



Metropolitan Development Commission Hearing Examiner (November 21, 2024) Meeting Agenda

Meeting Details

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

Date: Thursday, November 21, 2024 **Time:** 1:00 PM

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

Business:

Special Requests

2024-MOD-016 | 3401 East New York Street

Center Township, Council District #18

C-S (TOD)

One Way Auto Parts by Joseph D. Calderon

****Petitioner request for one-day waiver of the 23-day notification period for Notice**

2024-ZON-038 | 2602 North Harding Street

Center Township, Council District #12

Earl Dixon

****Petition has been withdrawn. Petitioner request for a transfer of fees to a variance petition which is to be filed.**

PETITIONS REQUESTING TO BE CONTINUED:

1. 2024-APP-023 | 2510 Westlane Road

Pike Township, Council District #1

PK-1

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

Park District One Approval to provide a new playground, sidewalk and drainage improvements for WISH Park.

****Petition has been withdrawn**

2. 2024-MOD-016 | 3401 East New York Street

Center Township, Council District #18

C-S (TOD)

One Way Auto Parts by Joseph D. Calderon

Modification of the development statement for 91-Z-64 to provide to modify Commitment #2 to increase the number of vehicles stored on-site at any one time (Current maximum number of vehicles is 54).

****Automatic continuance to December 19, 2024, filed by Registered Neighborhood Organization**

3. 2024-CVR-834 (Amended) / 2024-CPL-834 | 6650 South Meridian Street

Perry Township, Council District #22

D-A

Chin United Pentecostal Church, by Katlyn Grey

Variance of Development Standards and a Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for religious uses on proposed Lot One, with a zero-foot north side yard setback (minimum 30-foot required) and a 15-foot rear yard setback (minimum 75-foot required).

Approval of a Subdivision Plat, to be known as 6650 South Meridian Street Addition, dividing 14.68 acres into two lots.

****Staff request for continuance for cause to December 12, 2024, with Notice**

4. 2024-CZN-842 / 2024-CVR-842 | 2147 Columbia Avenue and 1315 East 22nd Street

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

Rezoning of 0.264-acre from the D-8 and I-3 districts to the D-5 district to provide for a four-unit dwelling.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a four-unit dwelling, with a walkway along the south side yard lot line (walkways permitted to encroach up to two feet into the side yard) and to provide for one off-street parking space within the corner side yard (minimum eight-foot corner side yard setback required).

****Staff request for continuance for cause to December 12, 2024**

5. 2024-CZN-843 / 2024-CAP-843 / 2024-CPL-843 | 6243 East Washington Street

Warren Township, Council District #14
Tallen Capital Partners, LLC, by Joseph D. Calderon

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

Modification of Commitments related to 2023-PLT-064 to delete Commitment #2(g) and replace with: "Liquorstore, except for a locally or nationally recognized chain such as "Big Red Liquors," "Total Wine and More" or "Bev Mo," which contains at least _____ square feet", to delete Commitment 2(u) and replaced with: "Automobile and light vehicle wash, except for a locally or nationally recognized chain, such as "Crew Car Wash," "Prime Car Wash," or "_____", to delete Commitment #2(t) to delete the word "existing" before the words "renewal terms" (original commitment states "Pawn Shop, provided that the existing tenant, EZ Pawn Indiana, Inc. or permitted successors/assigns may complete the term of its lease, including any existing renewal terms").

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

****Petitioner and Staff request for continuance for cause to December 19, 2024**

6. 2024-CZN-844 / 2024-CVR-844 | 1366 West County Line Road

Perry Township, Council District #22
Eugene Gradient, Deborah Roush, Janet Massey, and Jenny Perry, by David Gilman

Rezoning of 3.77 acres from the D-A (W-5) district to the D-S (W-5) district to provide for two single-family detached dwellings.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for Parcel I, with a lot width of 130.7 feet, and Parcel II, with a lot width of 30.0 feet (minimum lot width of 150 feet required).

****Staff request for continuance for cause to December 12, 2024**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

7. 2024-APP-022 | 9501 36th Place

Warren Township, Council District #15
PK-1 (FF)
City of Indianapolis, Department of Parks, and Recreation by Henry Woodburn

Park District-One Approval to provide for Indy Parks Improvements for Bellamy Park.

8. 2024-ZON-120 | 818 East Beecher Street

Center Township, Council District #18
Victory Investment Properties, LLC, by Andrew Heimer

Rezoning of 0.08-acre from the I-4 district to the D-5 II district to provide for a residential two-family dwelling.

9. 2024-ZON-122 | 2110 English Avenue

Center Township, Council District #18
John and Anthony Phoenix, by Mark and Kim Crouch

Rezoning of 0.11-acre from I-3 district to the D-8 district to provide for a duplex residential development.

10. 2024-ZON-130 | 2717 and 2825 North Ritter Avenue

Warren Township, Council District #9
Jumpstart Childcare Ministry Inc., by Ed Williams

Rezoning of 3.84 acres from the SU-2 and D-A Districts to the C-1 District to provide for the continued use as a childcare facility.

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

11. 2024-ZON-038 | 2602 North Harding Street

Center Township, Council District #12
Earl Dixon

Rezoning of 0.152-acre from the D-5 district to the MU-2 district to provide for a community kitchen.

12. 2024-ZON-090 (Amended) | 9061 Crawfordsville Road

Wayne Township, Council District #11
Mark and Kim Crouch

Rezoning of one acre from the C-3 district to the D-5II district to provide for residential use.

13. 2024-ZON-094 | 622 South Keystone Avenue

Center Township, Council District #18
Shelly Mills, by David Gilman

Rezoning of 0.820-acre from the D-5 district to the D-5II district to provide for an attached single-family residential development.

14. 2024-ZON-106 | 511 & 600 South Tibbs Avenue

Wayne Township, Council District #17
Insight Engineering Inc., by Donald W. Fisher

Rezoning of 2.33 acres from the I-2 (FF) district to the C-7 (FF) district to provide for heavy truck services and parking.

15. 2024-ZON-119 | 134 and 142 West 30th Street and 3006 Kenwood Avenue

Center Township, Council District #8
M S One Investments LLC, by Mark and Kim Crouch

Rezoning of 0.22-acre from the C-4 district to the D-8 district to provide for four single-family detached dwellings.

16. 2024-CVR-841 / 2024-CPL-841 | 3359 Carrollton Avenue

Center Township, Council District #8
D-5
INDYCHEN, LLC., by David Gilman

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

zero-foot north and south side setbacks for sidewalks on Lot 2 (two-foot side setbacks required for minor residential features), with a zero-foot rear setback on Lot 2 for the detached garage (minimum five feet required).

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

PETITIONS FOR PUBLIC HEARING (New Petitions):

17. 2024-MOD-020 | 431 South Shortridge Road

Warren Township, Council District #20

C-S

Bhullar Deol Properties, Inc., by Justin Kingen and David Kingen

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

18. 2024-ZON-125 | 4460 and 4498 North Keystone Avenue

Washington Township, Council District #8

Mark and Kim Crouch

Rezoning of 0.42-acre from the D-5 (W-1) and C-3 (W-1) districts to the C-4 (W-1) district to provide for commercial uses.

19. 2024-ZON-128 | 8040 East Southport Road

Franklin Township, Council District #25

Kopetsky's Auto Wash, by Elizabeth Bentz Williams

Rezoning of 1.21 acres from the C-S district to the C-4 district to provide for an automobile and light vehicle wash use.

Additional Business:

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



METROPOLITAN DEVELOPMENT COMMISSION **November 21, 2024**
HEARING EXAMINER

Case Number: 2024-APP-023

Property Address: 2510 Westlane Road (approximate address)

Location: Pike Township, Council District #1

Petitioner: City of Indianapolis, Department of Parks and Recreation by Henry Woodburn.

Current Zoning: PK-1 (FF)(FW)

Request: Park District One Approval to provide for new playground, sidewalk, and drainage improvements.

Current Land Use: Park

Staff Recommendations: To be determined.

Staff Reviewer: Desire Irakoze, Principal Planner II.

PETITION HISTORY

The petitioner has submitted a request to withdraw this petition. This would require the acknowledgement form the Hearing Examiner.

STAFF RECOMMENDATION

Staff recommendation is to be determined.

PETITION OVERVIEW

This petition is to be withdrawn at the November 21, 2024, hearing.



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

November 21, 2024

Case Number: 2024-MOD-016

Property Address: 3401 East New York Street (Approximate Address)

Location: Center Township, Council District #18

Petitioner: One Way Auto Parts by Joseph D. Calderon

Current Zoning: C-S (TOD)

Request: Modification of the development statement for 91-Z-64 to provide to modify Commitment # 2 to increase the number of vehicles stored on site at any one time (Current maximum number of vehicles is 54).

Current Land Use: Auto Parts Reclamation, Auto Parts Sales, Auto Storage

Staff Recommendations: To be determined.

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

A timely automatic continuance request was filed by a registered neighborhood organization, **continuing this petition from the November 21, 2024 hearing to the December 19, 2024 hearing.** This would require acknowledgement from the Hearing Examiner.

STAFF RECOMMENDATION

Staff recommendation to be determined.

PETITION OVERVIEW

This petition is to be continued to the December 19, 2024 hearing.



METROPOLITAN DEVELOPMENT COMMISSION **November 21, 2024**
HEARING EXAMINER

Case Number: 2024-CVR-834 (Amended) / 2024-PLT-834

Property Address: 6650 South Meridian Street

Location: Perry Township, Council District #22

Petitioner: Chin United Pentecostal Church, by Katlyn Grey

Current Zoning: D-A

Request: Variance of Development Standards and a Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for religious uses on proposed Lot One with a zero-foot north side yard setback (minimum 30-foot required) and a 15-foot rear yard setback (minimum 75-foot required).

Approval of a Subdivision Plat, to be known as 6650 South Meridian Street Addition, dividing 14.68-acres into two lots.

Current Land Use: Residential Use

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued these petitions from the October 24, 2024 hearing, to the November 21, 2024 hearing.

The petitions will need to be continued from the November 21, 2024 hearing, to the December 12, 2024, because the variance request has been amended and new notice is required. The amendment has moved religious uses from Lot Two to Lot One.



METROPOLITAN DEVELOPMENT COMMISSION **November 21, 2024**
HEARING EXAMINER

Case Number: 2024-CZN-842 / 2024-CVR-842

Property Address: 2147 Columbia Avenue and 1315 East 22nd Street

Location: Center Township, Council District #13

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

Current Zoning: D-A

Request: Rezoning of 0.264-acre from the D-8 and I-3 districts to the D-5 district to provide for a four-unit dwelling.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a four-unit dwelling, with a walkway along the south side yard lot line (walkways permitted to encroach up to two feet into the side yard) and to provide for one off-street parking space within the corner side yard (minimum eight-foot corner side yard setback required).

Current Land Use: Residential Use

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

Staff is requesting a **continuance of these petitions from the November 21, 2024 hearing, to the December 12, 2024 hearing**, to provide additional time for discussions with the petitioner’s representative related to the site plan submitted with the petition.



METROPOLITAN DEVELOPMENT COMMISSION **November 21, 2024**

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

Request:
Modification of Commitments related to 2023-PLT-064 to delete Commitment #2(g) and replace with: "Liquorstore, except for a locally or nationally recognized chain such as "Big Red Liquors", "Total Wine and More" or "Bev Mo", which contains at least _____ square feet", to delete Commitment 2(u) and replaced with: "Automobile and light vehicle wash, except for a locally or nationally recognized chain, such as "Crew Car Wash", "Prime Car Wash", or "_____", to delete Commitment #2(t) to delete the word "existing" before the words "renewal terms" (original commitment states "Pawn Shop, provided that the existing tenant, EZ Pawn Indiana, Inc. or permitted successors/assigns may complete the term of its lease, including any existing renewal terms").

Modification of Commitments related to 2023-PLT-064 to delete Commitment #2(g) and replace with: "Liquorstore, except for a locally or nationally recognized chain such as "Big Red Liquors", "Total Wine and More" or "Bev Mo", which contains at least _____ square feet", to delete Commitment 2(u) and replaced with: "Automobile and light vehicle wash, except for a locally or nationally recognized chain, such as "Crew Car Wash", "Prime Car Wash", or "_____", to delete Commitment #2(t) to delete the word "existing" before the words "renewal terms" (original commitment states "Pawn Shop, provided that the existing tenant, EZ Pawn Indiana, Inc. or permitted successors/assigns may complete the term of its lease, including any existing renewal terms").

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

CONTINUANCE

This petition must be continued to allow for the submittal of corrected proposed modified commitments.
EDH



METROPOLITAN DEVELOPMENT COMMISSION **November 21, 2024**
HEARING EXAMINER

Case Number: 2024-CZN-844 / 2024-CVR-844

Property Address: 1366 West County Line Road

Location: Perry Township, Council District #22

Petitioner: Eugene Gradient, Deborah Roush, Janet Massey and Jenny Perry, by David Gilman

Current Zoning: D-A

Request: Rezoning of 3.77 acres from the D-A (W-5) district to the D-S (W-5) district to provide for two single-family dwellings.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for Parcel I, with a lot width of 130.7 feet and Parcel II, with a lot width of 30.0 feet (minimum lot width of 150 feet required).

Current Land Use: Undeveloped land

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

Staff is requesting a **continuance of these petitions from the November 21, 2024 hearing, to the December 12, 2024 hearing**, to provide additional time for discussions with the petitioner’s representative related to the zoning request.



METROPOLITAN DEVELOPMENT COMMISSION **November 21, 2024**
HEARING EXAMINER

Case Number: 2024-APP-022

Property Address: 9501 36th Place (approximate address)

Location: Warren Township, Council District #15

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

Current Zoning: PK-1 (FF)

Request: Park District One Approval to provide for Indy Parks improvements for Bellamy Park.

Current Land Use: Park

Staff Recommendations: Approval

Staff Reviewer: Jeffrey York, Principal Planner II

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends approval** of the request.

PETITION OVERVIEW

LAND USE

The subject site is developed with a park located in the Far Eastside neighborhood and is surrounded by single-family dwellings to the north, east and west, and a school to the south. To the northwest is a women's and infants' medical facility.

PARK DISTRICT ONE APPROVAL

The site is zoned PK-1 and would allow for the redevelopment of the park to provide for a new sidewalk and new playground equipment with climbers, spinners, swings, and drainage improvements. Existing improvements include a shelter and restroom facility and playground equipment. However, no use, building or structure is permitted for any purpose until a site and development plan for such land, including the proposed use, has been filed with and approved by the Commission in accordance with the Zoning Ordinance.



Department of Metropolitan Development
Division of Planning
Current Planning

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

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

STAFF ANALYSIS

The proposed updates to the park playground with a new sidewalk, climbers, spinners, swings, and drainage improvements would align with the park recommendation of the Comprehensive Plan and would be compatible within the residential neighborhood.

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

GENERAL INFORMATION

Existing Zoning	PK-1 (FF)	
Existing Land Use	Park	
Comprehensive Plan	Park	
Surrounding Context	Zoning	Land Use
North:	D-4 (FF)	Residential (Single-family dwellings)
South:	SU-7 (FF)	School



Department of Metropolitan Development
 Division of Planning
 Current Planning

East:	D-4 (FF)	Residential (Single-family dwellings)
West:	D-4 (FF)	Residential (Single-family dwellings)
Thoroughfare Plan		
36 th Place	Primary collector	80-foot existing and proposed right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	October 10, 2024	
Site Plan (Amended)	N/A	
Elevations	October 10, 2024	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	October 10, 2024	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends the site for park use as a legacy recommendation.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.



Department of Metropolitan Development
Division of Planning
Current Planning

Indy Moves

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

- Not Applicable to the Site.



ZONING HISTORY

Zoning History - Site

None.

Bellamy Park - Proposed Playground Plan

9501 E 36th Pl, Indianapolis, IN 46235



Indy Parks Playgrounds Improvements
Bellamy Park | OCTOBER 2024





Petition Number _____

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

FINDINGS OF FACT

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

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

The Land Use Plan identifies that the parcel is a Park, zoned PK1, surrounded by zones D4, and SU7. Per the Consolidated Zoning/Subdivision Ordinance, parks or playgrounds are permitted uses in all zoning districts. The site development plan improves the condition of the park through the development of a new playground as well as drainage improvements. Sidewalks are also planned to connect the playground to existing park features.

