **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

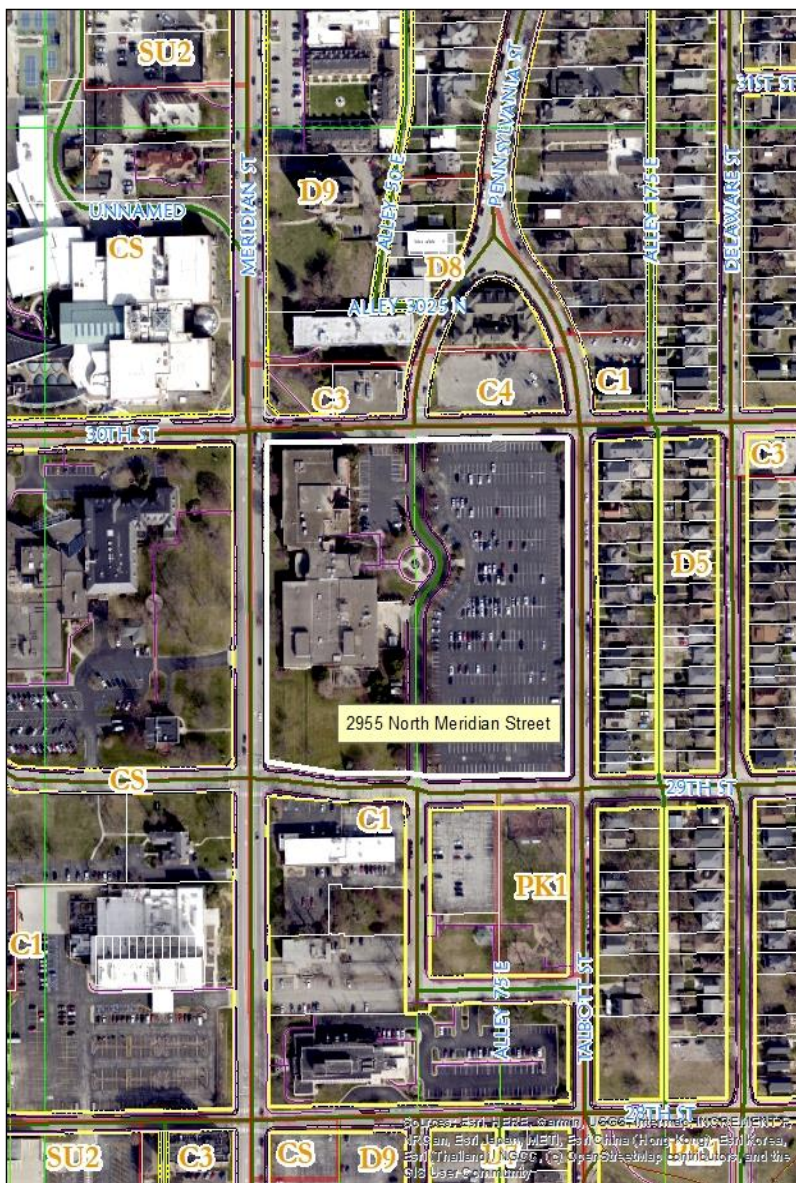
**2024-PLT-010; 2955 North Meridian Street;** requested approval of a Subdivision Plat, to be known as 29<sup>th</sup> & Meridian Subdivision, dividing 9.035 acres into two lots and two blocks, **approved**.

**93-V1-136; 2955 North Meridian Street,** requested a variance to provide for expansion of an existing office building with 538 parking spaces, a ten-foot transitional yard along North Talbott Street and a zero-foot setback along East 29<sup>th</sup> Street and East 30<sup>th</sup> Street, **granted**.

**93-VAC-47; 2900 and 3000 North Pennsylvania Street,** requested vacation of a portion of North Pennsylvania Street, being 50 feet in width from the southern right-of-way line of East 30<sup>th</sup> Street to the northern right-of-way line of East 29<sup>th</sup> Street, **approved**.

**84-Z-62; 2955 North Meridian Street,** requested rezoning of approximately eight acres, being in the D-9 and D-5 districts, to the C-1 classification to conform zoning to the existing office parking uses, **approved**.

**79-VAC-9; 2900 and 3000 North Pennsylvania Street,** requested vacation of the first alley east of Pennsylvania Street from the north right-of-way line of East 29<sup>th</sup> Street to the south right-of-way line of East 30<sup>th</sup> Street, **approved**.



2955 North Meridian Street

0.0 0.0125 0.025 0.0375 0.05 0.0625 0.075 0.1 Miles

## C-S Development Statement

### 2955 N. Meridian Street

#### **I. The Site/Current Development**

The site consists of approximately 9 acres of real estate located on the east side of Meridian Street, bounded by 29<sup>th</sup> Street to the south, 30<sup>th</sup> Street to the north, and Talbott Street to the east, within the North Meridian Street corridor in the Mapleton Fall Creek Neighborhood. An aerial depiction of the site is attached hereto as **Exhibit A** (hereinafter the “Property”).

Significant adjacent land uses include office to the west, the Indianapolis Children’s Museum to the northwest, multifamily residential to the north, single family residential to the east, and office commercial to the south.

The Property is dissected by vacated Pennsylvania Street running north to south. For the past 40 years, the area located west of Pennsylvania Street has been developed with a single-use 2 and 3 story 190,000 sf office building, with an area of vacant land south of the existing office building. The area east of Pennsylvania Street consists of a large isolated parking lot disconnected from the surrounding neighborhood.

#### **II. Proposed Development**

The proposed master development plan reimagines the Property as a vibrant live-work-play hub, designed to energize the Mapleton-Fall Creek community. This transformative redevelopment will introduce neighborhood retail amenities, modern townhomes, and multi-family housing, creating a dynamic and connected living environment. The plan features dense urban buildings with minimal setbacks, fostering a walkable, city-centric atmosphere while maximizing land use efficiency. Retail spaces will be designed for accessibility by both pedestrians and vehicles to meet a variety of consumer needs. Thoughtfully designed buildings and pedestrian-friendly streets will further enhance connectivity and community engagement. By blending historic charm with modern infrastructure, this project will serve as a catalyst for continued investment and revitalization in the area.

#### **III. Permitted Uses**

Permitted Uses on the Property shall be all uses permitted in the C-1 and MU-3 districts. Development is anticipated to be in substantial conformity with the Site Plan attached hereto as **Exhibit B**. The existing office building shall be legally established.

A drive thru as an accessory use shall be permitted so long as all drive thru access and improvements: (i) are not located in the front yard of the retail building; and (ii) shall be screened with landscaping and/or fencing. Location of uses on the Property shall be subject to

review and approval by the Administrator prior to issuance of any Improvement Location Permit for projects to be constructed on the Property.

#### **IV. Development Standards**

CS development standards shall apply, EXCEPT for the following standards which shall be approved by variance:

- i. Minimum Street Frontage – 20 feet (50 feet required)
- ii. Front Yard Minimum – 0 feet (10 feet required)
- iii. Front Transitional Yard Minimum – 0 feet (10 feet required)
- iv. Side and Rear Yard Minimum – 0 feet (10 feet required)
- v. Maximum Height in Compact Context Areas - 50 feet (38 feet max)
- vi. Maximum Height in Transitional Yard – 50 feet (25 feet max)
- vii. 5% transparency for building identified on the Site Plan as Dance Studio along 30<sup>th</sup> Street (40% required)
- viii. A drive thru as an accessory use: (a) on a lot with frontage on Meridian Street; and (b) within 600' of a transit station.

#### **V. Parking**

The parking lot and access drives, as depicted on the Plat as Common Area 1, shall be for the mutual use and benefit of the owners and invitees of all Lots within the subdivision. Common Area 1 shall be managed by a to be formed owner's association, with expenses such as maintenance and snow removal to be shared among the owners of property within the subdivision.

#### **VI. Landscaping**

Landscaping shall be in substantial compliance with the approved Landscape Plan. Significant modifications to the approved Landscape Plan shall be reviewed and approved by the Administrator prior to issuance of any Improvement Location Permit for projects to be constructed on the Property.

review and approval by the Administrator prior to issuance of any Improvement Location Permit for projects to be constructed on the Property.

#### **IV. Development Standards**

CS development standards shall apply, EXCEPT for the following standards which shall be approved by variance:

