



# Metropolitan Development Commission (May 17, 2023) Meeting Notice

## Meeting Details

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

**Date:** Wednesday, May 17, 2023

**Time:** 1:00 PM

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

## Business:

**Adoption of Meeting Minutes:** May 3, 2023

**Bid Opening:** RFPQ for City Market and Plaza Improvements

**Vote on Positions**

## Policy Resolutions:

### REAL ESTATE:

#### 1. 2023-R-011

Metropolitan Development Commission authorizes DMD to make a forgivable loan of up to one million two hundred thousand dollars (\$1,200,000) of ARPA funds to facilitate acquisition and rehabilitation of the Grand Meridian for development as affordable housing.

#### 2. 2023-R-013

Authorizes DMD to acquire the Towne & Terrace properties near 42<sup>nd</sup> St and Post Rd.

#### 3. 2023-R-014

Department of Metropolitan Development agrees to accept the transfer of real property at 4201 N. College Ave from the Department of Public Safety

#### 4. 2023-R-015

Metropolitan Development Commission authorizes DMD to add eighty five thousand dollars (\$85,000) to a joint services agreement with the Indianapolis Cultural Trail, Inc., to provide for placemaking services for a new total not to exceed one million two hundred seventy five thousand dollars (\$1,275,000).

#### 5. 2023-R-016

Resolution approving the grant agreement between DMD, the Controller and the Arts Council of Indianapolis.

### ECONOMIC DEVELOPMENT / INCENTIVES:

#### 6. 2023-E-017

Increase the contract for the development and implementation of a Downtown retail strategy by one hundred fifty thousand dollars (\$150,000).

**7. 2023-A-016 (For Public Hearing)**

Authorizes an amendment to reduce the new job positions and increase the new job wages and extend the Real Property ERA to the 2019 tax abatement approved by Resolution 2019-A-061 and 2019-A-062 at 1045 Harding Court, Council District # 20, Perry Township.

**8. 2023-A-021 (For Public Hearing)**

Final Economic Revitalization Area Resolution for the Meritex Company and Meritex Decatur, LLC, located at 4925 Decatur Boulevard a/k/a 7000 West Thompson Road, Council District #22, Decatur Township. (Recommend approval of up to seven (7) years real property tax abatement.)

**PLANNING:**

**9. 2023-P-011**

Authorizes DMD to enter into contract with HR&A advisers to provide for the creation and development of a Cultural Equity Plan for the City of Indianapolis.

**10. 2023-P-012**

Authorizes the Director to rezone the properties generally located at 4201 and 4155 N. College Ave.

**BOND BANK:**

**11. 2023-BB-001**

Preliminary Resolution Authorizing the Issuance of Bonds of the Development District of the City of Indianapolis (Pan Am Plaza Project Hotel Revenue Bonds).

**12. 2023-BB-002**

Resolution Authorizing the Purchase of Real Property and Declaring Intent to Reimburse the Commission for Expenditures of the Pan Am Plaza Project with Bond Proceeds.

**Zoning Petitions:**

**Special Requests**

**PETITIONS OF NO APPEAL (RECOMMENDED FOR APPROVAL):**

**13. 2023-APP-002 | 8501 Harcourt Road**

Washington Township, Council District #1  
HD-1  
8501 Harcourt ICJV, LLC, by Amber Swanner

District One Approval to provide for one wall sign.

**14. 2023-APP-009 | 555 West Hanna Avenue**

Perry Township, Council District #16  
PK-1  
City of Indianapolis, Department of Parks and Recreation, by Jason Larrison

Park District One Approval to provide for playground equipment, a rubberized play surface, walking paths and a resurfaced basketball court.

**15. 2023-APP-010 | 1129 Vandeman Street**

Center Township, Council District #21

PK-1

City of Indianapolis, Department of Parks and Recreation, by Jason Larrison

Park District One Approval to provide for playground equipment, a rubberized play surface, walking paths and a resurfaced basketball court.

**16. 2023-APP-011 | 480 St Paul Street**

Center Township, Council District #12

PK-1

City of Indianapolis, Department of Parks and Recreation, by Jason Larrison

Park District One Approval to provide for playground equipment, a rubberized play surface, walking paths and a resurfaced basketball court.

**17. 2023-APP-012 | 254 East Beecher Street**

Center Township, Council District #12

PK-1

City of Indianapolis, Department of Parks and Recreation, by Jason Larrison

Park District One Approval to provide for playground equipment, a rubberized play surface, walking paths and a resurfaced basketball court.

**18. 2023-MOD-006 | 5943 Lafayette Road**

Pike Township, Council District #8

D-P

Eagle Creek Community Church, by Kylie Holley

Modification of Development Statement and Commitments related to 90-Z-58 and 93-SE2-8 to provide for a sign program for the existing religious use which would allow signs per the SU-1 zoning classification.

**19. 2022-ZON-102 (Amended) | 3431 Carson Avenue**

Perry Township, Council District #21

Maninder Singh and Jasbir Singh

Rezoning of 0.52 acre from the D-4 district to the C-1 district to provide for commercial uses.

**20. 2022-ZON-133 | 9425 East 30th Street**

Warren Township, Council District #14

God's Grace Community Church, by JoAnn Thompson

Rezoning of 12.808 acres from the SU-1 district to the D-7 district to provide for a multi-family senior-living residential development.

**21. 2023-ZON-007 | 1311 East 9th Street**

Center Township, Council District #17

Azure Davey

Rezoning of 0.14 acre from the I-3 district to the D-8 district.

**22. 2023-ZON-012 | 813 South Kenwood Street**

Center Township, Council District #16

Aaron Jefferson, by Brent Bennett

Rezoning of 0.07 acre from the C-5 (RC) district to the D-8 (RC) district to provide for residential uses.

**23. 2023-ZON-013 | 2457 & 2461 Shelby Street**

Center Township, Council District #21

Inpraedium Quarters, LLC, by David Kingen

Rezoning of 0.21 acre from the C-1 (TOD) district to the D-8 (TOD) district to legally establish multi-family dwelling uses.

**24. 2023-ZON-018 | 1818 and 1822 Central Avenue**

Central Township, Council District #11  
Jason Wolfe

Rezoning of 0.34 acre from the C-3 district to the D-8 district.

**25. 2022-CZN-864A / 2022-CZN-864B | 370 South Franklin Road**

Warren Township, Council District #18  
JAW Enterprises, LLC and M & K Warehouse Services, LLC, by William T. Rosenbaum

Rezoning of 3.543 acres from the D-A district to the C-7 district.

Rezoning of 3.45 acres from the D-A district to the I-2 district.

**26. 2023-ZON-020 | 25 South Tuxedo Street**

Center Township, Council District #12  
Marybeth McShea

Rezoning of 0.22 acre from the I-3 (TOD) district to the D-5 (TOD) district to provide for a two-family dwelling.

**27. 2022-CZN-868 (Second amendment) | 431 South Shortridge Road**

Warren Township, Council District #18  
Bhullar Deol Properties, Inc, by David Kingen and Emily Duncan

Rezoning of 2.74 acres from the D-A district to the C-S district to provide for an event center and C-1 uses with exceptions.

**28. 2022-CZN-874 (Amended) | 202 Miley Avenue**

Center Township, Council District #16  
Miley Inc., by David Kingen and Emily Duncan

Rezoning of 1.95 acres from the I-4 (RC) (TOD) districts to the C-S (RC) (TOD) district to provide for the following uses: Micro-Brewery, All C-1 permitted uses, Test Kitchen, Event Space, Restaurant/Tap Room, Food Truck Area, Warehousing as an accessory use, Interior and Exterior Live Entertainment and a Dog Park.

**29. 2023-CZN-806 | 818, 822, 826, 830, 834 and 838 Union Street, 831, 835 and 837 Charles Street, and 23, 27 and 31 Sycamore Street**

Center Township, Council District #16  
The Redevelopment Group, by Russell L. Brown

Rezoning of 0.18 acre from the D-8 (RC) district to the CBD-2 (RC) district to provide for residential uses.

**30. 2023-CZN-809 (Amended) | 2357 Dr Martin Luther King Jr Street**

Center Township, Council District #11  
Grundy Memorial Chapel, Inc., by David Kingen

Rezoning of 0.70 acre from the C-1 district, to the MU-1 district to provide for a multi-family development.

**31. 2023-CZN-812 | 1257 South East Street**

Center Township, Council District #21  
Bryce Chambers, by Mark and Kim Crouch

Rezoning of 0.13 acre from the C-1 district to the D-5 district.

**32. 2023-CAP-815 / 2023-CZN-815 | 1945 Orange Street**

Center Township, Council District #21  
City of Indianapolis, Department of Parks and Recreation, by Jason Larrison

Park District One Approval to provide for new playground equipment, a rubberized play surface and sidewalks.

Rezoning of 0.6 acre from the D-5 (FF) district to the PK-1 (FF) district to provide for park uses.



- 33. 2023-CZN-816 | 5110 East 82nd Street**  
Washington Township, Council District #3  
J.C. Hart Company, Inc., by Michael Rabinowitch

Rezoning of 10.5 acres from the C-S (FF) district to the C-S (FF) district to provide for a multi-family uses.

- 34. 2023-CZN-818 | 2810, 2826, 2834, 2838 and 2844 Ruckle Street**  
Center Township, Council District #9  
Mapleton Fall Creek Development Corporation, by Andrea Townsend

Rezoning of 0.48 acre from the MU-2 district to the D-8 district.

- 35. 2023-REG-026 | 402 Kentucky Avenue**  
Center Township, Council District 16  
I-4 (RC) and SU-18 (RC); CBD-2 RC) (pending)  
402 Kentucky Avenue, LLC, by Joseph D. Calderon

Regional Center Approval to provide for demolition of an industrial building to redevelop the site for a proposed mixed-use development.

## Petitions for Public Hearing

### PETITIONS FOR PUBLIC HEARING:

- 36. COMPANION PETITIONS RECOMMENDED FOR APPROVAL BY THE HEARING EXAMINER, APPEAL FILED BY A REMONSTRATOR:**

**2022-CZN-872 / 2022-CVR-872 | 4822 East Edgewood Avenue and 5820 South Emerson Avenue** Perry Township, Council District #24  
Indianapolis Emerson, LLC, by Joseph Calderon

Rezoning of 21.232 acres from the D-A, C-1 and C-3 districts to the D-6 district to provide for single-family attached dwellings (townhomes) and multi-family residential development.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building height of 49.5 feet (maximum 45 feet permitted) and a minimum livability ratio of 1.33 (1.80 required).

- 37. REZONING PETITIONS SCHEDULED FOR INITIAL HEARING:**

**2023-ZON-032 | 604, 710 North Sherman Drive, 3518 and 3722 East Michigan Street** Center Township, Council District #12  
City of Indianapolis – Department of Metropolitan Development, by Eddie Honea

Rezoning of 26.47 acres from the C-S and MU-2 Districts to the C-S District to provide for mixed-use development, including light industrial, commercial, and residential development, per the development statement filed.

- 38. REZONING PETITIONS SCHEDULED FOR INITIAL HEARING:**

**2023-ZON-033A (Amended) | 1324 West 30th Street** Center Township, Council District #7  
City of Indianapolis – Department of Metropolitan Development, by Marleny Iraheta

Rezoning of 0.13-acre, from the C-3 district to the D-5 district.

- 39. REZONING PETITIONS SCHEDULED FOR INITIAL HEARING:**

**2023-ZON-033B (Amended) | 870 Eugene Street** Center Township, Council District #11  
City of Indianapolis – Department of Metropolitan Development, by Marleny Iraheta

Rezoning of 0.06-acre, from the D-5 District to the D-5II District.

- 40. REZONING PETITIONS SCHEDULED FOR INITIAL HEARING:**

**2023-ZON-033C (Amended) | 909 North Pershing Avenue, 1210 & 1214 Udell Street, and 2520 & 2657 Burton Avenue** Center and Wayne Townships, Council Districts #11 and #7 City of Indianapolis – Department of Metropolitan Development, by Marleny Iraheta

Rezoning of 909 North Pershing Avenue, totaling 0.12-acre, from the C-1 District to the D-8 District

Rezoning of 1210 & 1214 Udell Street, totaling 0.13-acre, from the I-2 District to the D-8 District.

Rezoning of 2520 & 2657 Burton Avenue, totaling 0.24-acre, from the I-2 (W-5) District to the D-8 (W-5) District.

**41. REZONING PETITIONS SCHEDULED FOR INITIAL HEARING:**

**2023-ZON-034A (Amended) | 1441 Perkins Avenue, 216 Trowbridge Street and 38 & 58 South LaSalle Street** Center Township, Council Districts #12 and 21 City of Indianapolis – Department of Metropolitan Development, by Marleny Iraheta

Rezoning of 1441 Perkins Avenue, totaling 0.11-acre, from the C-1 District to the D-5 District.

Rezoning of 216 Trowbridge Street, totaling 0.15-acre, from the I-3 District to the D-5 District.

Rezoning of 38 & 58 South LaSalle Street, totaling 0.22-acre, from the I-3 (TOD) Districts to the D-5 (TOD) Districts.

**42. REZONING PETITIONS SCHEDULED FOR INITIAL HEARING:**

**2023-ZON-034B (Amended) | 4406 East New York Street** Center Township, Council District #12 City of Indianapolis – Department of Metropolitan Development, by Marleny Iraheta

Rezoning of 4406 East New York Street, totaling 0.08-acre, from the C-3 (TOD) districts to the D-8 (TOD) districts.

**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 [dmdpubliccomments@indy.gov](mailto:dmdpubliccomments@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) 327-5654, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.

Real Estate -3470 North Meridian  
Grand Meridian – Affordable Housing  
Loan Agreement

**METROPOLITAN DEVELOPMENT COMMISSION  
OF  
MARION COUNTY, INDIANA  
Resolution No. 2023-R-011**

WHEREAS, the Department of Metropolitan Development, ("DMD"), by authority of and pursuant to I.C. 36-7-15.1, is engaging in redevelopment activities in the Marion County Redevelopment District ("Project Area "); and

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

WHEREAS, DMD, has received American Rescue Plan Act ("ARPA") funds and wishes to address negative and disparate economic impacts of the public health emergency by supporting strategic development of long-term affordable and workforce housing to increase housing security and access to public transportation; and

WHEREAS, in furtherance of its redevelopment activities within the Project Area, DMD has identified a project planned for the "Grand Meridian" building located at 3470 North Meridian to acquire and renovate the existing building into affordable housing ("Project"); and

WHEREAS, DMD has determined that the Project, carried out as proposed, is an eligible use of ARPA funding and wishes to make a loan of up to \$1,200,000 to TWG DEVELOPMENT, LLC or one of its affiliates (collectively "TWG") to support the Project, with terms allowing for loan forgiveness once the acquisition and renovation phases of the Project are completed and with objectives are achieved.

NOW, THEREFORE, BE IT RESOLVED:

1. That the DMD is hereby authorized by the MDC to loan up to **\$1,200,000** of ARPA Grant funds to TWG to facilitate the acquisition and renovation phases of the Grand Meridian Project, such loan to be forgivable as agreed for achievement of those Project objectives.
2. The Director of the Department of Metropolitan Development is hereby authorized in accordance with this resolution to do all acts and execute all documents and instruments deemed necessary or appropriate by such official on behalf of the MDC so as to best accomplish the objectives set forth herein, and all actions heretofore taken by any such official toward the completion thereof are hereby ratified, confirmed and approved

Approved as to Adequacy & Legal Form

Sheila Kinney *sek*

Sheila Kinney, Asst. Corp Counsel

Date: May 10, 2023

Metropolitan Development Commission

John J. Dillon III, President

Date: \_\_\_\_\_

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

**Resolution No. 2023-R-013**

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

WHEREAS, pursuant to I.C. 36-7-15.1-6, the Metropolitan Development Commission ("MDC") is charged with the responsibility of promoting the use of land so as to best serve the social interests of the City of Indianapolis ("City") and to benefit the health, safety, and welfare of its inhabitants; and

WHEREAS, the MDC is authorized by I.C. 36-7-15.1-7 and -12 to acquire property needed to carry out its duties and purposes for redevelopment within the District; and

WHEREAS, DMD is engaging in redevelopment activities in the District, including the Towne & Terrace complex near 42<sup>nd</sup> and Post ("T & T Complex"), which is an area needing redevelopment. DMD has successfully acquired and demolished available properties at the T & T Complex and desires to acquire all the remaining properties that make up the T & T Complex (collectively "Property"); and

WHEREAS, DMD, has received American Rescue Plan Act ("ARPA") funds and wishes to use those funds to support acquisition of the Property in order to address the ongoing public health emergency presented by conditions at the T & T Complex; and

WHEREAS, DMD has or will undertake all required steps to acquire the Property, including the use of eminent domain as necessary. These steps will include due diligence to determine property values and to adhere to all applicable federal, state, and local laws; and

WHEREAS, DMD has presented to and informed MDC of conditions at the T & T Complex/ Property and seeks MDC's findings with respect to the Property as an area needing redevelopment and authority for acquisition of the Property, including the use of eminent domain as necessary, and a determination that such acquisition will best serve the interests of the City and its inhabitants.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. MDC hereby determines that due to the level of criminal activity and the deterioration of a majority of the structures at the T & T Complex, the Property presents a threat to public health, safety, and welfare; and MDC therefore determines the acquisition of the above-described Property will best serve the interests of the City and its inhabitants and authorizes DMD to acquire and to pursue all steps necessary to accomplish such acquisition, including the use of eminent domain; and
2. The Director of the Department of Metropolitan Development is hereby authorized in accordance with this resolution to do all acts and execute all documents and instruments deemed necessary or appropriate by such official on behalf of the MDC so as to best accomplish the objectives set forth herein, and all actions heretofore taken by any such official toward the completion thereof are hereby ratified, confirmed and approved.

Approved as to Adequacy & Legal Form

Sheila Kinney sek  
Sheila Kinney, Asst. Corp Counsel

Date: 5/10/2023

Metropolitan Development Commission

John J. Dillon III, President

Date: \_\_\_\_\_

Real Estate  
4201 N. College  
Real Property Acquisition

**METROPOLITAN DEVELOPMENT COMMISSION  
OF  
MARION COUNTY, INDIANA  
Resolution No. 2023-R-014**

WHEREAS, the Department of Metropolitan Development, (hereinafter "DMD"), by authority of and pursuant to I.C. 36-7-15.1, is engaging in redevelopment activities in the Marion County Redevelopment District ("Project Area"); and

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

WHEREAS, for several decades, the City of Indianapolis, Department of Public Safety( "DPS") has owned and controlled the property located at 4201 N. College, which parcel #8019034 is described as:

WOODCROFT L1 THROUGH L6 ("Real Estate"); and

WHEREAS, Indianapolis Metropolitan Police Department (" IMPD") has most recently used the Real Estate as IMPD's Community Engagement Office, and that office will be moved to another location, as the City works towards consolidating government use properties; and

WHEREAS, there are no intended government uses for this building and the Office of Finance and Management is in full support of this Resolution.

WHEREAS, DMD is interested in obtaining the Real Estate for beneficial redevelopment in the area; and

WHEREAS, DPS is willing to transfer the Real Estate, "AS IS" to DMD; and

WHEREAS, MDC is a governmental entity authorized to acquire real property to be titled to the "City of Indianapolis, for the use and benefit of its Department of Metropolitan Development"; and

WHEREAS, in accordance with IC 36-7-15.1- 6, 7 and the Revised Code of the Consolidated City and County, Art II Div I Sec. 231-221 (b) (3), MDC has authority to approve acquisitions of interests in real estate needed for redevelopment within the redevelopment district on any terms that may be agreed upon; and

WHEREAS, IC 36-1-11-8 authorizes governmental entities to transfer property between/among them upon terms and conditions agreed upon by the entities as evidenced by adoption of a substantially identical resolution by each entity; and

WHEREAS, DPS, on May 3, 2023, adopted a resolution (Agenda Item Number 050223-D- copy attached hereto as Exhibit A) substantially identical to this Resolution approving transfer of the Real Estate; and

WHEREAS, the DPS wishes to transfer control and title to the Real Estate to the “City of Indianapolis, for the use and benefit of its Department of Metropolitan Development” to facilitate redevelopment, and DMD desires to accept conveyance of the Real Estate.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. DMD is hereby authorized to accept control and conveyance of the Real Estate from the City of Indianapolis, Department of Public Safety.
2. The DMD Director, or designee, is hereby authorized to accept such conveyance and to execute all necessary documents related thereto in accordance with this Resolution and to do all acts and execute all other documents and instruments deemed necessary or appropriate by such official on behalf of the MDC to best accomplish the objectives set forth herein, and all actions heretofore taken by any such official toward the completion thereof are hereby ratified, confirmed and approved.

Approved as to Adequacy & Legal Form

Sheila Kinney *sek*

Sheila Kinney, Asst. Corp Counsel

Date: May 10, 2023

Metropolitan Development Commission

John J. Dillon III, President

Date: \_\_\_\_\_

## Exhibit A

### Resolution of the City of Indianapolis Board of the Office of Public Health and Safety

#### Agenda Item Number 050223- D

**A RESOLUTION** authorizing and approving the transfer of certain real estate located at 4201 N. College Indianapolis, Indiana, from the City of Indianapolis Department of Public Safety/ IMPD to the Department of Metropolitan Development (DMD).

WHEREAS, the City via its public safety agencies, the Department of Public Safety and IMPD have own and utilized the property for several decades.

WHEREAS, the property has been used as IMPD's Community Engagement Office, and that office will be moved to another location, as the City works towards consolidating government use properties.

WHEREAS, there are no intended government uses for this building and the Office of Finance and Management is in full support of this Resolution.

WHEREAS, DMD is interested in obtaining the property for the beneficial redevelopment for the community in the area.

WHEREAS, the City is willing to transfer the Real Estate, "AS IS" to DMD.

WHEREAS, Indiana Code § 36-1-11-8 authorizes governmental entities to transfer real property among themselves upon terms and conditions agreed upon by the entities as evidenced by adoption of substantially identical resolutions by each entity; and

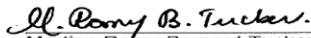
WHEREAS, DMD intends to adopt a resolution substantially identical to this Resolution approving and accepting transfer of the Real Estate.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Indianapolis Board of the Office of Public Health and Safety:

1. The Board finds that it will serve the best interests of the City/County and the public interest to approve and authorize the City of Indianapolis and Marion County, to transfer ownership the Real Estate located at 4201 N. College, Indianapolis, Indiana (local tax parcel # 8019034) to the Department of Metropolitan Development.
2. Subject to approval of the Mayor, City staff is authorized to execute all such documents, instruments, certificates and papers necessary, desirable, or appropriate to carry out the transaction contemplated by this Resolution in such form and substance as may be deemed proper and necessary.

ADOPTED by the City of Indianapolis Board of the Office of Public Health and Safety, this date of May 3, 2023.

By:



Martine Romy Bernard-Tucker  
Chair, City of Indianapolis, Board of the Office of Public Health and Safety  
Director, City of Indianapolis, Office of Public Health and Safety

**METROPOLITAN DEVELOPMENT COMMISSION  
MARION COUNTY, INDIANA  
RESOLUTION NO. 2023-R-015**

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

WHEREAS, in that capacity the Commission serves as the governing body of the City of Indianapolis Redevelopment District (the "District") and the City's Department of Metropolitan Development ("DMD"); and

WHEREAS, in 2019 DMD entered into a joint services agreement (#17612) among DMD, DPW, IMCBA, and the Indianapolis Cultural Trail, Inc., ("ICTI") for the provision of placemaking services relative to the Lugar Plaza, Georgia Street, and City-owned portions of the Downtown Canal; and

WHEREAS, Resolution No. 2021-R-021 authorized an extension of the agreement through December 31, 2022 and additional compensation; and

WHEREAS, Resolution No. 2022-R-022 authorized an amendment to the compensation of the agreement; and

WHEREAS, Resolution No. 2022-R-005 authorized an amendment to the compensation, scope and term of the agreement; and

WHEREAS, DMD wishes to amend the agreement to add \$85,000 for a new not-to-exceed \$1,275,000.

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

1. The Commission authorizes DMD to enter into an amendment to the joint services agreement with the Indianapolis Cultural Trail, Inc., to provide for additional services in an additional amount not to exceed \$85,000 with a contract total not to exceed \$1,275,000.
2. The Director of DMD is hereby authorized and directed to take such further actions and execute such documents as deemed necessary or advisable to effectuate the authorizations set forth in this Resolution.
3. This Resolution shall take effect immediately upon adoption by the Commission.