B. Creates and maintains a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the development plan district and with adjacent uses because:

The site development plan calls for the construction of a new playground with sidewalks to connect to existing features within the park. Additional improvements will be made to the drainage within the park.

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

Existing paths and parking spaces are available within the park, and new sidewalks are proposed to connect the playground to the existing features.

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

Existing controls are already included in and adjacent to the existing park; and new sidewalks and benches will be added to connect the proposed playground to existing park features.

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

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



Department of Metropolitan Development
Division of Planning
Current Planning

F. Allocates adequate sites for all uses proposed, - the design, character, grade, location, and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan, because:

The property is currently within a suburban neighborhood park that includes a playground and green space.
The proposed new playground enhances existing park features and adds connectivity and functions complimentary to its continued use as a park.

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

Existing paths are already included in the existing park; and new sidewalks and benches will be added to connect the proposed playground to existing park features.

DECISION

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

Adopted this _____ day of _____, 20 ____

Commission President/ Secretary



Photo of the exiting park looking southeast.



Photo of the existing park and school looking east.



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



METROPOLITAN DEVELOPMENT COMMISSION **November 21, 2024**
HEARING EXAMINER

Case Number: 2024-ZON-120
Property Address: 818 East Beecher Street (Approximate Address)
Location: Center Township, Council District #18
Petitioner: Victory Investment Properties, LLC, by Andrew Heimer
Current Zoning: I-4 (FF)
Request: Rezoning of 0.08-acre from the I-4 (FF) district to the D-5II (FF) district to provide for a two-family dwelling.
Current Land Use: Residential
Staff Recommendations: Approval
Staff Reviewer: Senior Planner, Marleny Iraheta

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends approval** of the request.

PETITION OVERVIEW

LAND USE

The 0.08-acre subject site is developed with a two-family dwelling in the Lemcke’s Subdivision that falls within the Near Southside neighborhood.

It is bordered to the north by a single-family dwelling, zoned D-5, to the east by a single-family dwelling, zoned I-4, to the west by a commercial building, zoned I-4, and an industrial business to the south, zoned I-4.

REZONING

This petition would rezone this site from the I-4 district to the D-5II district.

The I-4 district is for those heavy industrial uses which present an elevated risk to the general public and are typically characterized by factors that would be exceedingly difficult, expensive or impossible to eliminate. These industries are therefore buffered by a sizeable area to minimize any detrimental aspects.



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

The development standards and performance standards reflect the recognition of these problems. Location of this district should be as far as possible from protected districts and environmentally sensitive areas as practical and never be adjacent to protected districts.

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

STAFF ANALYSIS

Staff is supportive of the rezoning to the D-5II district because it would allow for the continued residential use of the site to be permitted in line with the context of the surrounding area and historical residential use of the site per an 1898 Sanborn Map. The dwelling district would also align with the traditional neighborhood recommendation of the Comprehensive Plan

GENERAL INFORMATION

Existing Zoning	I-4 (FF)	
Existing Land Use	Residential	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Land Use
North:	D-5	Residential (Single-family dwelling)
South:	I-4	Industrial Business
East:	I-4	Residential (Single-family dwelling)
West:	I-4	Commercial Building
Thoroughfare Plan		
Beecher Street	Local Street	48-foot proposed right-of-way and 50-foot existing right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	N/A	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	



COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Red Line Transit-Oriented Development Strategic Plan (2021)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends traditional neighborhood development for the subject site.
- The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.
- **Conditions for All Housing**
 - A mix of housing types is encouraged.
 - Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
 - Primary structures should be no more than one and a half times the height of other adjacent primary structures.
 - Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
 - Developments with densities higher than 15 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.
- **Detached Housing**
 - The house should extend beyond the front of the garage. Garages should be loaded from an alley or side street when possible and should be detached if located on the side of the house.
 - Secondary units are encouraged.
 - Lots should be no larger than one and a half times the adjacent lots.



Department of Metropolitan Development
Division of Planning
Current Planning

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The site falls within the Red Line Transit-Oriented Development Strategic Plan (2021) but does not fall within the Transit-Oriented Development Secondary District.
- It is located within a ½ mile from the Pleasant Run and Shelby Street intersection that is classified as a walkable neighborhood typology that calls for a mix of uses at station area and primarily residential beyond, maximum of three stories throughout, no front or side setbacks at core, zero to 15 feet front setbacks and zero to 2-foot side setbacks at periphery, with a mix of multi-family and single-family housing and structured parking at the core and attractive surface parking at the periphery.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

- Indy Moves PedalIndy 2018 proposes a neighborway along Beecher Street.



ZONING HISTORY

Zoning History - Vicinity

2021-ZON-147; 906 East Beecher Street (east of site), Rezoning of 0.08 acres from the I-4 district to the D-5 district to provide for residential use, **approved**.

2017-ZON-016; 828 Beecher Street and 24 other nearby addresses (east of site), Rezoning of 1.95 acres from the C-1, C-3, C-5 and I-4 districts to the D-5 district, **approved**.

2013-ZON-003; 1869 New Street (east of site), Rezoning of 0.11 acre from the I-4-U district to the D-5 district, **approved**.

2000-LNU-026; 1862-1866 Applegate Street (northwest of site), Certificate of Legally Established Nonconforming Use for three residential units on one parcel, **denied**.

2000-UV3-021; 1862-1866 Applegate Street (northwest of site), Variance of use and development standards of the Dwelling Districts Zoning Ordinance to legally establish three residential units on a single parcel, (not permitted), two units in the primary structure having front setback of 11 feet (a 25-foot front setback required) and a side yard setback of three feet (minimum 4-foot side yard required), and one unit in a detached accessory structure, having a main floor area of 483.75 square feet (minimum 900 square feet required) and a rear yard of 2 feet (minimum 5-foot rear yard required for accessory structures), **approved**.

EXHIBITS



1898 SANBORN MAP.

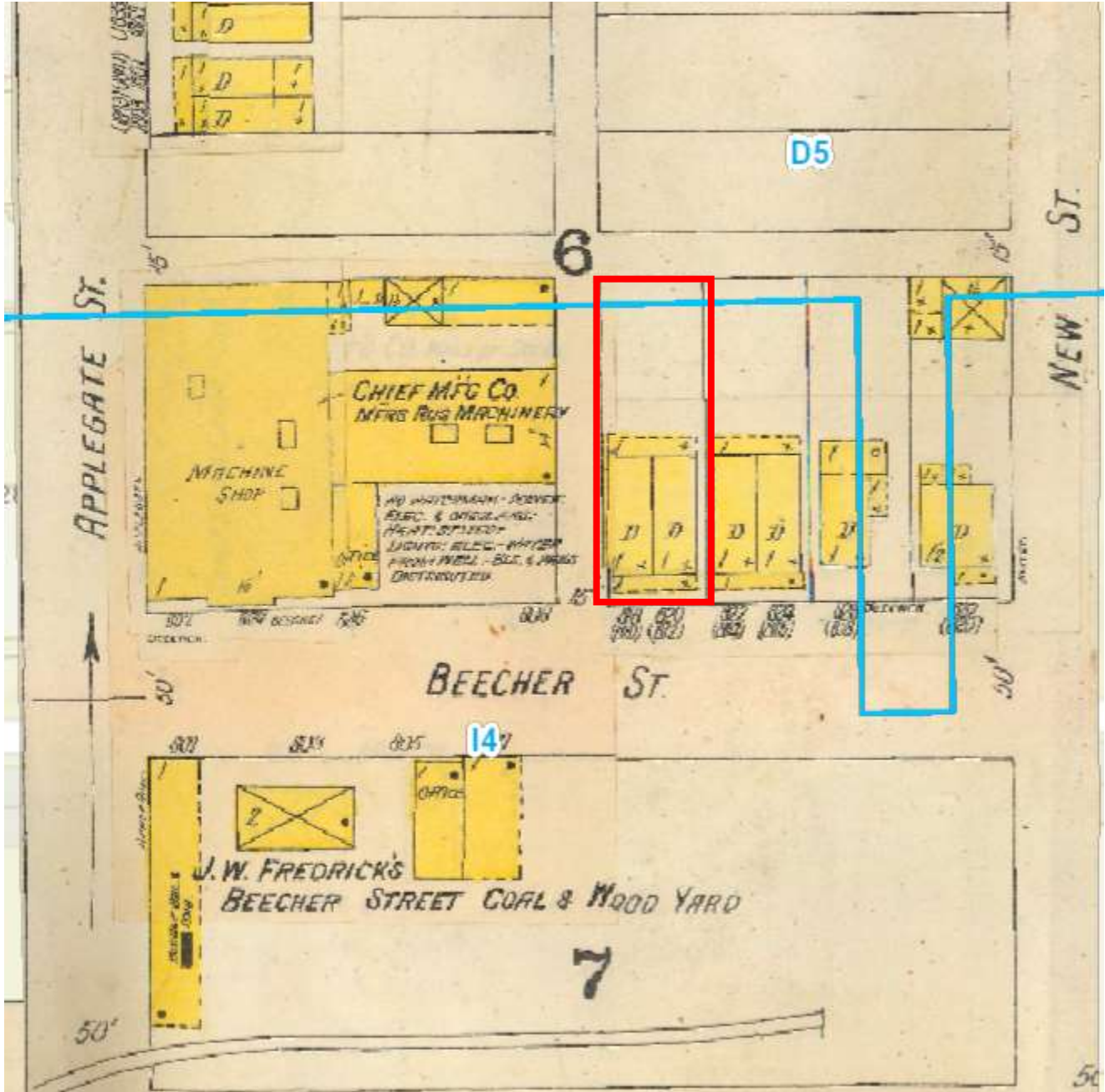




Photo of the subject site looking north.



Photo of the subject site looking east.



Rear yard of the subject site looking southeast.



Photo of the residential property north of the site.



Photo of the commercial property west of the site.



Photo of single-family dwellings east of the site.



Photo of the industrial business south of the site.



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

November 21, 2024

Case Number: 2024-ZON-122

Property Address: 2110 English Avenue

Location: Center Township, Council District #18

Petitioner: John and Anthony Phoenix, by Mark and Kim Crouch

Current Zoning: I-3

Request: Rezoning of 0.11 acre from the I-3 district to the D-8 district to provide for a duplex residential development.

Current Land Use: Residential uses (vacant)

Staff Recommendations: Approval.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first public hearing on this petition.

STAFF RECOMMENDATION

Approval, subject to substantial compliance with the site plan file dated September 29, 2024.

PETITION OVERVIEW

This 0.11-acre site, zoned I-3, is developed with a duplex. It is surrounded by a single-family dwelling to the north, zoned D-5; industrial uses to the south, across English Avenue, zoned I-3; commercial uses to the east, zoned I-3 and a duplex to the west, zoned I-3.

REZONING

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



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

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

The Comprehensive Plan recommends traditional neighborhood for this site.

As proposed, this request would be consistent with the Plan recommendation as well as the historical residential use of the site. According to the Assessor’s Office the dwelling was constructed around 1900 so the rezoning would result in a district that would be consistent with the use that has existed for over a century.

Staff recommends approval, subject to the site plan file dated September 29, 2024.

GENERAL INFORMATION

Existing Zoning	I-3	
Existing Land Use	Residential uses (vacant)	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Land Use
North:	D-5	Duplex
South:	I-3	Industrial uses
East:	I-3	Commercial uses
West:	I-3	Duplex
Thoroughfare Plan		
English Avenue	Primary arterial	Existing 60-foot right-of-way and proposed 78-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	September 29, 2024	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	



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

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Traditional Neighborhood typologies. “The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.”

Pattern Book / Land Use Plan

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

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

- *Conditions for All Land Use Types –Traditional Neighborhood Typology*
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
 - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged



Department of Metropolitan Development
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- *Conditions for All Housing*
 - A mix of housing types is encouraged.
 - Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
 - Primary structures should be no more than one and a half times the height of other adjacent primary structures.
 - Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
 - Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
 - Developments with densities higher than 15 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.
- *Attached Housing (defined as duplexes, triplexes, quads, townhouses, row houses, stacked flats, and other, similar legally complete dwellings joined by common walls and typically with each unit on its own lot or part of a condominium)*
 - Duplexes should be located on corner lots, with entrances located on different sides of the lot.
 - It is preferred that townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood-serving retail.
 - If the above conditions are not met, individual buildings of attached housing (not part of a complex) may be interspersed with single-family homes but should not make up more than 25% of the primary residential structures on a block.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- The Infill Housing Guidelines (2021)
- The Infill Housing Guidelines were updated and approved in May 2021, with a stated goal “to help preserve neighborhood pattern and character by providing guiding principles for new construction to coexist within the context of adjacent homes, blocks, and existing neighborhoods. These guidelines provide insight into basic design concepts that shape neighborhoods, including reasons why design elements are important, recommendations for best practices, and references to plans and ordinance regulations that reinforce the importance of these concepts.”
- These guidelines apply to infill development in residential areas within the Compact Context Area and include the following features:
 - Site Configuration
 - Front Setbacks
 - Building Orientation
 - Building Spacing
 - Open Space
 - Trees, Landscaping, and the Outdoors
 - Aesthetic Considerations
 - Building Massing
 - Building Height
 - Building Elevations and Architectural Elements
 - Additional Topics
 - Secondary Dwelling Units, Garages, and Accessory Structures
 - Adapting to the Future
- “As established neighborhoods experience new development, infill residential construction will provide housing options for new and existing residents. Increased population contributes positively to the local tax base, economic development, lively neighborhoods, and an interesting city. As infill construction occurs, it is important to guide development in a way that complements current neighborhoods. Each home in a neighborhood not only contributes to the existing context of adjoining houses and the block, but to the sense of place of the entire neighborhood.”



Department of Metropolitan Development
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Indy Moves

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

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

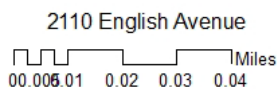
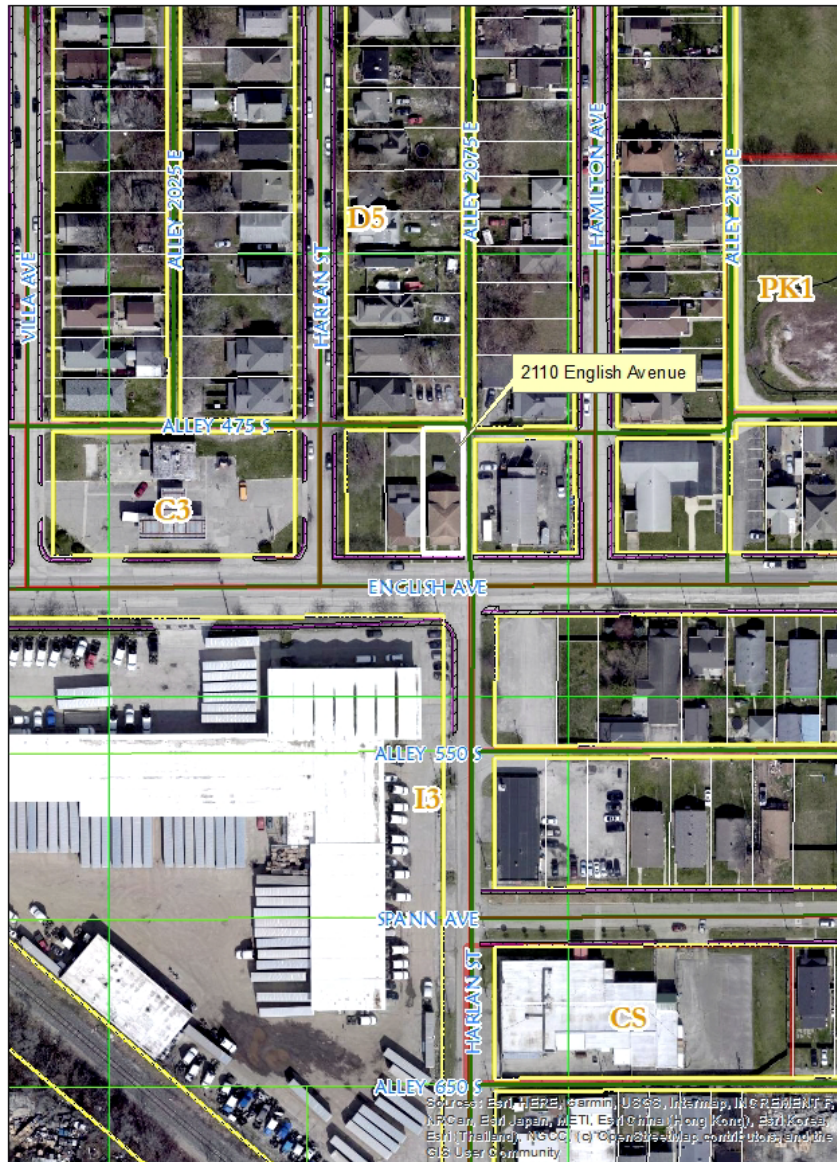


Department of Metropolitan Development
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ZONING HISTORY

None.