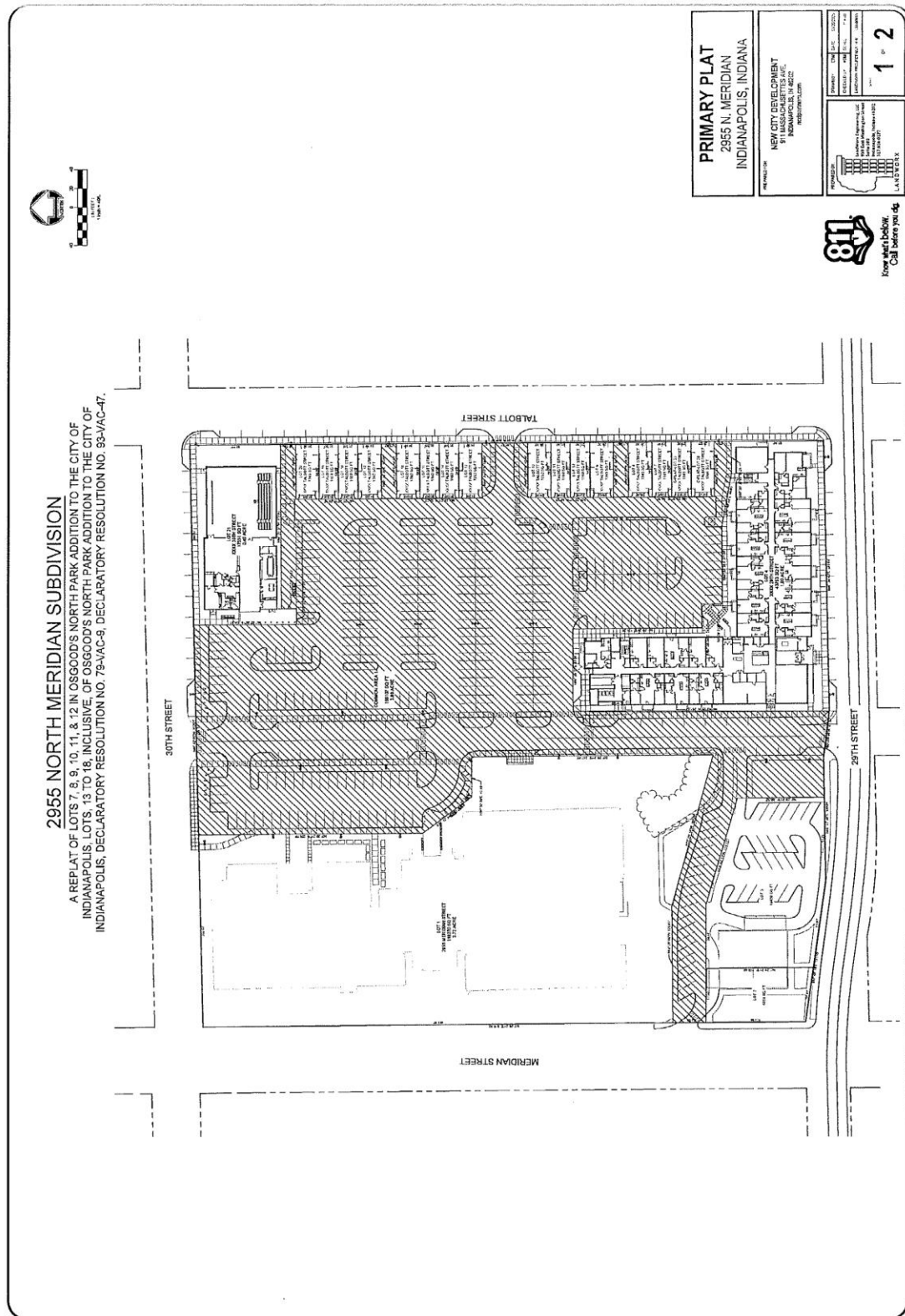
- i. Minimum Street Frontage – 20 feet (50 feet required)
- ii. Front Yard Minimum – 0 feet (10 feet required)
- iii. Front Transitional Yard Minimum – 0 feet (10 feet required)
- iv. Side and Rear Yard Minimum – 0 feet (10 feet required)
- v. Maximum Height in Compact Context Areas - 50 feet (38 feet max)
- vi. Maximum Height in Transitional Yard – 50 feet (25 feet max)
- vii. 5% transparency for building identified on the Site Plan as Dance Studio along 30<sup>th</sup> Street (40% required)
- viii. A drive thru as an accessory use: (a) on a lot with frontage on Meridian Street; and (b) within 600' of a transit station.

#### **V. Parking**

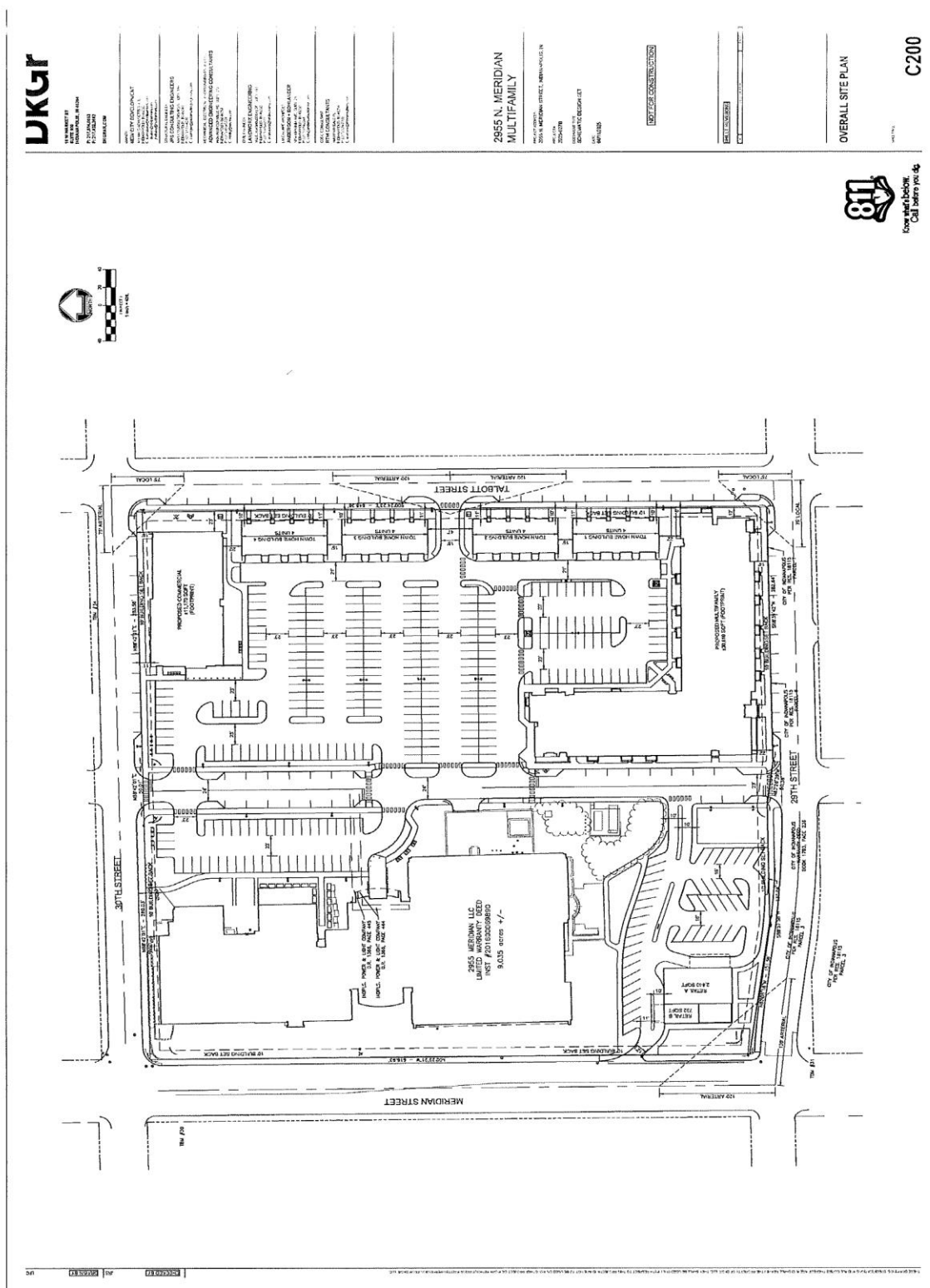
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 TEL: 312.527.1000  
 FAX: 312.527.1001  
 WWW.ABANDERSONBROSIGKE.COM

**PROJECT INFORMATION**  
 PROJECT NAME: 2855 N. MERIDIAN MULTIFAMILY  
 PROJECT LOCATION: 2855 N. MERIDIAN STREET, CHICAGO, IL 60647  
 PROJECT TYPE: MULTIFAMILY  
 PROJECT PHASE: PRELIMINARY PLANNING  
 PROJECT OWNER: [REDACTED]  
 PROJECT MANAGER: [REDACTED]  
 PROJECT TEAM: [REDACTED]

**DESIGN INFORMATION**  
 DESIGNER: ANDERSON BROSIGKE & ASSOCIATES, LLC  
 DESIGNER'S REGISTRATION NO.: [REDACTED]  
 DESIGNER'S LICENSE NO.: [REDACTED]  
 DESIGNER'S EXPIRATION DATE: [REDACTED]  
 DESIGNER'S CONTACT: [REDACTED]  
 DESIGNER'S PHONE: [REDACTED]  
 DESIGNER'S FAX: [REDACTED]  
 DESIGNER'S EMAIL: [REDACTED]  
 DESIGNER'S WEBSITE: [REDACTED]

**DATE: 10/1/2019**

2855 N. MERIDIAN  
 MULTIFAMILY

2855 N. MERIDIAN STREET, CHICAGO, IL 60647  
 PROJECT TYPE: MULTIFAMILY  
 PROJECT PHASE: PRELIMINARY PLANNING  
 PROJECT OWNER: [REDACTED]  
 PROJECT MANAGER: [REDACTED]  
 PROJECT TEAM: [REDACTED]