Approved as to legal form and adequacy:

Metropolitan Development Commission:

Sheila Kinney sek  
Sheila Kinney, Asst. Corp. Counsel

\_\_\_\_\_  
John J. Dillon III, President

Date: 5/9/2023

Date: \_\_\_\_\_



**METROPOLITAN DEVELOPMENT COMMISSION****MARION COUNTY, INDIANA****RESOLUTION NO. 2023-R-016**

**WHEREAS**, the Metropolitan Development Commission of Marion County, Indiana (the “Commission”) serves as the Redevelopment Commission of the City of Indianapolis, Indiana (the “City”) under IC 36-7-15.1 (the “Redevelopment Act”); and

**WHEREAS**, the Indianapolis-Marion County City-County Council (“Council”) previously adopted General Ordinance No. 16, 2016, which established the Public Art for Neighborhoods Fund (“PANF”) and established a requirement that development projects receiving economic incentives from the Commission must install public art or contribute to the PANF an amount equal to one percent of the incentives award; and

**WHEREAS**, the on May 8, 2023, the Council adopted City-County Fiscal Ordinance No. 5, 2023, authorizing use of One-Hundred and Seven Thousand, Six-Hundred and Fifty Dollars (\$107,650.00) from the PANF to establish the “2023 Public Art for Neighborhoods Community Connections Grants” program (the “Grant”), an initiative to support diversity within the Indianapolis-Marion County art community and to provide public art in neighborhoods without such art; and

**WHEREAS**, the Department of Metropolitan Development (“DMD”) desires to contract with the Arts Council of Indianapolis to assist in implementation of the Grant.

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

1. That the Commission hereby authorizes the Director of DMD to utilize Revenues from the Public Art for Neighborhood Subfund of the Redevelopment General Fund in an amount not to exceed \$107,650.00 to reimburse the Arts Council of Indianapolis for reasonable expenses associated with 2023 Public Art for Neighborhoods Community Connections Grants program. The Director of the Department of Metropolitan Development is hereby authorized to execute the necessary documents in accordance with this Resolution.
2. The City Controller is hereby authorized to disburse moneys from the Public Art for Neighborhood Subfund of the Redevelopment General Fund for the purposes noted above.
3. This Resolution shall take effect immediately upon adoption by the Commission.

METROPOLITAN DEVELOPMENT COMMISSION

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John J. Dillon, III President

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Bruce Schumacher, Acting Secretary

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Date

Approved as to Legal Form  
and Adequacy this 10<sup>th</sup> day  
of May, 2023

/s/Toae Kim  
Toae Kim,  
Deputy Chief Counsel

**METROPOLITAN DEVELOPMENT COMMISSION  
MARION COUNTY, INDIANA  
RESOLUTION NO. 2023-E-017**

**WHEREAS**, the Metropolitan Development Commission of Marion County (the “Commission”) is authorized to approve professional or consulting service contracts for the Department of Metropolitan Development (“DMD”); and

**WHEREAS**, in Resolution No. 2021-E-022, the Commission authorized DMD to enter into an agreement with Cat Consulting, LLC, for the development and implementation of a retail strategy; and

**WHEREAS**, in Resolution No. 2022-E-043, the Commission authorized DMD to amend the agreement with Cat Consulting, LLC (Contract #18870), to add additional funding in an amount not to exceed Fifty Thousand Dollars (\$50,000); and

**WHEREAS**, DMD wishes to amend the agreement with Cat Consulting, LLC, to extend the term of the agreement and add additional funding in an amount not to exceed fifty thousand dollars (\$50,000).

**NOW, THEREFORE, BE IT RESOLVED** by the Metropolitan Development Commission of Marion County as follows:

1. The Commission hereby authorizes DMD to amend the services agreement with Cat Consulting, LLC, to extend the term through June 30, 2024 and to increase the compensation by One Hundred Fifty Thousand Dollars (\$150,000), with a new not to exceed amount of Three Hundred Thousand Dollars (\$300,000).
2. The Director of the Department of Metropolitan Development is hereby authorized and directed to take such further actions and execute such documents as she deems necessary or advisable to effectuate the authorizations set forth in this Resolution.
3. This Resolution shall take effect immediately upon adoption by the Commission.

Approved as to Legal Form and Adequacy:

/s/Toae Kim

Toae Kim, Deputy Chief Counsel

Metropolitan Development Commission:

\_\_\_\_\_  
John J. Dillon III, President

Date: 5/10/23

Date: \_\_\_\_\_

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

**FINAL RESOLUTION TO  
AUTHORIZE AMENDMENTS TO THE MEMORANDUM OF AGREEMENT  
ASSOCIATED WITH RESOLUTIONS 2019-A-061 AND 2019-A-062 REGARDING REAL  
AND PERSONAL PROPERTY TAX ABATEMENT**

**Messer, LLC  
1045 Harding Court**

**Resolution No. 2023-A-016**

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

**WHEREAS,** pursuant to I.C. 6-1.1-12.1 Messer, LLC (hereinafter "Applicant") filed designation applications requesting that the subject real estate at 1045 Harding Court (hereinafter "Subject Real Estate") be designated as an Economic Revitalization Area for the purpose of achieving real and personal property tax savings in connection the proposed redevelopment or rehabilitation activities, and installation of new equipment. (hereinafter "Project"); and

**WHEREAS,** on Wednesday, August 7, 2019, the Metropolitan Development Commission (hereinafter "Commission") adopted Preliminary Economic Revitalization Area Resolutions No. 2019-A-060, and 2019-A-059, preliminary designating the Subject Real Estate as an Economic Revitalization Area; and

**WHEREAS,** on Wednesday, August 21, 2019, after conducting a public hearing, the Commission adopted Final Economic Revitalization Area Resolutions No. 2019-A-061 and 2019-A-062, (hereinafter referred to as the "Resolutions"), designating the Subject Real estate as an Economic Revitalization Area for the purpose of receiving seven (7) years real and personal property tax abatements; and

**WHEREAS,** in the Statement of Benefits Form contained in the Resolutions and the Memorandum of Agreement (hereinafter referred to as the "MOA") executed by and between the Applicant and the City of Indianapolis (hereinafter referred to as the "City"), the Applicant indicated that \$3,200,000 in personal property investments would be made at the Subject Real Estate, and \$35,113,900 in real property improvements would be made at the Subject Real Estate, 12 permanent positions would be retained at an average wage of \$28.00 per hour, and 23 permanent positions would be created at an average wage of \$28.00 per hour as a result of the Project (collectively, the "Commitments"); and

**WHEREAS,** in MOA required the Applicants to complete the Investment Commitments by December 31, 2022 and the job creation Commitments by December 31, 2023 (collectivity hereinafter the "Deadline Dates"); and

2023-A-016

**WHEREAS**, the Applicant submitted SB-1 Statement of Benefits forms that showed the Applicant met the retained jobs and retained wages; and

**WHEREAS**, the Applicant's submitted SB-1 Statement of Benefits forms also showed that the Applicant exceeded the personal property investment commitment, but that the real property investment has not yet been met; and

**WHEREAS**, the Real Property Economic Revitalization Area (ERA) designated by the Resolutions expired 08/22/2022; and

**WHEREAS**, the Applicant's Real Property investment of was not completed until after the expiration of the Real Property ERA, , thereby disallowing abatement deduction on the totality of the real property investments; and

**WHEREAS**, the Applicant submitted SB-1 Statement of Benefits forms that showed the Applicant failed to meet the job creation Commitments; and

**WHEREAS**, the Applicant subsequently confirmed to DMD that they would be unlikely to comply with the job creation Commitment; and

**WHEREAS**, the City and Applicant (collectively, the "Parties") desire to amend the MOA in the following manner: extend the Real Property Economic Revitalization Area designation to December 31, 2023, reduce the job creation commitment to 17 full-time permanent positions, at an average hourly wage of not less than \$30.00 per hour, by December 31, 2024, and in consideration of these amendments to the agreement, to reduce the real and personal property tax abatement deduction schedules, as set forth in this Amending Resolution.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Commission hereby determines that the Applicant is unlikely to be able to comply with the job creation Commitments, as stated in the Statements of Benefits, the Resolutions, and the MOA.
2. The real and personal property tax abatement deduction schedules shall be amended as follows:

**MESSER LLC**

**2023 AMENDED REAL & PERSONAL PROPERTY TAX ABATEMENT SCHEDULE**

YEAR OF DEDUCTION	PERCENTAGE
1 <sup>st</sup>	100%
2 <sup>nd</sup>	85%
3 <sup>rd</sup>	71%
4 <sup>th</sup>	57%
5 <sup>th</sup>	43%
6 <sup>th</sup>	29%
7 <sup>th</sup>	0% (No Deduction)

3. The Commission finds that the reduction in job creation and increase in average hourly wage, as set forth in this resolution, are reasonable deviations from the Commitments set forth in the SB-1s, Resolutions and MOA, and authorizes the Director of DMD to execute the Amended Memorandum of Agreement, attached hereto as Exhibit A and incorporated herein, between the Parties (“Amended MOA”).
4. The Real Property Economic Revitalization Area previously authorized by resolution 2019-A-061 is hereby extended to terminate December 31, 2023. The extension of the Economic Revitalization Area designation is limited to allowing the partial abatement of property taxes attributable to redevelopment or rehabilitation activities. This designation does not allow abatement of property taxes for installation of new manufacturing equipment under I.C. 6-1.1-12.1-4.5, for new investments after December 31, 2022.
5. The Commission directs the Department of Metropolitan Development to continue to monitor the Applicant’s Project for the remainder of the term agreed upon in the Amended MOA.

#### METROPOLITAN DEVELOPMENT COMMISSION

\_\_\_\_\_  
John J. Dillion III, President

\_\_\_\_\_  
Bruce Schumacher, Secretary

\_\_\_\_\_  
Dated

Approved as to Legal Form  
and Adequacy this 10th day  
of May, 2023.

/s/Toae Kim  
Toae Kim,  
Deputy Chief Counsel

**METROPOLITAN DEVELOPMENT COMMISSION OF****MARION COUNTY, INDIANA****FINAL ECONOMIC REVITALIZATION AREA RESOLUTION****RESOLUTION NO. 2023-A-021****REAL PROPERTY TAX ABATEMENT**

**The Meritex Company and Meritex Decatur, LLC**  
4925 Decatur Boulevard a/k/a 7000 West Thompson Road

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

**WHEREAS, I.C. 6-1.1-12.1** empowers the Metropolitan Development Commission (hereinafter "Commission") to designate Economic Revitalization Areas and determine the length of the abatement period and annual abatement schedule during the term of the abatement for such property, and to limit the dollar amount of the deduction that will be allowed with respect to a Project, by following a procedure involving adoption of a preliminary resolution, provision of public notice, conducting of a public hearing, and adoption of a resolution confirming the preliminary resolution or a modified version of the preliminary resolution; and

**WHEREAS,** the Commission has established in Resolution No. 01-A-041, 2001, certain standards and procedures for the designation of Economic Revitalization Areas for the partial abatement of property taxes attributable to redevelopment or rehabilitation activities; and

**WHEREAS, I.C. 6-1.1-12.1** empowers the Commission, at the time an Economic Revitalization Area is designated, to limit the dollar amount of the deduction that will be allowed with respect to a project; and

**WHEREAS, I.C. 6-1.1-12.1** requires an applicant for Economic Revitalization Area designation to provide a statement of benefits and requires the Commission, before it makes a decision to designate such an area as an Economic Revitalization Area, to determine that the Project can be reasonably expected to yield the benefits identified in the statement of benefits and determine that the totality of benefits arising from the Project is sufficient to justify Economic Revitalization Area designation; and

**WHEREAS,** a business (hereinafter "Applicant") named in the attachment to this Resolution, which is incorporated herein by reference, has an ownership interest in the geographical area (hereinafter "Subject Real Estate") described in such attachment; and

**WHEREAS,** the Applicant has requested the Subject Real Estate be designated as an Economic Revitalization Area for the purpose of achieving property tax savings in connection with the Project set forth in the attachment to this Resolution and occurring on the Subject Real Estate; and

**WHEREAS,** during a preliminary hearing at 1:00 p.m. on Wednesday, April 5, 2023, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and recommended the appropriate length of the abatement period for such Area, and the Commission adopted **Preliminary Resolution No. 2023-A-015**, preliminarily designating the

Subject Real Estate as an Economic Revitalization Area for an abatement period of up to seven (7) years ("Preliminary Resolution"); and

**WHEREAS**, pursuant to IC 6-1.1-12.1-2(k), a statement of benefits for property located within an allocation area, as defined by IC 36-7-15.1-26, may not be approved unless the City-County Council of Indianapolis and Marion County, Indiana (hereinafter referred to as "City-County Council") adopts a resolution approving the Statement of Benefits; and

**WHEREAS**, the City-County Council, on May 8, 2023, adopted a resolution approving the Applicant's Statement of Benefits; and

**WHEREAS**, pursuant to Commission Resolution No. 01-A-041, 2001, the Applicant and the City have entered into a Memorandum of Agreement which shall be utilized to measure compliance with the proposed Project described in the attachment to this Resolution; and

**WHEREAS**, proper legal notices were published indicating the adoption of such Preliminary Resolution and stating when and where such final public hearing would be held.

**NOW, THEREFORE, IT IS RESOLVED:**

1. The Commission now amends, confirms, adopts and approves such Preliminary Resolution and thereby finds and establishes the area as an Economic Revitalization Area subject to the conditions that designation as an Economic Revitalization Area allows the abatement of property taxes only relative to the Project and the effectiveness of the designation can be terminated by action of the Commission if:
  - A. The Applicant is unable to secure approval of the necessary variance or rezoning petition to provide for the proposed development.
  - B. Construction on the Subject Real Estate is not in substantial conformance with the Project description contained in the final resolutions as supplemented by information in the application, site plan and elevations; or
  - C. Construction of the Project is not initiated within one (1) year of the date a final resolution designating the Subject Real Estate as an Economic Revitalization Area is adopted.
2. The Economic Revitalization Area designation terminates two (2) years after the date a final resolution is adopted; however, relative to redevelopment or rehabilitation completed before the end of the two (2) year period, this termination does not limit the period of time the Applicant or successor owner is entitled to receive a partial abatement of property taxes to a period of not less than five (5) and up to seven (7) years.
3. This Economic Revitalization Area designation is limited to allowing the partial abatement of property taxes attributable to redevelopment or rehabilitation activities: **This designation does not allow abatement of property taxes for installation of new manufacturing equipment under I.C. 6-1.1-12.1-4.5.**



4. The Commission has determined that the Project can be reasonably expected to yield the benefits identified in the attached "statement of benefits" and the "statement of benefits" is sufficient to justify the partial abatement of property taxes requested, based on the following findings:
  - A. The estimate of the value of the proposed Project is reasonable for projects of that nature.
  - B. The estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed Project.
  - C. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed Project.
  - D. Other benefits about which information was requested are benefits which can reasonably be expected to result from the proposed Project.
  - E. The "Totality of Benefits" is sufficient to justify the deduction.
5. Under the authority of I.C. 6-1.1-12.1, the Commission directs the Department of Metropolitan Development to survey projects receiving Economic Revitalization Area designation for compliance with job creation/retention figures, salaries associated with these figures, Workforce Support Commitments and investment figures contained in the applicant's approved Final Economic Revitalization Area Resolution, the Memorandum of Agreement executed by and between the applicant and the City, and/or the statement of benefits form. The Commission may reduce the dollar amount, or rescind the deduction in its entirety, and/or require repayment of all or a portion of the deductions received by the applicant for failure to achieve the benefits identified in the Memorandum of Agreement and/or "statement of benefits", or for failure to respond to the mandatory survey.
6. The Commission directs the Department of Metropolitan Development to survey the Project described in the attachment to this Resolution annually for at least eleven (11) years. The dates of the initial eleven (11) surveys shall be on or about the following dates: 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033 and 2034.
7. The Subject Real Estate and Project areas are approved for an abatement period of **up to seven (7) years**.
8. The real property tax abatement shall utilize the following abatement schedules:

### **REAL PROPERTY TAX ABATEMENT**

*(Schedule if conditions are not met for "Enhanced Abatement," pursuant to MOA)*

YEAR OF DEDUCTION	PERCENTAGE
1 <sup>st</sup>	100%
2 <sup>nd</sup>	80%
3 <sup>rd</sup>	60%
4 <sup>th</sup>	40%
5 <sup>th</sup>	20%

**REAL PROPERTY OPPORTUNITY BUSINESS ENHANCED TAX ABATEMENT**

*(Must be invoked by third year of deduction)*

YEAR OF DEDUCTION	PERCENTAGE
1 <sup>st</sup>	100%
2 <sup>nd</sup>	80%
3 <sup>rd</sup>	60%
4 <sup>th</sup>	55%
5 <sup>th</sup>	45%
6 <sup>th</sup>	35%
7 <sup>th</sup>	25%

9. A copy of this Resolution shall be filed with the Marion County Auditor.

METROPOLITAN DEVELOPMENT COMMISSION

\_\_\_\_\_  
John J. Dillon III, President

\_\_\_\_\_  
Bruce Schumacher, Vice Secretary

\_\_\_\_\_  
Date

Approved as to Legal Form  
and Adequacy this 9<sup>th</sup> day  
of May, 2023.

/s/Toae Kim  
Toae Kim  
Deputy Chief Counsel

**PROJECT SUMMARY**  
**REAL PROPERTY TAX ABATEMENT**  
**THE MERITEX COMPANY AND MERITEX DECATUR, LLC**

Project Address: .....4925 Decatur Boulevard a/k/a 7000 West Thompson Road

Current Zoning:.....C-S

Qualified Jobs Created: .....16

Qualified Jobs Retained: .....None.

Estimated Cost of Proposed Project: \$9,249,892.00

**STAFF ANALYSIS**

The Meritex Company, through its single-purpose entity, Meritex Decatur, LLC, has proposed to invest \$9,249,892.00 to develop an approximately 80,219-square foot building for lease to industrial users. Based on the proposed building configuration and size, Meritex anticipates that the building will be occupied by up to four industrial tenants. The addition of such a facility will provide opportunities for smaller regional firms to relocate to, and expand within, Marion County.

Meritex has committed to a minimum of 16 net new jobs in the industrial building, at a minimum wage of \$18.00/hr. Petitioner has agreed to target “Opportunity Industries” as tenants for the project. Opportunity Industries are defined as those business sectors that provide for worker advancement without requiring a bachelor’s degree. If an Opportunity Industry tenant or tenants are secured, two additional years of real property tax abatement would be authorized.

The petitioner’s Inclusivity Plan will dedicate five percent of the estimated abatement value toward eliminating barriers to job access. The Plan includes infrastructure improvements to the general area of the Project Site, which will primarily consist of new public sidewalks on Decatur Boulevard, southwest of the Subject Site. These new sidewalks will facilitate transit use within the industrial park by completing missing sidewalk segments enroute to IndyGo transit service.

The applicant is requesting tax abatement to assist in off-setting the high costs of investment associated with this proposed project. The granting of property tax abatement will assist in making this project more economically feasible by phasing in the increased tax liability resulting from the investments. In staff’s opinion, a project such as this would not be economically feasible without incentives. Staff believes that the use of tax abatement is an appropriate tool to assist with this project and support continued development within Marion County. For these reasons, staff believes tax abatement to be an appropriate tool for development.

Staff believes this project does comply with the requirements of Metropolitan Development Commission Resolution No. 01-A-041, 2001 concerning the granting of property tax abatement.

**RECOMMENDATION:** Staff recommends approval of up to seven (7) years real property tax abatement.

## **TOTALITY OF BENEFITS**

<b><u>PETITIONER:</u></b>	The Meritex Company and Meritex Decatur, LLC
<b><u>INVESTMENT:</u></b>	Staff estimates that the proposed investment of \$9,249,892.00 should result in an increase to the tax base of approximately \$6,937,419.00 of assessed value. Staff estimates that over the five (5) year real property tax abatement period the petitioner will realize savings of approximately \$644,442.20 (a 56.5% savings). During the abatement period, the petitioner is expected to pay an estimated \$496,416.36 in real property taxes relative to the new investment. This is in addition to the current real estate taxes being paid on the undeveloped property in the amount of \$20,996.98 annually (pay 2022 taxes). After the tax abatement expires, the petitioner can be expected to pay an estimated \$249,168.69 in real property taxes annually on the new improvements, in addition to annual taxes attributable to value of the land as industrial ground.
<b><u>OPPORTUNITY INDUSTRY INCENTIVE:</u></b>	The petitioner has agreed to target Opportunity Industries in their marketing effort to lease or sell the developed property. If petitioner successful in leasing at least 51% of the gross leasable area of the building to such an industry, then the petitioner will be entitled to an alternate deduction schedule, including two (2) more years of deduction on the building(s) thus occupied. Staff estimates that if the building qualifies for the enhanced real property tax abatement, the petitioner will realize an additional tax savings of approximately \$208,884.72, in addition to the tax savings realized during the initial abatement term. The petitioner would also pay an additional \$247,458.70 in real property taxes during the enhanced abatement term.
<b><u>EMPLOYMENT:</u></b>	The petitioner estimates that this project will create a minimum of sixteen (16) positions at a minimum wage of not less than \$18.00/hr. Staff finds these figures to be reasonable for a project of this nature.
<b><u>OTHER BENEFITS:</u></b>	Staff believes this project is significant for Decatur Township in terms of new taxes and potential job creation and retention. Furthermore, staff believes the petitioner's project will lead to continued future investment and development in Marion County.
<b><u>STAFF COMMENT:</u></b>	Staff believes the "Totality of Benefits" arising from the project are sufficient to justify the granting of the tax abatement.

### **PROJECT SUMMARY**

Applicant: The Meritex Company and Meritex Decatur, LLC

Subject Real Estate: 4925 Decatur Boulevard  
a/k/a 7000 West Thompson Road

Decatur Township Parcel Number: 2013233

### **PROJECT DESCRIPTION**

The Meritex Company, founded in 1916 in Minneapolis, Minnesota, is a private, family-owned light industrial real estate development and investment company, with investments in 10 major metropolitan areas across the United States. Meritex Decatur, LLC is a single-purpose entity created by Meritex to construct, own and manage a proposed 80,219-square foot light industrial/flex facility at 4925 Decatur Boulevard, an undeveloped, 6.88-acre parcel in the Ameriplex industrial park. Meritex has committed to invest \$9,249,892 to construct the proposed industrial building.

As part of the development agreement, Meritex has committed to create not less than 16 new full-time positions at a minimum wage of \$18.00 per hour. Meritex has also agreed to target identified Opportunity Industries as tenants for the project. Opportunity Industries are defined as those business sector that provide opportunities for worker advancement without requiring a bachelor's degree. If the effort to lease 51% of the building to Opportunity Industry tenants is success, two additional years of real property tax abatement would be authorized.

New Jobs Created: 16 at \$18.00/hr.

Jobs Retained: None.

Estimated Cost of Project: \$9,249,892.00

The Meritex Company and Meritex Decatur, LLC  
4925 Decatur Boulevard a/k/a 7000 West Thompson Road



**Legend**

-  Parcels
-  Project Site



0 462.5 925 1,850 Feet

Produced by: DMD REED March 16, 2023



**METROPOLITAN DEVELOPMENT COMMISSION  
MARION COUNTY, INDIANA  
RESOLUTION NO. 2023-P-011**

**WHEREAS**, the Metropolitan Development Commission of Marion County, Indiana (the "Commission") is authorized to approve professional or consulting service contracts for the Department of Metropolitan Development ("DMD"); and

**WHEREAS**, DMD wishes to enter into an agreement for the creation and development of a Cultural Equity Plan for the City of Indianapolis, and has identified HR&A Advisors, Inc., as a contractor with the requisite skills to perform such services;

**NOW, THEREFORE, BE IT RESOLVED** by the Metropolitan Development Commission of Marion County, Indiana as follows.

1. The Commission hereby authorizes DMD to enter into a professional services agreement with HR&A Advisors, Inc., to provide for the creation and development of a Cultural Equity Plan for the City of Indianapolis, in an amount not to exceed Seven Hundred Ninety-One Thousand dollars (\$791,000).
2. The Director of the Department of Metropolitan Development is hereby authorized and directed to take such further actions and execute such documents as he deems necessary or advisable to effectuate the authorizations set forth in this Resolution.
3. This Resolution shall take effect immediately upon adoption by the Commission.