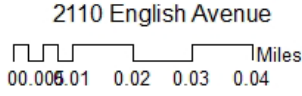
EXHIBITS



Sanborn Map 1915



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





View looking east along English Avenue



View looking west along English Avenue



View of site looking north across English Avenue



View of site looking northwest across English Avenue



View of site looking northwest across English Avenue



View of rear of site looking west from north / south alley



View of site looking southwest from north / south alley



View from site looking south across English Avenue



METROPOLITAN DEVELOPMENT COMMISSION **November 21, 2024**
HEARING EXAMINER

Case Number: 2024-ZON-130

Property Address: 2717 and 2935 North Ritter Avenue

Location: Warren Township, Council District #9

Petitioner: Jumpstart Childcare Ministry Inc., by Ed Williams

Current Zoning: SU-2 and D-A

Request: Rezoning of 3.84 acres from the SU-2 and D-A Districts to the C-1 District to provide for the continued use of a childcare facility.

Current Land Use: Childcare facility

Staff Recommendations: Approval.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first public hearing on this petition.

STAFF RECOMMENDATION

Approval.

PETITION OVERVIEW

This 3.84-acre site, zoned SU-2 and D-A, is comprised of two parcels developed with a childcare facility, accessory building and associated parking. It is surrounded by an assisted living facility to the north, zoned C-1; a single-family dwelling to the south, zoned D-A; a school to the east, zoned SU-2; and single-family dwellings to the west, across North Ritter Avenue, zoned D-A.

Petition 96-Z-100 rezoned the site to provide for a private elementary school.



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

REZONING

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

The Comprehensive Plan recommends suburban neighborhood typology for the site. The suburban neighborhood typology is comprised primarily of single-family dwellings with a variety of neighborhood serving commercial businesses.

As proposed, this request would not be consistent with the Comprehensive Plan recommendation. However, given the C-1 district to the north and the abutting school to the east, staff believes that the proposed childcare facility would have minimal impact on the surrounding land uses. Furthermore, this facility provides childcare services the other educational facilities (IPS, KIPP Indy and Victory College Prep) in the area.

According to an e-mail from the petitioner’s representative, dated February 21, 2024, childcare services also include before school and after school care for approximately 150 children, with 14 teachers / employees, and with hours of operation from 6:00 a.m. to 6:00 p.m.

GENERAL INFORMATION

Existing Zoning	SU-2 / D-A	
Existing Land Use	Childcare facility / accessory / associated parking	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
	North: C-1	Assisted living facility
	South: D-A	Single-family dwelling
	East: SU-2	Educational uses
	West: D-A	Single-family dwellings
Thoroughfare Plan		
North Ritter Avenue	Primary Collector	Existing 50-foot right-of-way and proposed 66-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	



Overlay	No
Wellfield Protection Area	No
Site Plan	October 7, 2024
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

- *Conditions for All Land Use Types – Suburban Neighborhood Typology*
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
 - Hydrological patterns should be preserved wherever possible.



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

- Where possible, contributing historic buildings should be preserved or incorporated into new development.
- 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.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

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



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ZONING HISTORY

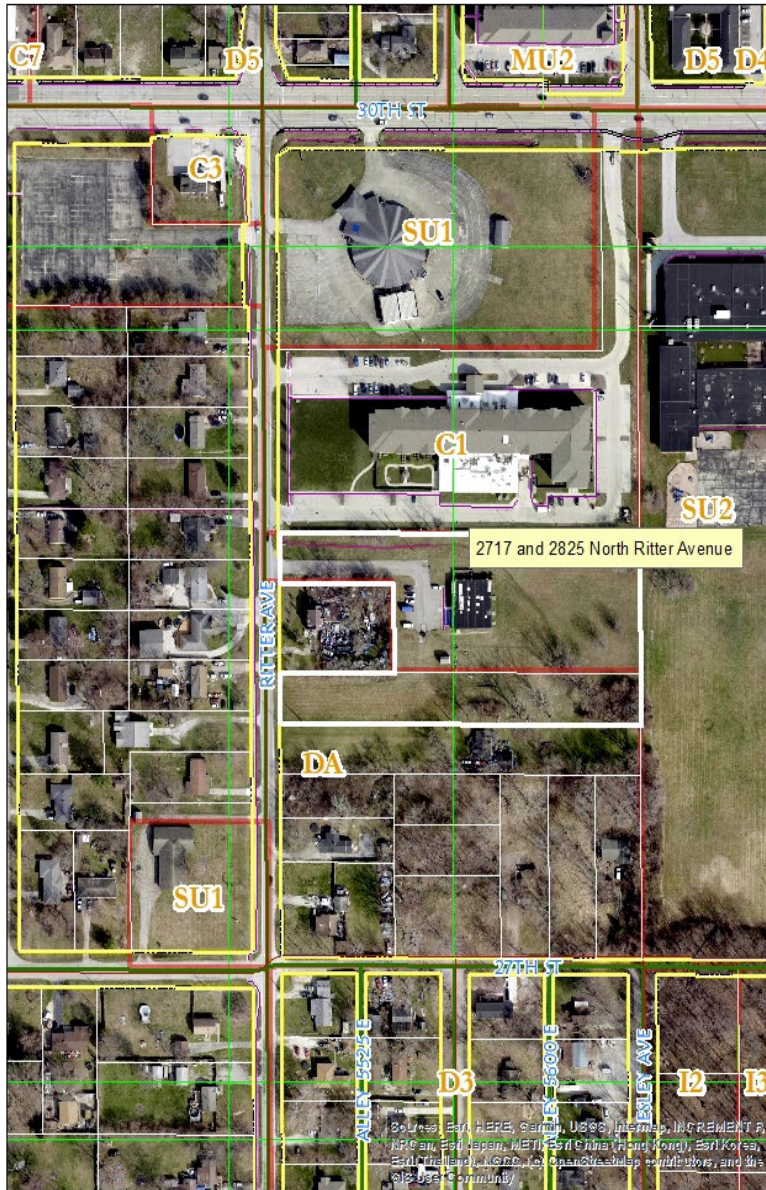
96-Z-100; 2815 North Ritter Avenue, requested rezoning of 2.6 acres, being in the D-A District to the SU-2 classification to provide for the construction of a private elementary school, **approved**.

VICINITY

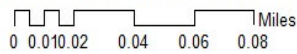
2012-CZN 806 / CVR-806 (Amended); 5501 East 30th Street (north of site), requested rezoning of 4.84 acres from the SUI-1 District to the C-1 classification to provide for a 1840unit assisted living facility and a variance of development standards of the Commercial Zoning Ordinance to provide for a 60-foot tall, 184-unit assisted living facility with 123 parking space, **approved and granted**.

2010-ZON-067; 5801 East 30th Street (north of site), requested rezoning of 2.9 acres from the D-A District to the SU-2 classification, **approved**.

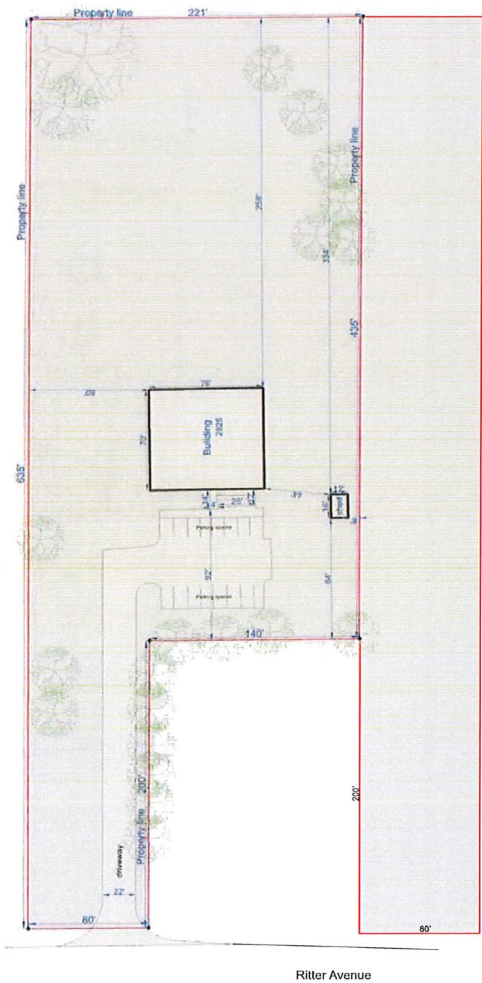
EXHIBITS



2717 and 2825 North Ritter Avenue



For zoning purposes only



Jump Start Child Care
 2825 N Ritter AV



View looking south along North Ritter Avenue



View looking north along North Ritter Avenue



View of site entrance drive looking south



View of site looking east across North Ritter Avenue



View of site looking east



View of site looking southeast



View of site looking south



View from site looking west along entrance drive



METROPOLITAN DEVELOPMENT COMMISSION **November 21, 2024**
HEARING EXAMINER

Case Number: 2024-ZON-038

Property Address: 2602 North Harding Street

Location: Center Township, Council District #12

Petitioner: Earl Dixon

Current Zoning: D-5

Request: Rezoning of 0.152-acre from the D-5 district to the MU-2 district to provide for a community kitchen.

Current Land Use: Commercial Use

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the October 24, 2024 hearing, to the November 21, 2024 hearing, at the request of staff to provide time for discussions with the petitioner.

Additional information from the petitioner and further research resulted in discovery of a previous variance (66-V2-142) that permitted use of this site for a carry out barbeque restaurant, along with construction of the existing building.

Subsequent discussions between staff and the petitioner resulted in an agreement to **withdraw this rezoning request and transfer the fees to file for a variance of use** that would allow a similar use as a community kitchen. It is staff's understanding that no retail sales would occur.



METROPOLITAN DEVELOPMENT COMMISSION **November 21, 2024**
HEARING EXAMINER

Case Number: 2024-ZON-090 (Amended)
Property Address: 9061 Crawfordsville Road (Approximate Address)
Location: Wayne Township, Council District #11
Petitioner: Mark & Kim Crouch
Current Zoning: C-3
Request: Rezoning of one acre from the C-3 district to the D-5II district to provide for residential use.
Current Land Use: Residential
Staff Recommendations: Approval
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This petition was continued for cause from the August 29, 2024 hearing to September 26, 2024 hearing at the request of the petitioner to allow additional time to amend the request.

This petition was automatically continued from the September 26, 2024 hearing to the October 24, 2024 hearing at the request of a registered neighborhood organization.

This petition was continued for cause from the from the October 24, 2024 hearing to the November 21, 2024 hearing at the request of a remonstrator.

STAFF RECOMMENDATION

Staff **recommends approval** of the request.

PETITION OVERVIEW

LAND USE

The one-acre subject site is located in the Town of Clermont and is developed with a two-family dwelling and is surrounded by single-family dwellings to the east and west, zoned C-3, to the south by single-family dwellings, zoned D-4, and to the north by commercial uses, zoned C-3.

REZONING

The grant of the request would rezone the site from the C-3 district to the D-5II district to provide for residential use.



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

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

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

STAFF ANALYSIS

Staff is supportive of the rezoning to the D-5II district because it would allow for residential uses to be permitted in line with the context of the surrounding area and historical residential use of the site per a 1915 Sanborn Map. The dwelling district would also align with the village mixed-use recommendation of the Comprehensive Plan that contemplates a variety of housing types.

GENERAL INFORMATION

Existing Zoning	C-3		
Existing Land Use	Residential		
Comprehensive Plan	Village Mixed-Use		
Surrounding Context	Zoning	Land Use	
	North:	C-3	Commercial
	South:	D-4	Residential (Single-family dwellings)
	East:	C-3	Residential (Single-family dwelling)
	West:	C-3	Residential (Single-family dwelling)
Thoroughfare Plan			
Crawfordsville Road	Primary Arterial Street	95-foot proposed right-of-way and 50-foot existing right-of-way.	
Ben Hur Avenue	Local Street	48-foot proposed right-of-way and 23-foot existing right-of-way.	
Context Area	Compact		
Floodway / Floodway Fringe	No		



Overlay	No
Wellfield Protection Area	No
Site Plan	October 15, 2024
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Infill Housing Guidelines (2021)
- Indy Moves Transportation Integration Plan (2018)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends village mixed-use development of the site.
- The Village Mixed-Use typology creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.
- **Conditions for All Land Use Types**
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
 - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.



Department of Metropolitan Development
Division of Planning
Current Planning

- Where possible, contributing historic buildings should be preserved or incorporated into new development.
- **Conditions for All Housing**
 - Should be within a one-quarter-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
 - Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
- **Detached Housing**
 - The house should extend beyond the front of the garage. Garages should be loaded from an alley or sides street when possible and should be detached if located on the side of the house.
- **Attached Housing**
 - Recommended without additional conditions.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- **BUILDING ELEVATIONS AND ARCHITECTURAL ELEMENTS**
 - **1. Utilize Foundation Styles and Heights that are Consistent with Nearby Houses:** The height of the foundation affects where doors, porches, and windows are located. Unless there are special circumstances that require additional height, such as the location is in or near a floodplain, the foundation height for new construction should be consistent with nearby buildings.
 - **2. Be Consistent with Surrounding Entry Locations:** Main entries should be visible from the street. Entries should not be hidden, obscured, or missing from the main street elevation (front). The entry should reflect a similar characteristic to those that surround it, such as formal or casual, recessed or flush, narrow or wide.
 - **3. Where Appropriate, Include Porches or Stoops:** Use context to determine if front porches are consistent elements used in the neighborhood. If so, add porches or stoops to new construction.
 - **4. Coordinate the Location and Door Style of Balconies with the Surrounding Neighborhood:** Balconies are common architectural elements in some neighborhoods, but uncommon in others. Balconies along the street should be used when appropriate.



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- When a balcony is used, consider the appropriate door access for the type of balcony. For example, Juliet balconies, which are intended to bring the outside in, make the most sense when French doors are used.
- **5. Consider Nearby Roof Styles:** The basic outline of a new building should reflect building outlines typical of the area. Roof selection and overall height contribute to the building outline. Select roof shapes that are frequently used in the neighborhood.
 - **6. Fenestration Should Relate to the Surrounding Context:** Windows and doors should be arranged on buildings so as not to conflict with the basic fenestration patterns in the neighborhood. The proportion of glass (windows) to solid materials (wood, bricks, and other materials) which is found within the surrounding context should be reflected in new construction. Every elevation (sides and rear) should have windows on each story to help break up the monotony of the façade.
 - **7. Materials Used Should Reflect the Context of the Neighborhood:** Introducing new materials that are not used in the existing context should be done in a way where those materials are not the dominant material and make up less than 30% of the overall façade design.
 - **8. Consider Unique Neighborhood Features:** In addition to the architectural features mentioned above, consider other common features like chimneys, dormers, gables, and overhanging eaves that shape the character of a neighborhood. When possible, include these features into new construction.

Indy Moves

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

- The Indy Moves Transportation Integration Plan (2018) recommends a multi-use path along Crawfordsville Road.



ZONING HISTORY

Zoning History - Vicinity

2022-UV1-017; 9067 Crawfordsville Road (west of site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish automobile, motorcycle and light vehicle service and repair (not permitted), **withdrawn**.

94-UV3-126; 9110 Crawfordsville Road (northwest of site), Variance of use of the Commercial Zoning Ordinance to provide for the construction of an addition to an existing single-family residence (not permitted), **granted**.