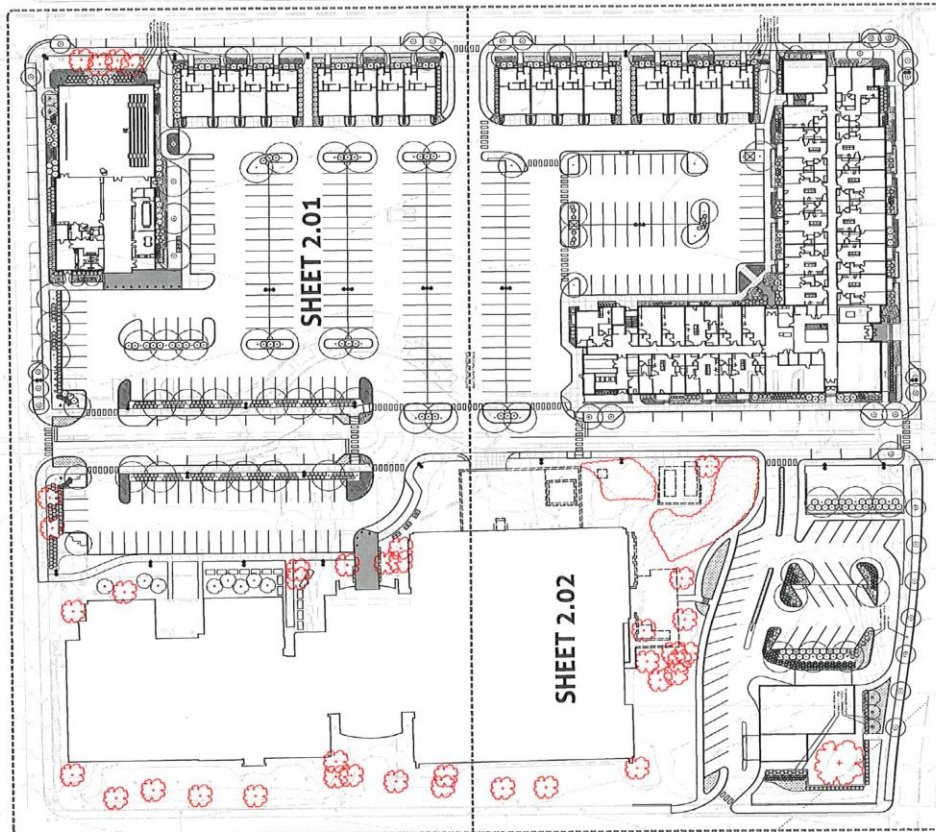
SOFTWARE USED: AUTOCAD

DATE: 10/1/2019

SHEET TITLE  
 PLANNING  
 OVERALL PLAN

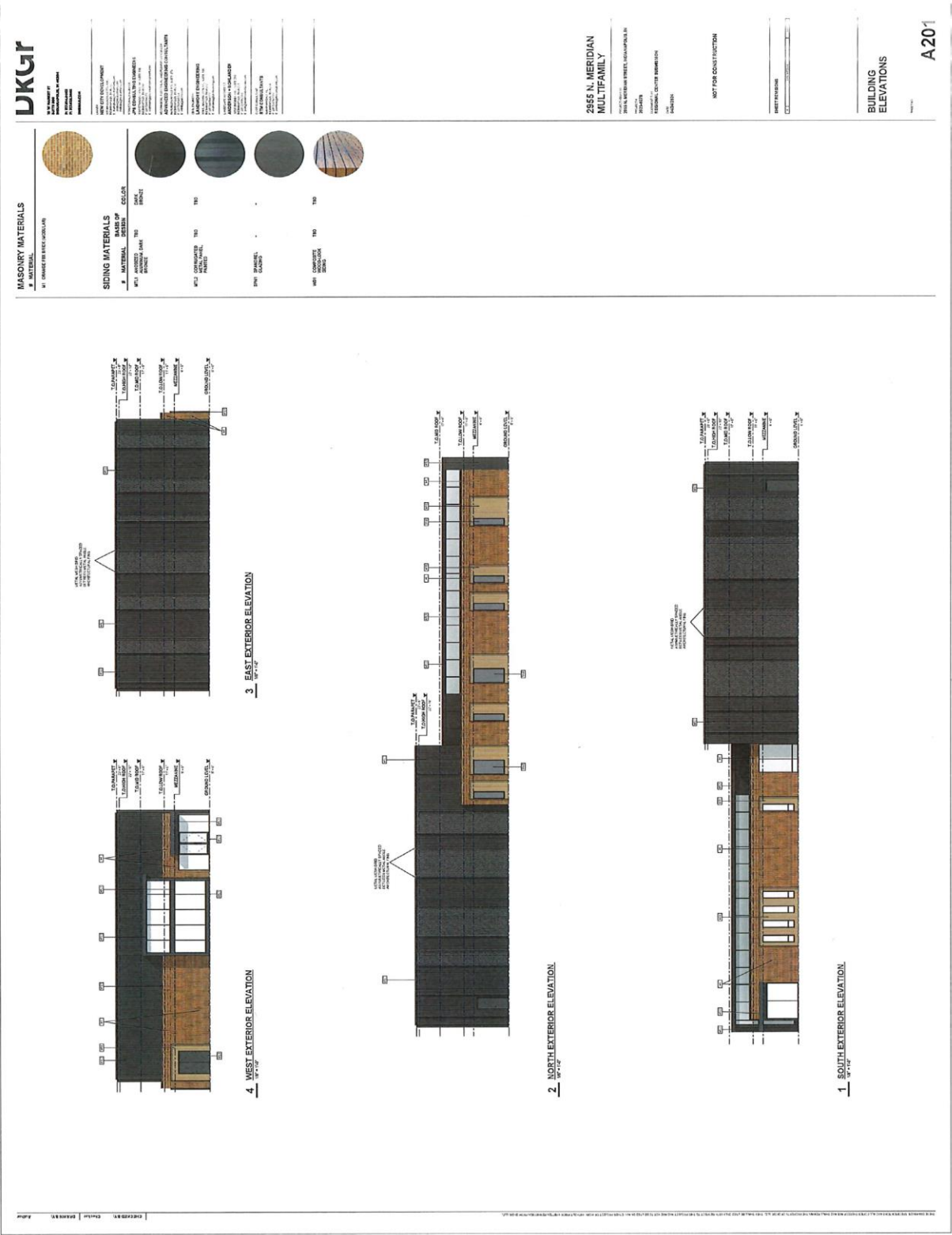
L200

SCALE: 1" = 30'-0"









**DKG**  
2855 N. MERIDIAN  
MULTIFAMILY  
PROJECT  
2855 N. MERIDIAN STREET, CHICAGO, IL 60647  
PRELIMINARY CONCEPT RENDERING  
NOT FOR CONSTRUCTION  
DATE: 08/11/2020  
BY: [REDACTED]  
CHECKED BY: [REDACTED]  
APPROVED BY: [REDACTED]

**2855 N. MERIDIAN  
MULTIFAMILY**  
2855 N. MERIDIAN STREET, CHICAGO, IL 60647  
PRELIMINARY CONCEPT RENDERING  
NOT FOR CONSTRUCTION  
DATE: 08/11/2020  
BY: [REDACTED]  
CHECKED BY: [REDACTED]  
APPROVED BY: [REDACTED]

**CONCEPTUAL  
RENDERS**  
A901



CONCEPT RENDER B: NORTH FACADE, FROM 30TH STREET



CONCEPT RENDER D: EAST FACADE, FROM TALBOTT STREET

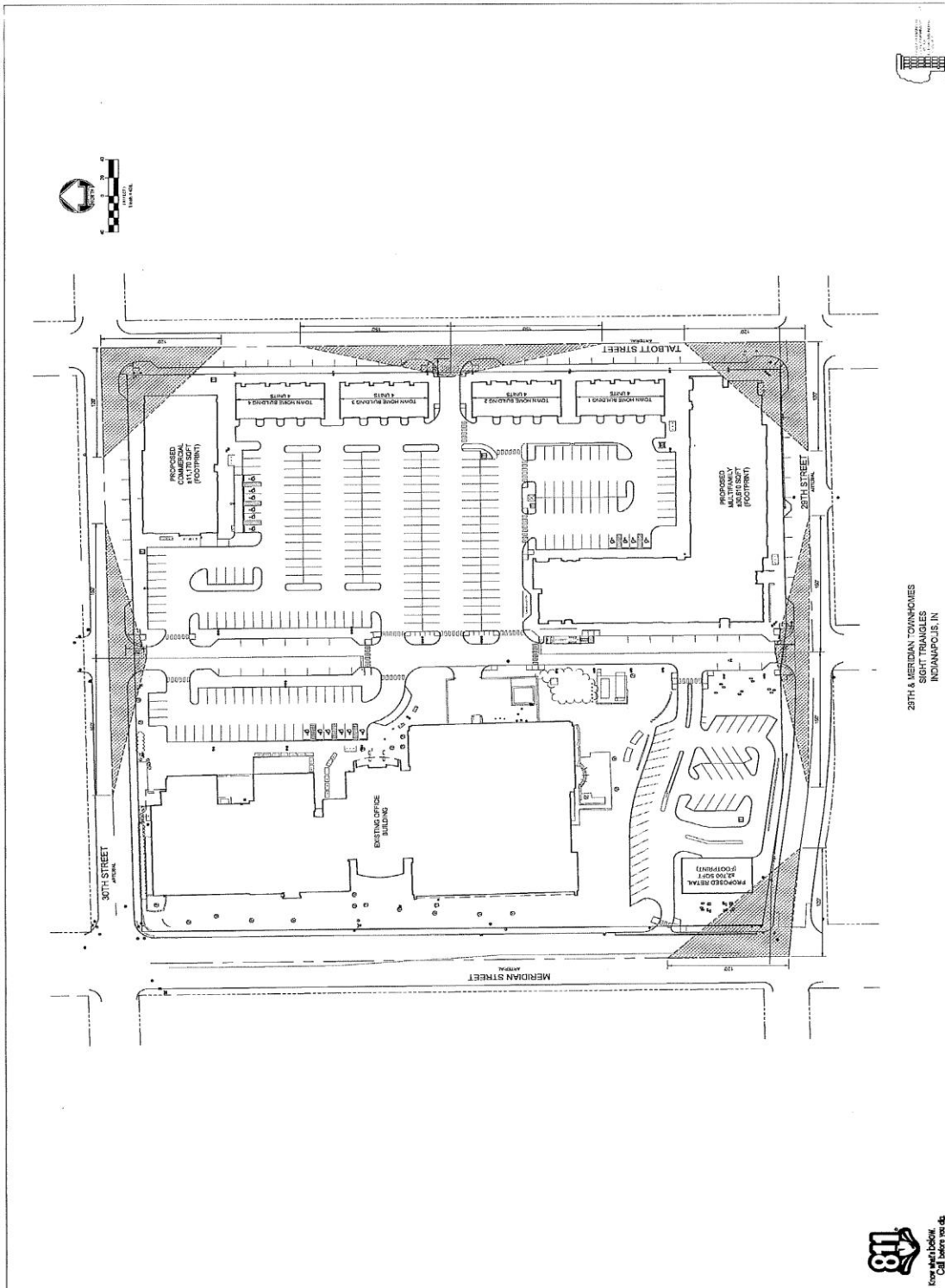


CONCEPT RENDER A: WEST FACADE / PRIMARY ENTRY



CONCEPT RENDER C: NORTHEAST CORNER

Clear Sight Triangle Encroachment



**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 USE  
(Drive Thru)  
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 drive thru will permit commercial development of the site that is desired within the Meridian Street Corridor and will be screened entirely from Meridian Street by the adjacent building.

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

The proposed drive thru will permit commercial development of the site that is desired within the Meridian Street Corridor and will be screened entirely from Meridian Street by the adjacent building.

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

Although commercial development is desired within the Meridian Street Corridor, in order to be successful, a drive thru is required. Although it is on a transit corridor, vehicular traffic is natural to the site, given that Meridian Street is a main thoroughfare and contributes to the vibrancy of the area.

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

Without the proposed drive thru, which due to the depth of the lot and the location of the proposed building on the lot, will be screened entirely from Meridian Street, retail, which is highly desired cannot succeed.

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

The drive thru is necessary to facilitate commercial development of the site that is consistent with the Comprehensive Plan and necessary for the area to thrive.

**DECISION**

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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

Petition Number \_\_\_\_\_

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

**PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS**

**FINDINGS OF FACT**

(Minimum Street Frontage)

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

The townhome lots along Talbott Street, at 20', permit a desirable land use type that is compatible with the adjacent area. Similarly, the commercial lot at the corner of 29th and Meridian is an appropriate size to permit a desirable commercial use.