Approved as to Legal Form and Adequacy:

Metropolitan Development Commission:

/s/Toae Kim  
Toae Kim, Deputy Chief Counsel

\_\_\_\_\_  
John J. Dillon III, President

Date: 5/10/23

Date: \_\_\_\_\_

**METROPOLITAN DEVELOPMENT COMMISSION  
MARION COUNTY, INDIANA  
RESOLUTION NO. 2023-P-012**

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

WHEREAS, pursuant to IC 36-7-4-602(c) the Commission is empowered to initiate a proposal to amend the zoning map; and

WHEREAS, the Commission desires to amend the zoning map of the property generally located at 4201 and 4155 N. College Ave.; and

WHEREAS, pursuant to IC 36-7-4-402(c) the Commission shall delegate authority to employees of the Department of Metropolitan Development (“DMD”) to perform ministerial acts in cases except where final action of the commission is required by law; and

WHEREAS, the Commission desires to delegate authority to the Director of DMD to submit a proposal to formally rezone the properties identified; and

WHEREAS, pursuant to the MDC Rules of Procedure, Article V, Section 1(D) the Commission shall determine requirements for notice.

WHEREAS, the Commission desires the mailing of property owners and registered neighborhood groups no later than fourteen (14) days prior to the hearing.

NOW THEREFORE BE IT RESOLVED by Metropolitan Development Commission of Marion County as follows:

1. The Commission has formally initiated a proposal to amend the zoning map in relation to the 4201 and 4155 N. College Ave. to be heard at the June 21, 2023, Commission Hearing with fourteen (14) days notice; and
2. The Commission authorizes the Director of DMD to formally file and rezone the property as MU-1; and
3. This Resolution shall take effect immediately upon adoption by the Commission.



Approved as to legal form and adequacy: Metropolitan Development Commission:

By: /s/Toae Kim \_\_\_\_\_  
Toae Kim, Deputy Chief Counsel

By: \_\_\_\_\_  
John Dillon III, President

Date: 5/9/23

Date: \_\_\_\_\_

**RESOLUTION NO. 2023-BB-001****RESOLUTION OF THE METROPOLITAN DEVELOPMENT  
COMMISSION OF MARION COUNTY, INDIANA, PRELIMINARILY  
AUTHORIZING THE ISSUANCE OF BONDS OF THE  
REDEVELOPMENT DISTRICT OF THE CITY OF INDIANAPOLIS****(PAN AM PLAZA PROJECT HOTEL REVENUE BONDS)**

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”), being the governing body of the Redevelopment District of the City of Indianapolis, Indiana (the “District”), exists and operates under the provisions of Indiana Code 36-7-15.1, as amended from time to time (the “Act”); and

WHEREAS, the Commission has heretofore adopted resolutions declaring the establishment of the Consolidated Redevelopment Area (the “Area”), and has further amended said resolutions from time to time; and

WHEREAS, the Commission desires for the Area to be developed in order to serve the needs of the City of Indianapolis, Indiana (the “City”), and in order to produce increased tax revenues for the various taxing districts authorized to levy taxes within the Area; and

WHEREAS, the Commission finds that in order to provide funds for the payment of the cost of certain property acquisition and redevelopment in or serving the Area (including, in particular, the construction, installation and equipping of an approximately 800 guestroom convention center connected headquarters hotel, together with functionally related and subordinated facilities, appurtenances and improvements on the site commonly known as Pan Am Plaza) (the “Hotel Project”), it will be necessary and in the best interest of the District, and the property and inhabitants thereof, to issue revenue bonds of the District in an aggregate principal amount not to exceed Six Hundred Twenty-Five Million Dollars (\$625,000,000) (the “Bonds”), the principal of and interest on which shall be payable from available revenues generated from the operation of the Hotel Project (the “Project Revenues”); and

WHEREAS, the Commission reasonably expects to make certain expenditures in furtherance of the Hotel Project prior to the issuance of the Bonds and desires to declare its intent to reimburse the Commission for the cost of these expenditures with proceeds of the Bonds, pursuant to and in compliance with Indiana Code 5-1-14-6(c) and Section 1.150-2 of the U.S. Treasury Regulations promulgated by the Internal Revenue Service (the “Treasury Regulations”);

NOW, THEREFORE, BE IT RESOLVED BY THE METROPOLITAN DEVELOPMENT COMMISSION OF MARION COUNTY, INDIANA, ACTING AS THE REDEVELOPMENT COMMISSION OF THE CITY OF INDIANAPOLIS, INDIANA, AS FOLLOWS:

1. For the purpose of procuring funds to pay for the cost of property acquisition and redevelopment in or serving the Area (including, in particular, the Hotel Project), together with a

sum sufficient to pay the estimated cost of all expenses reasonably incurred in connection with the acquisition and redevelopment of the property in or serving the Area, including, without limitation, capitalized interest as permitted by the Act and a debt service reserve and other such reserves for the Bonds to the extent that the Commission determines that reserves are reasonably required, together with the expenses in connection with or on account of the issuance of the Bonds, the Commission preliminarily authorizes the District to issue and sell the Bonds, in one or more series, which bonds shall be issued in the name of the City, for and on behalf of the District, in an aggregate principal amount not to exceed Six Hundred Twenty-Five Million Dollars (\$625,000,000).

The Bonds shall not constitute a corporate obligation or indebtedness of the City but shall constitute an obligation of the District. The Bonds, together with interest thereon, shall be payable solely from the Project Revenues. This Resolution preliminarily authorizes the Bonds, the issuance and sale of which shall be subject to (a) the approval of the Bonds by the City-County Council of the City of Indianapolis and Marion County (the "City-County Council") and (b) the adoption by the Commission of a Final Bond Resolution setting forth the terms of the Bonds (the "Final Bond Resolution").

The Bonds shall have a term not to exceed forty-four (44) years pursuant to Indiana Code 36-3-5-8(d), and shall bear interest as set forth in the Final Bond Resolution to be adopted by the Commission. The Bonds may be subject to redemption prior to maturity in whole or in part in accordance with the terms set forth in the Final Bond Resolution to be adopted by the Commission.

In anticipation of the issuance of the Bonds, the Commission hereby preliminarily authorizes the proper officers of the District to issue bond anticipation notes ("BANs") in anticipation of the issuance of the Bonds, subject to the provisions of the Final Bond Resolution to be adopted by the Commission.

2. The Commission hereby authorizes the President, the Vice President and the Secretary of the Commission to take such actions as may be necessary to effectuate the intent of this Resolution, including, without limitation, the publication of any notices as may be required by law for the issuance of the Bonds.

3. The Commission hereby declares that, for the purpose of evidencing compliance with Indiana Code 5-1-14-6 and Section 1.150-2 of the Treasury Regulations, it reasonably expects to reimburse with the proceeds of the Bonds expenditures for the Hotel Project made by or on behalf of the Commission prior to the issuance of the Bonds during the period beginning on the date sixty (60) days prior to the date of this Resolution until the date of issuance of the Bonds, which expenditures are expected to be paid initially from other legally available funds of the Commission. This Resolution constitutes a declaration of an intent to reimburse from the proceeds of the Bonds under Indiana Code 5-1-14-6(c) and Section 1.150-2 of the Treasury Regulations.

4. The President and the Secretary of the Commission shall certify a copy of this Resolution to the Clerk of the City-County Council.

5. This Resolution shall be in full force and effect after its adoption by the Commission.

\* \* \* \* \*

ADOPTED AND APPROVED at a meeting of the Metropolitan Development Commission of Marion County, Indiana held on the 17<sup>th</sup> day of May, 2023.

METROPOLITAN DEVELOPMENT  
COMMISSION OF MARION COUNTY

\_\_\_\_\_  
John J. Dillon III, President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Bruce Schumacher, Vice Secretary

\_\_\_\_\_  
Date

APPROVED AS TO LEGAL FORM AND  
ADEQUACY:

\_\_\_\_\_  
Tenley Drescher-Rhoades, Faegre Drinker Biddle & Reath LLP

\_\_\_\_\_  
Date

Approved as to Availability of Funding

\_\_\_\_\_  
Ken Clark, Controller

\_\_\_\_\_  
Date

**METROPOLITAN DEVELOPMENT COMMISSION  
OF  
MARION COUNTY INDIANA**

**AUTHORIZING THE PURCHASE OF REAL PROPERTY AND DECLARING INTENT  
TO REIMBURSE THE COMMISSION FOR EXPENDITURES IN FURTHERANCE OF  
THE PAN AM PLAZA PROJECT WITH BOND PROCEEDS**

**(CITY OF INDIANAPOLIS REDEVELOPMENT DISTRICT BONDS  
(PAN AM PLAZA PROJECT))**

**RESOLUTION NO. 2023-BB-002**

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”), being the governing body of the Redevelopment District of the City of Indianapolis, Indiana (the “District”), exists and operates under the provisions of IC 36-7-15.1, as amended from time to time (the “Act”); and

WHEREAS, the Commission has heretofore adopted resolutions declaring the establishment of the Consolidated Redevelopment Area (the “Area”), adopting a redevelopment Plan for the Area (the “Plan”), designating the Area to be an allocation area commonly known as the Consolidated Redevelopment Allocation Area (the “Allocation Area”), and creating an allocation fund for the Area into which certain tax increment revenues are deposited, and has further amended said resolutions from time to time; and

WHEREAS, the Commission desires for the Area and the Allocation Area to be developed in order to serve the needs of the City of Indianapolis, Indiana (the “City”), and in order to produce increased tax revenues for the various taxing districts authorized to levy taxes within the Area; and

WHEREAS, on October 7, 2020, the Commission adopted its Resolution No. 2020-R-041, which authorized the issuance of bonds of the District in one or more series or issues, in an aggregate principal amount not to exceed One Hundred Fifty-Five Million Dollars (\$155,000,000) (the “Bonds”) for the purpose of providing funds for the payment of the cost of certain property acquisition and redevelopment in or serving the Allocation Area (including, in particular, the expansion of the Indiana Convention Center on Pan Am Plaza to include an approximately 50,000 square foot ballroom, and additional meeting space and common facilities) (the “Expansion Project”); and

WHEREAS, on December 7, 2022, the Commission adopted its Resolution No. 2022-R-052, increasing the maximum interest rate for the Bonds to not to exceed eight percent (8.0%); and

WHEREAS, the Commission reasonably expects to make certain expenditures in furtherance of the Expansion Project prior to the issuance of the Bonds and desires to declare its

intent to reimburse the Commission for the cost of these expenditures with proceeds of the Bonds, pursuant to and in compliance with IC 5-1-14-6(c) and Section 1.150-2 of the U.S. Treasury Regulations promulgated by the Internal Revenue Service (the “Treasury Regulations”); and

WHEREAS, pursuant to its powers under IC 36-7-15.1-7(a)(20), the Commission has determined that it is necessary for the Commission to assume responsibility for the construction of an approximately 800 guestroom convention center connected headquarters hotel project on Pan Am Plaza that was planned to integrate with the Project (the “Hotel Project” and, together with the Expansion Project, the “Pan Am Plaza Project”); and

WHEREAS, in furtherance of the Pan Am Plaza Project, the Commission desires to add the real property commonly known as Pan Am Plaza, generally located at the southwest corner of West Georgia Street and Illinois Street, Center Township, Marion County, Indiana 46225 to the purchase list for the Area and desires to purchase the Pan Am Plaza real property from KRG Development, LLC (“KRG”), or other entities, as necessary; and

WHEREAS, the Commission desires to ratify the hiring of Terzo & Bologna, Inc. and Integra Realty Resources to provide independent appraisals of the fair market value of Pan Am Plaza real property as required by IC 36-7-15.1-12(b) and to accept the appraisal reports submitted by the appraisers; and

WHEREAS, the Commission recognizes that, pursuant to IC 36-7-15.1-12(b), the offering price for the Pan Am Plaza real property shall be the average of the two appraisals of the fair market value of Pan Am Plaza and such offering price is \$29,550,000; and

WHEREAS, in addition to the real property of Pan Am Plaza, the City will also receive the assignment of certain rights from KRG related to the development of the real property (“Development Rights”): (i) KRG’s rights in the hotel management and license agreements with Hilton Domestic Operating Company Inc. (or one of its subsidiaries), (ii) KRG’s rights in its design agreement with Ratio Architects, LLC, (iii) KRG’s rights in its construction management agreement with AECOM/Hunt, (iv) development rights and transfer of all relevant work product, ideas, concepts and related intangible property relating to the Hotel Project and (v) all other rights of KRG with respect to the development of the Pan Am Plaza Project otherwise provided for in the Downtown Hotels Project Agreement dated as of January 25, 2021 between the City, through its Department of Metropolitan Development (the “Department”), and KRG; and

WHEREAS, as part of its development activities, KRG has acquired at purchase prices that together exceed the present appraisals previously separate property rights on the Pan Am Plaza real property, including, but not limited to the underground parking garage on the site, such that KRG is able to provide to the City a unified site available for the complete scope of the design elements that make up the Pan Am Plaza Project; and

WHEREAS, pursuant to IC 36-7-15.1-12(b) and the powers provided to the Commission in IC 36-7-15.1-7(a)(1) because (1) the completion of the Pan Am Project is of the utmost importance to the City and the convention and tourism business in the City, (2) the Pan Am Plaza

real property is uniquely situated in proximity to the Indiana Convention Center such that there is no alternative site that reasonably permits the development of the Pan Am Plaza Project, (3) time is of the essence in the initiation and completion of construction on the Pan Am Plaza Project to secure future contracts for certain major conventions, and (4) the City will receive the Development Rights in addition to the Pan Am Plaza real property, the Commission desires to specifically authorize a purchase price of \$54,275,000 for the Pan Am Plaza real property, which is in excess of the offering price.

NOW, THEREFORE, BE IT RESOLVED BY THE METROPOLITAN DEVELOPMENT COMMISSION OF MARION COUNTY, INDIANA, ACTING AS THE REDEVELOPMENT COMMISSION OF THE CITY OF INDIANAPOLIS, INDIANA, AS FOLLOWS:

1. The Commission hereby declares that, for the purpose of evidencing compliance with IC 5-1-14-6 and Section 1.150-2 of the Treasury Regulations, it reasonably expects to reimburse with the proceeds of the Bonds expenditures for the Expansion Project made by or on behalf of the Commission prior to the issuance of the Bonds during the period beginning on the date sixty (60) days prior to the date of this Resolution until the date of issuance of the Bonds, which expenditures are expected to be paid initially from other legally available funds of the Commission. This Resolution constitutes a declaration of an intent to reimburse from the proceeds of the Bonds under IC 5-1-14-6(c) and Section 1.150-2 of the Treasury Regulations.

2. The Commission directs that the real property commonly known as Pan Am Plaza, generally located at the southwest corner of West Georgia Street and Illinois Street, Center Township, Marion County, Indiana 46225 be added to the purchase list for the Consolidated Redevelopment Area.

3. The Commission ratifies the appointment of Terzo & Bologna, Inc. and Integra Realty Resources as appraisers of the fair market value of Pan Am Plaza, as required by IC 36-7-15.1-12(b) and accepts the appraisals prepared by them and provided to the Commission at this meeting.

4. The Commission recognizes that the average of the two appraisals of fair market value of the Pan Am Plaza real property is \$29,550,000 and sets that as the Offering Price pursuant to IC 36-7-15.1-12(b).

5. The Commission specifically authorizes the purchase of Pan Am Plaza real property and acquisition of the Development Rights from KRG Development, LLC for a purchase price of \$54,275,000, which is in excess of the Offering Price pursuant to IC 36-7-15.1-12(b) and IC 36-7-15.1-7(a)(1).

6. The appropriate officers of the Commission and the Director of the Department are hereby authorized to enter into any other agreements as may be necessary or desirable to further the purposes of this Resolution.



7. This Resolution shall be in full force and effect immediately after its adoption by the Commission.

ADOPTED AND APPROVED at a meeting of the Metropolitan Development Commission of Marion County, Indiana held on the 17<sup>th</sup> day of May, 2023.

METROPOLITAN DEVELOPMENT  
COMMISSION OF MARION COUNTY

\_\_\_\_\_  
John J. Dillon III, President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Bruce Schumacher, Vice Secretary

\_\_\_\_\_  
Date

APPROVED AS TO LEGAL FORM AND  
ADEQUACY:

\_\_\_\_\_  
Tenley Drescher-Rhoades, Faegre Drinker Biddle & Reath LLP

\_\_\_\_\_  
Date

Approved as to Availability of Funding

\_\_\_\_\_  
Ken Clark, Controller

\_\_\_\_\_  
Date

## STAFF REPORT

Item 36.

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2022-CZN-872 / 2022-CVR-872  
**Address:** 4822 East Edgewood Avenue and 5820 South Emerson Avenue  
(Approximate Addresses)  
**Location:** Perry Township, Council District #24  
**Petitioner:** IN Indianapolis Emerson, LLC, by Joseph Calderon  
**Request:** Rezoning of 21.232 acres from the D-A, C-1 and C-3 districts to the D-6 district to provide for single-family attached dwellings (townhomes) and multi-family residential development.  
  
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building height of 49.5 feet (maximum 45 feet permitted) and a minimum livability ratio of 1.33 (1.80 required).

#### **ADDENDUM FOR MAY 17, 2023, METROPOLITAN DEVELOPMENT COMMISSION**

The Metropolitan Development Commission continued these petitions from the May 3, 2023 hearing, to the May 17, 2023 hearing, at the request of the petitioner's representative to provide additional time for possible revisions to the documents.

The petitioner's representative submitted a new site plan on May 9, 2023, that eliminates the variance request for the minimum livability ratio. The variance of the livability ratio should be **withdrawn**.

Staff continues to **recommend approval** of the rezoning request and the height variance, subject to the five commitments previously listed in the staff report.

#### **ADDENDUM FOR MAY 3, 2023, METROPOLITAN DEVELOPMENT COMMISSION**

The Metropolitan Development Commission continued these petitions from the March 15, 2023 hearing, to the May 3, 2023 hearing, at the request of the remonstrator's representative.

#### **ADDENDUM FOR MARCH 15, 2023, METROPOLITAN DEVELOPMENT COMMISSION**

This petition was heard by the Hearing Examiner on February 23, 2023. After a full hearing, the Hearing Examiner recommended approval of the rezoning. Subsequently, the remonstrator filed an appeal of the Hearing Examiner's decision. A memorandum of her recommendation is attached.

The remonstrator's representative has requested a **continuance from the March 15, 2023 hearing, to the May 3, 2023 hearing**, because she is unavailable. Petitioner's representative opposes a continuance. Staff would have no objection to the continuance.

(Continued)

**ADDENDUM FOR FEBRUARY 23, 2023, HEARING EXAMINER**

The Hearing Examiner continued these petitions from the January 26, 2023 hearing, to the February 23, 2023 hearing, at the request of the remonstrator's representative.

At the request from the neighborhood organization, the petitioner's representative submitted a memorandum, file-dated January 25, 2023, that updated the traffic count included in the previously Traffic Impact Study (TIS), file-dated January 10, 2022. The counts were taken at the intersection of East Edgewood Avenue and South Arlington Avenue on January 20, 2023, during the morning and afternoon peak hours.

When a comparison was made between the two traffic counts, it has been determined that the difference in the traffic counts was negligible and had minimal impact on the previous collected data. Consequently, the results and recommendations of the original TIS remains valid. The Department of Public Works staff has concluded this memorandum is acceptable.

**January 26, 2023**

The Hearing Examiner acknowledged the automatic continuance filed by a registered neighborhood organization that continued this petition from the December 15, 2022 hearing, to the January 12, 2023 hearing. At the request of the petitioner's representative, the Hearing Examiner granted a continuance request from the January 12, 2023, hearing to the January 26, 2023 hearing.

Staff has been advised that an update on the Traffic Impact Study (TIS) is underway but has not been submitted for review. Additionally, the remonstrators have engaged the services of an attorney who has requested a **continuance from the January 26, 2023 hearing, to the February 23, 2023 hearing**. Staff would have no objection of this continuance request.

**RECOMMENDATIONS**

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

1. Final site plan, landscape plan and elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit.
2. A minimum 43-foot half right-of-way shall be dedicated along the frontage of East Edgewood Avenue, including abutting the parcel to the west of the site, 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).
3. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.

(Continued)

4. A tree inventory, tree assessment and preservation plan prepared by a certified arborist shall be submitted for Administrator Approval prior to preliminary plat approval and prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development; b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and e) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.
5. Additional DPW commitments installed prior to occupation of any of the dwelling units:
  - A. Install a passing blister at the easternmost access drive along East Edgewood Avenue.
  - B. Sidewalks and ADA-compliant curb ramps shall be installed along both frontages, including extension of perpendicular ramps to the northwest corner of East Edgewood Avenue and South Emerson Avenue intersection to facilitate pedestrian crossing.
  - C. Install continental crosswalk markings to the north leg and west leg of East Edgewood Avenue and south Emerson Avenue.
  - D. Modify the existing curb ramps on the northeast corner and southwest corner of East Edgewood Avenue and South Emerson Avenue to receive the north and west leg crossings.
  - E. Install an ADA-compliant bus boarding pad along the South Emerson Avenue frontage. Such pad shall be paved and eight feet perpendicular to the curb by 5 feet parallel to the curb (may include sidewalk area).
  - F. Install pedestrian heads and push buttons at the northeast, northwest and southwest corners of the intersection to accommodate the north leg and west leg crossings. DPW's approved signal contractor shall be required. DPW will provide the timings.
  - G. Install 5-section head for the east bound and west bound to allow for protected / permitted phasing. DPW's approved signal contractor shall be required. DPW will provide timings.
  - H. Install a south bound right-turn lane on South Emerson Avenue at East Edgewood Avenue with a 300-foot long length, plus taper within the right-of-way and in accordance with DPW standards.

## **SUMMARY OF ISSUES**

The following issues were considered in formulating the recommendation:

### **LAND USE ISSUES**

- ◇ This 21.232-acre site, zoned D-A, C-1 and C-3, is comprised of four parcels. It is undeveloped and surrounded by single-family dwellings, a retention pond and undeveloped land to the north, zoned D-3, D-A and C-1, respectively; single-family dwellings, to the south, across East Edgewood Avenue, zoned D-A; undeveloped land to the east, zoned C-3; and a single-family dwelling to the west, zoned D-A.

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- ◇ Petitions 2021-ZON-125 / 2022-VAR-001 requested rezoning of 19.82 acres from the D-A, C-1 and C-3 districts to the D-6 classification to provide for multi-family residential development and variance of the development standards to provide for multi-family development with a building height of 56 feet and a minimum livability ratio of 0.51. These petitions were withdrawn.
- ◇ Petitions 2006-ZON-133 and 2006-ZON-134 rezoned the central portion of the site to the C-1 District and the frontages along South Emerson Avenue and East Edgewood Avenue to the C-3 District.

## **REZONING**

- ◇ This request would rezone the site to the D-6 classification to provide for multi-family development, consisting of 62 townhomes and 270 apartments at a density of 15.6 units per acre. “The D-6 district provides for medium intensity residential development of a variety of housing types: multifamily dwellings, triplex, fourplex, two-family and single-family attached dwellings. The district is intended for developments in suburban areas well served by major thoroughfares, sanitary sewers, and school and park facilities. In its application, the district need not be directly associated with more intense land uses such as commercial or industrial areas. The development pattern envisioned is one of trees lining curving drives with the ample open space provided for in the district affording a wide variety of on-site recreational facilities. The D-6 district has a typical density of 6 to 9 units per gross acre. This district fulfills the medium density residential recommendation of the Comprehensive General Land Use Plan. Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage and wildlife.”
- ◇ The Comprehensive Plan recommends Suburban Neighborhood for a majority of the site. “The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well connected and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.”
- ◇ The Comprehensive Plan recommends Office Commercial for southeast corner of the site. “The Office Commercial typology provides for single and multi-tenant office buildings. It is often a buffer between higher intensity land uses and lower intensity land uses. Office commercial development can range from a small freestanding office to a major employment center. This typology is intended to facilitate establishments such as medical and dental facilities, education services, insurance, real estate, financial institutions, design firms, legal services, and hair and body care salons.”

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- ◇ 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.
- Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
- Developments with densities higher than five dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.

### *Attached Housing*

- Duplexes should be located on corner lots, with entrances located on different sides of the lot or otherwise interspersed with detached housing.
- Duplexes should be architecturally harmonious with adjacent housing.
- Townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood-serving retail.