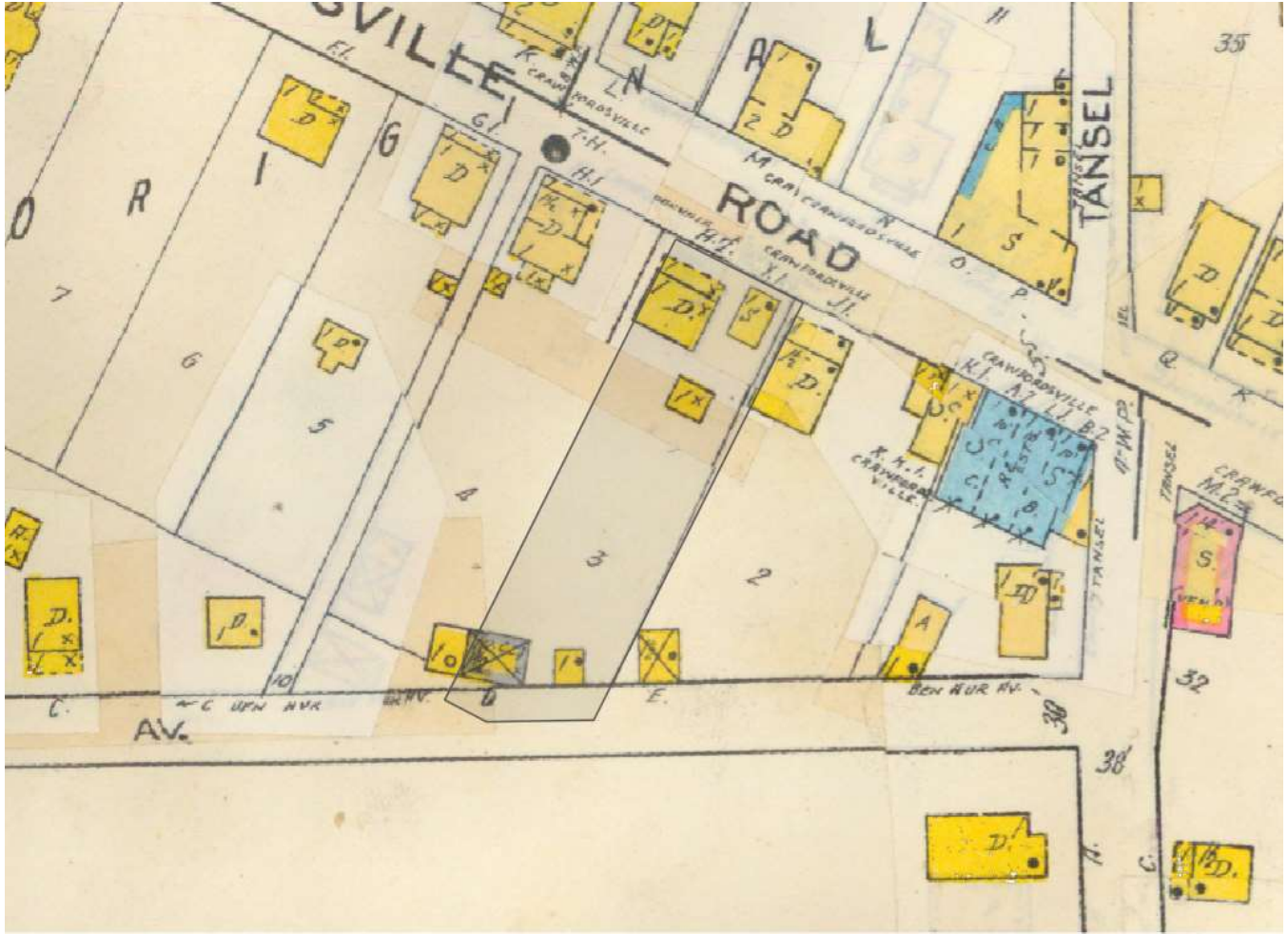
93-UV2-119; 9054 Crawfordsville Road (northeast of site), Variance of use of the Commercial Zoning Ordinance to provide for continued use of an automobile sales lot, approved for temporary period time, related to petition 91-UV2-107 (expired on October 15, 1993), **granted**.

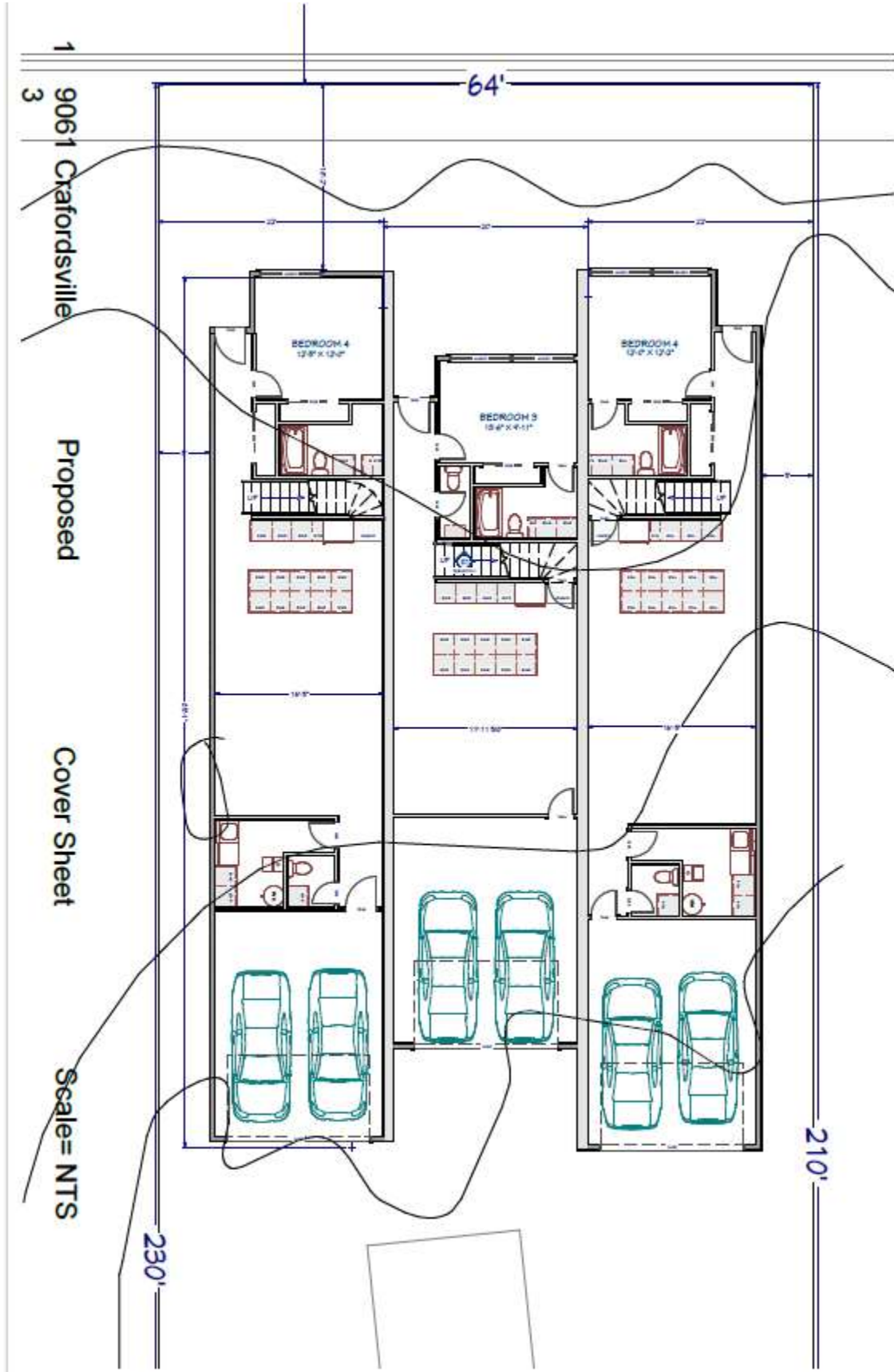
91-UV2-107; 9054 Crawfordsville Road (northeast of site), Variance of use of the Commercial Zoning Ordinance to permit the continued use of an automobile sales lot, **approved**.

86-UV2-109; 9054 Crawfordsville Road (northeast of site), Variance of use to utilize existing C-3 zoned site (former gas station) for the outdoor display and sales of automobiles, **granted**.

80-Z-121; 9122 Crawfordsville Road (northwest of site), Rezoning of 0.68 acre, being in C-3 district, to C-S classification, to provide for further commercial development, **denied**.

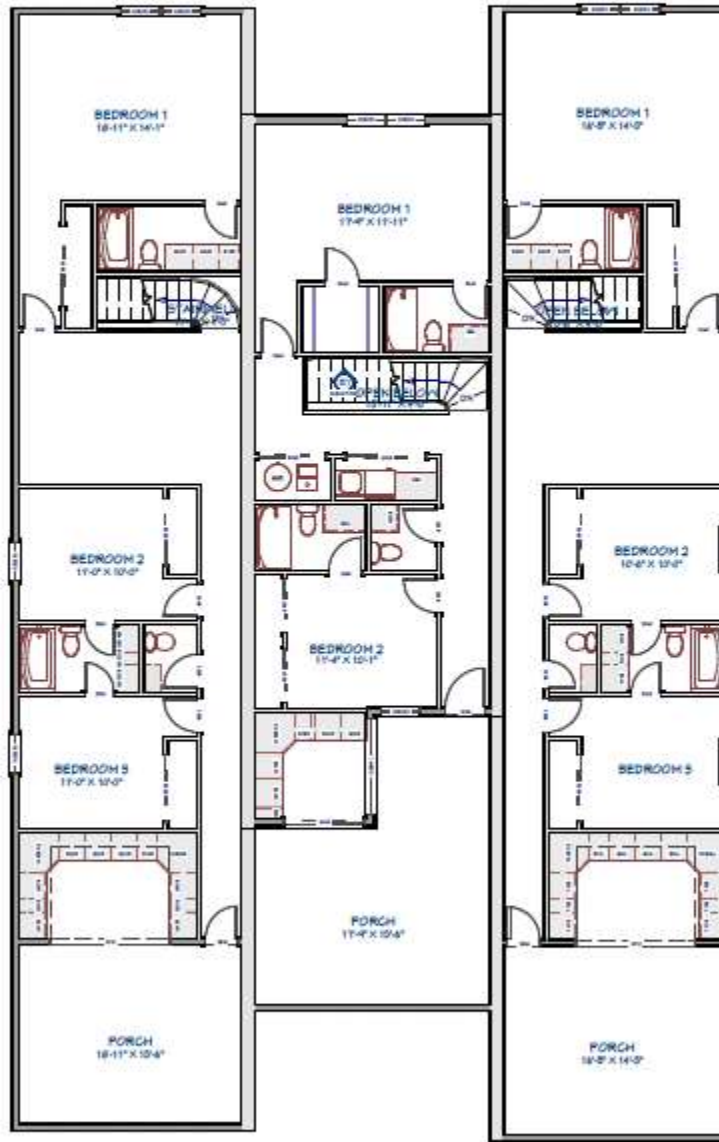
1915 SANBORN MAP.





2
3 9061 Crafordsville

Scale=



LIVING AREA
328 SQ FT
2nd Floor



Photo of the subject site.



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



Photo of the rear yard of the site.



Photo of the rear yard of the site.



Photo of existing accessory structures on site.



Photo of existing accessory structures on site.



Photo of single-family dwellings south of the site.



Photo of single-family dwelling and commercial uses east of the site.



Photo of a laundromat north of the site.



METROPOLITAN DEVELOPMENT COMMISSION **November 21, 2024**
HEARING EXAMINER

Case Number: 2024-ZON-094
Property Address: 622 South Keystone Avenue
Location: Center Township, Council District #18
Petitioner: Shelly Mills, by David Gilman
Current Zoning: D-5
Request: Rezoning of 0.820 acre from the D-5 to the D-5II district to provide a multi-family row housing development.,
Current Land Use: Single-family dwelling
Staff Recommendations: Denial.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the September 12, 2024 hearing to the October 10, 2024 hearing, at the request of the petitioner’s representative.

The Hearing Examiner continued this petition from the October 10, 2024 hearing, to the October 24, 2024 hearing, and to the November 21, 2024 hearing, to provide additional time for staff to review development options recently submitted.

STAFF RECOMMENDATION

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

1. Final site plan and elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).
2. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.
3. A 24-half right-of-way shall be dedicated along the frontage of South Keystone Avenue, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).



PETITION OVERVIEW

This 0.820-acre site, zoned D-5, is developed with a single-family dwelling and accessory buildings. It is surrounded by single-family dwellings to the north and south; a single-family dwelling to the east, across South Keystone Avenue; and an accessory building to the west, all zoned D-5.

Petitions 88-V3-83 and 90-UV1-3 provided for the preparation and delivery of meals to those unable to leave the house. Both variances expired after one year from the grant of the variance.

REZONING

The request would rezone the site to the D-5II (walkable neighborhood) district. “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.”

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

The Comprehensive Plan recommends traditional neighborhood typology for the site.

As proposed, this request would be consistent with the Comprehensive Plan, depending upon how the site is developed and the resulting density. However, the proposed development options that have been submitted would not be consistent with the Pattern Book guidelines or the Infill Housing Guidelines and would be detrimental to and incongruent with the surrounding neighborhood character of single- and two-family dwellings and the density would be as high as 19.5 units per acre.

In accordance with The Patten Book, attached housing should be located at intersections of collector streets. The proposed development would be mid-block and along a local street.

Furthermore, staff views this request as spot zoning because it would introduce a new district into a district that has been D-5. Spot zoning is the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners. Obviously, the D-5II district would be residential but the proposed development options submitted to the file would be “totally different from that of the surrounding area.”



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Staff is also concerned with elevations that were submitted because they would not be architecturally compatible or harmonious with the surrounding land uses and neighborhood character. Consequently, staff would request that elevations be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).

Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 24-foot half right-of-way along South Keystone Avenue. This dedication would also be consistent with the Marion County Thoroughfare Plan.

Environmental Public Nuisances

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

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

Environmental public nuisance means:

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

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



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GENERAL INFORMATION

Existing Zoning	D-5		
Existing Land Use	Single-family dwelling / accessory buildings		
Comprehensive Plan	Traditional Neighborhood		
Surrounding Context	Zoning	Land Use	
	North:	D-5	Single-family dwelling
	South:	D-5	Single-family dwellings
	East:	D-5	Single-family dwellings
	West:	D-5	Accessory building
Thoroughfare Plan			
South Keystone Avenue	Local Street	Existing 45-foot right-of-way and proposed 48-foot right-of-way.	
Context Area	Compact		
Floodway / Floodway Fringe	No		
Overlay	No		
Wellfield Protection Area	No		
Site Plan	August 2, 2024		
Site Plan (Amended)	September 25, 2024, September 30, 2024, October 3, 2024		
Elevations	August 2, 2024		
Elevations (Amended)	N/A		
Landscape Plan	N/A		
Findings of Fact	N/A		
Findings of Fact (Amended)	N/A		
C-S/D-P Statement	N/A		

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Traditional Neighborhood typology. The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. **Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible.** A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of five to 15 dwelling units per acre, but a



higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.”

Pattern Book / Land Use Plan

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

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

- *Conditions for All Land Use Types – Traditional Neighborhood Typology*
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
 - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- *Conditions for All Housing*
 - A mix of housing types is encouraged.
 - Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
 - Primary structures should be no more than one and a half times the height of other adjacent primary structures.
 - Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
 - Developments with densities higher than 15 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.
- *Attached Housing (defined as duplexes, triplexes, quads, townhouses, row houses, stacked flats, and other, similar legally complete dwellings joined by common walls and typically with each unit on its own lot or part of a condominium).*
 - Duplexes should be located on corner lots, with entrances located on different sides of the lot.
 - It is preferred that townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood-serving retail.