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 townhome lots along Talbott Street, at 20', permit a desirable land use type that is compatible with the adjacent area. Similarly, the commercial lot at the corner of 29th and Meridian is an appropriate size to permit a desirable commercial use.

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

The CS zoning district development standard for lot size does not contemplate townhome development which is appropriate for the Talbott Street frontage or the smaller urban centric commercial lot proposed for the corner of 29th and Meridian Streets.

**DECISION**

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_



**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**

(Front yard, Transitional Yard, Side Yard, and Rear Yard)

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

The reduced setbacks will permit appropriately dense development of the site in this urban setting fostering a walkable, city-centric environment that is compatible with the neighborhood.

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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 reduced setbacks will permit appropriately dense development of the site in this urban setting fostering a walkable, city-centric environment that is compatible with the neighborhood.

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

The required 10' setback in the CS zoning classification does not contemplate the primarily residential aspects of the proposed site development where the reduced setbacks are appropriate.

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**DECISION**

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

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**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**

(Height)

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

The proposed buildings that exceed the 25' height restriction in the transitional yard and 38' within the compact context are designed, and situated on the site, in a manner that respects the community and adjacent properties.

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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 buildings that exceed the 25' height restriction in the transitional yard and 38' within the compact context are designed, and situated on the site, in a manner that respects the community and adjacent properties.

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

Due to the size of the site, dense urban development with increased height beyond the ordinance required 25' in the transitional yard and 38' within the compact context, as the buildings are situated on the site plan, is appropriate. The property cannot achieve the desired housing density without relief from the ordinance height requirements, which presents practical difficulty.

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**DECISION**

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

_____	_____
_____	_____
_____	_____

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

Petition Number \_\_\_\_\_

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

**PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS**

**FINDINGS OF FACT**

(Transparency)

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

The proposed building that does not meet the transparency requirements is for a desirable use (dance studio) that has specific design requirements which do not permit transparency on the street side perimeter of the building and the building, although lacking in transparency, is aesthetically and architecturally pleasing.

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 building that does not meet the transparency requirements is for a desirable use (dance studio) that has specific design requirements which do not permit transparency on the street side perimeter of the building and the building, although lacking in transparency, is aesthetically and architecturally pleasing.

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

The proposed dance studio is a desired not-for-profit use that benefits the community and is appropriate for the parcel adjacent to the street, but cannot meet the transparency requirements due to required specifications.

**DECISION**

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_



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 encroachments within the clear site triangle are minor in nature, do not substantially interfere with vehicle site lines for vehicles, and, along Talbott Street, are similar to building setbacks at nearby intersections.

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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 encroachments within the clear site triangle are minor in nature, do not substantially interfere with vehicle site lines for vehicles, and, along Talbott Street, are similar to building setbacks at nearby intersections.

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3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:  
Talbott Street, while identified as a primary arterial on the Marion County Thoroughfare Plan, is more similar to a local street in actual configuration and usage, so applying the primary arterial standard creates a practical difficulty.

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DECISION

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

_____	_____
_____	_____
_____	_____

Department of Metropolitan Development  
Division of Planning  
Current Planning



View looking south along North Meridian Street and transit station+



View of site looking east across North Meridian Street

Department of Metropolitan Development  
Division of Planning  
Current Planning



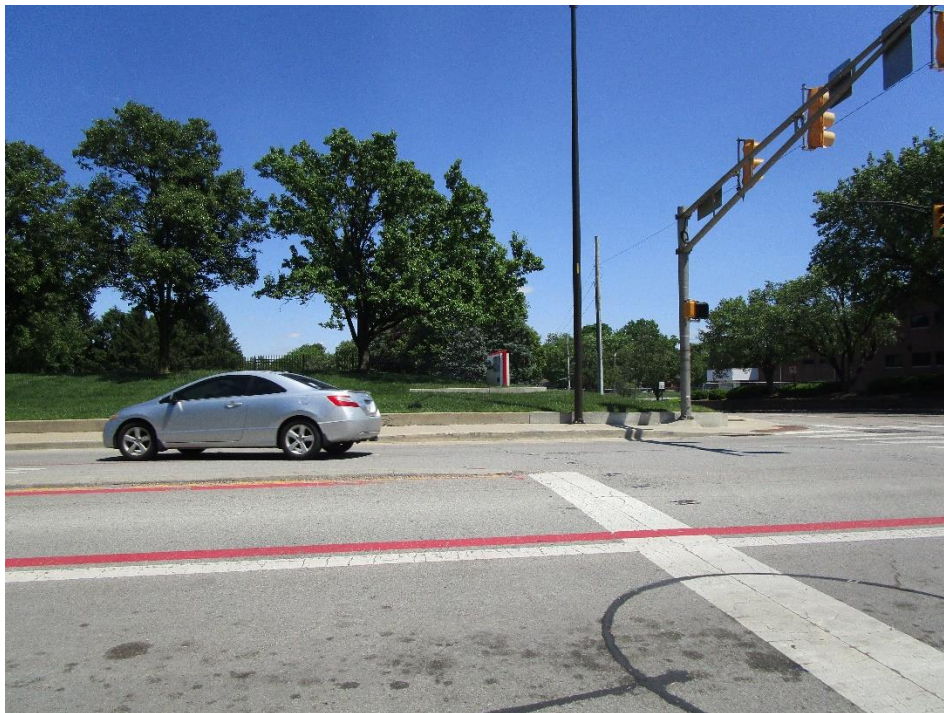
View of site looking southeast across North Meridian Street



View of site looking east across North Meridian Street



View of site looking east across North Meridian Street



View of site looking east across intersection of North Meridian Street and East 29<sup>th</sup> Street



View looking west along East 29<sup>th</sup> Street



View looking east along East 29<sup>th</sup> Street



View from site looking southeast across East 29<sup>th</sup> Street

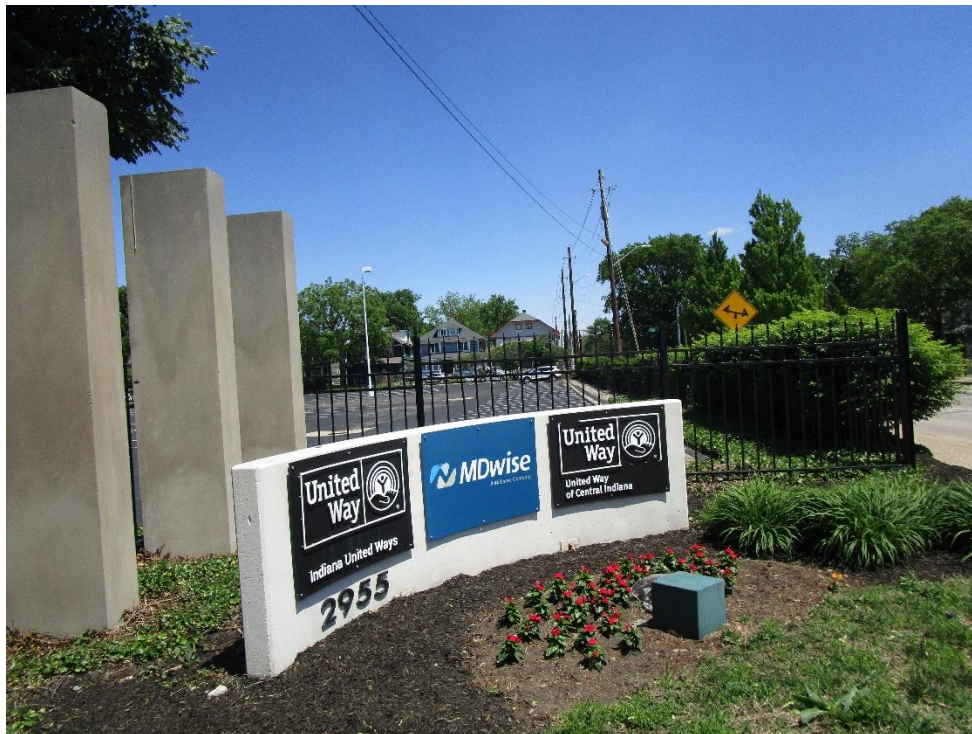


View from site looking south across East 29<sup>th</sup> Street

Department of Metropolitan Development  
 Division of Planning  
 Current Planning



View from site looking southwest across East 29<sup>th</sup> Street



View of site looking east from southern entrance drive

Department of Metropolitan Development  
Division of Planning  
Current Planning



View of site looking northeast from southern entrance drive



View of site looking north along vacated North Pennsylvania Street



View of site looking northwest from southern entrance drive



View looking north along North Talbott Street

Department of Metropolitan Development  
Division of Planning  
Current Planning



View of site looking west across North Talbott Street



View of site looking west across North Talbott Street



View of site at intersection of North Talbott Street and East 30<sup>th</sup> Street



View looking east along East 30<sup>th</sup> Street



View looking west along East 30<sup>th</sup> Street



View from site looking north across east 30<sup>th</sup> Street



View from site looking northeast across East 30<sup>th</sup> Street



View looking west along East 30<sup>th</sup> Street



View of site looking southwest



View of site looking south along vacated North Pennsylvania Street



View of site looking southeast



View of the looking southeast from northern entrance



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**June 26, 2025**

**Case Number:** 2025-APP-005  
**Property Address:** 2510 Westlane Road (approximate address)  
**Location:** Pike Township, Council District #1  
**Petitioner:** City of Indianapolis, Department of Parks and Recreation, by Henry Woodburn  
**Current Zoning:** PK-1 (FF) (FW)  
**Request:** Park District One Approval to provide for park improvements including a new playground, sidewalk, nature walkway, shelter, and drainage improvements for WISH Park.  
**Current Land Use:** Park  
**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 subject site is developed with a park located in the Crooked Creek neighborhood and is surrounded by a variety of commercial, residential, and special use districts.

**PARK DISTRICT ONE APPROVAL**

The site is zoned PK-1 and would allow for park improvements including a new playground, sidewalk, nature walkway, shelter, and drainage improvements. Existing improvements include a shelter, playground equipment, and parking area. However, no use, building or structure is permitted for any purpose until a site and development plan for such land, including the proposed use, has been filed with and approved by the Commission in accordance with the Zoning Ordinance.

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

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

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

**FLOODWAY / FLOOD FRINGE**

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

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

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (PK-1 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning District Ordinance.