### *Multifamily Housing*

- Should be located along arterial or collector streets, parks, or greenways.
- 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.

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**Traffic Impact Study (TIS)**

- ◇ A Traffic Impact Study, file-dated January 10, 2022, was conducted for the previous petitions and remains valid for this these petitions because the overall number of units are the same.
- ◇ The parameter used to evaluate traffic operation conditions is referred to as the level-of-service (LOS). There are six LOS (A through F) categories, which relate to driving conditions from best to worst, respectively. LOS directly relates to driver discomfort, frustration, fuel consumption and lost travel time. Traffic operating conditions at intersections are considered to be acceptable if found to operate at LOS D or better.
- ◇ Capacity analysis occurs for four different scenarios. Scenario One is based on existing conditions. Scenario Two is based on 2023 forecasted (full build-out). Scenario Three is based on 2033 no-build conditions, reflecting additional background growth. Scenario Four is based on the 2033 build conditions, with the proposed development.
- ◇ The study analyzed the portion of the site proposed for residential development and the four commercial out parcels (zoned C-3), which would general a total of approximately 433 and 520 trips during the weekday morning and afternoon peak hours, respectively.
- ◇ Below are the recommended improvements surrounding the Edgewood Avenue and Emerson Avenue intersection related to the proposed development.
  - Install a southbound right-turn lane on Emerson Avenue
  - Add left-turn arrows and implement protected-plus-permitted phasing for the eastbound and westbound approaches
  - Adjust signal timings to account for the new phasing
- ◇ It was also recommended that the City plan for a future northbound right-turn lane on Emerson Avenue, perhaps in conjunction with the development of the southeast quadrant of the intersection.
- ◇ The study noted failing conditions during the P.M. peak period at the Edgewood Avenue and Shelbyville Road intersection located to the east of this site. It was recommended that the City consider the installation of traffic signals or a round-about, independent of the proposed development.

**Department of Public Works**

- ◇ The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 43-foot half right-of-way along East Edgewood Avenue. This dedication would also be consistent with the Marion County Thoroughfare Plan.

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- ◇ Staff would note that the right-of-way along this portion East Edgewood Avenue varies from 37 feet to 140 feet. Consequently, only those portions of the frontage where a 43-foot right-of-way does not exist would be required to be dedicated. Additionally, the right-of-way dedication should continue along the abutting property to the west for approximately 150 feet.
- ◇ The DPW has requested the additional following traffic and pedestrian infrastructure improvements:
  1. Install a passing blister at the easternmost access drive along East Edgewood Avenue.
  2. Sidewalks and ADA-compliant curb ramps shall be installed along both frontages, including extension of perpendicular ramps to the northwest corner of East Edgewood Avenue and South Emerson Avenue intersection to facilitate pedestrian crossing. The sidewalk along the East Edgewood Avenue frontage shall connect to the sidewalk to the west of this site
  3. Install continental crosswalk markings to the north leg and west leg of East Edgewood Avenue and south Emerson Avenue.
  4. Modify the existing curb ramps on the northeast corner and southwest corner of East Edgewood Avenue and South Emerson Avenue to receive the north and west leg crossings.
  5. Install an ADA-compliant bus boarding pad along the South Emerson Avenue frontage. Such pad shall be paved eight feet perpendicular to the curb by 5 feet parallel to the curb (may include sidewalk area).
  6. Install pedestrian heads and push buttons at the northeast, northwest and southwest corners of the intersection to accommodate the north leg and west leg crossings. DPW's approved signal contractor shall be required. DPW will provide the timings.
  7. Install 5-section head for the east bound and west bound to allow for protected / permitted phasing. DPW's approved signal contractor shall be required. DPW will provide timings.
  8. Install a south bound right-turn lane on South Emerson Avenue at East Edgewood Avenue with a 300-foot long length, plus taper within the right-of-way and in accordance with DPW standards.

### **Tree Preservation / Heritage Tree Conservation**

- ◇ There are significant amounts of natural vegetation and trees located scattered throughout the site. Due to their inherent ecological, aesthetic, and buffering qualities, the maximum number of these existing trees should be preserved on the site.
- ◇ All development shall be in a manner that causes the least amount of disruption to the trees.

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- ◇ A tree inventory, tree assessment and preservation plan prepared by a certified arborist shall be submitted for Administrator Approval prior to preliminary plat approval and prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development, b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and e) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.
- ◇ If any of the trees are heritage trees that would be impacted, then the Ordinance requires that the Administrator, Urban Forester or Director of Public Works determine whether the tree(s) would be preserved or removed and replaced.
- ◇ The Ordinance defines "heritage tree" as a tree over 18 inches Diameter at Breast Height (DBH) and one of the Heritage tree species. Heritage tree species include: Sugar Maple (*Acer saccharum*), Shagbark Hickory (*Carya ovata*), Hackberry (*Celtis occidentalis*), Yellowwood (*Cladrastus kentukea*), American Beech (*Fagus grandifolia*), Kentucky Coffeetree (*Gymnocladus dioica*), Walnut or Butternut (*Juglans*), Tulip Poplar (*Liriodendron tulipifera*), Sweet Gum (*Liquidambar styraciflua*), Black Gum (*Nyssa sylvatica*), American Sycamore (*Platanus occidentalis*), Eastern Cottonwood (*Populus deltoides*), American Elm (*Ulmus americana*), Red Elm (*Ulmus rubra*) and any oak species (*Quercus*, all spp.)
- ◇ The Ordinance also provides for replacement of heritage trees if a heritage tree is removed or dies within three years of the Improvement Location issuance date. See Exhibit A, Table 744-503-3: Replacement Trees.

### **Environmental Public Nuisances**

- ◇ The purpose of the Revised Code of the Consolidated City and County, Sec.575 (Environmental Public Nuisances) is to protect public safety, health and welfare and enhance the environment for the people of the city by making it unlawful for property owners and occupants to allow an environmental public nuisance to exist.
- ◇ All owners, occupants, or other persons in control of any private property within the city shall be required to keep the private property free from environmental nuisances.
- ◇ 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;

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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.

### **Site Plan (Conceptual)**

- ◇ The site plan, file-dated November 16, 2022, provides for eight townhome buildings located on the north, south and west perimeter of the site for a total of 62 units, with five three-story multi-family buildings and three four-story multi-family buildings for a total of 270 multi-family dwelling units located along South Emerson Avenue and interior to the site.
- ◇ There would be 427 surface parking spaces for the multi-family development and 186 parking spaces (surface and garage) for the townhomes.
- ◇ There would be two access drives along South Emerson Avenue and one access along the eastern portion of East Edgewood Avenue.
- ◇ Amenity spaces would include a dog park along the East Edgewood Avenue frontage and firepit / outdoor games area, interior to the site and between the townhomes and the multi-family structures. A clubhouse and swimming pool area would be centrally located. Walking trails and indoor / outdoor fitness facilities would also be available.

### **VARIANCE OF DEVELOPMENT STANDARDS**

- ◇ This request would provide for a multi-family development building height of 49.5 feet when the Ordinance limits the building height to 45 feet in the D-6 District. Because the 49.5-foot-tall four-story structures would be located along South Emerson Avenue, staff believes the impact would be minimal on the surrounding residential uses. Furthermore, the two-story townhomes would be adjacent to the single-family dwellings and provide an appropriate buffer from the taller structures.
- ◇ This request would also allow for a minimum livability ratio of 1.33 when the Ordinance requires a ratio of 1.80. The basic intent of the land use intensity ratios for multi-family development is to establish the intensity that would be consistent with the characteristics of the site and the location within the community.
- ◇ Staff believes the reduction in the livability ratio is supportable because of the variety of amenities that are being proposed. Staff, however, would request that the final site plan be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit that would provide more details, including, but not limited to, specific types and locations of amenities.

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Planning Analysis

- ◇ As proposed this request would generally be consistent with the Comprehensive Plan recommendation of suburban neighborhood typology. The density would be 15.6 units per acre.
- ◇ Staff would note that this rezoning is part of a larger site that includes a C-3 district along the South Emerson Avenue frontage that would remain commercial and be developed at some future date.
- ◇ This density exceeds the recommended density for the suburban neighborhood typology, but the Pattern Book recommends a higher density if the development is within a quarter mile of a frequent transit line, greenway, or park. IndyGo Route 16 serves this site and the DPW is requesting a bus boarding pad along the South Emerson Avenue frontage. Consequently, staff believes the increased density would be acceptable, with the infrastructure improvements requested by the Department of Public Works.
- ◇ Due to the visibility and the need to comply with the Green Factor, staff is requesting that a landscape plan and building elevations be submitted for Administrator Approval prior to the issuance of an Improvement Location.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

D-A / C-1 / C-3                      Undeveloped

SURROUNDING ZONING AND LAND USE

North -	D-3 / D-A / C-1	Single-family dwellings / retention pond / undeveloped
South -	D-A	Single-family dwellings
East -	C-3	Undeveloped
West -	D-A	Single-family dwelling

COMPREHENSIVE LAND USE PLAN	The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends suburban neighborhood typology and office commercial.
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THOROUGHFARE PLAN	<p>This portion of East Edgewood Avenue is designated in the Marion County Thoroughfare Plan as a primary arterial with an existing right-of-way ranging from 37 feet to 140 feet and a proposed 80-foot right-of-way.</p> <p>This portion of South Emerson Avenue is designated in the Marion County Thoroughfare Plan as a primary arterial with an existing 140-foot right-of-way and a proposed 86-foot right-of-way.</p>
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(Continued)

CONTEXT AREA	This site is located within the metro context area.
OVERLAY	There is no overlay for this site
CONCEPTUAL SITE PLAN	File-dated November 16, 2022
CONCEPTUAL LANDSCAPE PLAN	File-dated November 16, 2022
ELEVATIONS – MULTI-FAMILY	File-dated November 16, 2022
ELEVATIONS - TOWNHOMES	File-dated November 23, 2022
FINDINGS OF FACT	File-dated November 16, 2022
TRAFFIC ANALYSIS STUDY (TIS)	File-dated January 10, 2022
TIS UPDATE MEMORANDUM	Filed-dated January 25, 2023

### **ZONING HISTORY**

**2021-ZON-125 / 2022-VAR-001; 4822 East Edgewood Avenue and 5820 South Emerson Avenue**, requested rezoning of 19.92 acres from the D-A, C-1 and C-3 districts to the D-6 district to provide for multi-family residential development and a variance of development standards to provide for a building height of 56 feet and a minimum livability ratio of 0.51, **withdrawn**.

**2006-ZON-133; 5820 South Emerson Avenue**; requested rezoning of 11.027 acres from D-A to C-3 and C-1 to provide for neighborhood commercial uses and office uses, **approved**.

**2006-ZON-134; 5820 South Emerson Avenue**, rezoning of 4.698 acres from D-A to C-1 to provide for office uses, **approved**.

### **VICINITY**

**2004-ZON-049; 5800 South Emerson Avenue (north of site)**, rezoning of 1.997 acres from D-A to C-1 to provide for office uses, **approved**

**2002-UV1-004; 5800 South Emerson Avenue (north of site)**, variance of use to provide for the construction of a single-family dwelling, with an attached recording studio in D-A, **granted**.

**2002-ZON-012; 5935 South Emerson Avenue (east of site)**, rezoning of 5.23 acres from D-A to C-S to provide for all C-1 uses and limited C-3 uses, **approved**.

**2005-APP-002; 5905-5935 South Emerson Avenue (east of site)**, modification of commitments and site plan to provide for construction of a 12,600-square foot building that does not fit within the footprint indicated on the approved site plan from 2000-ZON-012, **approved**.

(Continued)

**2005-ZON-857/2005-APP-857/2005-VAR-857; 5901-5935 South Emerson Avenue (east of site)**, rezoning of 6.556 acres from D-A to C-S to provide for expansion of an office/commercial center with C-1 uses, limited C-3 uses, and a fitness center; a variance of development standards to provide for a second freestanding identification sign with inadequate street frontage and sign separation; a modification of commitments to provide for additional signage, **approved**.

**2005-ZON-215; 5640 South Emerson Avenue (north of site)**, rezoning of 2.087 acres from D-A to C-1 to provide for office uses, **approved**.

**2004-ZON-078; 5500 and 5640 South Emerson Avenue (north of site)**, rezoning of 25.539 acres from D-P and D-A to D-P to provide for the construction of townhouses and two-family dwellings with a total of 104 units, and a density of 4.10 units per acre, **approved**.

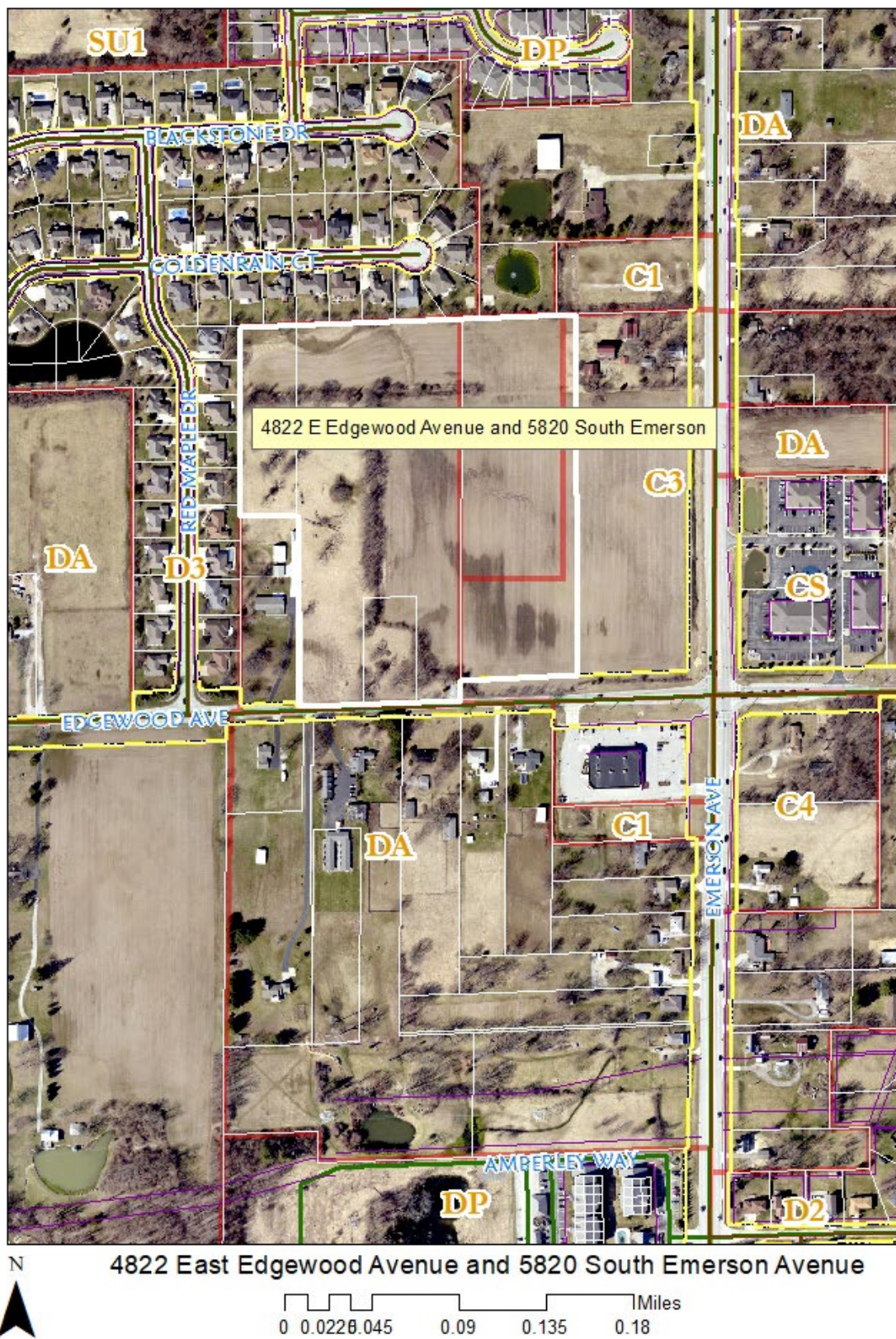
**95-Z-183; 5728 South Emerson Avenue (west of site)**, rezoning of 0.407 acre from D-A to D-3 to provide for single-family residential development, **approved**.

**95-Z-73; 4684 East Edgewood Avenue (west of site)**, rezoning of 11.38 acres from D-A to D-3 to provide for single-family residential development, **approved**.

**95-Z-35; 4784 East Edgewood Avenue (west of site)**, rezoning of 19.99 acres from D-A to D-3 to provide for single-family residential development, **approved**.

kb

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

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

**PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS**

**FINDINGS OF FACT**

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:  
the buildings exceeding the maximum height requirement are located to the far east of the Subject Property, in between commercial outlots,  
3-story multi-family buildings, and townhomes providing for an appropriate transition, and the overall development will feature meaningful  
open / recreation space for the multi-family and townhome components of the development.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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 a transition in both intensity and building height as it relates to the single family development to the north and  
adequate setbacks and buffer yard space will also be provided.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:  
the livability space ratio is used on certain assumptions regarding density and open space, which should not be a one-size-fits-all approach  
given the property being located along a highly traveled corridor served by public transportation, which is contemplated to have higher  
density pursuant to the Comprehensive Plan. The maximum height in the Ordinance is too limiting given the changes to multi-family construction  
which have resulted in higher floor to ceiling heights.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**DECISION**

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

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

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

**2022-CZN/CVR-872****4822 E. Edgewood Ave. and 5820 S. Emerson Ave.**

The petitions request the rezoning of 21.23 acres from the D-A, C-1, and C-3 districts to the D-6 district to provide for single-family attached dwellings and multi-family residential redevelopment, with a building height of 49.5 feet (45 feet permitted) and a minimum livability ratio of 1.33 (1.80 required).

Your Hearing Examiner visited the site when the previous petitions (2021-ZON-125/2022-VAR-001) were pending and noted the single-family residential development abutting the site on the west and north, and single-family residences fronting the south side of Edgewood Avenue. Commercial development was observed at the northeast, southeast, and southwest corners of the intersection of Edgewood and Emerson Avenues.

The petitioner's representative focused on the changes and improvements made from the previous petitions and proposed site plans, including increased acreage with decreased density, one access point on Edgewood Avenue, internalization of the multi-family residential buildings with townhomes on the perimeter, significant setbacks and buffering, and increased open space. He also emphasized commitments made at the request of staff and of remonstrators.

The remonstrators' representative opined that the residents of the subdivision north and west of this site would be greatly impacted by the proposed density and mentioned concerns with drainage and traffic. About 15 residents attended the hearing, and one of them spoke of similar concerns. A traffic engineer questioned the integrity of the traffic impact study.

Staff stated the proposed request was generally consistent with the Comprehensive Plan. Staff also outlined the many infrastructure improvements requested by DPW and agreed to by the petitioner. Because the building mass was reduced, the height variance is only for the easternmost buildings, and the livability ratio was increased, staff supported the variances. Staff also appreciated changes made from the previous petitions.

In your Hearing Examiner's opinion, the proposed development is superior to last year's proposal, and the variance requests are minor. The petitioner has agreed to numerous commitments to improve the infrastructure and buffer neighbors. Approval of these petitions was recommended. For Metropolitan Development Commission Hearing on March 15, 2023



REVISIONS	DATE	DESCRIPTION	BY

**IN-EMERSON  
INDIANAPOLIS, INDIANA  
OVERALL SITE PLAN**

PROJECT NO.	2022-001
DATE	02/28/2022
BY	AS
CHECKED BY	AS
DATE	02/28/2022
PROJECT NAME	IN-EMERSON
SHEET	1

**CSP-14 PROJECT OVERVIEW**

- 270 APARTMENT UNITS
- 48 TOWNHOME UNITS
- 418 SURFACE PARKING (APARTMENTS) 1.54 SPACES PER UNIT
- 144 PARKING SPACES (TOWNHOMES) 3.0 SPACES PER UNIT

**SITE AREA = 924,472 SQ.FT.**  
**BUILDING AREA = 150,237 SQ.FT.**  
**TOTAL BUILDING AREA = 418,757 SQ.FT.**  
**VEHICULAR AREA = 234,960 SQ.FT.**

**LIVABILITY SPACE = 270,755 SQ.FT.**  
**LIVABILITY RATIO = 1.80**

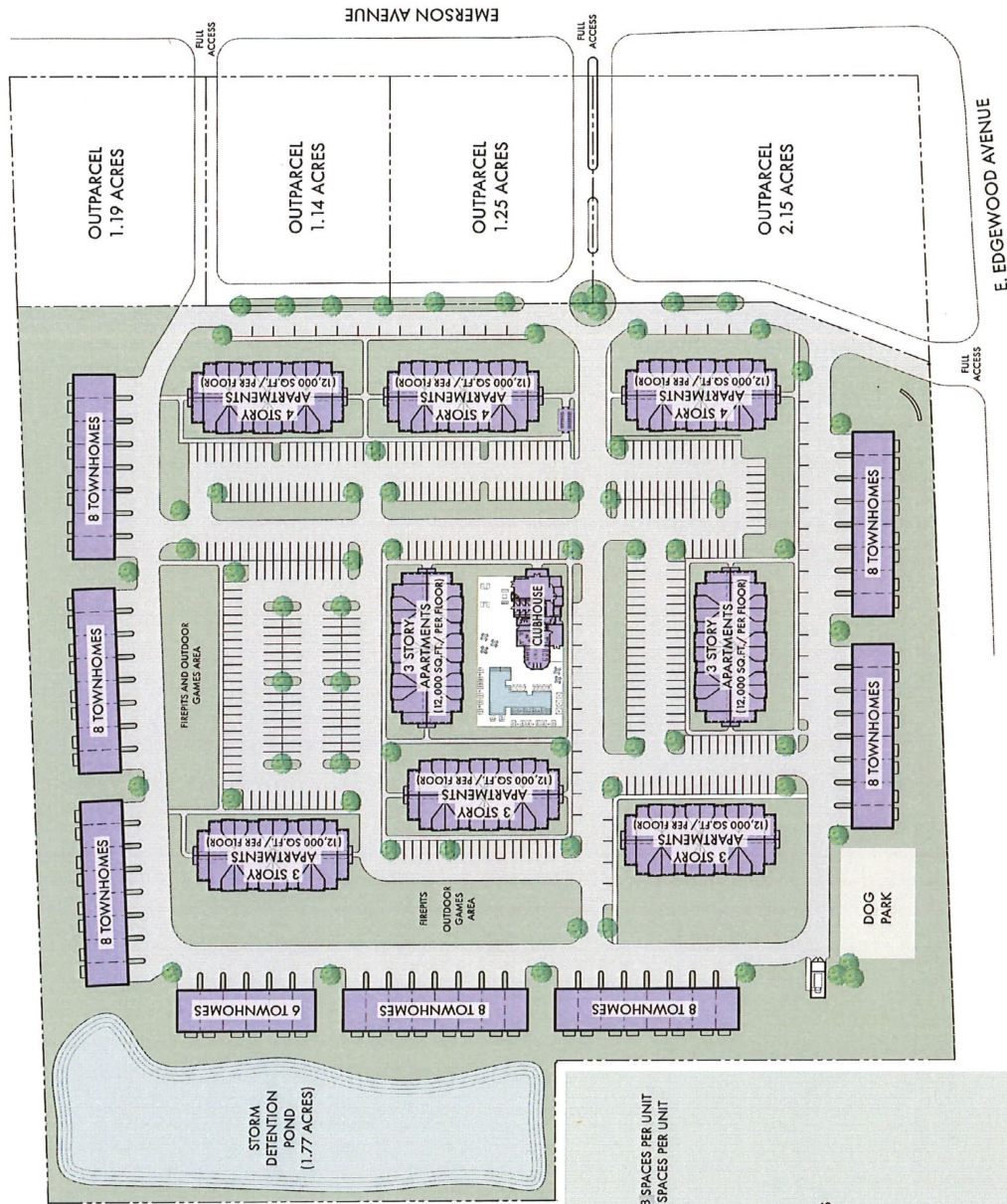
**POOL W/ OUTDOOR SEATING AND AMENITIES**  
**FIRE PITS**  
**OUTDOOR RECREATION**  
**WALKING TRAILS**  
**DOG PARK**  
**CENTRAL MAIL AND PACKAGE**  
**INDOOR AND OUTDOOR FITNESS**  
**PLENTY OF GREEN SPACE**

The site plan illustrates a residential development with a central core containing a pool, clubhouse, and fire pits/games area. Surrounding this core are various building footprints: 3-story apartments (11,540/FLOOR), 4-story apartments (11,540/FLOOR), and 6 townhomes. A large storm detention pond is located on the left side, and a dog park is situated on the right. The plan also shows extensive parking areas and green spaces throughout the site.