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- If the above conditions are not met, individual buildings of attached housing (not part of a complex) may be interspersed with single-family homes but should not make up more than 25% of the primary residential structures on a block.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- The Infill Housing Guidelines (2021)
- The Infill Housing Guidelines were updated and approved in May 2021, with a stated goal “to help preserve neighborhood pattern and character by providing guiding principles for new construction to coexist within the context of adjacent homes, blocks, and existing neighborhoods. These guidelines provide insight into basic design concepts that shape neighborhoods, including reasons why design elements are important, recommendations for best practices, and references to plans and ordinance regulations that reinforce the importance of these concepts.”
- These guidelines apply to infill development in residential areas within the Compact Context Area and include the following features:
 - Site Configuration
 - Front Setbacks
 - Building Orientation
 - Building Spacing
 - Open Space
 - Trees, Landscaping, and the Outdoors
 - Aesthetic Considerations
 - Building Massing
 - Building Height
 - Building Elevations and Architectural Elements
 - Additional Topics
 - Secondary Dwelling Units, Garages, and Accessory Structures
 - Adapting to the Future



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

Indy Moves

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

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



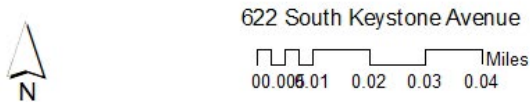
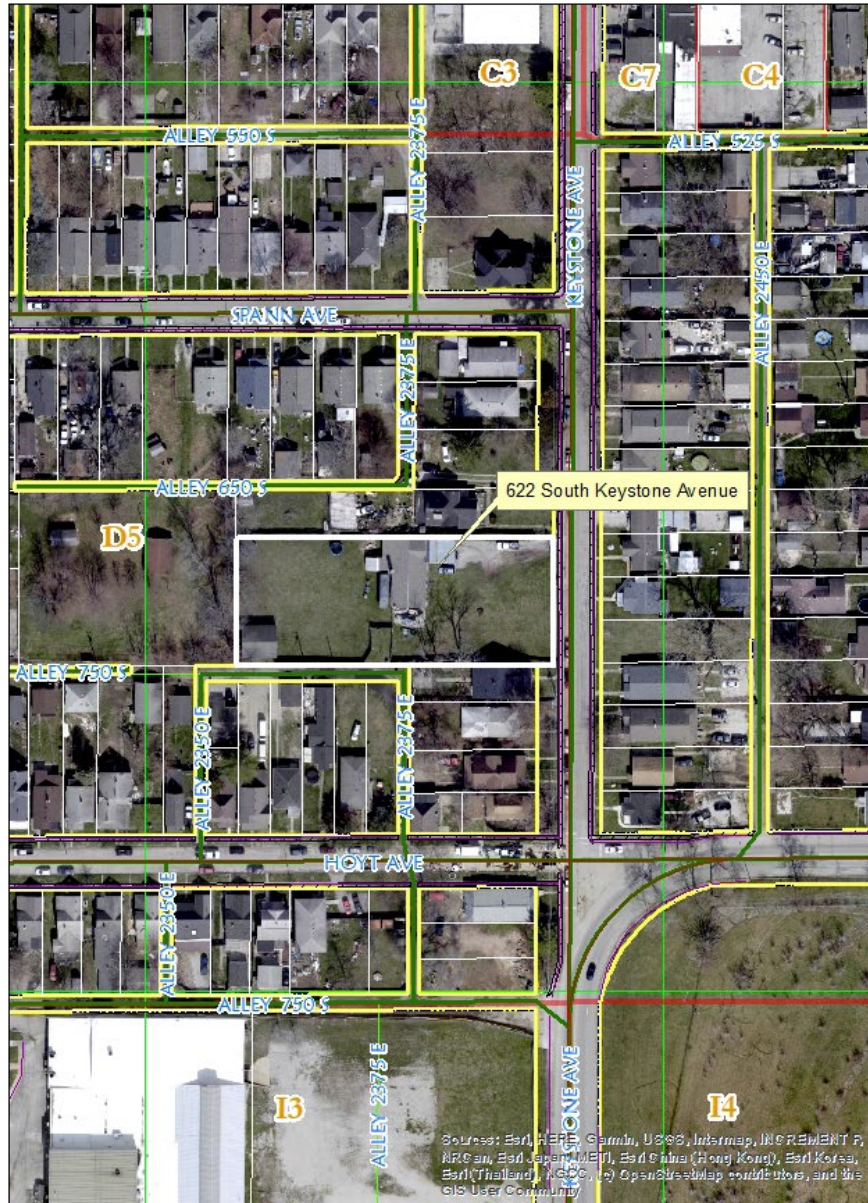
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ZONING HISTORY

88-V3-83; 622 South Keystone Avenue, requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for the reuse of an existing building for the preparation and dispensing of meals to the poor and homeless, **granted for one year**.

90-V1-23; 622 South Keystone Avenue, requested a variance of use of the Dwelling Districts Zoning Ordinance to permit a Mission on Wheels to provide meals on site and by delivery to citizens unable to leave their homes, **granted for one year**.

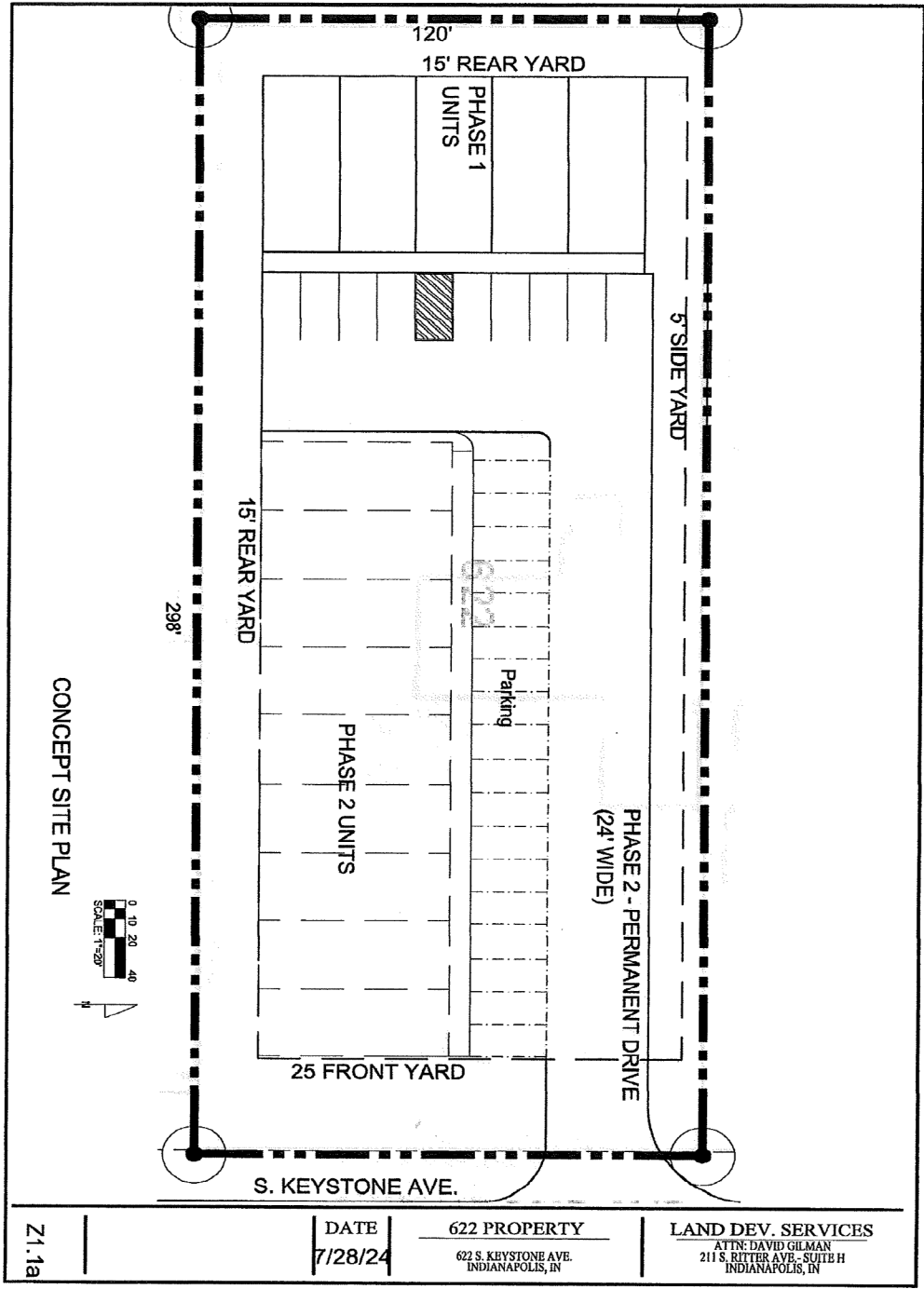
EXHIBITS





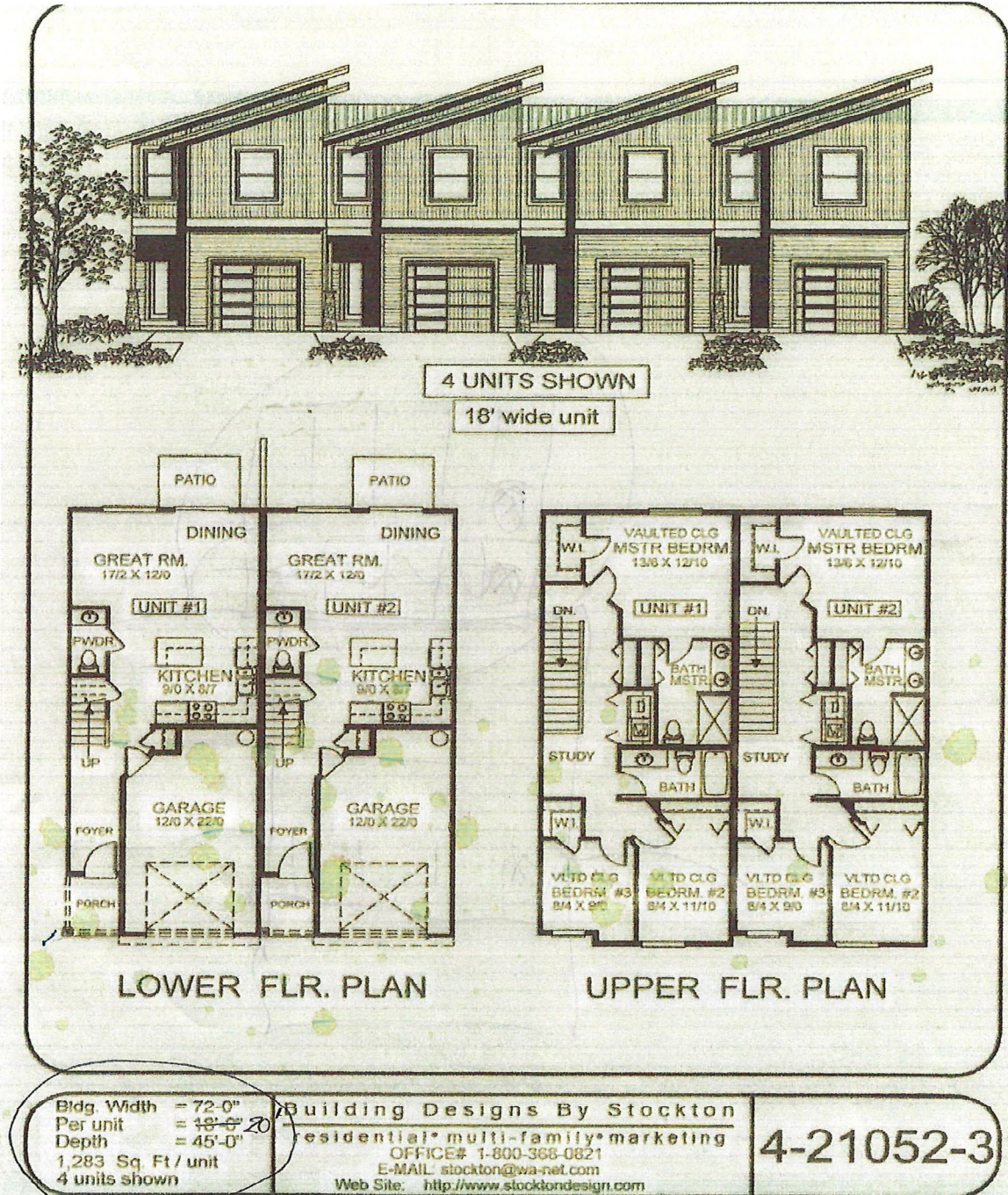
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Site Plan – August 2, 2024

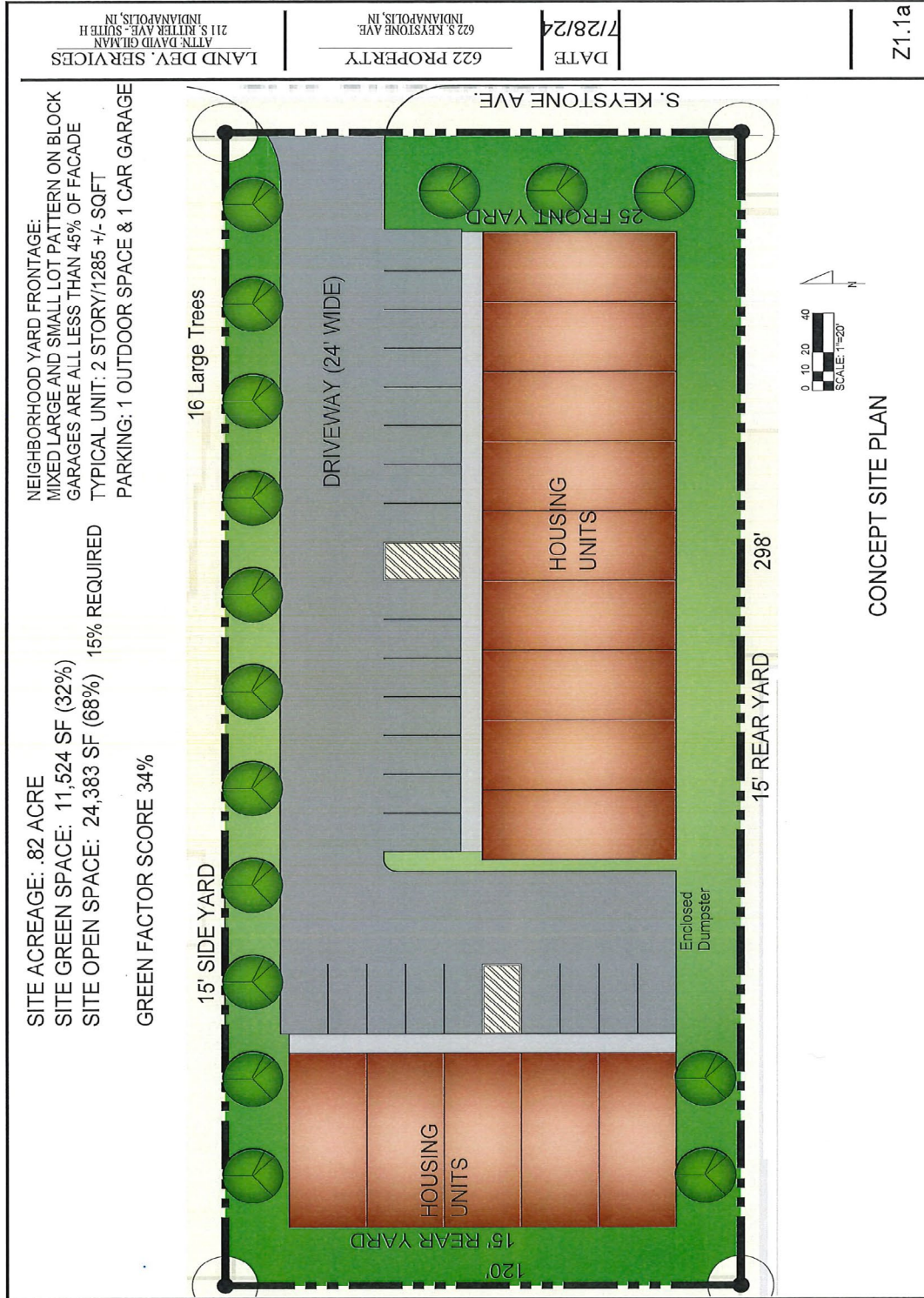


Z1.1a	DATE 7/28/24	622 PROPERTY 622 S. KEYSTONE AVE. INDIANAPOLIS, IN	LAND DEV. SERVICES ATTN: DAVID GILMAN 211 S. RITTER AVE - SUITE H INDIANAPOLIS, IN
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Elevations – August 2, 2024