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

This site lies partially within the floodway and floodway fringe of Crooked Creek, which runs along the site's northeastern property boundary. Development within the floodway and floodway fringe must comply with the Flood Control Secondary Zoning District regulations.

The following uses shall be permitted in the Floodway district subject to the development standards of Section 742-203.

- a. Open land uses,
- b. Land alterations and watercourse alterations,
- c. Nonbuilding structures,
- d. Minor residential structures, and
- e. Improvements, additions, and restoration of damage to legally established nonconforming uses.

**STAFF ANALYSIS**

The proposed updates to the park with playground equipment, sidewalk, nature walkway, shelter, drainage improvements, and porta-potty would align with the large-scale park recommendation of the Comprehensive Plan and would be compatible within the surrounding residential area. Additionally, the walkways, as nonbuilding structures, would be permitted within the floodplain and floodway.

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

**GENERAL INFORMATION**

<b>Existing Zoning</b>	PK-1	
<b>Existing Land Use</b>	Park	
<b>Comprehensive Plan</b>	Large-scale Park and Floodway	
<b>Surrounding Context</b>	<u><b>Zoning</b></u>	<u><b>Land Use</b></u>
North:	SU-35	Broadcast Tower
South:	D-6II / D-A / SU-7 / SU-18	/ Multi-family dwellings / IPL Substation
East:	SU-35	Undeveloped / Broadcast Tower
West:	C-4 / C-5 / D-5	Commercial / Residential (Single-family dwellings)
<b>Thoroughfare Plan</b>		
Westlane Road	Primary Arterial Street	90-foot proposed right-of-way and 77-foot existing right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	Yes	
<b>Overlay</b>	Yes	

<b>Wellfield Protection Area</b>	No
<b>Site Plan</b>	May 23, 2025
<b>Site Plan (Amended)</b>	N/A
<b>Elevations</b>	N/A
<b>Elevations (Amended)</b>	N/A
<b>Landscape Plan</b>	N/A
<b>Findings of Fact</b>	N/A
<b>Findings of Fact (Amended)</b>	N/A
<b>C-S/D-P Statement</b>	N/A

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Indy Moves Transportation Integration Plan (2018)
- Indy Greenways Full Circle Master Plan, Part One (2014)

### Pattern Book / Land Use Plan

- The site is recommended for large-scale park development and floodway.
- The Large-Scale Park and Floodway typologies are classified as a non-typology land uses. These stand-alone land uses are mapped outside of the typology system due to their scale or the nature of their use.
- Large-Scale Parks are generally over 10 acres in size.
- The Floodway category delineates areas that exhibit a great potential for property loss and damage from severe flooding, or for water quality degradation. No development should occur within the floodway. Nonconforming uses currently within a floodway should not be expanded or altered.
- The proposed improvements to the site would align with these 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)

- The site falls within the Indy Moves Transportation Integration Plan (2018), but more specifically the Indy Greenways Full Circle Master Plan, Part One (2014).
- A multi-use greenway is proposed a from Winton Drive to Spring Mill Road. There is an existing on-street bike lane from Winton Drive to Spring Mill Road. Both make up the Northtown Trail.

## ZONING HISTORY

### Zoning History - Site

**95-Z-218 / 95-AP-160; 2602 Westlane Road** (subject site), Rezone 16.0 acres from D-6II to PK-1 to provide for a public park and Park District 1 Approval to provide for the development of a park facility to be known as the development of a public park facility to be known as the development of a public park facility to be known as Wish Park, improved with a playground, volleyball court, picnic shelter, learning lab, trails, and a parking lot, **approved**.

**72-Z-161; 2502 Westlane Road** (subject site), Rezoning of 60.00 acres, being in an A-2 district, to the D-6II classification, to provide for an apartment development, **approved**.

### Zoning History - Vicinity

**2008-ZON-071; 2702 Westlane Road** (southwest of site), Rezoning of 0.781 acre, from the D-A District to the C-4 classification to provide for community-regional commercial uses, **withdrawn**.

**99-Z-101; 7441 North Michigan Road** (northwest of site), Rezone 10.90 acres from C-3, D-5, and D-A to D-P to provide for 54 single-family residences, **approved**.

**93-Z-108; 7580 Walnut Drive** (north of site), Rezoning of 44 acres, being in the D-6II District, to the SU-35 classification to provide for broadcast tower with accessory equipment buildings and satellite dishes, **approved**.

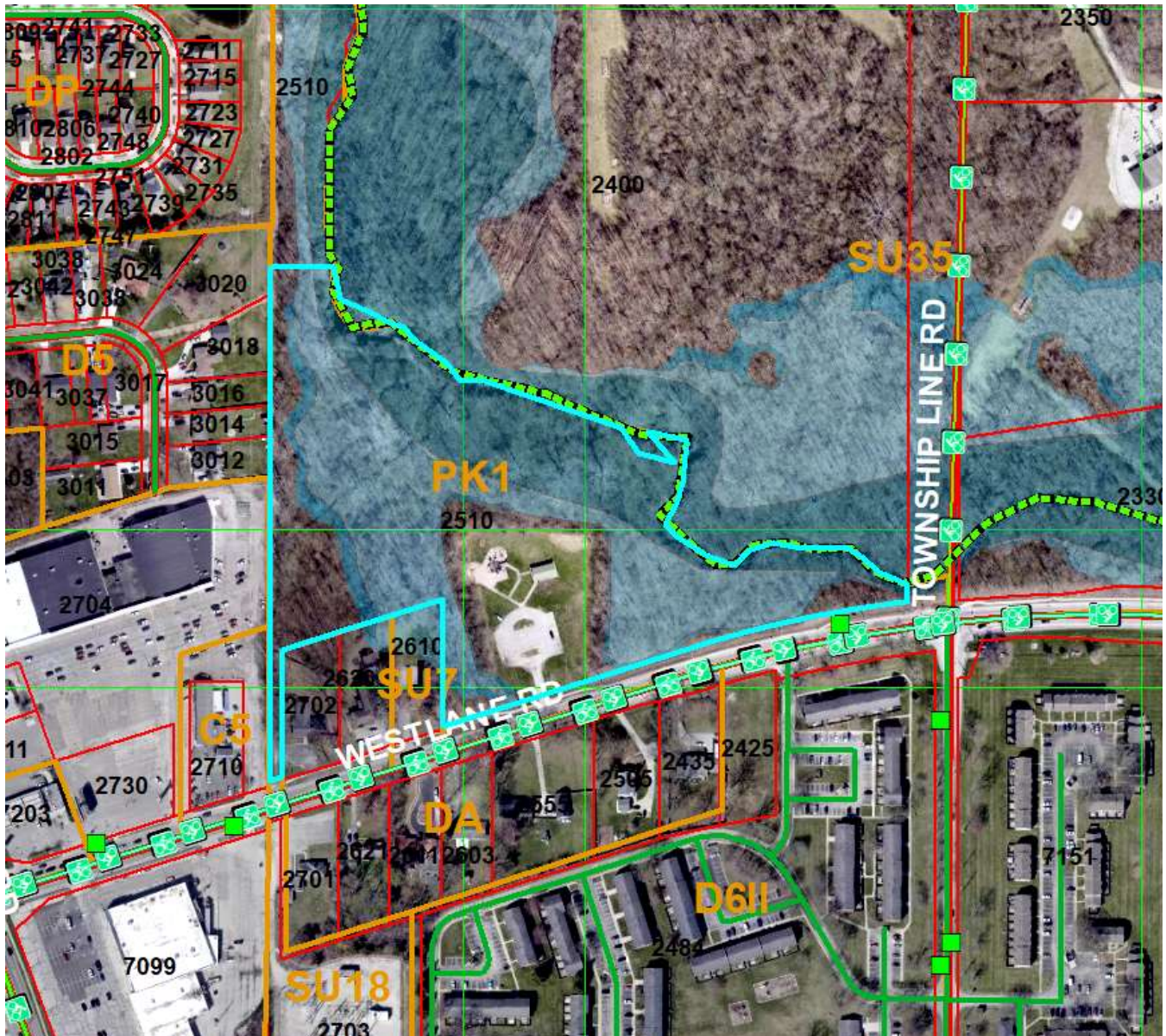
**88-Z-74; 2610 Westlane Road** (southwest of site), Rezoning of 6 acres, being in the A-2 District, to the SU-7 classification to provide for a group home for abused and neglected adolescents, **approved**.

**83-Z-182; 2701 Westlane Road** (southwest of site), Rezoning of .766 acres, being in the A-2 and SU-18 district, to the C-1 classification, to provide for renovation of existing residence to be used for a medical office, **withdrawn**.

**83-Z-162; 2350 Westlane Road** (east of site), Rezoning of 32.43 acres being in the D-6 District, to the SU-35 classification to provide for a television broadcast tower with accessory buildings, **approved**.

**69-Z-225; South of Westlane Road and west side of Pike/Washington Township Line**(southeast of site), Rezoning of 36.80 acres, being in A-2 district to D-6II classification to provide for the construction of garden type and townhouse apartments, **approved**.