Managed by: [unintelligible]  
 Prepared by: [unintelligible]  
 Checked by: [unintelligible]  
 Drawn by: [unintelligible]

**GRAPHIC SCALE**  
 0' 60' 120' 180'  
**SCALE: 1" = 60'**

**OVERALL SITE PLAN**



#### CSP-13 PROJECT OVERVIEW

- 270 APARTMENT UNITS
  - 62 TOWNHOME UNITS
  - 427 SURFACE PARKING (APARTMENTS) 1.58 SPACES PER UNIT
  - 184 PARKING SPACES (TOWNHOMES) 3.0 SPACES PER UNIT
- SITE AREA = 921,249 SQ.FT.  
 BUILDING AREA = 170,745 SQ.FT.  
 TOTAL BUILDING AREA = 433,614 SQ.FT.  
 VEHICULAR AREA = 260,811 SQ.FT.  
 LIVABILITY SPACE = 226,824 SQ.FT.  
 LIVABILITY RATIO = 1.33
- POOL W/ OUTDOOR SEATING AND AMENITIES  
 FIRE PITS  
 OUTDOOR RECREATION  
 WALKING TRAILS  
 DOG PARK  
 CENTRAL MAIL AND PACKAGE  
 VALLET TRASH  
 INDOOR AND OUTDOOR FITNESS  
 PLENTY OF GREEN SPACE

SCHEMATIC SITE PLAN FOR  
IN-INDIANAPOLIS-EMERSON

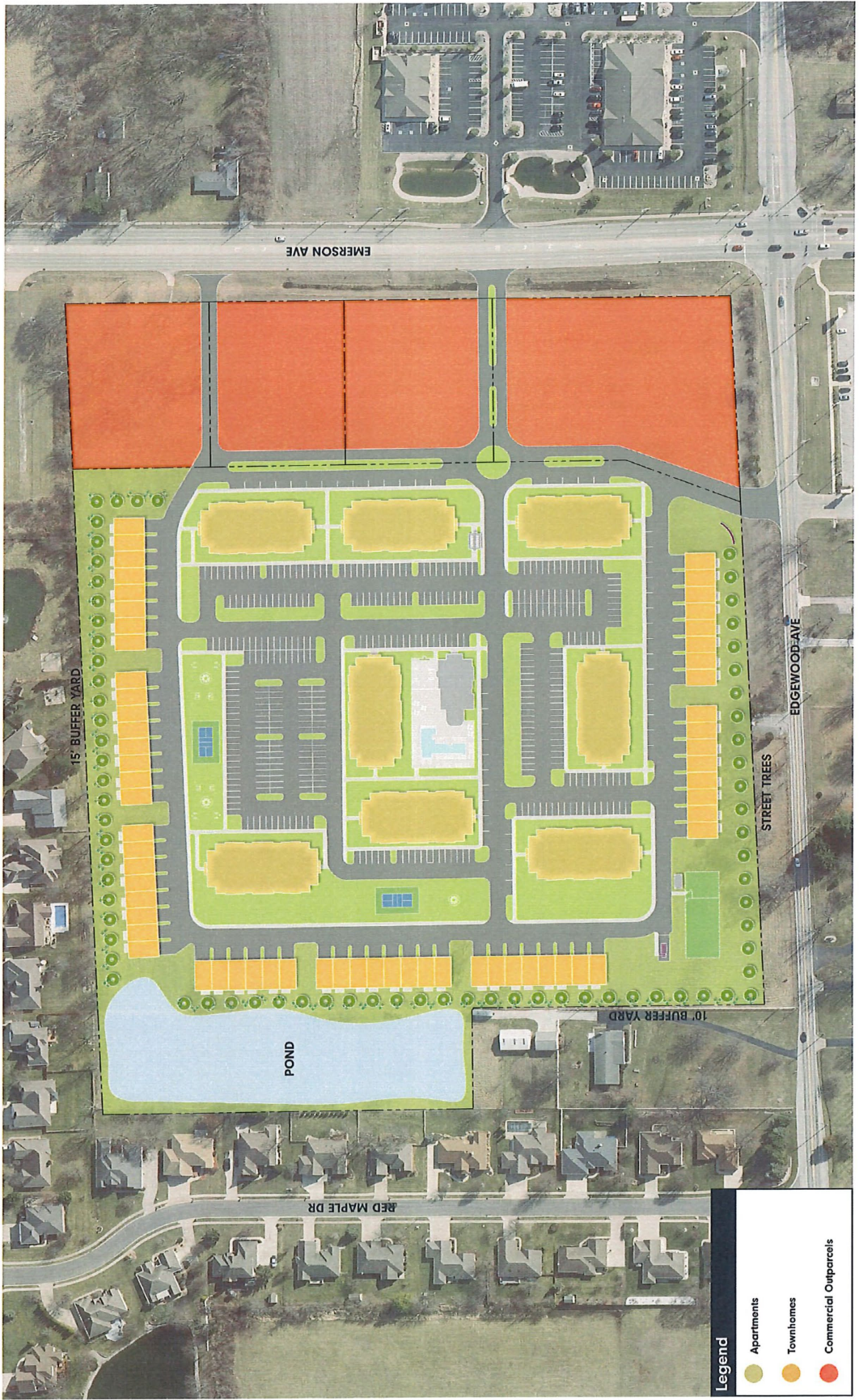
CSP-13

SEPTEMBER 21, 2022

FOR PRELIMINARY USE ONLY. THIS DOCUMENT IS NOT A CONTRACT. IT IS THE PROPERTY OF PLACE/MAKERS AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.







EMERSON & EDGEWOOD NEW DEVELOPMENT

**PRELIMINARY LANDSCAPE PLAN**

REALTYLINK

Navigation: Overview, History, Layers, Settings, Print, Share

Nov 23 2022  
Division of Planning

SCALE: 1" = 40'

OCTOBER 28, 2022

**HWC**  
ENGINEERING  
INCORPORATED









IN-INDIANAPOLIS-EMERSON  
SCHEMATIC ELEVATIONS  
THREE AND FOUR STORY APARTMENT BUILDINGS  
NOVEMBER 8, 2022

## Exhibit A

### Heritage Tree Conservation

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

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

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





View looking east along East Edgewood Avenue



View looking north at intersection of South Emerson Avenue and East Edgewood Avenue





View of site looking north across East Edgewood Avenue



View of site looking northwest across East Edgewood Avenue





View of site looking north across East Edgewood Avenue



View of site looking north across East Edgewood Avenue



View of site looking west across South Emerson Avenue



View of site looking northwest across South Emerson Avenue

## STAFF REPORT

Item 37.

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-ZON-032  
**Address:** 604, 710 North Sherman Drive, 3518 and 3722 East Michigan Street (approximate addresses)  
**Location:** Center Township, Council District #12  
**Petitioner:** City of Indianapolis – Department of Metropolitan Development, by Eddie Honea  
**Request:** Rezoning of 26.47 acres from the C-S and MU-2 Districts to the C-S District to provide for mixed-use development, including light industrial, commercial, and residential development, per the development statement filed.

### **RECOMMENDATIONS**

Staff **recommends approval** of the request 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. All development shall be in alignment with the Development Statement, file-dated April 24, 2023.

### **LAND USE ISSUES**

- ◇ This 26.46-acre site, zoned C-S and MU-2. The site is largely undeveloped with the exception of a two-story commercial structure along Michigan Street and remnant structures associated with the site's historical industrial use. North of the subject site is an undeveloped property within the C-S District. To the East is a railroad, beyond which is more undeveloped property within the C-S District. South of the subject site is a neighborhood of single-family dwellings, a general office building and an automobile fueling station, within the D-5, C-1 and C-3 Districts, respectively. East of the subject site is a neighborhood of single-family dwellings and an automobile fueling station, within the D-5 and C-3 Districts.
- ◇ The northwestern portion of this site is recommended by the Comprehensive Plan for Heavy Industrial uses. The segments along Sherman Drive and Michigan Street are recommended for Village Mixed-Use. Roughly the southern half of the site is located within the Blue Line TOD Strategic Plan comprehensive overlay plan.
- ◇ Petition 2000-ZON-839 initially rezoned this property from the I-4U District to the C-S District, which provided for C-1, I-1-U and I-2-U uses, with limited C-3 and C-4 uses within specific buildings that were either never built or have since been demolished.

(Continued)



- ◇ Historically, this site was occupied by a very large television-manufacturing complex until operations ceased in 1997. Since this closure, and the subsequent 2000 rezoning to C-S, no longstanding use or proposal has come to fruition. The former Thompson/RCA plant was demolished in 2017. During this time, the City has conducted outreach efforts with the neighborhood to formulate a vision for the future reuse of this site.

## **REZONING**

- ◇ The request would provide for flexibility in the marketing and use of this large, long-standing underutilized site, across four distinct land use zones (see Exhibit B below) and a flexible-use frontage along Michigan Street.
- ◇ Area's A and D, located within the northeast and southwest quadrants, respectively, would allow, by-right, most I-2 uses, uses within the Community, Cultural and Educational Facilities land use category and low to moderate intensity commercial uses along with the notable prohibition of Outdoor Storage and Operations given their prominent location along the street frontages, both of which are primary arterials.
- ◇ Area B would be located in the northwest quadrant of the site and would allow for low to moderate industrial and commercial uses including outdoor storage and operations given the internal location and associated lack of frontage.
- ◇ Area C would be located along the southeast quadrant of the site, directly at the intersection of Michigan Street and Sherman Drive. This portion of the site would allow for a range of residential uses and those commonly associated with the C-3 or MU-2 Districts, whose eventual development is intended to promote a vibrant streetscape and help spur development in the remainder of the site. Preliminary plans are for four three-story multi-family buildings with a total of 186 dwelling units and ground floor commercial along Michigan Street.
- ◇ The remainder of the frontage along Michigan Street has an overlay use modified titled "Flex Frontage" within the development statement, that allows this portion of Area D to also conduct the uses of Area C to help promote a vibrant streetscape along Michigan Street with the intended goal of linking the communities on both sides of the elevated railroad abutting the subject site to the east.
- ◇ Several additional uses within each Area would be permitted by special exception as a means to grant additional flexibility while securing neighborhood input through an associated public hearing.
- ◇ The established purpose of the C-S District is as follows:
  1. To encourage:
    - a. A more creative approach in land planning
    - b. Superior site and structural design and development.
    - c. 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.

(Continued)

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.
- ◇ Development plans of C-S proposals should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage and wildlife.

### **Development Statement / Commitment**

- ◇ The Development Statement, file-dated April 24, 2023, and associated land use map are included below as “Exhibit A” and Exhibit B, respectively.
- ◇ In addition to the permitted uses outlined above, the development statement incorporates by reference standards in addition to those of the Ordinance, as well as base design standards. These standards would be used as directed in review of future improvements to the site by way of Administrator’s Approval; including building construction, signage, landscaping, and all other appurtenances. In order to ensure compliance, this process should be reflected as a commitment if this request is approved.

### **Planning Analysis**

- ◇ The Comprehensive Plan consists of two components that include the Pattern Book 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. Below are the relevant policies relating to this request:
- ◇ The Heavy Industrial typology provides for industrial, production, distribution and repair uses that are intense and may create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Outdoor operations and storage are common.
- Industrial uses within this typology should not utilize local residential streets and should derive access onto an arterial street. Heavier industrial uses should avoid being located adjacent to living or mixed-use typologies.
  - Less intense commercial uses within the typology should be subordinate to and serve the primary industrial uses in the area. These uses should be located and operated in such a way as to avoid interfering with industrial traffic and loading.

(Continued)

- ◇ The Village Mixed-Use typology is intended to create 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 intended to be 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 contribute 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 should be small and intimate, such as pocket parks and sidewalk cafes. Residential density should range between six and 25 units per acre.
  - All housing should be within one-quarter mile of institutional and public recreational uses and oriented towards streets with pedestrian connections from the front door to the sidewalk.
  - In multi-family development, mixed-use structures are preferred, and parking should be located being or interior to the development.
- ◇ In addition to the base Comprehensive Plan, this site is located along the outer fringe of the Blue Line TOD Strategic Plan, specifically within the secondary focus area. The secondary focus area includes those properties that are located within ½-mile of an improved or proposed transit station and are generally within a 10-minute walk of these stops. Development within this area should be focused toward low to moderate residential uses, schools and larger businesses and parks.
- ◇ Staff believes that the request is responsive to the Comprehensive Plan and Blue Line TOD Strategic Plan given that it appropriately sites uses according to their intensities and potential impacts upon the context, while increasing the viability of redevelopment of a long vacant site to aid in the economic revitalization of the area.

(Continued)

**GENERAL INFORMATION**

EXISTING ZONING AND LAND USE

C-S, MU-2

Commercial building, large undeveloped area

SURROUNDING ZONING AND LAND USE

North - C-S

Undeveloped

South - D-5, C-1, C-3

Single-family residential, general offices and automobile fueling station

East - D-5, C-3

Single-family residential and automobile fueling station

West - C-S, I-4

Railroad, undeveloped lots and industrial uses

COMPREHENSIVE LAND USE PLAN

The Land Use Pattern Book (2019) recommends a combination of Heavy Industrial and Village Mixed-Use.

THOROUGHFARE PLAN

This portion of Sherman Drive is classified as a Primary Arterial with an existing 59-foot right-of-way and proposed 88-foot right-of-way. This portion of Michigan Street is classified as a Primary Arterial with an existing 70-foot right-of-way and proposed right-of-way of 78-feet.

CONTEXT AREA

This site is located within the Compact Context Area.

SITE PLAN

File-dated May 1, 2023.

DEVELOPMENT STATEMENT

File-dated April 24, 2023.

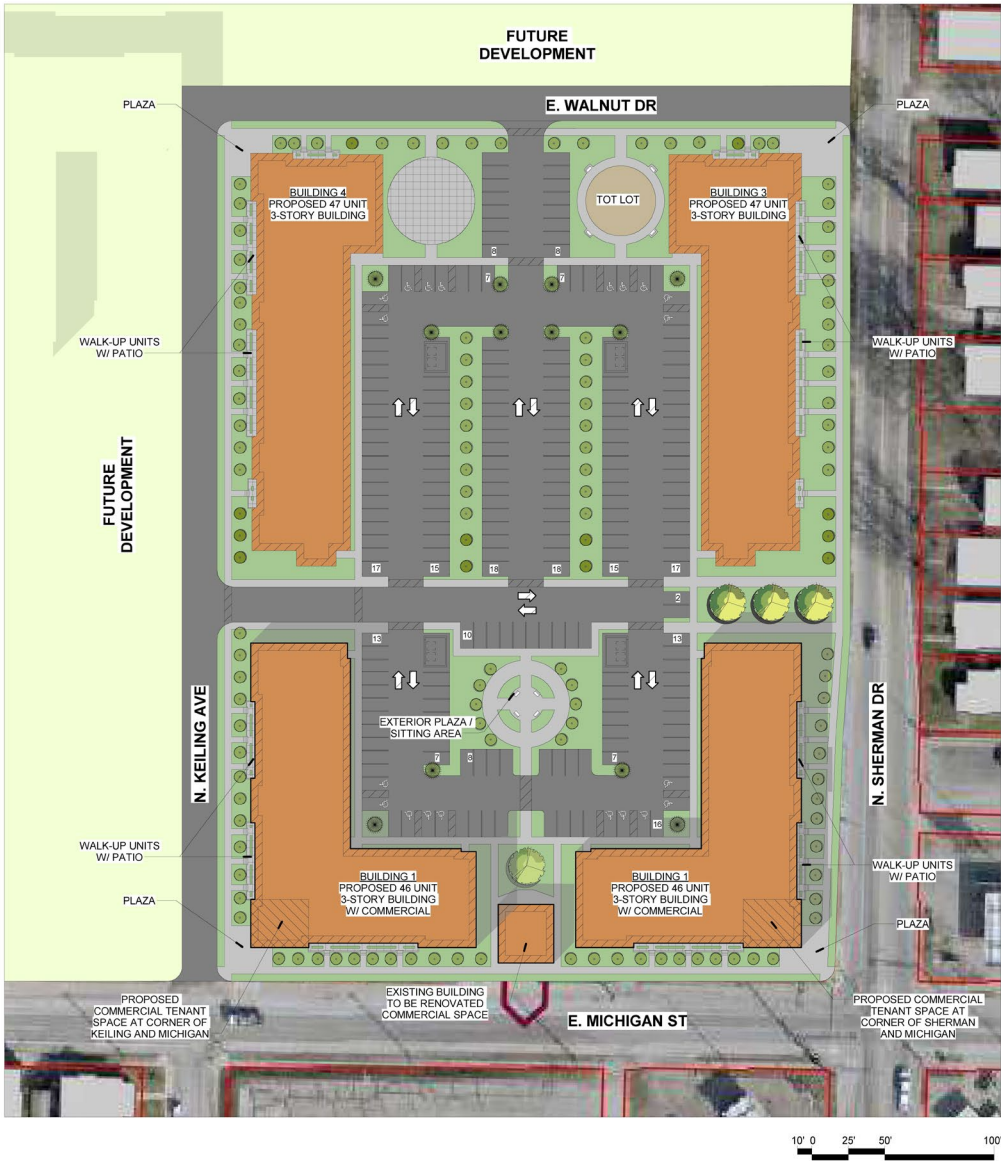
**ZONING HISTORY**

**2000-ZON-839; 600-800 Sherman Drive;** requests rezoning of 49 acres from the D-5, C-1, C-3 and I-4-U Districts, to the C-S classification to provide for commercial and industrial uses; **approved.**

**2000-VAC-839; 600-800 Sherman Drive;** requests vacation of various alleyways to allow for commercial and industrial development; **approved.**

EDH

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### Sherman Park Development Statement

#### General Purpose:

This development statement is intended to regulate the redevelopment of a portion of Sherman Park on Indianapolis' near East Side, formerly the location of an RCA and GE manufacturing plant, within the Rivoli neighborhood.

The C-S District has been selected in order to permit the development of a multi-use campus within a single district, with common oversight to ensure compatible uses and design. This district requires approval by the Metropolitan Development Commission of this development statement and overall site plan, with the intent of providing superior design, land planning and community participation. Subsequent improvements in alignment with this development statement, including site layout, building elevations and signage shall be subject to Administrator's Approval. The Administrator shall use Appendix I: Placemaking Element Guides, on file with this petition, as an administrative guide in review. Any denial of such Administrator's Approval may only be remedied with the filing of an Administrative Appeal and decision by the Metropolitan Development Commission.

#### Permitted Uses:

This portion of Sherman Park has been divided into four primary "Areas" with a fifth Area, known as the "Flex Frontage" intended to provide the opportunity for additional mixed-use development in addition to those uses permitted within "Area D". These Areas are depicted on Exhibit A, attached to this development statement. All uses are as classified and/or defined in Indy Rezone.

Areas A and D: These areas are located at the northeast and southwest quadrants of the site, along Sherman Drive.

These areas shall permit, unless otherwise addressed by this development statement, all: I-2 Uses; Club or Lodge; Community Center; Museum, Library, or Art Gallery; Religious Uses; Hospitals; Medical or Dental Laboratories; Artisan Food & Beverage; Financial and Insurance Services; Hair and Body Care Salon or Service; Laundromats; Mortuary, Funeral Home; Eating Establishment or Food Preparation; Indoor Recreation and Entertainment; Office: Business, Professional or Government; Grocery Store; Retail, Light General; Retail, Heavy General; Manufacturing, Light; Government Services; and all uses within the Utilities land use category.

These areas shall only permit the following uses by special exception: Business, art, or other post-secondary proprietary school; Day Care Center or Nursery School; Schools: Elementary, Middle or High Schools; Vocational, Technical or Industrial School or Training Facility (with the exception of Commercial Driving License Training or Truck Driving Instruction); Methadone Clinic or Treatment Facility; Substance Abuse Treatment Facility; Dry Cleaning Plant or Industrial Laundry; Tattoo Parlor; Bar or Tavern; Indoor Spectator Venue; and Manufacturing, Medium.

The following uses, traditionally permitted by the I-2 District, shall be prohibited: Agricultural Uses, Buildings and Structures; Processing and Packaging of Food and Beverages; Auctioneering and Liquidating Services; Marina; Automobile and Vehicle Storage or Auction; Automobile Fueling Station; Heliport or Helistop; Motorsports Industry; Truck Stop; Recycling Station; Mini-Warehouses (Self-Storage Facility); Warehousing, Wholesaling and Distribution; and the accessory use of Outdoor Storage and Operations.

Area B: This area is located within the northwest portion of the site, abutting the railroad.

This area shall permit, unless otherwise addressed by this development statement: Medical or Dental Laboratories; Artisan Food and Beverage; Processing and Packaging of Food and Beverages; Dry Cleaning Plant or Industrial Laundry; Printing Services; Artisan Manufacturing; Manufacturing, Light; all uses within the Research and Development land use category; Power Generating Facility, Local; Substations and Utility Distribution; Wireless Communications; Recycling Station; Waste or Recycling Transfer Facility; Waste or Recycling Transfer Facility; Bulk Storage of Commercial or Industrial Liquids; Warehousing, Wholesaling and Distribution; and all I-2 accessory uses, including Outdoor Storage and Operations.

This area shall only permit the following uses by special exception: Bar or Tavern; Eating Establishment or Food Preparation; Indoor Recreation and Entertainment; Indoor Spectator Venue; and Manufacturing, Medium.

Area C: This is located at the southeast quadrant of the site, at the intersection of Sherman Drive and Michigan Street.

This area shall permit, unless otherwise addressed by this development statement: Single-Family Attached; Multifamily; Community Center; Day Care Center or Nursey School; Greenway; Medical or Dental Offices, Centers, or Clinics; Medical or Dental Laboratories; Animal Care, Boarding, Veterinarian Services; Artisan Food and Beverage; Consumer Services or Repair of Consumer Goods; Financial and Insurance Services; Hair and Body Care Salon or Service; Laundromat; Printing Services; Bar or Tavern; Eating Establishment or Food Preparation; Indoor Recreation and Entertainment; Indoor Spectator Venue; Night Club or Cabaret; Artisan Manufacturing; Office: Business, Professional or Government; Outdoor Recreation and Entertainment, General; all uses within the Research and Development land use category; Grocery Store; Retail, Light General; Wireless Communications; Home Occupations as an accessory use; and all accessory uses permitted within the MU-2 District with the exception of Drive-Through

Flex Frontage: The Flex Frontage is located along the southern portion of Area D, abutting Michigan Street, and begins 50 feet parallel from the railroad right-of-way along the western boundary of the property.

This area is intended to permit all uses permitted within Area D and Area C, with the intent of providing use flexibility and goal of promoting a vibrant, activated streetscape.

The Area's on Exhibit A are bound by a red separation line intended to easily identify each individual area. This red separation area aligns with Kealing Avenue to the south and Walnut Street to the East. This separation area is not intended to depict access drives. Uses permitted within an Area that immediately abut any portion of this red separation area may be permitted.

The map shows a city block with four main areas labeled Area A, Area B, Area C, and Area D. Area A is purple, Area B is pink, Area C is yellow with diagonal stripes, and Area D is blue with diagonal stripes. A red line runs vertically between Area B and Area A. A green line runs horizontally along the bottom, labeled 'MIC HIGAN ST'. The map is surrounded by a grid of lot numbers and street names. The streets shown are SHERMAN DR, MIC HIGAN ST, and ROBSON ST. The lot numbers are listed in a grid around the perimeter of the block. The map also includes labels for 'Area A', 'Area B', 'Area C', and 'Area D'. A red line runs vertically between Area B and Area A. A green line runs horizontally along the bottom, labeled 'MIC HIGAN ST'. The map is surrounded by a grid of lot numbers and street names. The streets shown are SHERMAN DR, MIC HIGAN ST, and ROBSON ST. The lot numbers are listed in a grid around the perimeter of the block. The map also includes labels for 'Area A', 'Area B', 'Area C', and 'Area D'.