Site Plan - September 30, 2024





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Site Plan – October 3, 2024





View looking north along South Keystone Avenue



View looking south along South Keystone Avenue



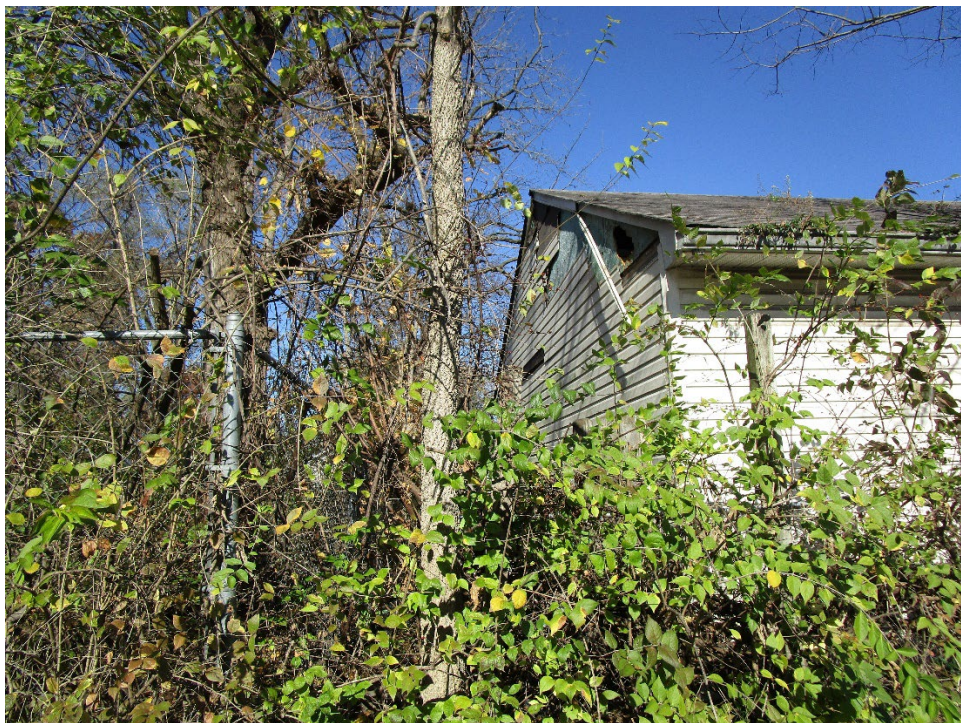
View of site looking west across South Keystone Avenue



View of site looking west across South Keystone Avenue



View looking west across South Keystone Avenue at adjacent property to the north



View of site looking east from alley



View of site looking east from alley



View of site looking southeast from alley



METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER **November 21, 2024**

Case Number: 2024-ZON-106

Property Address: 511 and 600 South Tibbs Avenue

Location: Wayne Township, Council District #17

Petitioner: Insight Engineering, Inc., by Donald W. Fisher

Current Zoning: 1-2 (FF)

Request: Rezoning of 2.33 acres from the I-2 (FF) district to the C-7 (FF) district to provide for heavy truck services and parking.,

Current Land Use: Industrial Uses

Staff Recommendations: Denial.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the September 26, 2024 hearing to the October 24, 2024 hearing, at the request the petitioner’s representative.

The Hearing Examiner acknowledged a timely automatic continuance filed by a registered neighborhood organization that continued this petition from the October 24, 2024 hearing, to the November 21, 2024 hearing.

STAFF RECOMMENDATION

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

1. Final site plan and elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).
2. A 44-foot half right-of-way shall be dedicated along the frontage of South Tibbs Avenue, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).



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Additionally, staff is requesting the dedication of a 20-foot-wide right-of-way along the southern boundary of the site beginning at the South Tibbs Avenue right-of-way and continuing east for approximately 302 feet to provide for the future construction of the Eagle Creek Greenways Trail (See Exhibit A). 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.

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.

PETITION OVERVIEW

This 2.33-acre site, zoned I-2 (FF), is comprised of two parcels developed with outdoor storage of trucks and trailers. It is surrounded by heavy commercial uses to the north, zoned C-7 (FF); a single-family dwelling to the south, zoned D-5; outdoor storage to the east, zoned I-3 (FF); and an outdoor movie theatre to the west, across South Tibbs Avenue, zoned D-A (FF).

Petition 94-Z-16 rezoned the site to the I-2-S district to provide for construction of a small office and facility for the storage of vehicles / equipment and minimal outside storage of equipment for an environmental contracting firm.

This site is the subject of a violation (VIO12-00084) issued on January 5, 2023, followed by many citations and subsequent legal action (LGL24-00246 and LGL24-00244) filed on May 1, 2024 for outdoor storage of junk, outdoor storage of vehicle parts, use of the property in violation of the Zoning Ordinance and failure to comply with development standards.

The request would rezone the site to the C-7 (High intensity commercial) district. "The C-7 District is designed to provide specific areas for commercial uses which have unusually incompatible features relative to other commercial uses, such as major outdoor storage or display of sizeable merchandise and the outdoor parking and storage of trucks, materials, or equipment essential to the operation of these uses. Many of these uses generally are not visited by customers, but rather involve service operations from headquarters with some on-site fabrication of parts. The nature of operation or appearance are more compatible with industrial than retail commercial activities. Because of the character and intensity of these uses, this district should be appropriately located on major commercial arterial thoroughfares and near interstate freeways, but not in close association with those commercial activities involving shopping goods, professional services, restaurants, food merchandising, and the like. **Due to the intensity of uses, location of this district should never be adjacent to protected districts.**"

The Comprehensive Plan recommends light industrial typology for the western portion of the site and park for eastern portion of the site, including the second parcel.



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Light industrial uses create minimal emissions of light, odor, noise, or vibrations. Examples include warehousing and logistics facilities. These land uses do not use, store, produce, emit, or transport hazardous materials. Additionally, operations occur within enclosed buildings to minimize impact on surrounding land uses.

As proposed, this request would not be consistent with either of the Comprehensive Plan recommendations of light industrial or park.

The light industrial typology is contemplated to be the I-1 and I-2 districts, which are not permitted within 500 feet of a protected district and with limitations on outdoor storage. Outdoor storage and operations are limited to 25% of the total gross area of enclosed buildings. There is a residential neighborhood abutting the site to the south and across South Tibbs Avenue to the west.

The Plan recommendation for park would provide for the planned Eagle Creek Greenway Trail proposed to run along the southern boundary of this site. Staff is, therefore, requesting a 20-foot dedication of right-of-way for construction of the greenway, 10-foot landscaped buffer and a privacy fence.

Staff would note that the required transitional side yard setback, as the site is zoned, is 30 feet but aerials show zero transitional side yard setback along the southern boundary. Except for an approximately 28-foot wide hard-surfaced apron at the entrance gate, the site appears to be unpaved. The Ordinance requires that parking areas be developed with a durable and dust-free surface.

The C-7 district is a heavy commercial land use, with unlimited outdoor storage and a 20-foot transitional side yard setback, would be detrimental to the residential neighborhood to the south and west. Furthermore, it is in direct conflict with the Pattern Book guidelines and recommendations.

The request is for heavy truck services and parking. Because no information has been submitted that details this use, how the business would operate (Plan of Operation) and site development (site plan), staff believes the request would be impactful and negatively impact surrounding land uses, particularly the nearby residential uses.

Staff believes the existing I-2 district developed in accordance with the Ordinance and the Comprehensive Plan recommendation of light industrial is appropriate. Any more intense commercial or industrial uses would not be appropriate or supportable.

Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 44-foot half right-of-way along South Tibbs Avenue This dedication would also be consistent with the Marion County Thoroughfare Plan.



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The Department of Public Works, Trails and Greenways Section, has requested the dedication and conveyance of a 20-foot-wide right-of-way along the southern boundary beginning at the right-of-way of South Tibbs Avenue to the east approximately 302 feet, which would provide space for connection to the Eagle Creek Trail that is planned to enter the site along the southern boundary. Additionally, a 10-foot landscaped area would be provided along the northern edge of the trail, with a wooden privacy fence to provide a buffer for the trail. This dedication would also be consistent with the Greenways Master Plan.

Floodway / Floodway Fringe

This site has a secondary zoning classification of Floodway Fringe (FF). The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. However, this site lies within the unregulated 500-year floodway fringe.

Environmental Public Nuisances

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

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

Environmental public nuisance means:

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

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

GENERAL INFORMATION

Existing Zoning	I-2 (FF)	
Existing Land Use	Truck and trailer storage	
Comprehensive Plan	Light Industrial typology / Park	
Surrounding Context	Zoning	Land Use
North:	C-7 (FF)	Heavy commercial uses
South:	D-5 (FF)	Single-family dwelling
East:	I-3 (FF)	Industrial uses
West:	D-A (FF)	Outdoor drive-in theatre
Thoroughfare Plan		
South Tibbs Avenue	Primary arterial	Existing 48-foot right-of-way and proposed 88-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	Yes. 500-year unregulated floodplain	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	N/A	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Light Industrial typology. The light industrial typology provides for industrial uses, production, distribution, and repair uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Typical uses include warehousing, self-storage, assembly of parts, laboratories, wholesaling, and printing. Industrial or truck traffic should be separated from local/residential traffic.



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- Although “park” is not defined in the Pattern Book, staff believes that a “linear park” would be applicable. “This land use category is intended for public or private property designated for active or passive recreation and is primarily used for the passage of people or wildlife. Examples are greenways, parkways, trails, off-street paths, and conservation areas.”

Pattern Book / Land Use Plan

- The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.
- The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:
- *Light Industrial Uses*
 - Industrial truck traffic should not utilize local, residential streets.
 - Streets internal to industrial development must feed onto an arterial street.
 - Removed as a recommended land use where they would be adjacent to a living or mixed-use typology.
- *Heavy Commercial Uses*
 - Removed as a recommended land use where they would be adjacent to a living typology.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

- The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”
- The following listed items describe the purpose, policies and tools:
 - Classify roadways based on their location, purpose in the overall network and what land use they serve.
 - Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
 - Set requirements for preserving the right-of-way (ROW)
 - Identify roadways for planned expansions or new terrain roadways
 - Coordinate modal plans into a single linear network through its GIS database
- Indy Greenways Full Circle Master Plan – Part One (2014). Part One deals with completing the existing planned system and addresses improvements and repairs to the existing system.
 - Eagle Creek Greenway (21.2 miles) links to northwest Indianapolis, Zionsville, Eagle Creek Park, Speedway and downtown via Little Eagle Creek
 - This greenway connects to Farm Heritage Trail in Zionsville, 86th / 82nd Street Commercial Connector, Northtown Trail, B & O Trail, P & E Trail (Speedway) and White River Greenway



ZONING HISTORY

94-Z-16; 511 South Tibbs Avenue, requested rezoning of 2.4 acres from the D-5 district to the I-2 S districts, to provide for the construction of a small office and facility for the storage of vehicles / equipment and minimal outside storage of equipment for an environmental contracting firm, **approved**.

VICINITY

99-UV3-105, 505 South Tibbs Avenue (north of site), requested a variance of development standards of the Commercial Zoning Ordinance and the Industrial Zoning Ordinance to legally establish a gravel parking lot for truck and trailers, associated with truck and tractor sales and a variance of use and development standards of the Industrial Zoning Ordinance to provide for truck and trailer sale, **granted**.

78-UV1-21; 505 South Tibbs Avenue (north of site), requested a variance of use to permit automobile salvage business, **granted**.

71-V1-28; 505 South Tibbs Avenue (north of site), requested a variance of use to permit a vehicle and equipment rental business, wrecking and demolition business, business offices, sanitary landfill, excavation, and the storage of used and wrecked automobiles, **granted**.

70-V3-62; 505 South Tibbs Avenue (north of site), requested a variance of development standards to permit the construction of a garage, **granted**.

67-UV2-242; 505 South Tibbs Avenue (north of site), requested a variance of use to permit the operation of a landfill **granted (temporary)**.

EXHIBITS

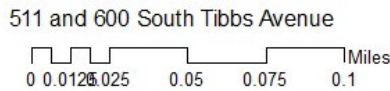


EXHIBIT A – ROW DEDICATION

2204 Tibbs Truck Service, 511 S Tibbs Ave



10/17/2024

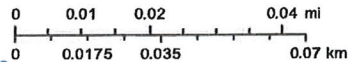
- Parcel
- Streets
- Easement

////// TIBBS R/W $\approx 138' \times 24' = 3,312 \text{ SF} = 0.076 \text{ ACRES}$

XXXXXX TRAIL DEDICATION
 $\approx 20' \times 302' = 6,040 \text{ SF} = 0.139 \text{ ACRES}$

TOTAL = 0.215 ACRES

1:1,440



DWF
 11/12/24

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

DWF
 11/12/24



View looking south along South Tibbs Avenue



View looking north along South Tibbs Avenue



View of sit looking southeast across South Tibbs Avenue



View of site looking west at entrance



View of site looking northeast



View looking northeast across South Tibbs Avenue at adjacent property to the north



View from site looking northwest across South Tibbs Avenue



View from site looking west across South Tibbs Avenue



View from site looking southwest across South Tibbs Avenue



METROPOLITAN DEVELOPMENT COMMISSION **November 21, 2024**
HEARING EXAMINER

Case Number: 2024-ZON-119

Property Address: 134 and 142 West 30th Street and 3006 Kenwood Avenue (Approximate Address)

Location: Center Township, Council District #8

Petitioner: M S One Investments LLC, by Mark and Kim Crouch

Current Zoning: C-4

Request: Rezoning of 0.22-acre from the C-4 district to the D-8 district to provide for four single-family detached dwellings.

Current Land Use: C-4

Staff Recommendations: Approval

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

ADDENDUM FOR NOVEMBER 21, 2024 HEARING EXAMINER

The petitioner submitted a second amended site plan on November 6, 2024 that showed a better indication that the D-8 standards could be met with a few changes to the setbacks and revised building layout at the corner lot. However, to ensure that variances would not be requested in the future staff will be requesting this as a commitment.

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

1. A 39-foot half right-of-way shall be dedicated along the frontage of 30th Street, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
2. All D-8 development standards shall be met in accordance with Table 742.103.03 and Table 744-701-2 for Terrace Frontage.

October 24, 2024

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends denial** of the request as submitted.

If the petitioner were to commit to meeting the D-8 district standards, then staff could recommend approval subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

3. A 39-foot half right-of-way shall be dedicated along the frontage of 30th Street, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
4. All D-8 development standards shall be met in accordance with Table 742.103.03 and Table 744-701-2 for Terrace Frontage.

PETITION OVERVIEW

LAND USE

The 0.22-acre subject site is comprised of three undeveloped parcels (1050958, 1006618, and 1004743) to be combined and subdivided later.

The sites are surrounded to the west by a liquor store across the alley, zoned C-3, to the north by a two-family dwelling, zoned D-3, to the east by a parking garage and storage area, zoned C-S, and to the south by a fire station, zoned SU-9.

REZONING

This petition would rezone this site from the C-4 district to the D-8 district to allow for single-family residential development.

The C-4 District is designed to provide for the development of major business groupings and regional-size shopping centers to serve a population ranging from a community or neighborhoods to a major segment of the total metropolitan area. These centers may feature a number of large traffic generators such as home improvement stores, department stores, and theatres. Even the smallest of such freestanding uses in this district, as well as commercial centers, require excellent access from major thoroughfares. While these centers are usually characterized by indoor operations, certain permitted uses may have limited outdoor activities, as specified.

The 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



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Plan, and the Traditional Neighborhood, City Neighborhood, and Village or Urban Mixed-Use Typologies of the Land Use Pattern Book.

DEPARTMENT OF PUBLIC WORKS

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 39-foot half right-of-way along 30th Street. This dedication would also be consistent with the Marion County Thoroughfare Plan.

STAFF ANALYSIS

Staff is recommending denial of the request as submitted because there are concerns with the proposed layout of the site shown in both site plans since there would need to be multiple variances requested for the development of the single-family dwellings.

The amended site plan would require variances for the corner lot for deficient front and rear yards and for not having the front entrance location on east side front façade. Additionally, front loaded garages are prohibited along 30th Street per the Terrace Frontage standards and there is the possibility of deficient landscaping for the proposed lots. The standards noted in Table 742.103.03 for Detached House – Compact Lot would apply for single-family dwellings and so would the standards in Table 744-701-2 for Terrace Frontage.

If the petitioner were to commit to meeting all D-8 development standards and providing the right-of-way dedication as requested by DPW, then staff could recommend approval of the request.

Staff would be supportive of the rezoning to the D-8 district because it would allow for residential uses to align with the context of the surrounding area and would increase the housing stock although it would deviate from the community commercial recommendation of the Comprehensive Plan.