EXHIBITS



AERIAL IMAGE



Department of Metropolitan Development  
Division of Planning  
Current Planning

### WISH Park - Existing Park Plan

2602 Westlane Rd, Indianapolis, IN 46268

FOR DISCUSSION PURPOSES ONLY



**Indy Parks Playgrounds Improvements**  
WISH Park | May 2025



## WISH Park - Proposed Park Plan

2602 Westlane Rd, Indianapolis, IN 46268

FOR DISCUSSION PURPOSES ONLY

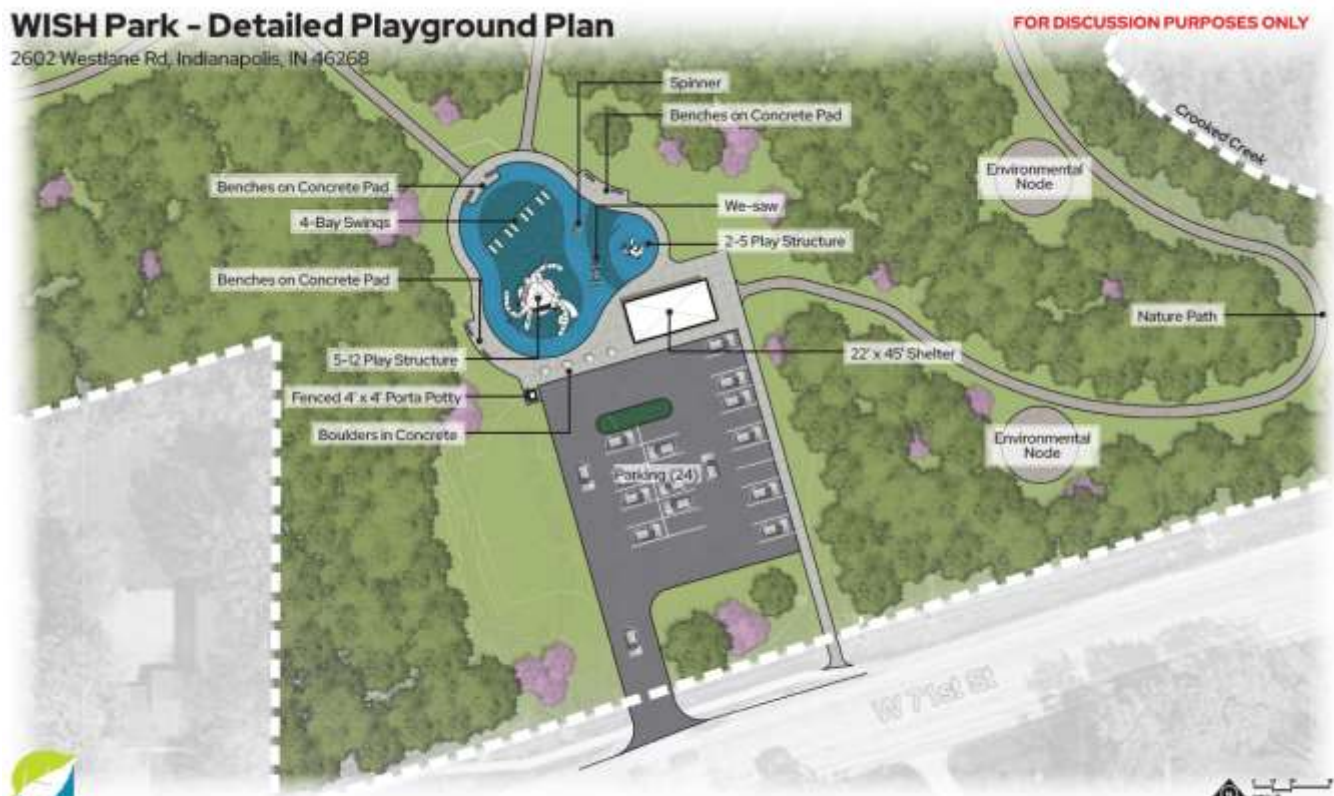


**Indy Parks Playgrounds Improvements**  
WISH Park | May 2025



## WISH Park - Detailed Playground Plan

2602 Westlane Rd, Indianapolis, IN 46268



Indy Parks Playgrounds Improvements  
 WISH Park | May 2025

INFRASTRUCTURE  
 ENGINEERING | INDIANAPOLIS

context  
 DESIGN

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

**Petition Number** \_\_\_\_\_

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

**FINDINGS OF FACT**

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

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

The Land Use Plan identifies that the parcel is a Park, zoned PK1, surrounded by zones SU35, D5, DA, C5, and SU7. 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 development of a new playground with new equipment, benches, sidewalks, paths, and a shelter.

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 the construction of a new playground, shelter, playground surface, paths, and sidewalk connections. Additional improvements will be made to the drainage within the park

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

New sidewalks and a parking lot are proposed to connect the playground to street 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:

Existing controls are already included in and adjacent to the existing park; and new sidewalks and benches will be added to connect the proposed playground to existing park features.

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 within a suburban neighborhood park that includes a playground and green space.

The proposed playground enhances existing park features and adds connectivity and functions complimentary to its continued use as a park.

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 sidewalks and benches will be added to connect the proposed playground to existing park features.

**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 looking north.



Photo of the shelter on site and the location of the proposed nature path towards the woods.

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Photo of the playground on site.



Photo of the location of the proposed nature paths heading north into the woods beyond the playground.



Photo of single-family dwellings south of the site.



Photo of the undeveloped parcel east of the Westland Road and Township Line Road intersection.



Photo of single-family dwellings south of the site.



Photo of an apartment complex south of the site.

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**June 26, 2025**

**Case Number:** 2025-ZON-055  
**Property Address:** 6225, 6233, and 6245 Kentucky Avenue (approximate addresses)  
**Location:** Decatur Township, Council District #21  
**Petitioner:** GBT Realty Corporation, by Joseph D. Calderon  
**Current Zoning:** D-A  
**Request:** Rezoning of 3.11 acres from the D-A districts to the C-4 district to provide for community-regional commercial uses, including an automobile fueling station.  
**Current Land Use:** Residential  
**Staff Recommendations:** Denial  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

**PETITION HISTORY**

This is the first public hearing on this petition.

**STAFF RECOMMENDATION**

Staff **recommends denial** of the request.

**PETITION OVERVIEW**

**LAND USE**

This 3.11-acre site is currently zoned D-A and is composed of three (3) parcels: 2003060, 2003409, and 2001611. The site contains three (3) existing single-family dwelling units. It is surrounded by single-family residential uses to the south, east, and west, all zoned D-A. To the north, across Kentucky Avenue Penn Central Railroad and Department of Revenue, zoned C-S.

**REZONING**

This petition request would rezone the property from the DA, Dwelling Agriculture, District to the C-4, Community-Regional Commercial, District to allow for a convenience store and gas station.

**D-A** (Dwelling Agriculture District) which holds the agricultural lands of Marion County and provides for a variety of agricultural uses. Most agricultural uses (farms) are permitted in this district. A single-family dwelling is intended to be permitted as a part of such agricultural uses. A secondary provision of this

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district is large estate development of single-family dwellings. The district does not require public water and sewer facilities.

**C-4** (Community-Regional Commercial District) designed for major business groupings and regional-size shopping centers to serve a population ranging from a neighborhood to a major segment of the total metropolitan area. The district accommodates a number of large traffic generators, such as home improvement stores, department stores, and theatres, and allows limited outdoor activities.

### STAFF ANALYSIS

According to the 2018 Comprehensive Plan, the site is primarily recommended for Regional Commercial development. This typology supports general commercial, and office uses that serve a wide population base, typically including large freestanding buildings or integrated centers such as shopping malls, strip centers, and big-box retail stores.

However, Parcel 2003060 is recommended for Village Mixed-Use, which encourages compact, walkable neighborhood centers with a mix of small-scale businesses, housing types, and civic spaces. This typology emphasizes pedestrian orientation, human-scale design, and compatibility with surrounding residential neighborhoods.

The proposed gas station and convenience store would not align with the Village Mixed-Use recommendation. While it may be more consistent with the Regional Commercial designation, its proximity to a well-established residential neighborhood raises significant concerns.

The nature of the proposed use—characterized by continuous 24-hour operations, vehicle traffic, lighting, noise, and potential litter—would be disruptive to nearby residential properties. The intensity of the proposed commercial development would represent a significant departure from the surrounding low-density residential context and could undermine neighborhood stability.

Given the established residential character of the surrounding area, and the potential adverse impacts of this use on nearby homes, staff does not support the rezoning request. The proposed use would represent an incompatible encroachment of intense commercial activity into a predominantly residential area and could lead to long-term negative impacts on the character and cohesion of the neighborhood.

### GENERAL INFORMATION

<b>Existing Zoning</b>	D-A	
<b>Existing Land Use</b>	Enter Land Use	
<b>Comprehensive Plan</b>	Village Mixed-Use/ Regional Commercial	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
North:	C-S	Penn Central Railroad/ Department of Revenue
South:	D-A	Residential (Single-family dwelling)
East:	D-A	Residential (Single-family dwelling)
West:	D-A	Residential (Single-family dwelling)

Thoroughfare Plan		
Kentucky Avenue Ameriplex Parkway	Primary Arterial Primary Arterial	175-foot existing right-of-way and a 175-foot proposed right-of-way 0-foot existing right-of-way 141-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Airspace	
Wellfield Protection Area	No	
Site Plan	February 4, 2025	
Site Plan (Amended)	N/A	
Elevations	February 4, 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

- Marion County Land Use Pattern Book (2019)

### Pattern Book / Land Use Plan

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.

The **Regional Commercial** typology provides for general commercial and office uses that serve a significant portion of the county rather than just the surrounding neighborhoods. Uses are usually in large freestanding buildings or integrated centers. Typical examples include shopping malls, strip shopping centers, department stores, and home improvement center.

**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

**2011-ZON-001; 6225 Kentucky Avenue (subject site)**, Rezoning of 3.1 acres, from the D-A District to the C-3 classification to provide for commercial uses, **dismissed**.