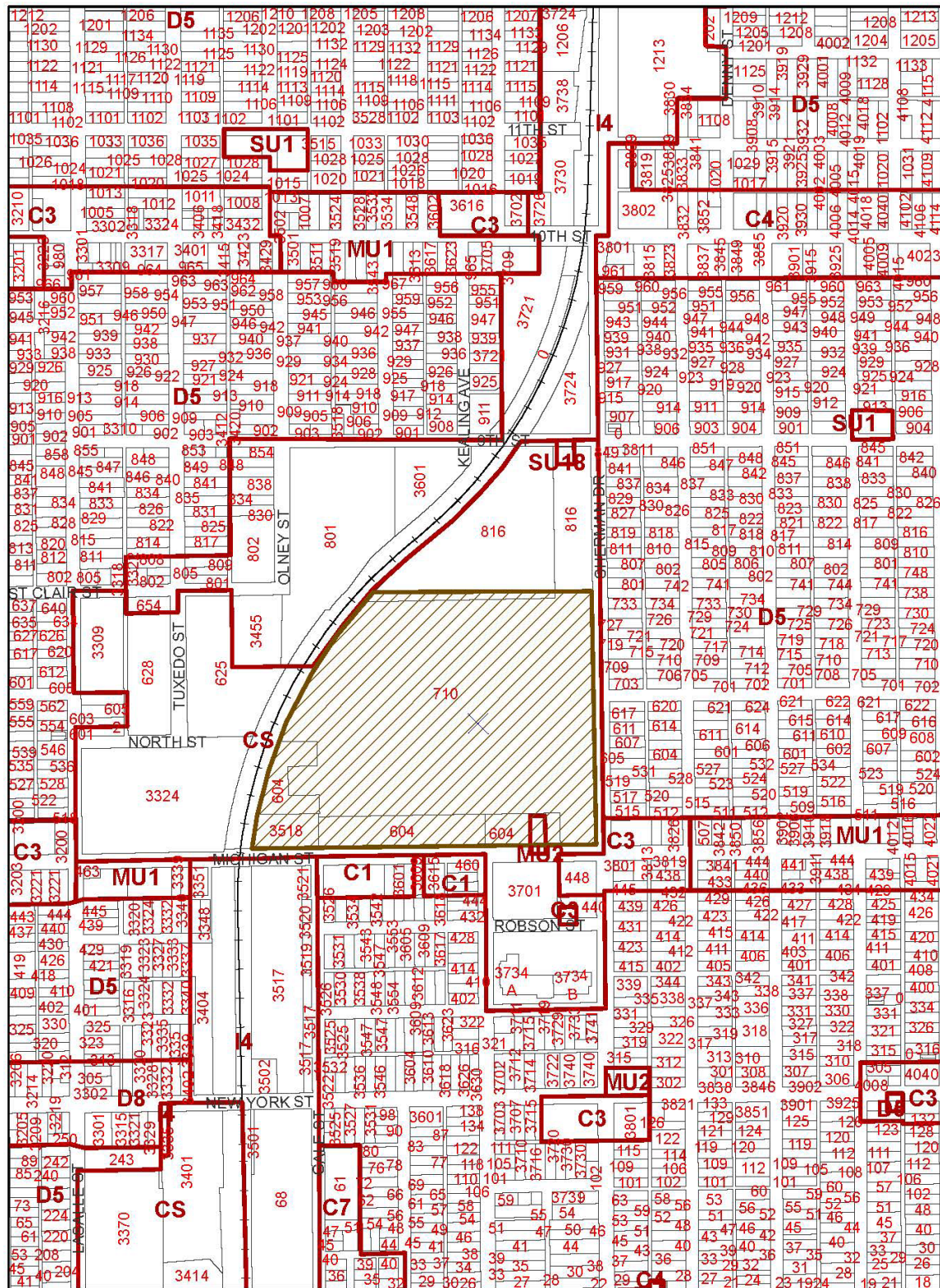






Photo One: Facing East along Michigan Street.



Photo Two: Facing West along Michigan Street. Sole building on site to the right.





Photo Three: Facing South across Michigan Street.



Photo Four: Facing South Along Sherman Drive.





Photo Five: Facing North along Sherman Drive.



Photo Six: Facing West across internal of site.





Photo Seven: Facing North, internal of site.



Photo Eight: Existing signage at intersection of Michigan Street and Sherman Drive. General area of propose multi-family development.

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-ZON-033A (Amended)  
**Address:** 1324 West 30th Street (approximate address)  
**Location:** Center Township, Council District #7  
**Petitioner:** City of Indianapolis – Department of Metropolitan Development, by Marleny Iraheta  
**Request:** Rezoning of 0.13-acre, from the C-3 District to the D-5 District.

### **RECOMMENDATIONS**

Staff **recommends approval** of this request.

### **SUMMARY OF ISSUES**

#### **LAND USE**

- ◇ The 0.13-acre subject site, zoned C-3, is undeveloped and surrounded by an undeveloped lot to the north, single-family dwellings east and west, and a heavy commercial use to the south.

#### **REZONING**

- ◇ This request would rezone the site from the C-3 District to the D-5 classification to provide for residential uses. “The D-5 district is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situation in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood and Traditional Neighborhood Typologies of the Land Use Pattern Book.”
- ◇ The subject site was platted as part of Armstrong’s Subdivision in 1874. Historic mapping indicates that the site has remained undeveloped since 1997 but was once developed as a single-family dwelling as early as 1915 per a 1915 Sanborn Map.
- ◇ The United Northwest Neighborhood Plan (2008) recommends 3.5 to five units per acre development, which would be consistent with the D-5 district.

#### **Planning Analysis**

- ◇ As proposed the request would be consistent with the low-density residential development recommendation of the Neighborhood Plan.
- ◇ The residential-sized parcel was developed with a single-family dwelling many years ago. The current C-3 zoning district does not reflect the long-time and historical residential use on this parcel. Staff supports this rezoning because it would match the zoning classification with the proposed residential use.

(Continued)

**GENERAL INFORMATION**

EXISTING ZONING AND LAND USE

C-3	Compact	Undeveloped
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SURROUNDING ZONING AND LAND USE

North	D-5	Undeveloped
South	C-7	Heavy Commercial
East	C-3	Residential (Single-family dwelling)
West	C-3	Residential (Single-family dwelling)

NEIGHBORHOOD PLAN

This site is located within the boundaries of the United Northwest Neighborhood Plan (2008), which recommends low-density residential development of 3.5 to five residential units per acre.

THOROUGHFARE PLAN

30<sup>th</sup> Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary arterial street, with a 60-foot existing right-of-way and a 78-foot proposed right-of-way.

FLOODWAY / FLOODWAY FRINGE

This site is not located within a floodway or floodway fringe.

WELLFIELD PROTECTION DISTRICT

This site is not located within a wellfield protection district.

**ZONING HISTORY – SITE**

EXISTING VIOLATIONS

None.

PREVIOUS CASES

None.

**ZONING HISTORY – VICINITY**

**2018-ZON-114; 1005 and 1025 West 25<sup>th</sup> Street, 1073 West 27<sup>th</sup> Street, 1252 West 30<sup>th</sup> Street, 2534 and 2646 Burton Avenue, 1175 Udell Street, 1111 Eugene Street and 2605 Rader Street** (east of site), Rezoning of 1.6 acres from the C-1 (W-5), C-3, C-3 (W-5) and I-3 (W-5) districts to the D-5 and D-5 (W-5) classification, **approved**.

**2001-ZON-127; 1242 West 30<sup>th</sup> Street** (east of site), Rezoning of 0.10 acre, from C-3 to D-5 to provide for residential development, **approved**.

**92-Z-6; 1311 West 30<sup>th</sup> Street** (south of site), Rezoning of 4.68-acres, being in the C-7 Districts, to the SU-9 classification to provide for the storage and parking of City vehicles, **withdrawn**.



## 2023-ZON-033A; Location Map

Item 38.



## 2023-ZON-033A; Aerial Map



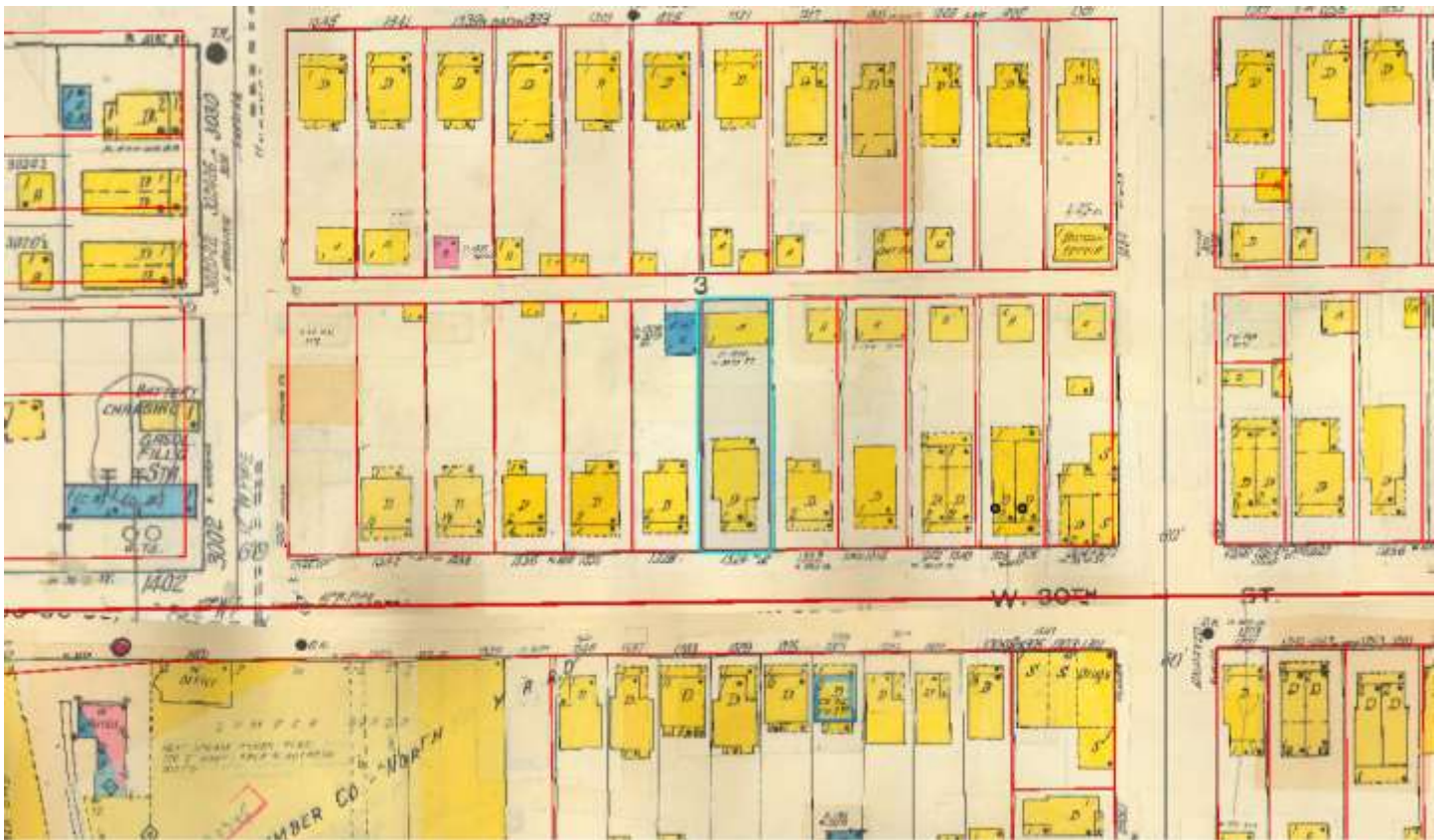






Photo of the Subject Property: 1324 West 30th Street



Photo of the rear yard of 1324 West 30th Street.





Photo of the commercial use to the south.



Photo of the dwellings east of the site.



Photo of the dwellings west of the site.

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-ZON-033B (Amended)  
**Address:** 870 Eugene Street (approximate address)  
**Location:** Center Township, Council District #11  
**Petitioner:** City of Indianapolis – Department of Metropolitan Development, by Marleny Iraheta  
**Request:** Rezoning of 0.06-acre, from the D-5 District to the D-5II District.

### RECOMMENDATIONS

Staff **recommends approval** of this request.

### SUMMARY OF ISSUES

#### LAND USE

- ◇ The 0.06-acre subject site, zoned D-5, is undeveloped and surrounded by undeveloped lots to the west and north, a single-family dwelling to the south, and a vacant two-family dwelling to the east.

#### REZONING

- ◇ This request would rezone the site from D-5 District to the D-5II classification to provide for residential uses. “The D-5II district is intended for small-lot housing formats, primarily for small, detached houses, but also including a mix of small-scale multi-unit building types. This district can be used for new, walkable suburban neighborhoods or for infill situations in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood or Traditional Neighborhood Typologies of the Land Use Pattern Book.”
- ◇ The D-5II district permits single-family and two-family dwellings, multi-unit houses and rowhouses. Minimum lot width in the D-5II for a single-family dwelling is 25 feet as compared to the D-5 district, where the minimum lot width is 40 feet. This is significant because the subject lot appears to measure approximately 30 feet wide. The property is significantly smaller in lot area, with approximately 2,490 square feet, than what is required by the D-5 district with 5,000 square feet.
- ◇ The subject site was platted as part of North Indianapolis Subdivision in 1873. Historic mapping indicates that the site has remained undeveloped since 1966 but was once developed as a single-family dwelling per an 1898 Sanborn Map.
- ◇ The United Northwest Neighborhood Plan (2008) recommends 3.5 to five units per acre development.

(Continued)



**PLANNING ANALYSIS**

- ◇ As proposed, the request would be consistent with the United Northwest Neighborhood Plan (2008) recommendation of low-density residential development.
- ◇ Therefore, staff determined the proposed D-5ll district would be appropriate for this site due to the deficient size of the exiting lot.

**GENERAL INFORMATION****EXISTING ZONING AND LAND USE**

D-5	Compact	Undeveloped lot
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**SURROUNDING ZONING AND LAND USE**

North	D-5	Undeveloped lot
South	D-5	Residential (Single-family dwelling)
East	D-5	Vacant (Two-family dwelling)
West	D-5	Undeveloped lot

NEIGHBORHOOD PLAN	The United Northwest Neighborhood Plan (2008) recommends 3.5 - 5 Units Per Acre development.
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THOROUGHFARE PLAN	Eugene Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 60-foot existing right-of-way and a 48-foot proposed right-of-way.
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THOROUGHFARE PLAN	Annette Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 60-foot existing right-of-way and a 48-foot proposed right-of-way.
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CONTEXT AREA	This site is located within the compact context area.
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FLOODWAY / FLOODWAY FRINGE	This site is not located within a floodway or floodway fringe.
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WELLFIELD PROTECTION DISTRICT	This site is not located within a wellfield protection district.
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**ZONING HISTORY – SITE****EXISTING VIOLATIONS**

None.

**PREVIOUS CASES**

None

**ZONING HISTORY – VICINITY**

**2020-ZON-067; 2439, 2455, 2461, 2709, 2711, 2713, 2715, 2717, 2723, 2735, 2753, 2954 Dr. ML King Jr. Street; 815, 821 and 827 West 30<sup>th</sup> Street; 822, 826, 830, 834 and 838 Eugene Street; and 629 and 631 West 28<sup>th</sup> Street** (east of site), Rezoning of 4.5 acres, from the D-5, C-3, C-3 (W-5) and C-4 districts to the C-S and C-S (W-5) classifications to provide for multi-family residential development, a food hub/food supply, medical training, automotive training and relocation of a lodge, **approved.**

**2001-ZON-158; 845 West 30<sup>th</sup> Street** (northeast of site), Rezoning 0.10 acre, from the C-3 to D-5 to legally establish a single-family dwelling, **approved.**

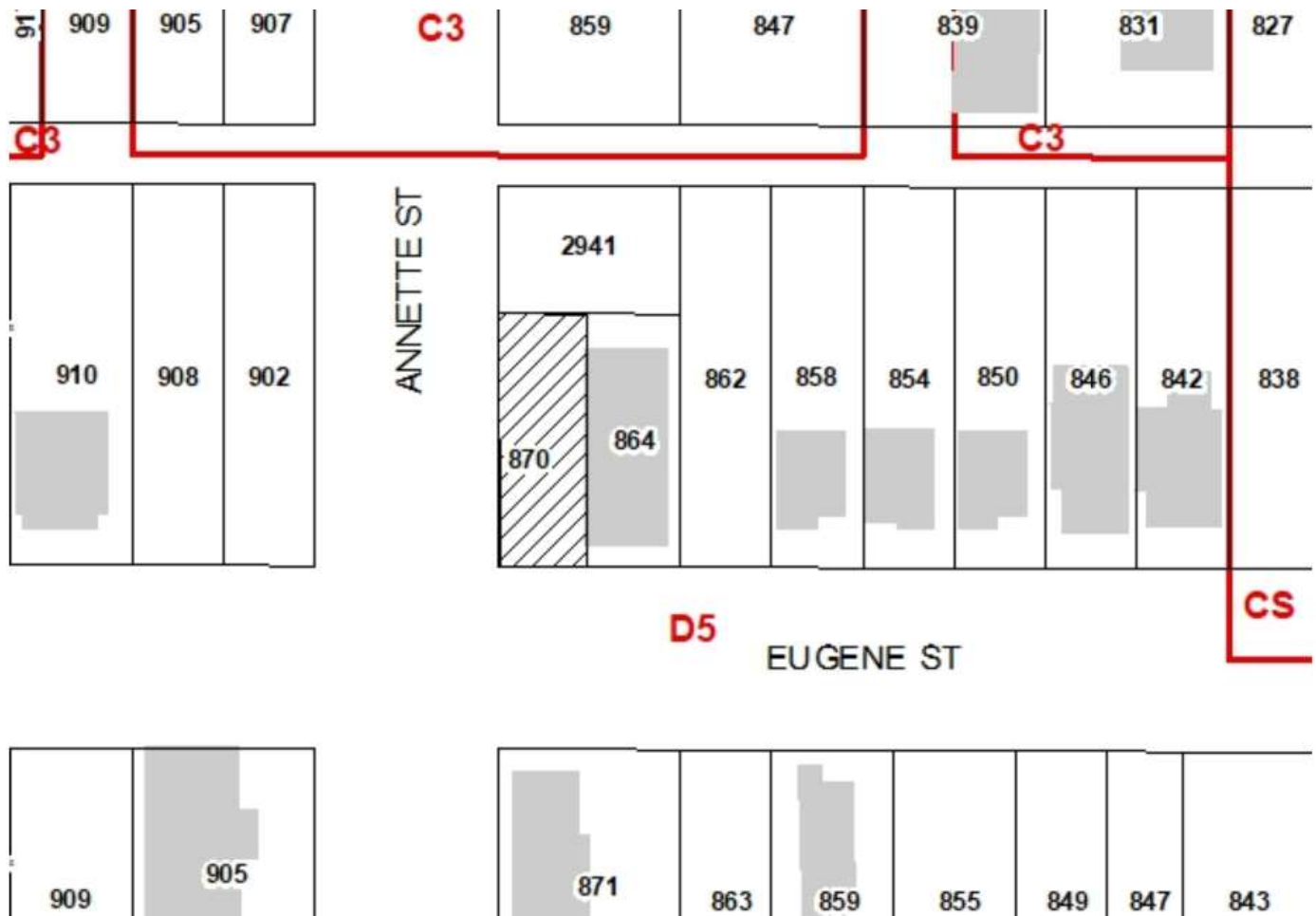
**98-Z-53; 909, 1035, 1109, 1115, 1117, 1137, 1145, and 1214 West 30<sup>th</sup> Street** (northwest of site), Rezoning of 0.64 acres from C-3 to D-5, **approved.**

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## 2023-ZON-033B; Location Map

Item 39.



## 2023-ZON-033B; Aerial Map





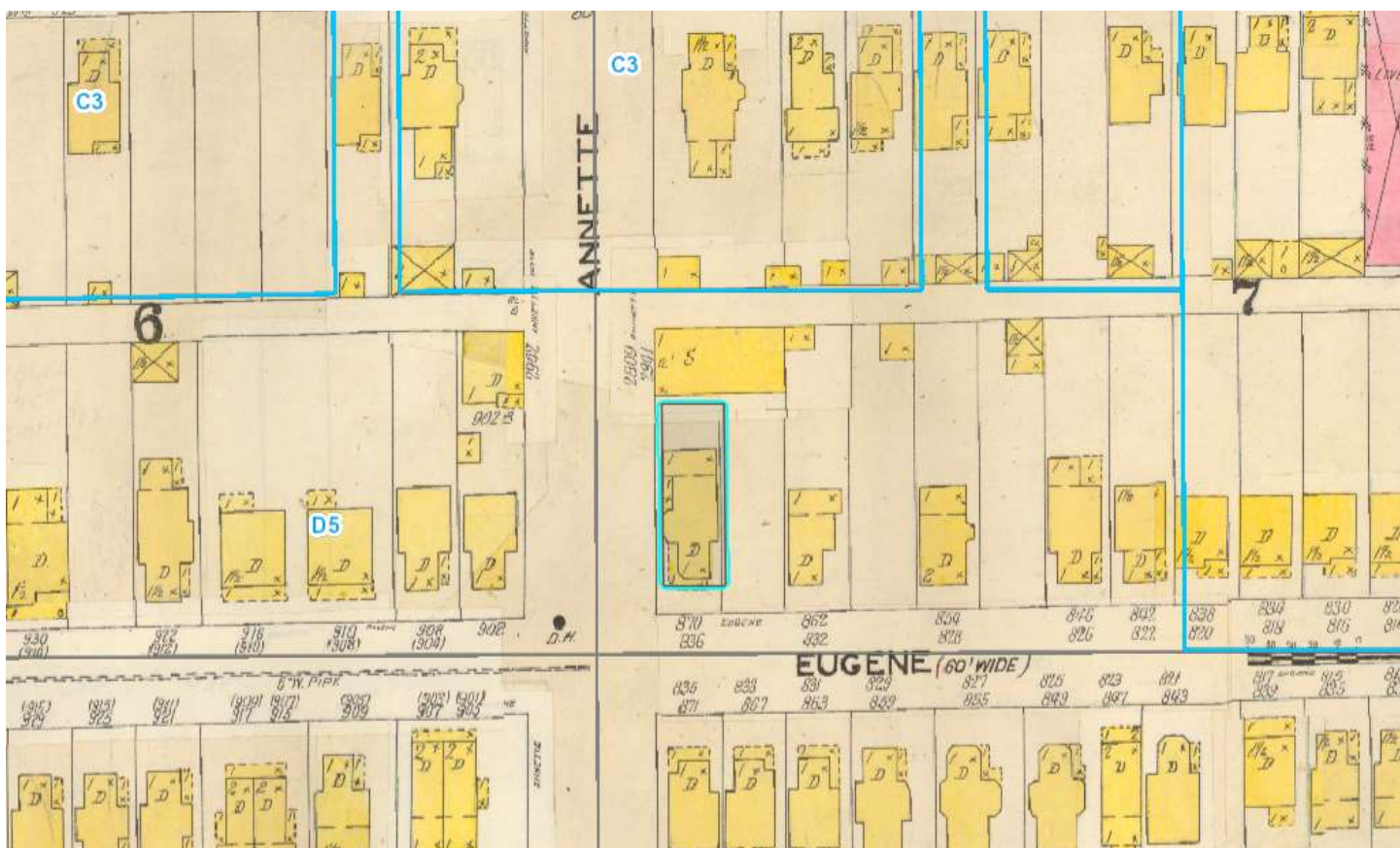






Photo of the Subject Property: 870 Eugene Street



Photo of the residential dwellings east of the site.





Photo of the residential dwellings south of the site.



Photo of the undeveloped lot north of the site.

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-ZON-033C (Amended)  
**Address:** 909 North Pershing Avenue, 1210 & 1214 Udell Street, and 2520 & 2657 Burton Avenue (approximate addresses)  
**Location:** Center and Wayne Townships, Council Districts #11 and 7  
**Petitioner:** City of Indianapolis – Department of Metropolitan Development, by Marleny Iraheta  
**Request:** Rezoning of 909 North Pershing Avenue, totaling 0.12-acre, from the C-1 District to the D-8 District.  
 Rezoning of 1210 & 1214 Udell Street, totaling 0.13-acre, from the I-2 District to the D-8 District.  
 Rezoning of 2520 & 2657 Burton Avenue, totaling 0.24-acre, from the I-2 (W-5) District to the D-8 (W-5) District.