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Undeveloped	
Comprehensive Plan	Community Commercial	
Surrounding Context	Zoning	Land Use
	North:	D-8 Residential (Two-family dwelling)
	South:	SU-9 Fire Station
	East:	C-S Parking Garage and Storage area
	West:	C-3 Liquor Store
Thoroughfare Plan		
30 th Street	Primary Arterial Street	78-foot proposed right-of-way and 50-foot existing right-of-way
Kenwood Avenue	Local Street	48-foot proposed right-of-way and 50-foot existing right-of-way.



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Context Area	Compact
Floodway / Floodway Fringe	No
Overlay	Yes
Wellfield Protection Area	No
Site Plan	September 19, 2024
Site Plan (Amended)	October 10, 2024
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Red Line Transit-Oriented Development Strategic Plan (2021)
- Infill Housing Guidelines (2021)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends community commercial development at this site.
- The Community Commercial typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.
- Although the Comprehensive Plan does not contemplate residential uses, the residential use of the sites would increase the housing stock and would provide additional dwellings in an area where it would be suitable and in line with the context of the surrounding area.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The subject site falls within the Red Line Transit-Oriented Development Strategic Plan (2021) but does not fall within the Transit Oriented Development Secondary District.



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- The site would be within ¼ mile of the 30th Street and Meridian Street transit station, which is classified as a district center typology.
- Development around this station should be a dense mixed-use hub for multiple neighborhoods with tall buildings, minimum of three stories at core with no front or side setbacks, multi-family housing with a minimum of 5 units, and structured parking only with active first floor.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

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



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- construction. Every elevation (sides and rear) should have windows on each story to help break up the monotony of the façade.
- **7. Materials Used Should Reflect the Context of the Neighborhood:** Introducing new materials that are not used in the existing context should be done in a way where those materials are not the dominant material and make up less than 30% of the overall façade design.
 - **8. Consider Unique Neighborhood Features:** In addition to the architectural features mentioned above, consider other common features like chimneys, dormers, gables, and overhanging eaves that shape the character of a neighborhood. When possible, include these features into new construction.

Indy Moves

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

- A bike lane exists along 30th Street from Harding Street to Illinois Street.

ZONING HISTORY

Zoning History - Vicinity

2023-ZON-129; 3050 North Illinois Street (east of site), Rezoning of 3.31 acres from the C-S (TOD) district to the C-S (TOD) district to provide for a storage building and Modification of Site Plan related to 2003-ZON/VAR-805 and 2004-APP-041 to provide for an updated site plan to include the proposed storage building. **withdrawn.**

2008-ZON-036; 2946 North Capitol Avenue and 2943 Boulevard Place (southwest of site), Rezoning of 0.98 acre, from the C-4 and D-8 Districts to the SU-1 classification to provide for religious uses, **approved.**

2004-ZON-840; 3001 North Capitol Avenue (west of site), Rezoning of 0.32 acre from C-4 and D-8 to C-3 to legally establish and provide for the expansion of a liquor store; **approved.**

2003-ZON-805; 3130 North Illinois (east of site) Rezoning of 3.91 acres, being in the D-8 and C-4 Districts, to the C-S classification to provide for a parking garage and pedestrian bridge, **approved.**

2000-ZON-137; 2950 Kenwood Avenue (south of site), Rezoning 0.07 acre, being in the D-8 District to the SU-9 classification to provide for the construction of a fire station, **approved.**

2000-ZON-029; 2959 North Capitol Avenue (southwest of site), Rezoning of 0.30 acre from C-3 to SU-9 to provide for a fire station; **approved.**

99-CP-19Z; 2850 – 2960 North Meridian Street, 2869 North Illinois Street, 2870-2960 North Illinois Street (southeast of site) Rezoning 15.03 acres from the C-1 (RC), C-2 (RC), D-8 (RC) and D-9 (RC) to the C-S (RC) to provide for corporate offices, corporate guest housing, conference center, retreat center, banquet facilities, leasable office space, child care, a religious use, and retail operations, **approved.**

98-Z-1; 2946 North Kenwood Avenue (south of site), Rezoning of 0.61 acre from D-8 to SU-9, to provide for the expansion of a fire station, **granted.**

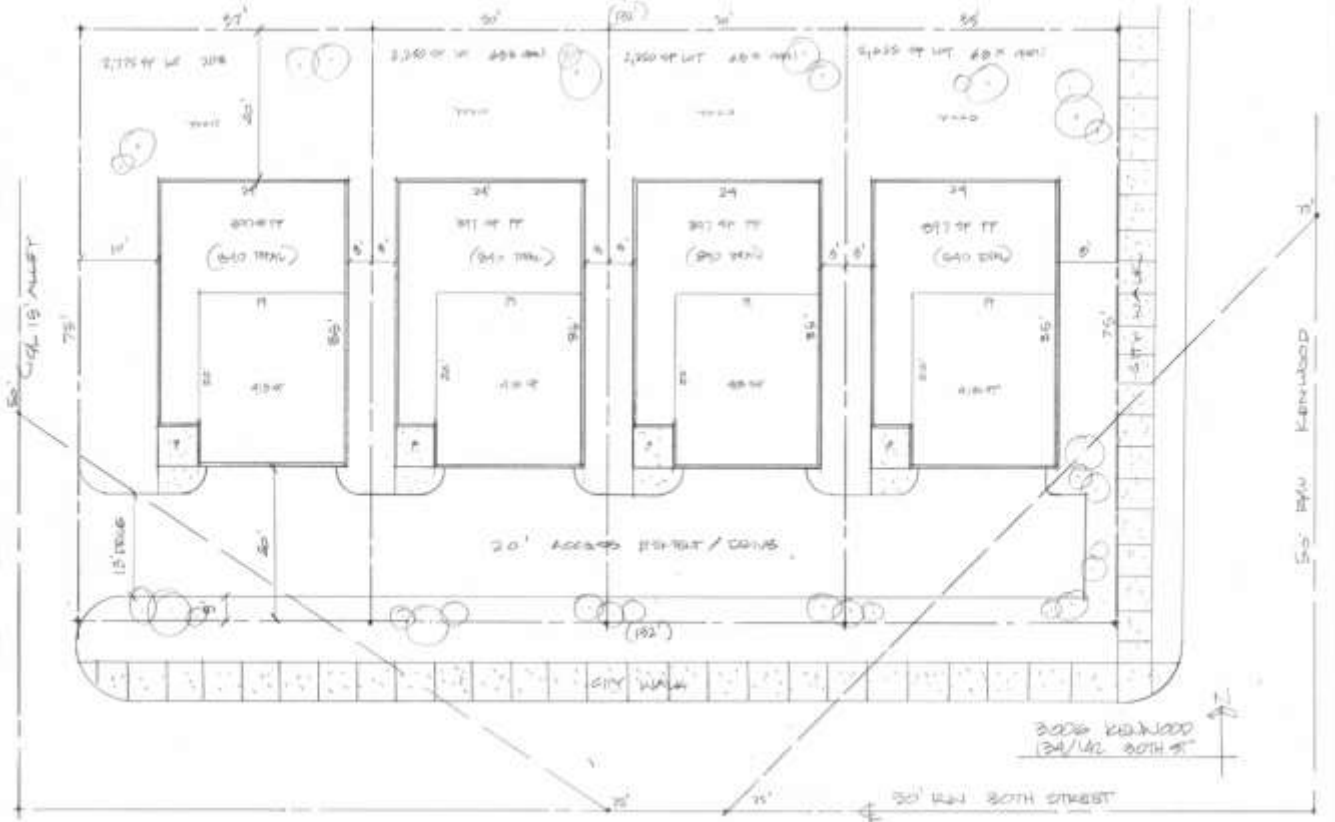
96-Z-50; 2960, 2952, and 2946 North Capitol Avenue (southwest of site), Rezoning of 14 acres from C-4 and D-8 to SU-1 to provide for the construction of a new church and fellowship hall, **withdrawn.**

93-Z-61; 3051-3131 North Illinois Street, 3130 North Meridian Street 120 West 30th Street, 3009-3043 North Kenwood Avenue; (east of site) Rezoning of 5.0 acres from C-4, D-8 and D-9 to C-S, to provide for parking, **approved.**

EXHIBITS



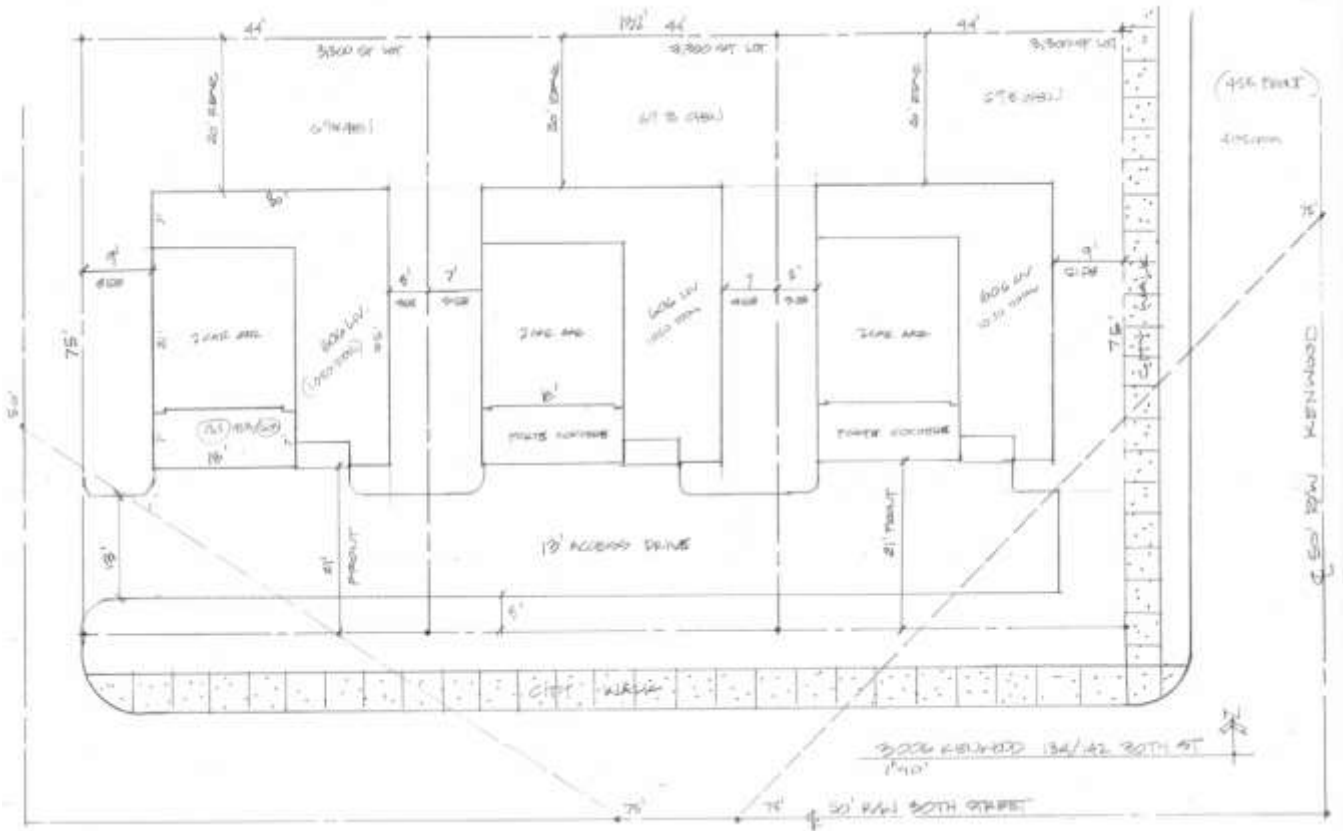
SITE PLAN





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AMENDED SITE PLAN





2ND AMENDED SITE PLAN

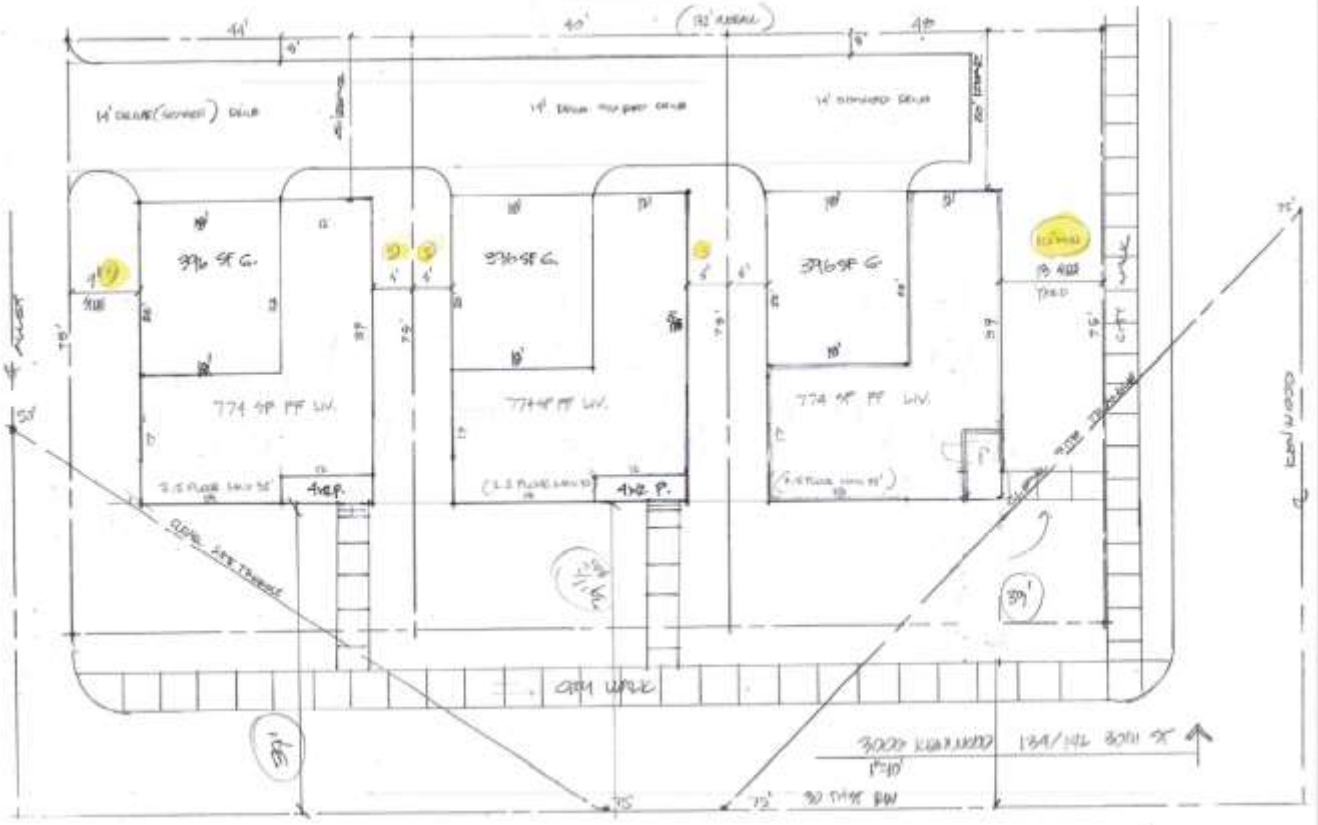




Photo of the subject site looking north from 30th Street.



Photo of the subject site looking west from Kenwood Avenue.



Photo of the two-family dwelling north of the site.



Photo of the fire station south of the site.



Photo of the alley west of the subject site looking north from 30th Street.



Photo of the liquor store west of the site.



METROPOLITAN DEVELOPMENT COMMISSION **November 21, 2024**
HEARING EXAMINER

Case Number: 2024-CVR-841 / 2024-CPL-841
Property Address: 3359 Carrollton Avenue (Approximate Address)
Location: Center Township, Council District #8
Petitioner: INDYCHEN, LLC., by David Gilman
Current Zoning: D-5

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for two, multi-unit dwellings, with a five-foot corner side yard for the dwelling and zero-foot corner side yard for the sidewalk and parking space along 34th Street on Lot 1 (minimum eight-foot corner side yard required), and zero-foot north and south side setbacks for sidewalks on Lot 2 (two-foot side setbacks required for minor residential features), with a zero-foot rear setback on Lot 2 for the detached garage (minimum five feet required).