### ZONING HISTORY- VICINITY

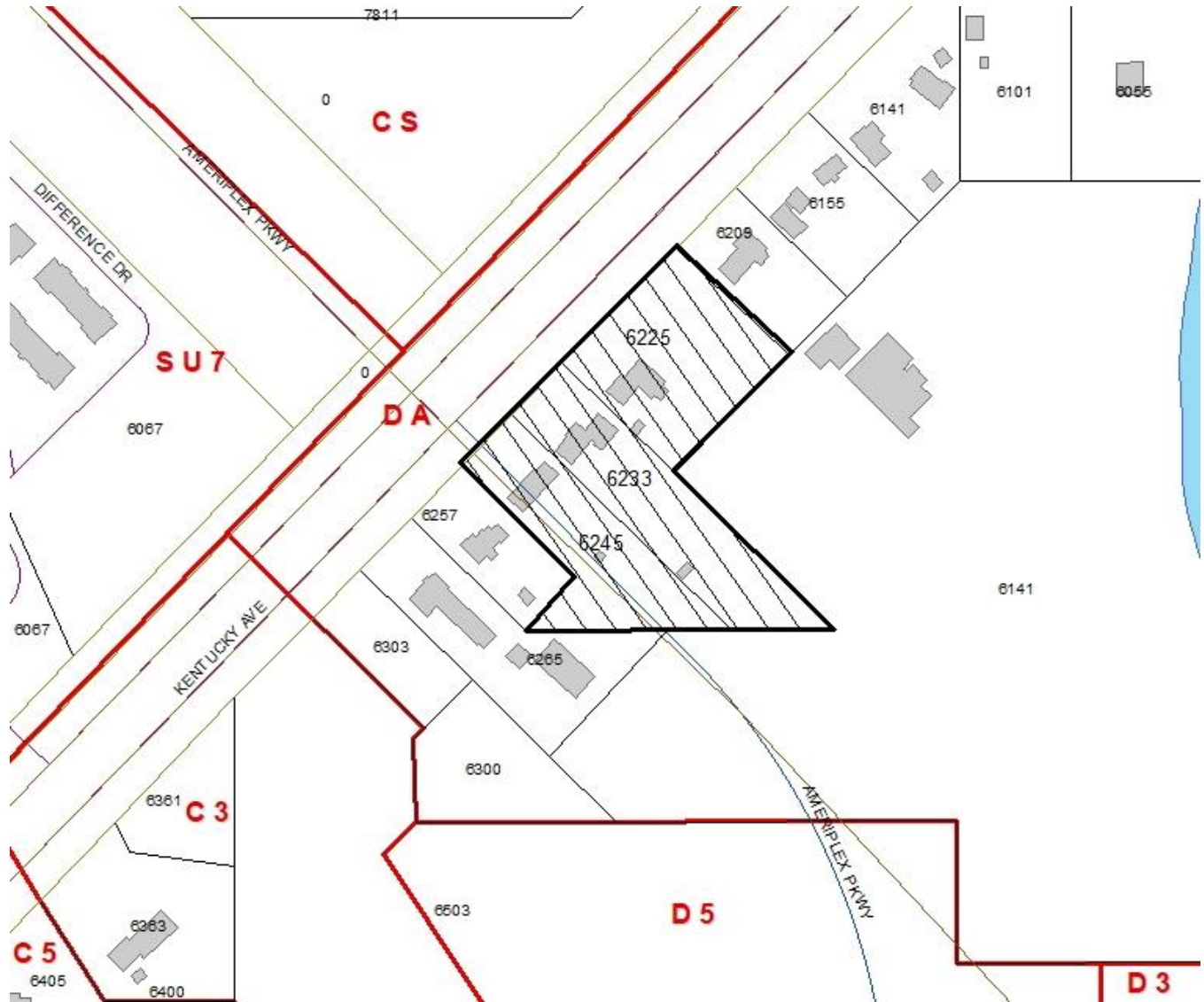
**2023ZON052; 5745 Kentucky Ave (south of site)**, Rezoning of 2.575 acres from the D-A district to the C-4 district to provide for a gas station/convenience store, **withdrawn**.

**2007-UV3-017; 6265 Kentucky Avenue (South of site)**, Variance of Use of the Dwelling Districts Zoning Ordinance to provide for a gift shop (not permitted) within the existing building located nearest to Kentucky Avenue (not permitted), and to legally establish the construction of a 576-square foot building related to a plumbing contractor (not permitted, plumbing contractor previously permitted by petition 2000-UV3-011) Variance of Development Standards of the Sign Regulations to provide for an eight-foot tall, 64-square foot pylon sign (not permitted), **granted**.

**2000-UV3-011; 6565 Kentucky Avenue (south of site)**, variance of use to provide for a plumbing contractor in D-A, **granted**.

**91-UV2-35; 6265 Kentucky Avenue (south of site)**, variance of use to provide for the construction of a second single-family dwelling on one lot in D-A, **dismissed**.

EXHIBITS



Zoning and location of the subject site.



Looking north along Kentucky Avenue from subject site.



Looking east from Kentucky Avenue to subject site.



Looking at the intersection of Ameriplex and Kentucky Avenue



Looking east from Kentucky avenue from subject site.



Looking at the subject site, abandon single family home.



Looking at the rear yard of the subject site.

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**June 26, 2025**

**Case Number:** 2025-ZON-057  
**Property Address:** 7905 East 42nd Street (approximate address)  
**Location:** Lawrence Township, Council District #9  
**Petitioner:** Kartik Patel, by Thomas Pottschmidt  
**Current Zoning:** C-3 and C-4  
**Request:** Rezoning of 3.28 acres from the C-3 and C-4 districts to the C-4 district to provide for community-regional commercial uses including a proposed hotel.  
**Current Land Use:** Undeveloped  
**Staff Recommendations:** Approval with a commitment.  
**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

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

1. A tree inventory, tree assessment and preservation plan prepared by a certified arborist shall be submitted for Administrator Approval prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate the layout of all 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**

**LAND USE**

The 3.28-acre subject site is an undeveloped wooded commercial lot. It is surrounded by multi-family dwellings north of the site, zoned D-7, undeveloped parcel to the east, zoned C-3, warehouse to the south, zoned D-6II, and commercial use west, zoned C-S and C-5.

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Division of Planning  
Current Planning**

## REZONING

This petition would rezone the split-zoned property from the C-4 and C-3 districts to the C-4 district.

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 insignificant numbers from well beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators, such as theaters.

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 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.

## STAFF ANALYSIS

Although rezoning the entire site to the C-4 district for a hotel use is not directly compatible with the Office Commercial Uses recommendation of the Comprehensive Plan, it would allow for one cohesively-zoned parcel which would make development of the site more efficient and orderly.

The site plan submitted is conceptual and was not reviewed for compliance purposes. The applicant was informed during the inquiry process that staff would not support any variances for development of the site because it is an undeveloped lot and any proposed development would have the capability to work within the standards of the Ordinance without issue.

Staff had concerns with the potential clear-cutting of the site and would request that a tree inventory, tree assessment and preservation plan be prepared by a certified arborist and submitted for Administrator Approval.

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

## GENERAL INFORMATION

<b>Existing Zoning</b>	C-3 and C-4	
<b>Existing Land Use</b>	Undeveloped	
<b>Comprehensive Plan</b>	Office Commercial Uses	
<b>Surrounding Context</b>	<u><b>Zoning</b></u>	<u><b>Land Use</b></u>
North:	D-7	Residential (Multi-family dwellings)

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South:	D-6II	Warehouse / Wholesale Distributor
East:	C-3	Undeveloped
West:	C-S / C-5	Commercial
<b>Thoroughfare Plan</b>		
42 <sup>nd</sup> Street	Primary Collector Street	80-foot proposed right-of-way and 111-foot existing right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	May 16, 2025	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- East 38th Street Corridor Plan (2012)

### Pattern Book / Land Use Plan

- Not Applicable to the Site. Please see East 38th Street Corridor Plan (2012) below.

### Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

### Neighborhood / Area Specific Plan

- The site falls within the East 38th Street Corridor Plan (2012) and recommends Office Commercial Uses.

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Current Planning**

- This land use category is for low-intensity office uses, integrated office development and compatible office-type uses. Retail uses are not promoted in this category, unless those uses are significantly subordinate to the primary office use or the retail use exclusively serves an abundance of office uses in proximity to the retail use. Office Commercial Uses can exist either as buffers between higher intensity land uses and lower intensity land uses or as major employment centers. The following uses are representative of this land use category: medical and dental facilities, education services, insurance, real estate, financial institutions, design firms, legal services, day care centers, mortuaries, and communications studios.

**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

**87-Z-215; 7901-8015 East 42nd Street** (subject site), rezoning of 12.07 acres, being in the D-5 and A-2 Districts, to the C-3 classification to provide for retail uses, **approved**.

**74-Z-142; 7851 East 42nd Street** (subject site), rezoning of 10.64 acres, being in the D-7 District, to the C-4 classification to provide for commercial development, **approved**.

**71-Z-239; East 42<sup>nd</sup> Street** (subject site), Rezoning of 6.89 acres, being in the D-5 District, to the C-2 classification to provide for offices, **approved**.

### Zoning History – Vicinity

**2014-CZN-834; 7701, 7707, 7709, 7715, 7807 and 7857 East 42nd Street** (west of site), Rezoning of 18.5 acres from the D-5, C-4, C-5, C-S and C-ID districts to the C-5 classification to provide for a home improvement store, **approved**.

**2013-ZON-072; 4002 North Franklin Road** (south of site), Rezoning of 14.77 acres from the I-2-S district to the D-6II classification to provide for multi-family development, **approved**.

**2007-ZON-010; 4002 North Franklin Road** (south of site), rezoning of 16.48 acres from the SU-16 District to the I-2-S classification to provide for industrial uses, **approved**.

**95-Z-105; 7808 East 38<sup>th</sup> Street and 7705 East 42<sup>nd</sup> Street;** (west of site), Rezone 30 acres from C-2, C-ID, D-7, and C-3 to the C-S classification, **approved**.

**88-Z-160; 7625 Pendleton Pike** (northwest of site), Rezoning of 1.85 acres, being in the C-5 and D-7 districts, to the C-5 classification to provide for commercial development, **approved**.

**87-Z-166; 4002 North Franklin Road** (south of site), rezoning of 22 acres, being in the C-4 and D-5 Districts, to the SU-16 classification to provide for a recreation center, **approved**.

**78-Z-121; 7701 East 42nd Street** (southwest of site), rezoning of 9.05 acres, being in the C-2 District, to the C-5 classification to permit a motel, **approved**.

**72-Z-207; 4203 North Franklin Road** (northeast of site), Rezoning of 4.80 acres, being in D-7 district to C-3 classification to provide for a neighborhood retail sales and service center, **approved**.

**71-Z-239A; 7950 East 38th Street** (southeast of site), Rezoning of 8.76 acres, being in the D-5 District, to the C-3 classification to provide for commercial development, **approved**.

**71-Z-239B; 7802 East 38th Street** (south of site), Rezoning of 10.96 acres, being in the A-2 District, to the C-2 classification to provide for offices and other allowable development, **approved**.



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Current Planning**

**71-Z-239C; Between Franklin Road and Interstate 465, north of East 38th Street** (south of site), requests rezoning of 47.99 acres, being in the A-2 District, to the D-7 classification to provide for apartments, **approved**.

**68-Z-156; East 42<sup>nd</sup> Street and I-465** (west of site), Rezoning of 10 acres, being in the D-5 district to the U3-H2-A2 classification to provide for a hotel and general offices, **approved**.

EXHIBITS



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



[illegible]



Photo of the subject site looking south across 42<sup>nd</sup> Street.