### RECOMMENDATIONS

Staff **recommends approval** of this request.

### SUMMARY OF ISSUES

#### LAND USE

- ◇ The 0.12-acre subject site at 909 North Pershing Avenue is developed with a single-family dwelling and detached garage. The 0.13-acre subject sites at 1210 and 1214 Udell Street are undeveloped lots. The 0.24-acre sites at 2520 and 2657 Burton Avenue are also undeveloped lots.

#### REZONING

- ◇ This request would rezone sites from C-1 and I-2 Districts to the D-8 classification to provide for residential uses. “The D-8 district is intended for a variety of housing formats, with a mix of small-scale multi-unit building types. This district can be used as a part of new mixed-use areas, or for infill situations in established urban areas, including medium and high-density residential recommendations of the Comprehensive Plan, and the Traditional Neighborhood, City Neighborhood, and Village or Urban Mixed-Use Typologies of the Land Use Pattern Book.”

#### 909 North Pershing Avenue

- ◇ The subject site was platted as part of Chris Baker’s Haughville Subdivision in 1885. A 1915 Sanborn Map notes that the site was developed as a single-family dwelling since then.
- ◇ The Near West Neighborhood Land Use Plan (2014) recommends five to eight residential units per acre development, which would be consistent with the D-8 district.

(Continued)

**1210 & 1214 Udell Street and 2520 & 2657 Burton Avenue**

- ◇ The sites at 1210 and 1214 Udell Street were platted as part of North Indianapolis Subdivision in 1873. Historic mapping indicates that the site has remained undeveloped since approximately 1979 but was once developed for single-family dwellings per an 1898 Sanborn Map.
- ◇ 2520 and 2657 Burton Avenue were platted as part of Charles F Robbins North Indianapolis Subdivision in 1891. Historic mapping shows that a single-family dwelling was demolished at 2520 Burton Avenue between 2012 and 2013.
- ◇ United Northwest Neighborhood Plan (2008) recommends 3.5 to five units per acre development, which would be consistent with the D-8 district.

**Planning Analysis**

- ◇ As proposed the request would be consistent with the Comprehensive Plan recommendation of residential development.
- ◇ The residential-sized parcels were developed for residential uses as evidenced by the subdivision plats. The current C-1 and I-2 zoning district do not reflect the long-time and historical residential use on these parcels. Staff supports this rezoning because it would match the zoning classification with the proposed residential use and development patter of the surrounding area.

**GENERAL INFORMATION****EXISTING ZONING AND LAND USE**

C-1 / I-2      Compact

Vacant Dwelling (909) / Undeveloped lots

**NEIGHBORHOOD PLAN**

The property at 909 North Pershing Avenue falls within the Near West Neighborhood Land Use Plan (2014) and is recommended for five to eight units per acre development.

**NEIGHBORHOOD PLAN**

The properties at 2520 and 2657 Burton Avenue and 2520 and 2657 Burton Avenue fall within the United Northwest Neighborhood Plan (2008) and are recommended for 3.5 to five units per acre development.

**THOROUGHFARE PLAN**

Pershing Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary collector street, with a 60-foot existing right-of-way and a 56-foot proposed right-of-way.

**THOROUGHFARE PLAN**

Udell Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 60-foot existing right-of-way and a 48-foot proposed right-of-way.

(Continued)



THOROUGHFARE PLAN	Burton Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 50-foot existing right-of-way and a 48-foot proposed right-of-way.
FLOODWAY / FLOODWAY FRINGE	The sites are not within a floodway or floodway fringe.
WELLFIELD PROTECTION DISTRICT	The property at 2520 Burton Avenue is within a wellfield protection district, specifically the White River -W5 district.

**ZONING HISTORY – SITE**

EXISTING VIOLATIONS

None

PREVIOUS CASES

None.

**ZONING HISTORY – VICINITY**

**2021-ZON-133; 2666 Burton Avenue** (northwest of site); Rezoning of 0.11 acres from the I-2 district to the D-5 district to provide for residential uses, **approved**.

**2020-ZON-052; 1077 West 27<sup>th</sup> Street and 1149 Roache Street** (northeast of site), Rezoning of 0.22 acre from the C-3 and I-2 districts to the D-8 district, **approved**.

**2018-CZN-835 / 2018-CVR-835; 1066, 1114, 1121 and 1122 Roache Street, 1002 and 1102 West 28<sup>th</sup> Street, 1045 Udell Street and 2702 Clifton Street, (northeast of site)** requested rezoning of 0.70 acre from the C-1 (W-5), C-3 (W-5) and I-2 (W-5) districts to the D-5 (W-5) classification; and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a two-family dwelling on a 5,760-square foot lot (7,200 square feet) at 1122 Roache Street, to provide for single-family dwellings with 620-square foot main floor areas at 1002 and 1102 West 28<sup>th</sup> Street and 1045 Udell Street and 1121 Roache Street, to provide for a single-family dwelling with 1.5 and two-foot side setbacks and two feet between dwellings at 1066 Roache Street and to provide for a single-family dwelling at 1045 Udell Street, with 4.5 feet between dwellings, **approved and granted**.

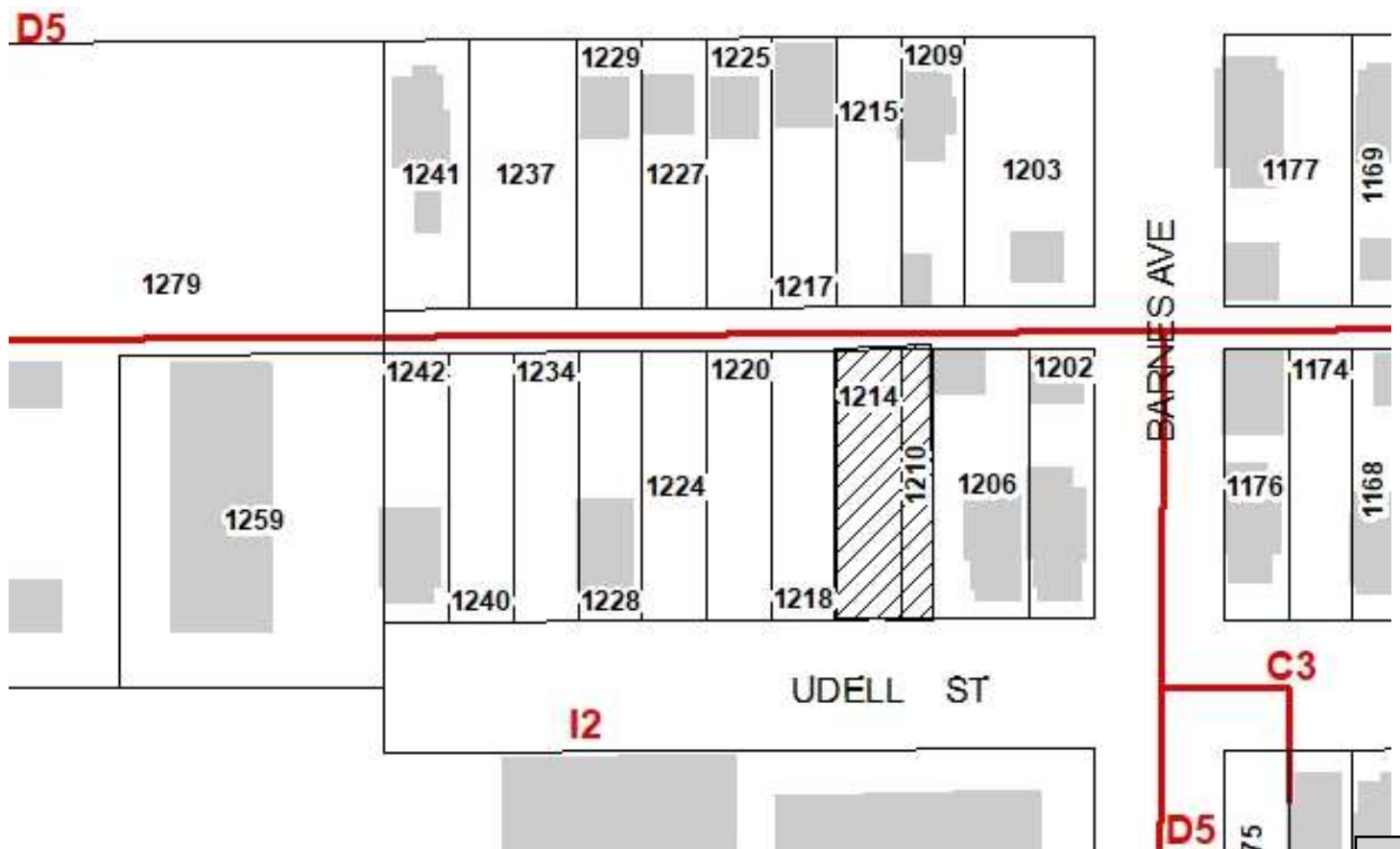
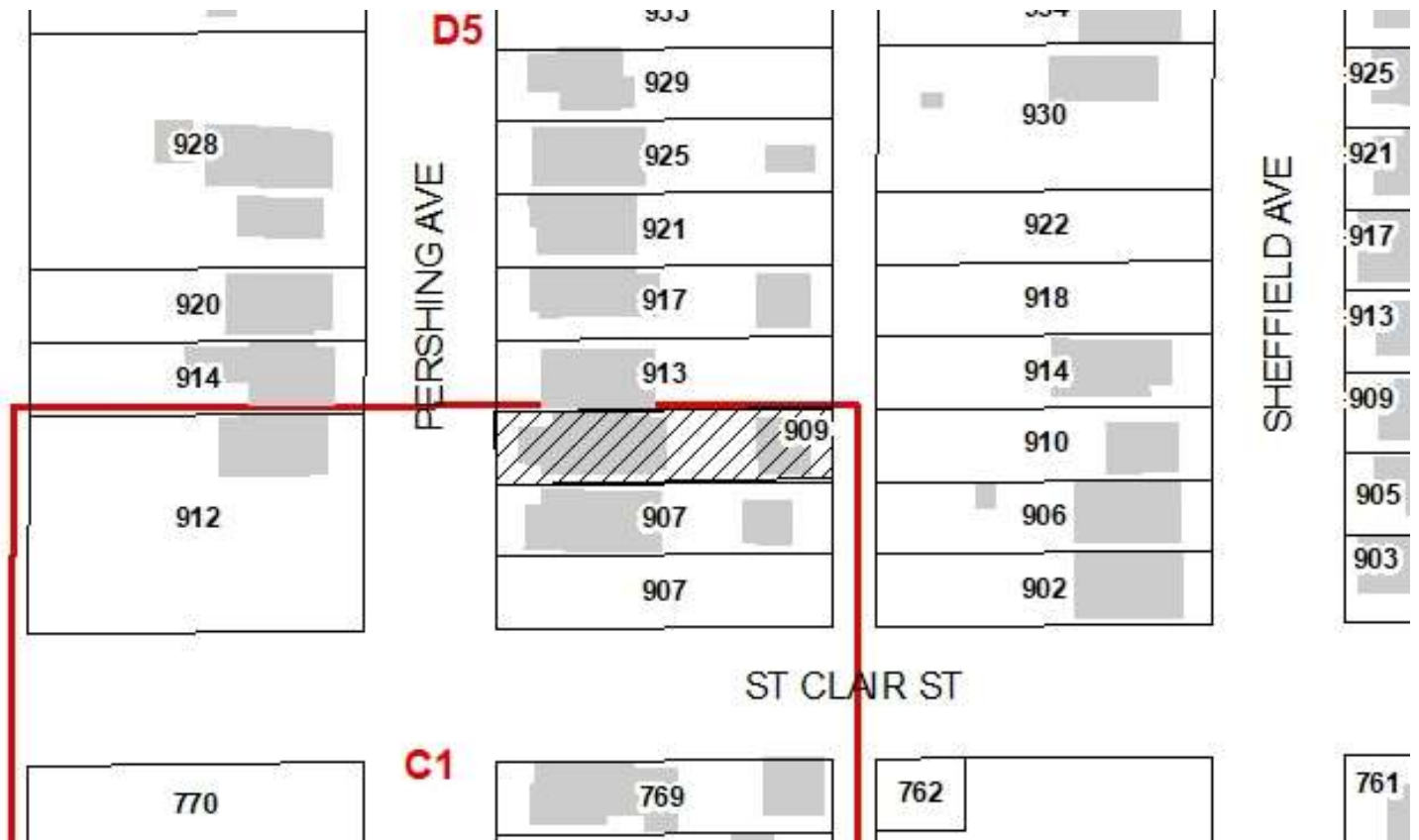
**2018-ZON-114; 2646 Burton Avenue** (southeast of site), Rezoning of 0.11 acre from the I-2 district to the D-5 district, **approved**.

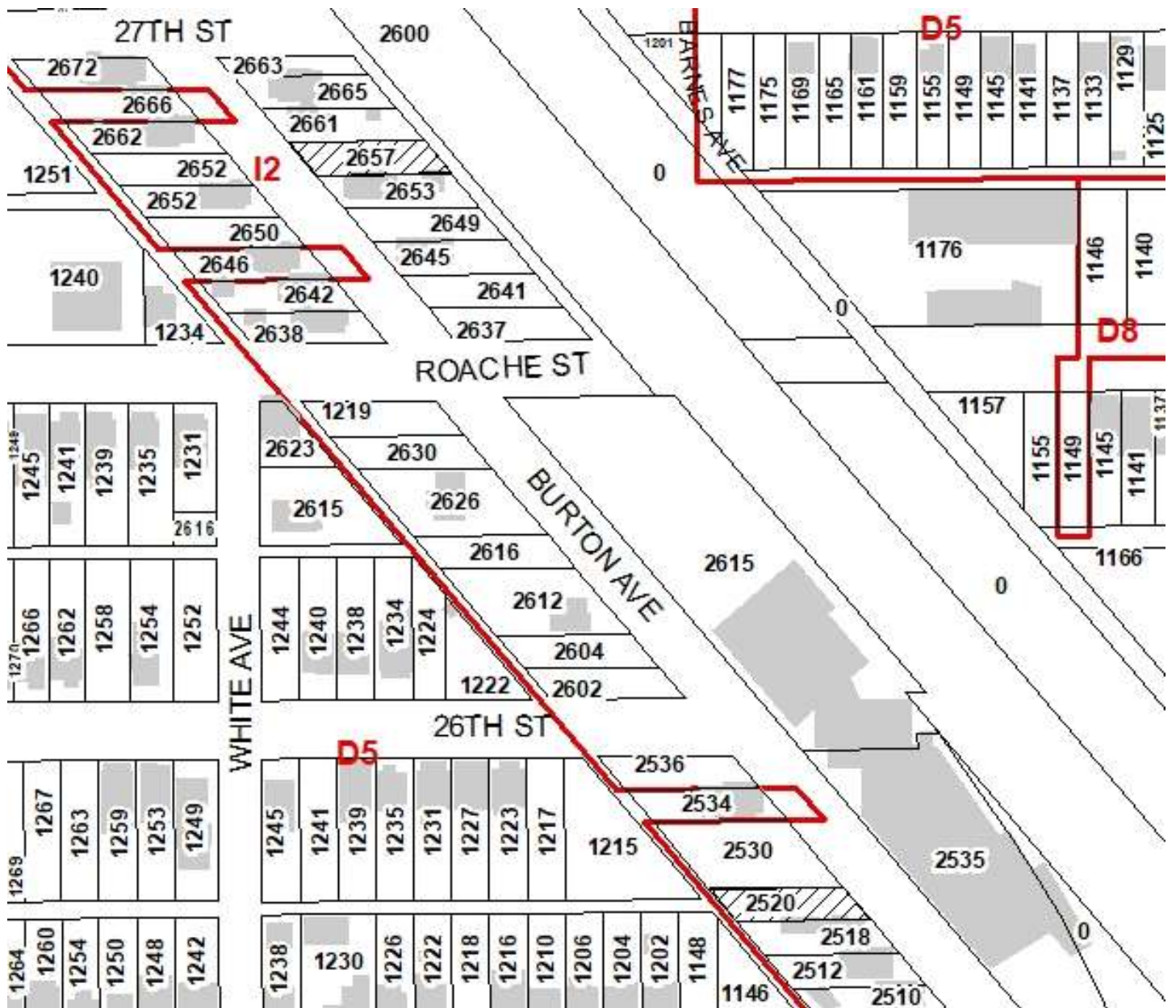
**2018-ZON-097; 1117 Roach Street** (northeast of site) Rezoning of 0.09 acre from the I-2 (W-5) district to the D-5 (W-5) classification, **approved**.

**2005-ZON-207; 1031, 1033, 1058, 1062, AND 1159 Udell Street (southeast of site)**, Rezoning of 0.43 acre from C-3 (W-5) and PK-1 (W-5) Districts to the D-5 (W-5) classification to provide for the construction of five single-family dwellings, **approved**.

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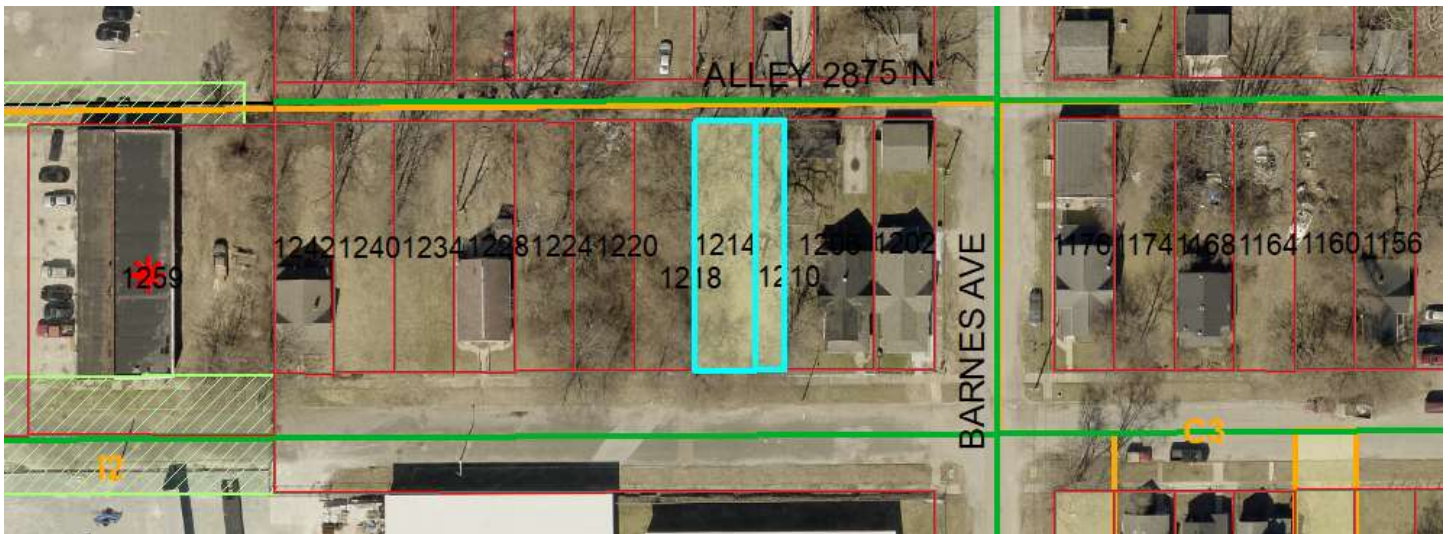






Photo of the Subject Property: 909 North Pershing Avenue



Photo of the rear yard of 909 North Pershing Avenue.





Photo of the Subject Property: 1210 Udell Street



Photo of the Subject Property: 1214 Udell Street





Photo of the Subject Property: 2520 Burton Avenue



Photo of the Subject Property: 2657 Burton Avenue

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-ZON-034A (Amended)  
**Address:** 1441 Perkins Avenue, 216 Trowbridge Street and 38 & 58 South LaSalle Street (approximate addresses)  
**Location:** Center Township, Council Districts #12 and 21  
**Petitioner:** City of Indianapolis – Department of Metropolitan Development, by Marleny Iraheta  
**Request:** Rezoning of 1441 Perkins Avenue, totaling 0.11-acre, from the C-1 District to the D-5 District.  
 Rezoning of 216 Trowbridge Street, totaling 0.15-acre, from the I-3 District to the D-5 District.  
 Rezoning of 38 & 58 South LaSalle Street, totaling 0.22-acre, from the I-3 (TOD) Districts to the D-5 (TOD) Districts.

### RECOMMENDATIONS

Staff **recommends approval** of this request.

### SUMMARY OF ISSUES

#### LAND USE

- ◇ The 0.11-acre subject site at 1441 Perkins Avenue, zoned C-1, is developed with a single-family dwelling. The 0.15-acre subject site at 216 Trowbridge Street, zoned I-3, is developed with a single-family dwelling. The 0.11-acre site at 38 South LaSalle Street, zoned I-3, is also developed with a single-family dwelling, but the 0.11-acre site at 58 South LaSalle Street is developed with a vacant two-family dwelling and detached garage.

#### REZONING

- ◇ This request would rezone sites from C-1 and I-3 Districts to the D-5 classification to provide for residential uses. “The D-5 district is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situation in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood and Traditional Neighborhood Typologies of the Land Use Pattern Book”

#### 1441 Perkins Avenue

- ◇ The subject site was platted as part of A W Denny’s Big Four Subdivision in 1899. A 19155 Baist Map notes that the site was originally developed as a single-family dwelling.

(Continued)



- ◇ The Comprehensive Plan recommends Suburban Neighborhood typology for the property at 1441 Perkins Avenue. “The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.”

### **216 Trowbridge Street and 38 & 58 South LaSalle Street**

- ◇ The site at 216 Trowbridge Street was platted as part of J K Sharpe’s Woodside Subdivision in 1873. Per a 1915 Sanborn map, the site has been residentially developed since 1915.
- ◇ The sites at 38 and 58 South LaSalle Street were platted as part of the Englewood Subdivision in 1892. Per a 1915 Sanborn map, the sites have been residentially developed since 1915.
- ◇ The Comprehensive Plan recommends Traditional Neighborhood typology for the properties at 216 Trowbridge Street and 38 and 58 South LaSalle Street “The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semipublic, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.”

### **OVERLAYS**

- ◇ The sites at 38 and 58 South LaSalle Street 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.
- ◇ The sites are located within the ¼ mile walk of a proposed transit stop at the intersection of LaSalle Street and U.S. 40, with a Community Center typology.

(Continued)

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

Planning Analysis

- As proposed the request would be consistent with the Comprehensive Plan recommendation of suburban and traditional neighborhood development.
- The residential-sized parcels were developed for residential uses as evidenced by the subdivision plats. The current C-1 and I-3 zoning district do not reflect the long-time and historical residential use on these parcels. Staff supports this rezoning because it would match the zoning classification with the proposed residential use and development patter of the surrounding area.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

C-1 / I-3      Compact      Residential (Vacant Single and Two-family dwellings)

COMPREHENSIVE PLAN

The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends suburban and traditional neighborhood development.

CERTIFIED PLAN

The properties at 38 and 58 South LaSalle Street fall within the Near Eastside Quality of Life Plan.

THOROUGHFARE PLAN

Perkins Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 50-foot existing right-of-way and a 48-foot proposed right-of-way.

Trowbridge Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 40-foot existing right-of-way and a 48-foot proposed right-of-way.

LaSalle Street Road is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 50-foot existing right-of-way and a 48-foot proposed right-of-way.

CONTEXT AREA

These sites are located within the compact context area.

OVERLAY

The sites at 38 and 58 South LaSalle Street are located within the transit-oriented development overlay.

FLOODWAY / FLOODWAY FRINGE      These sites are not located within a floodway or floodway fringe.

WELLFIELD PROTECTION DISTRICT      These sites are not located within a wellfield protection district.

**ZONING HISTORY – SITE**

EXISTING VIOLATIONS

None.

PREVIOUS CASES

None.

**ZONING HISTORY – VICINITY**

**2022-ZON-093; 40 South Dearborn Street** (west of site), Rezoning of 0.12 acre from the I-3 district to the D-5 district to provide for the renovation and expansion of an existing single-family dwelling, **approved**

**2022-ZON-023; 63 South Dearborn Street** (southwest of site), Rezoning of 0.23 acre from the I-3 district to the D-5 district, **approved**.

**2021-ZON-145; 3160, 3162, 3164, and 3170 East Minnesota Street** (east of site), Rezoning of 0.53 acres from the C-1 district to the D-5 district for residential use, **approved**.