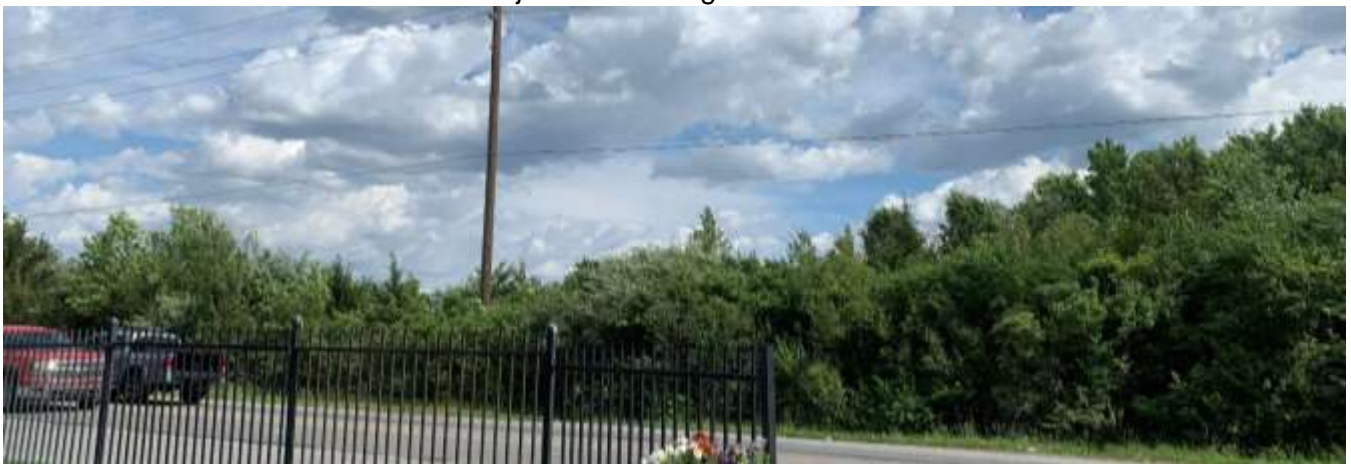


Photo of the subject site looking southeast across 42<sup>nd</sup> Street.



Photo of the subject site looking north along the access drive.



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



Photo of commercial uses west of the site.

Department of Metropolitan Development  
Division of Planning  
Current Planning



Photo of the warehouse south of the site.



Photo of the undeveloped property east of the site looking west from Franklin Road.

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**June 26, 2025**

**Case Number:** 2025-CPL-827 / 2025-CVR-827

**Property Address:** 2855 North Franklin Road (approximate address)

**Location:** Warren Township, Council District #9

**Petitioner:** Castle Peak Capital, LLC, and Castle Peak Property, LLC, by Justin Kingen and David Kingen

**Zoning:** I-3

**Request:** Approval of a Subdivision Plat to be known as Castle Peak, subdividing 33.29 acres into two lots.  
  
Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for proposed Lot Two with zero-foot street frontage (minimum 75-foot street frontage required).

**Waiver Requested:** None

**Current Land Use:** Industrial building and undeveloped

**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

This is the first hearing for this plat petition.

**STAFF RECOMMENDATION**

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

Staff recommends that the Hearing Examiner **approve** and find that the plat, file-dated May 12, 2025 complies with the standards of the Subdivision regulations, subject to the following conditions:

1. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
2. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
4. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the Final Plat prior to recording.
5. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the Final Plat prior to recording.
6. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the Final Plat prior to recording.

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

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 Pat prior to recording.
9. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the Final Plat.
10. That all the standards related to Secondary Plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the Final Plat.
11. That the applicant provides a bond, as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
12. The sidewalk installation along Franklin Road shall be noted in the Final Plat.
13. The access easements to Lot Two shall be clearly defined on the Final Plat.
14. That the approval shall be in accordance with the variance requested.
15. That a tree inventory, tree assessment and preservation plan prepared by a certified arborist shall be submitted for Administrator Approval prior to final 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

### VARIANCE OF DEVELOPMENT STANDARDS

The grant of the request would allow for proposed Lot Two to have zero feet of street frontage when a minimum of 75 feet in required.

### SITE PLAN AND DESIGN

The site is zoned I-3 and is comprised of two parcels, 7007606 and 7046307, that will be subdivided into two (2) lots to be known as Castle Peak with the change in property lines. Lot One will consist of the existing building on site and associated parking lot and Lot Two will contain an undeveloped wooded parcel.

### STREETS

Lot One would front on Franklin Road and Lot Two would gain access to Franklin Road by means of two (2), 30-foot-wide non-exclusive access easements that would run through Lot One. No new streets are proposed as part of this petition.

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

## SIDEWALKS

Sidewalks are required as a part of this plat. A sidewalk does not exist along Franklin Road and would need to be installed as part of this platting process.

## STAFF ANALYSIS

The subject site contains two (2) separate parcels with one (1) parcel having zero street frontage. Because the intent of the subdivision plat is to adjust an existing condition by realigning the eastern property boundary of Lot One and western property boundary of Lot Two, staff determined that the use or value of adjacent properties would not be affected in an adverse manner.

Staff had concerns with the potential clear-cutting of the site and would request that a tree inventory, tree assessment and preservation plan be prepared by a certified arborist and submitted for Administrator Approval.

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

## GENERAL INFORMATION

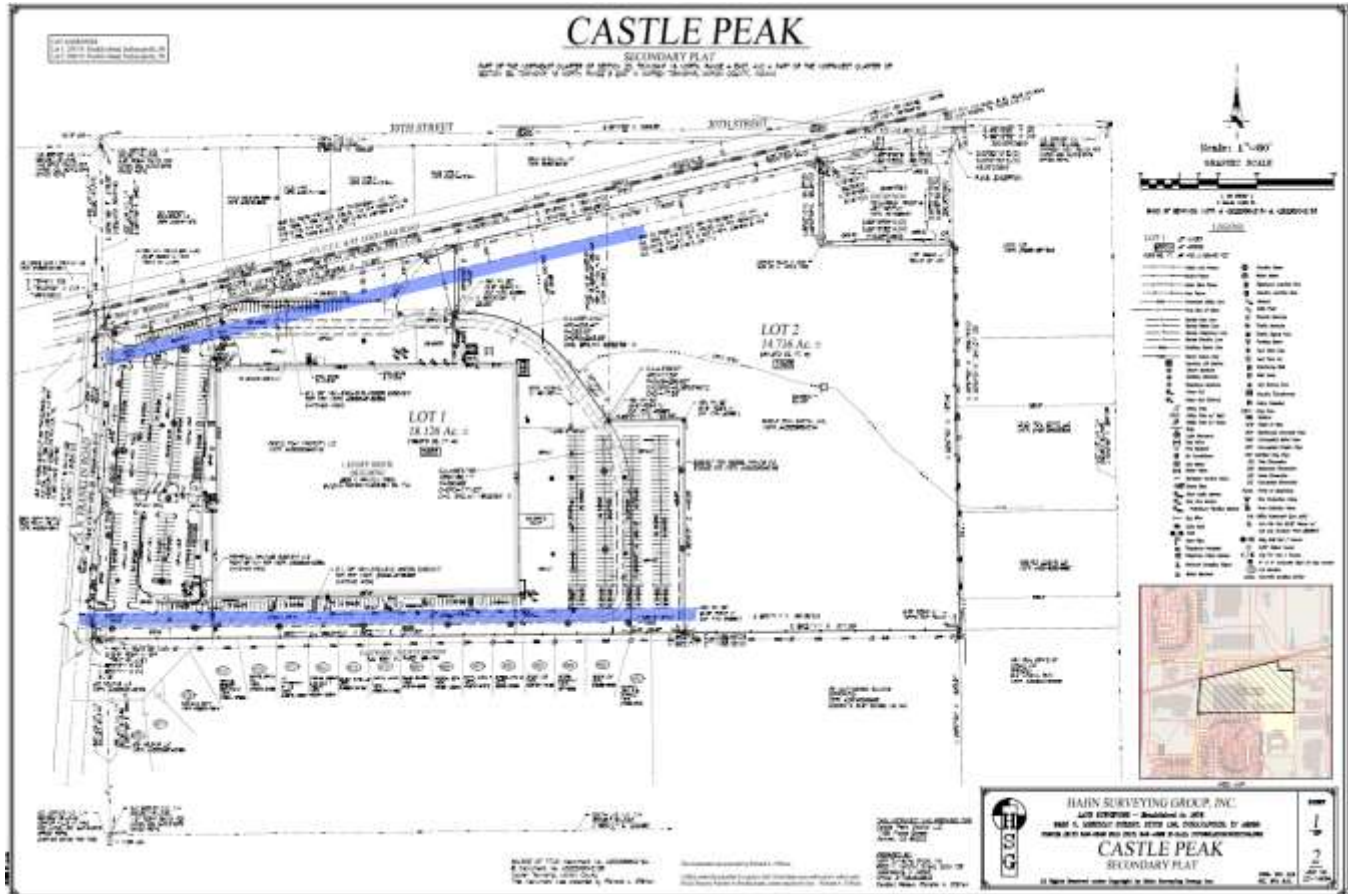
<b>Existing Zoning</b>	I-3	
<b>Existing Land Use</b>	Industrial building and undeveloped	
<b>Comprehensive Plan</b>	Light Industrial	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
North:	C-3 / I-3 / SU-18	Commercial / Power Substation
South:	C-3 / D-4 / SU-2	Commercial / Residential / School
East:	I-3	Industrial
West:	I-3	Warehouse
<b>Thoroughfare Plan</b>		
Franklin Road	Primary Arterial Street	90-foot proposed right-of-way and 40-foot existing right-of-way.
<b>Petition Submittal Date</b>	May 12, 2025	

## EXHIBITS



AERIAL IMAGE

## Preliminary Plat



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 granting of this variance will not be injurious to the public health, safety, morals, or general welfare given that these are two existing parcels that are simply having their property lines slightly modified.

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 is consistent with the Marion County Land Use Plan Pattern Book and the value of the nearby residences won't be affected in an adverse manner given that this is an existing industrial use

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

The strict application of the zoning ordinance requirements creates a practical difficulty given that this parcel currently exists with zero street frontage. This variance, should it be granted, will allow for the existing parcel to be legally established.

DECISION

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## PHOTOS



Photo of proposed Lot One that faces Franklin Road.



Southern anticipated access drive.

Department of Metropolitan Development  
Division of Planning  
Current Planning



Photo of the proposed Lot Two where the grass and tree line start.



Photo of the existing industrial building and associated parking lot to remain on Lot One.



Photo of proposed Lot One looking north with Lot Two to the east.



Photo of the northern property boundary south of the railroad track.