**2018-ZON-113; 36 South Dearborn Street and eleven other nearby addresses** (surrounding the site) Rezoning of 1.26 acres from the C-3, MU-1 and I-3 districts to the D-5 district, **approved**.

**2012-ZON-083; 3163 and 3165 East Minnesota Street** (southeast of site), Rezoning of 0.3 acre, from the C-1 District, to the D-5 classification to provide for residential use, **approved**.

**97-Z-117; 3029, 3031, 3035 and 3037 East Minnesota Street** (southwest of site), Rezoning of 0.5 acre to the D-5 classification to provide for residential uses, **approved**.

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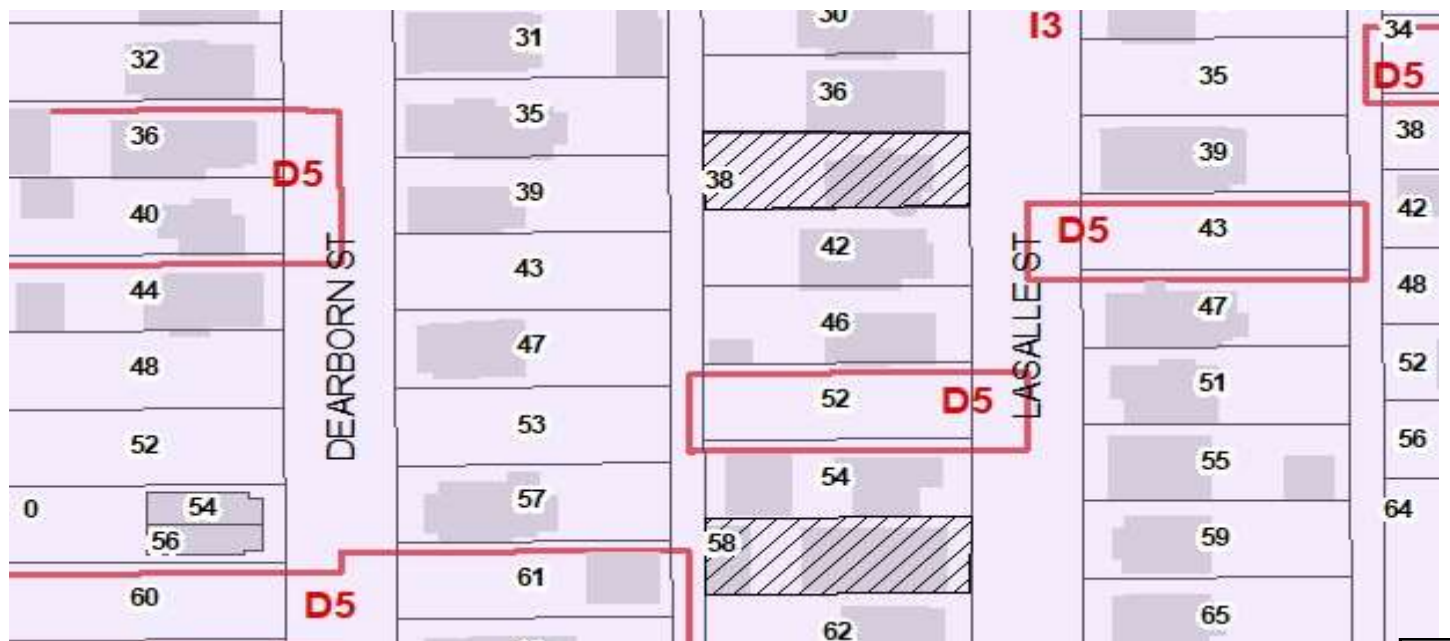
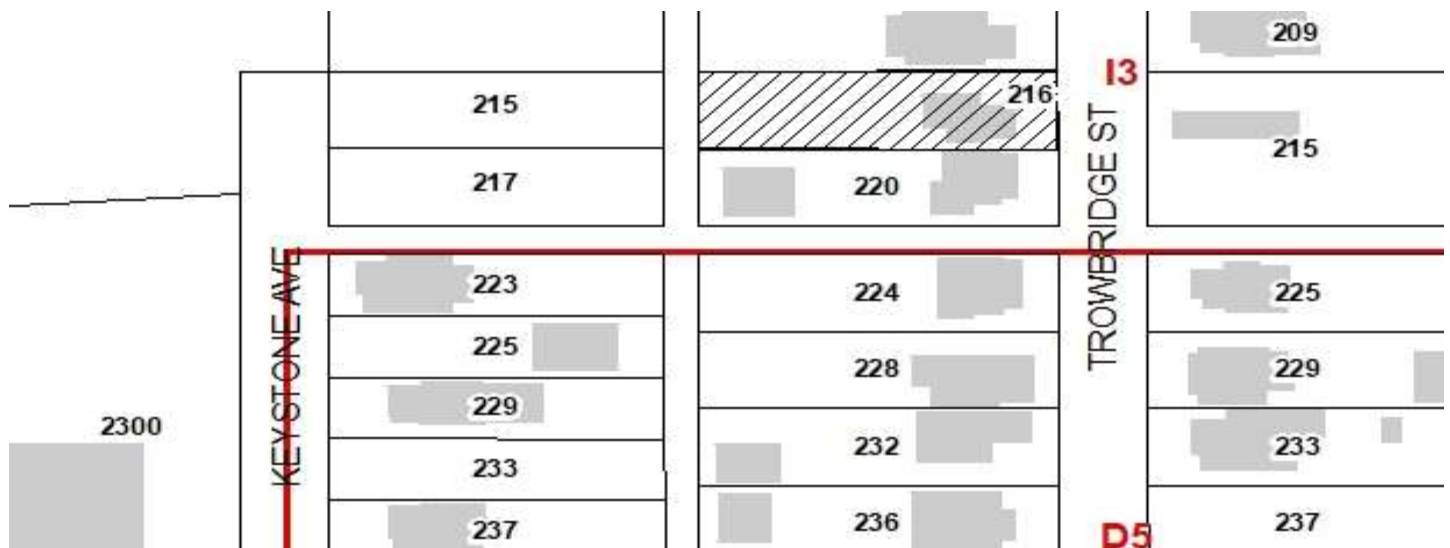
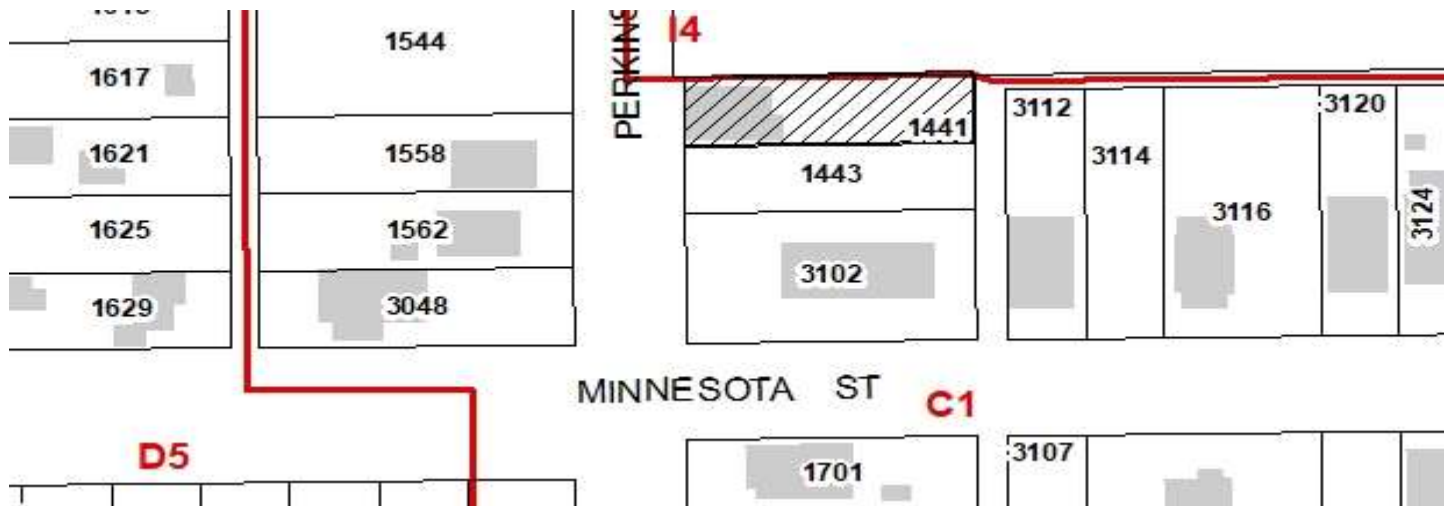










Photo of the Subject Property: 1441 Perkins Avenue



Photo of the rear yard at 1441 Perkins Avenue.





Photo of the Subject Property: 216 Trowbridge Street



Photo of the rear yard at 216 Trowbridge Street.





Photo of the Subject Property: 38 South LaSalle Street.



Photo of the rear yard at 38 South LaSalle Street.





Photo of the Subject Property: 58 South LaSalle Street



Photo of the rear yard at 58 South LaSalle Street.

## STAFF REPORT

Item 42.

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-ZON-034B (Amended)  
**Address:** 4406 East New York Street (approximate address)  
**Location:** Center Township, Council District #12  
**Petitioner:** City of Indianapolis – Department of Metropolitan Development, by Marleny Iraheta  
**Request:** Rezoning of 4406 East New York Street, totaling 0.08-acre, from the C-3 (TOD) Districts to the D-8 (TOD) Districts.

### RECOMMENDATIONS

Staff **recommends approval** of this request.

### SUMMARY OF ISSUES

#### LAND USE

- ◇ This 0.08-acre subject site, zoned C-3 (TOD), is developed with a vacant two-family dwelling and is surrounded by single-family dwellings to the north and west, undeveloped land to the east, zoned C-3; and a commercial building to the south, across New York Street, zoned C-3.

#### REZONING

- ◇ This request would rezone the site from C-3 District to the D-8 classification to provide for residential uses. “The D-8 district is intended for a variety of housing formats, with a mix of small-scale multi-unit building types. This district can be used as a part of new mixed-use areas, or for infill situations in established urban areas, including medium and high-density residential recommendations of the Comprehensive Plan, and the Traditional Neighborhood, City Neighborhood, and Village or Urban Mixed-Use Typologies of the Land Use Pattern Book.”
- ◇ The Comprehensive Plan recommends Traditional Neighborhood typology. “The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semipublic, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.”
- ◇ The subject site was platted as part of Tuxedo Park Subdivision in 1891. Historic mapping indicates that the two-family dwelling was located on the site as early as 1915.

(Continued)

## OVERLAYS

- ◇ This site is also located within an overlay, specifically the Transit Oriented Development (TOD). “Overlays are used in places where the land uses that are allowed in a typology need to be adjusted. They may be needed because an area is environmentally sensitive, near an airport, or because a certain type of development should be promoted. Overlays can add uses, remove uses, or modify the conditions that are applied to uses in a typology.”
- ◇ The Transit-Oriented Development (TOD) overlay is intended for areas within walking distance of a transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.
- ◇ This site is located within the ¼ mile walk of a proposed transit stop at the intersection of Linwood Avenue and U.S. 40, with a Walkable Neighborhood typology.
- ◇ Walkable Neighborhood stations are in well-established, walkable, primarily residential neighborhoods, with a small amount of retail and office at the intersection nearest the station, or the potential for it. Development opportunities include projects that improve neighborhood stability and encourage transit use.

## Planning Analysis

- ◇ As proposed the request would be consistent with the Comprehensive Plan recommendation of traditional neighborhood typology.
- ◇ The residential-sized parcel was developed with a two-family dwelling many years ago. The current C-3 zoning district does not reflect the long-time and historical residential use on this parcel. Staff supports this rezoning because it would match the zoning classification with the proposed residential use.

## **GENERAL INFORMATION**

### EXISTING ZONING AND LAND USE

C-3	Compact	Residential (Two-family dwelling)
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### SURROUNDING ZONING AND LAND USE

North	C-3	Residential (Single-family dwelling)
South	C-3	Commercial
East	C-3	Undeveloped
West	C-3	Residential (Single-family dwelling)

### COMPREHENSIVE PLAN

The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends traditional neighborhood typology.

### CERTIFIED PLAN

This site falls within the Near Eastside Quality of Life Plan.

(Continued)

THOROUGHFARE PLAN	New York Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary arterial street, with a 60-foot existing right-of-way and a 78-foot proposed right-of-way.
FLOODWAY / FLOODWAY FRINGE	This site is not located within a floodway or floodway fringe.
WELLFIELD PROTECTION DISTRICT	This site is not located within a wellfield protection district.
CONTEXT AREA	This site is located within the compact context area.
OVERLAY	This site is located within the transit-oriented development overlay.

**ZONING HISTORY – SITE**

EXISTING VIOLATIONS

None.

PREVIOUS CASES

None

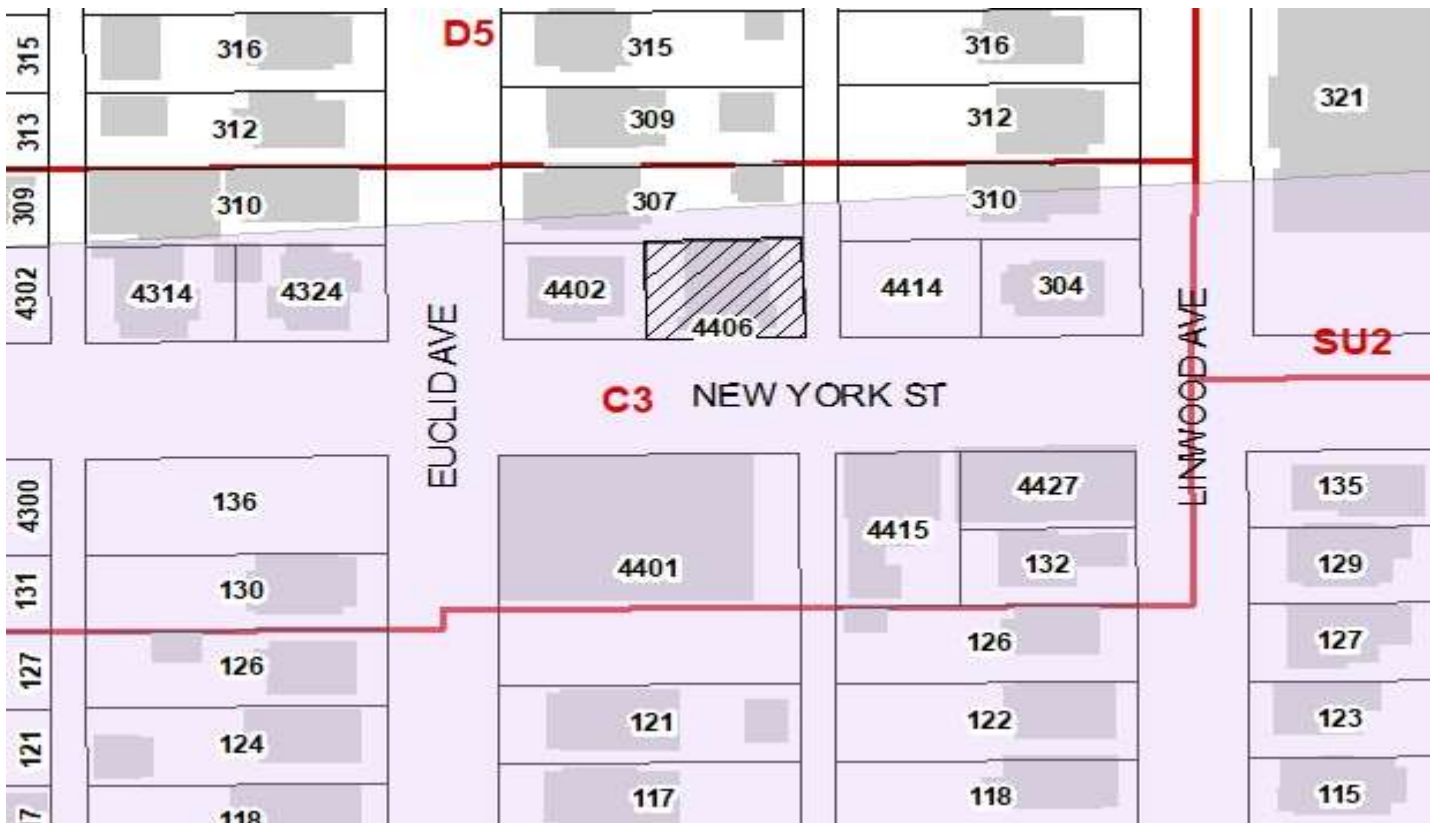
**ZONING HISTORY – VICINITY**

**98-Z-252; 321 North Linwood Avenue** (east of site), Rezoning of 1.69 acres from D-5 to SU-2, approved.

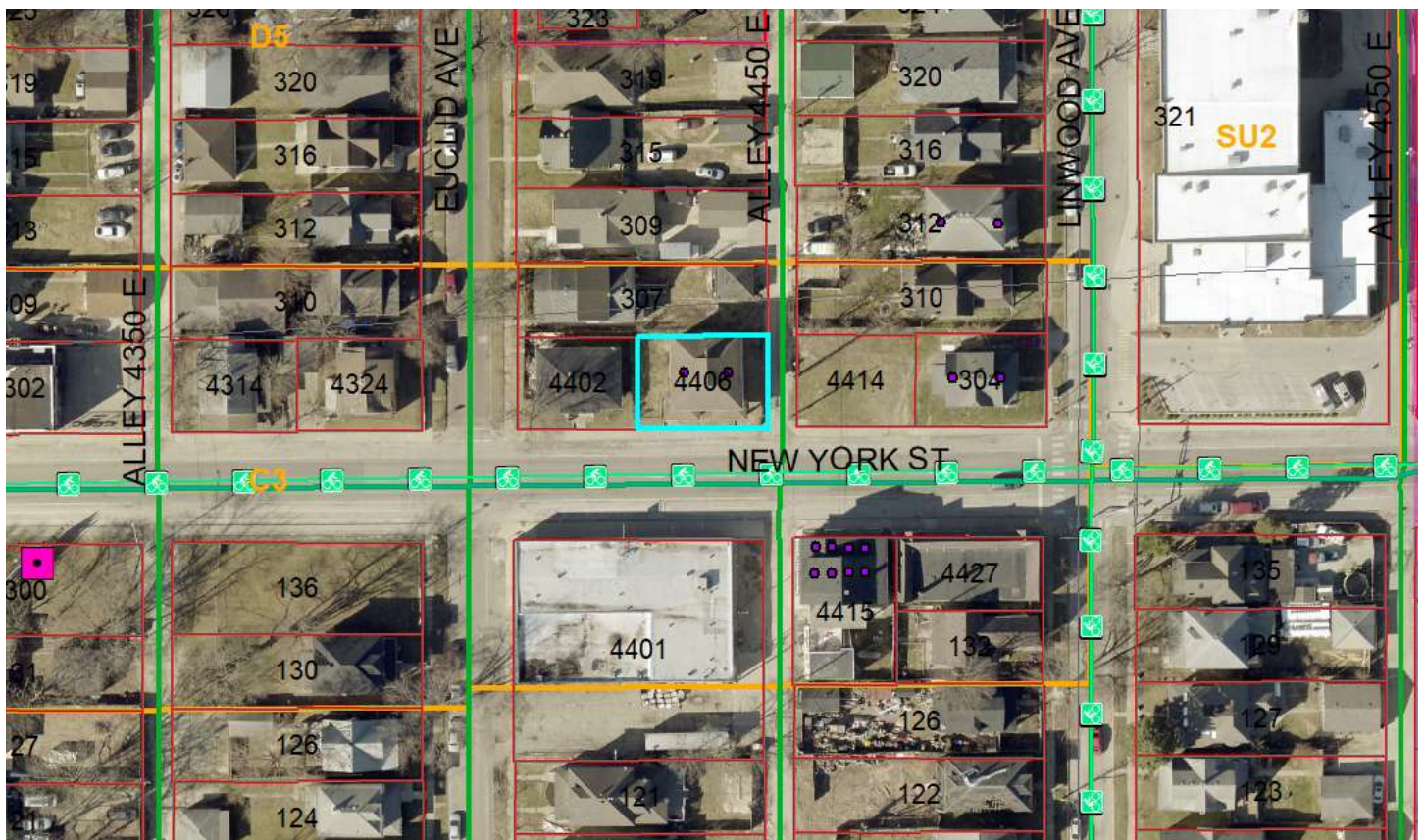
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2023-ZON-034B; Aerial Map



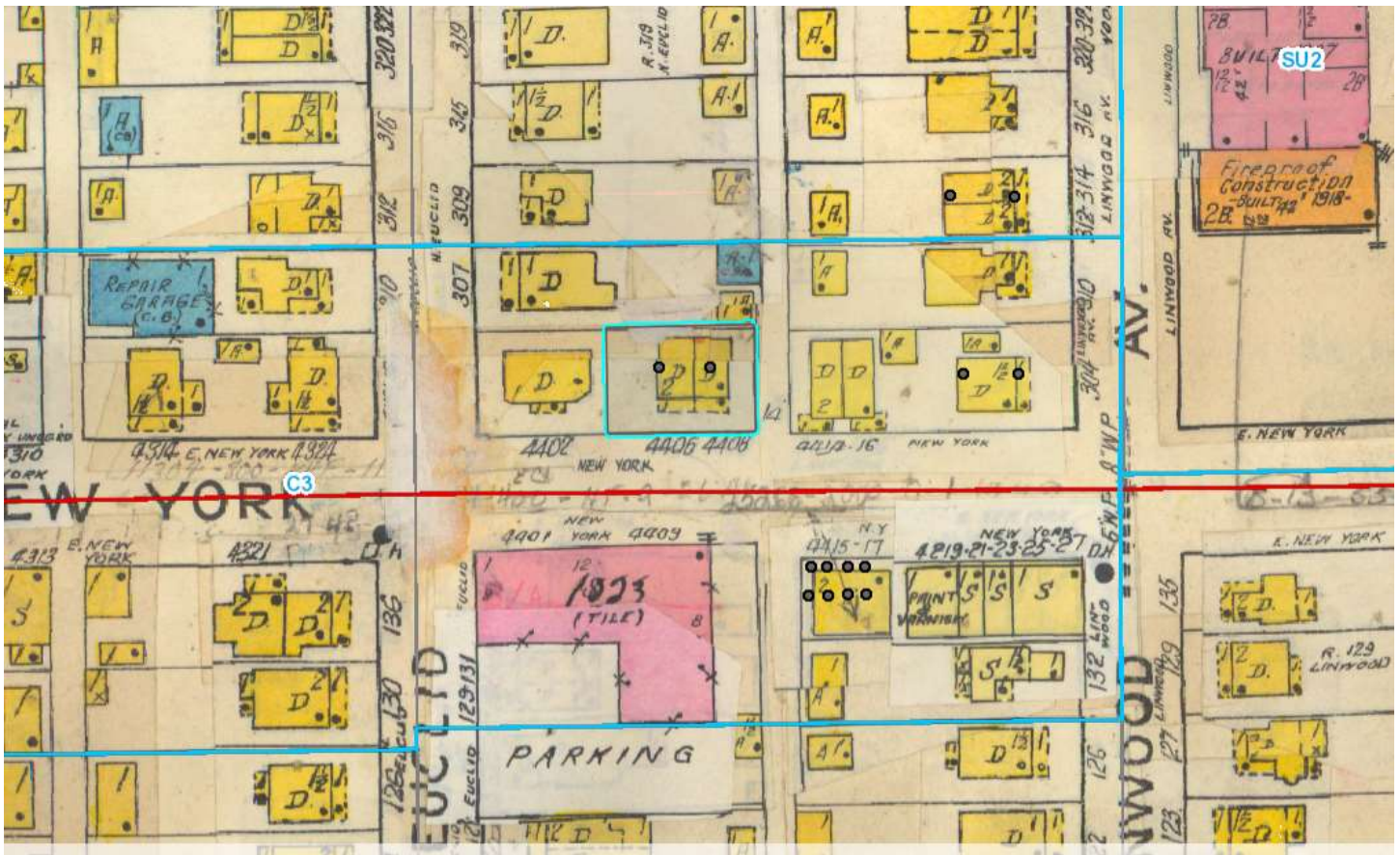






Photo of the Subject Property: 4406 East New York Street



Photo of the Subject Property: 4406 East New York Street





Photo of the dwellings west of the site.



Photo of the properties south of the site.