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

Current Land Use: Undeveloped
Staff Recommendations: Approval
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

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

STAFF RECOMMENDATION

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

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

Staff recommends that the Hearing Examiner **approve** and find that the plat, file-dated September 19, 2024 complies with the standards of the Subdivision regulations, subject to the following conditions:

- 1. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
- 2. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.



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3. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
4. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
5. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording
6. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
7. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
10. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.

PETITION OVERVIEW

LAND USE

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

VARIANCE OF DEVELOPMENT STANDARDS

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

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

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



PLAT

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

STREETS

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

SIDEWALKS

Sidewalks are existing along Carrollton Avenue and 34th Street.

STAFF ANALYSIS

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

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

GENERAL INFORMATION

Existing Zoning	D-5		
Existing Land Use	Undeveloped		
Comprehensive Plan	5 to 8 Residential Units per Acre		
Surrounding Context	Zoning	Land Use	
	North:	D-5	Residential (Single-family dwelling)
	South:	D-5	Residential (Single-family dwelling)
	East:	D-5	Undeveloped
	West:	D-5	Residential (Single-family dwelling)
Thoroughfare Plan			
34 th Street	Primary Collector Street	56-foot proposed right-of-way and 60-foot existing right-of-way.	
Carrollton Avenue	Local Street	48-foot proposed right-of-way and 50-foot existing right-of-way.	
Context Area	Compact		
Floodway / Floodway Fringe	No		
Overlay	Yes		



Wellfield Protection Area	No
Site Plan	September 19, 2024
Site Plan (Amended)	October 30, 2024
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	September 27, 2024
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

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

Infill Housing Guidelines

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



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

Indy Moves

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

- Not Applicable to the Site.

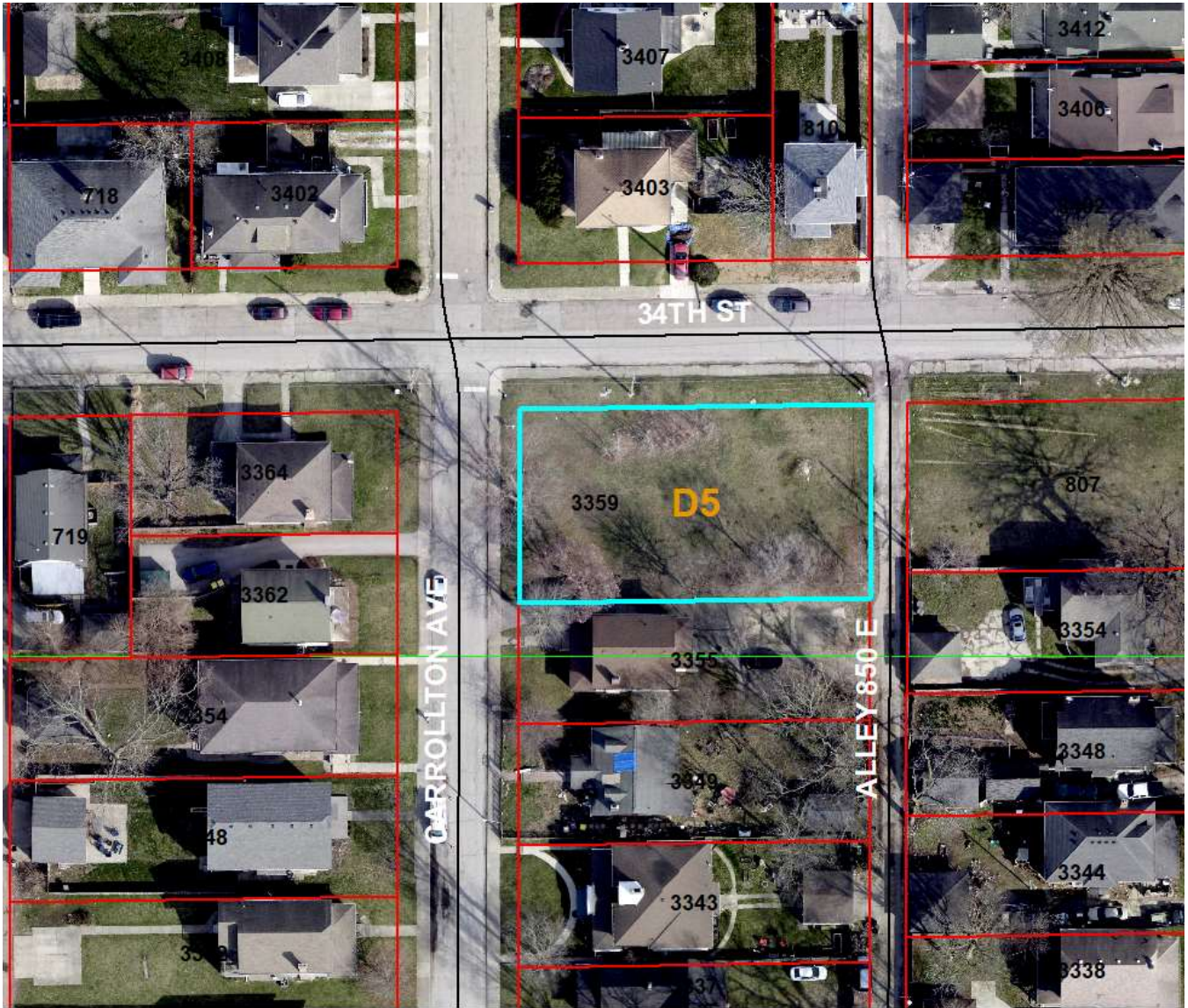


ZONING HISTORY

Zoning History – Vicinity

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

EXHIBITS





Department of Metropolitan Development
Division of Planning
Current Planning

Preliminary Plat

LOT ADDRESSES:
Lot 1: 3337 Carrollton Avenue, Indianapolis, IN
Lot 2: 3337 Carrollton Avenue, Indianapolis, IN

LEGEND:
N 82°42'00" W - 145.10' (LOT 1)
S 82°42'00" W - 145.10' (LOT 2)

14TH STREET
30' R/W

CARROLLTON AVENUE
30' R/W

LOT 1
(1,786 SQUARE FEET)
N 82°42'00" E - 145.00'

LOT 2
(1,786 SQUARE FEET)
S 82°42'00" W - 145.10'

LOT 328

SECONDARY PLAT OF:
OSGOOD CARROLLTON DUPLEXES
A RE-SUBDIVISION OF LOT 227 IN OSGOOD'S FOREST PARK 4TH SECTION
INDIANAPOLIS, CENTER TOWNSHIP, MARION COUNTY, INDIANA

RESIDENT:
The undersigned, _____, of Marion County, Indiana, do hereby certify that I am the owner of record of the land herein described and that I have the right to make and execute the same and that I have not and will not be under any legal obligation to anyone else to execute the same.

SEE RECORDS:
The undersigned, _____, do hereby certify that I have the right to make and execute the same and that I have not and will not be under any legal obligation to anyone else to execute the same.

STATE OF INDIANA:
I, _____, of Marion County, Indiana, do hereby certify that I am the owner of record of the land herein described and that I have the right to make and execute the same and that I have not and will not be under any legal obligation to anyone else to execute the same.

APPROVED:
The undersigned, _____, of Marion County, Indiana, do hereby certify that I am the owner of record of the land herein described and that I have the right to make and execute the same and that I have not and will not be under any legal obligation to anyone else to execute the same.

DATE: _____, 2024

STATE OF INDIANA:
I, _____, of Marion County, Indiana, do hereby certify that I am the owner of record of the land herein described and that I have the right to make and execute the same and that I have not and will not be under any legal obligation to anyone else to execute the same.

APPROVED:
The undersigned, _____, of Marion County, Indiana, do hereby certify that I am the owner of record of the land herein described and that I have the right to make and execute the same and that I have not and will not be under any legal obligation to anyone else to execute the same.

DATE: _____, 2024

LOCAL DESCRIPTION:
Lot 1 is located in the Forest Park 4th Section, as per plat thereof recorded in the Book 15, page 100 in the Office of the Recorder of Marion County, Indiana.

SECTION DESCRIPTION:
The undersigned, _____, do hereby certify that I am the owner of record of the land herein described and that I have the right to make and execute the same and that I have not and will not be under any legal obligation to anyone else to execute the same.

DATE: _____, 2024

APPROVED:
The undersigned, _____, of Marion County, Indiana, do hereby certify that I am the owner of record of the land herein described and that I have the right to make and execute the same and that I have not and will not be under any legal obligation to anyone else to execute the same.

DATE: _____, 2024

APPROVED:
The undersigned, _____, of Marion County, Indiana, do hereby certify that I am the owner of record of the land herein described and that I have the right to make and execute the same and that I have not and will not be under any legal obligation to anyone else to execute the same.

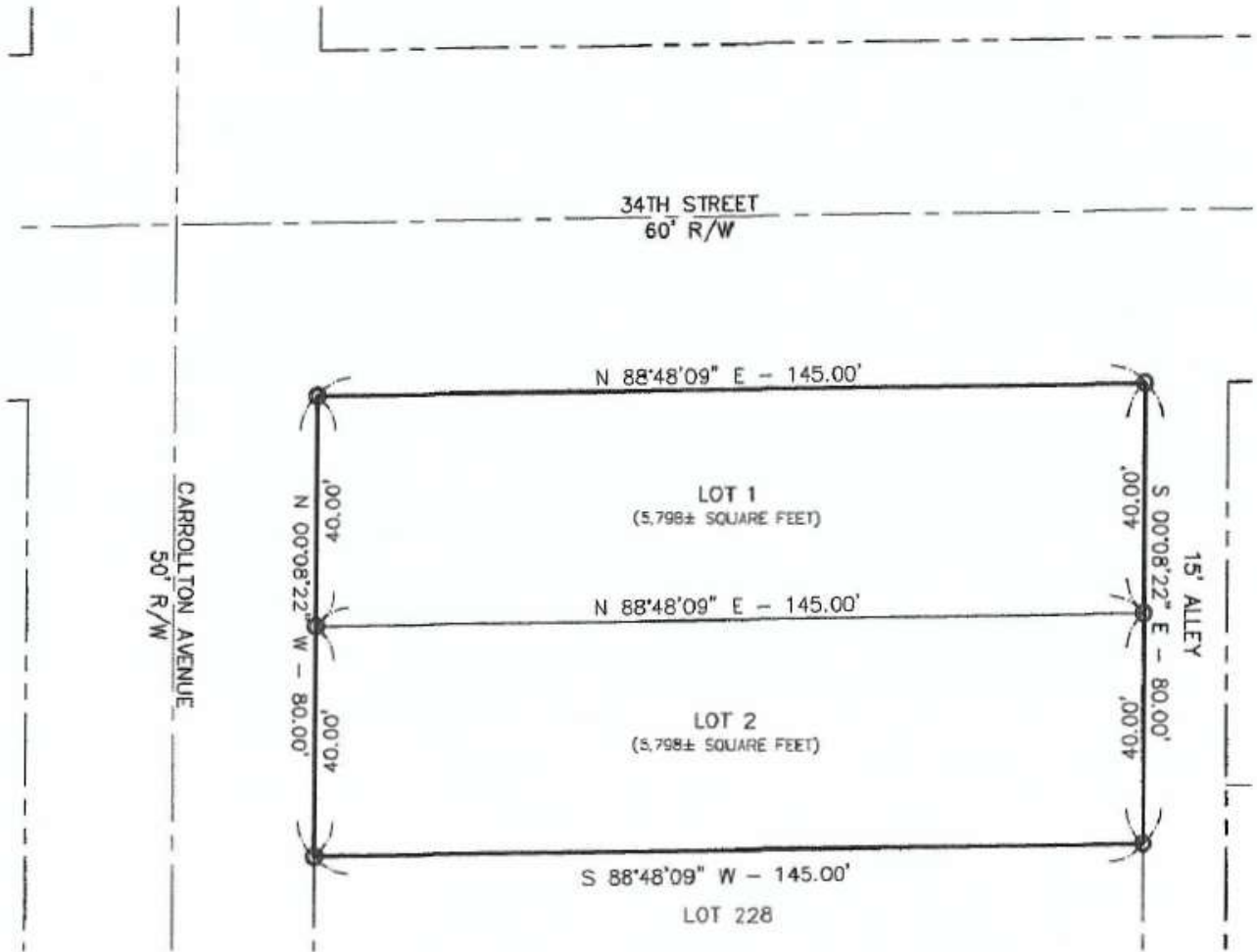
DATE: _____, 2024

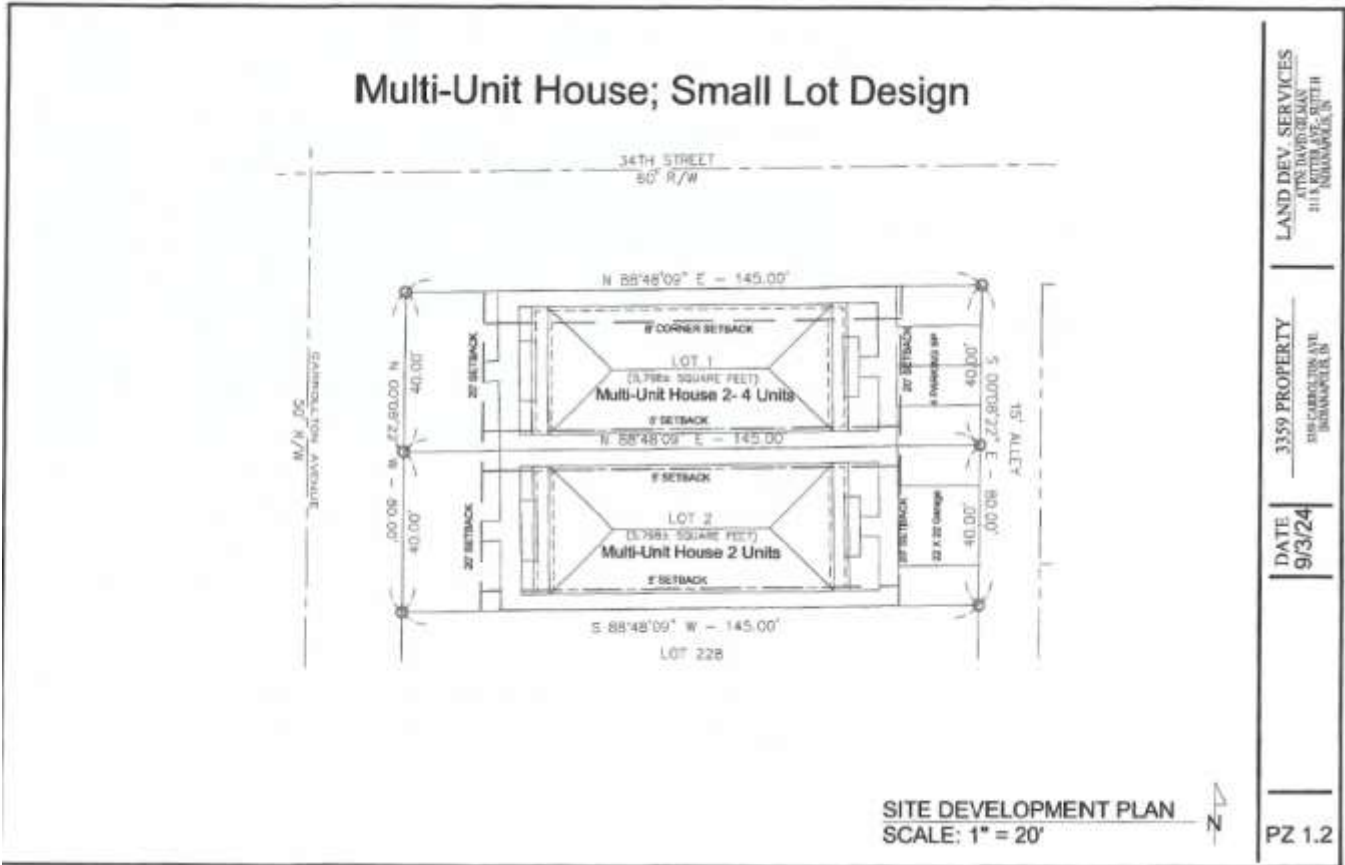
This instrument was prepared by:
S. Lee, Recorder
100 North Allen, Suite 100
Indianapolis, IN 46204



Department of Metropolitan Development
Division of Planning
Current Planning

Preliminary Plat (Close-Up)

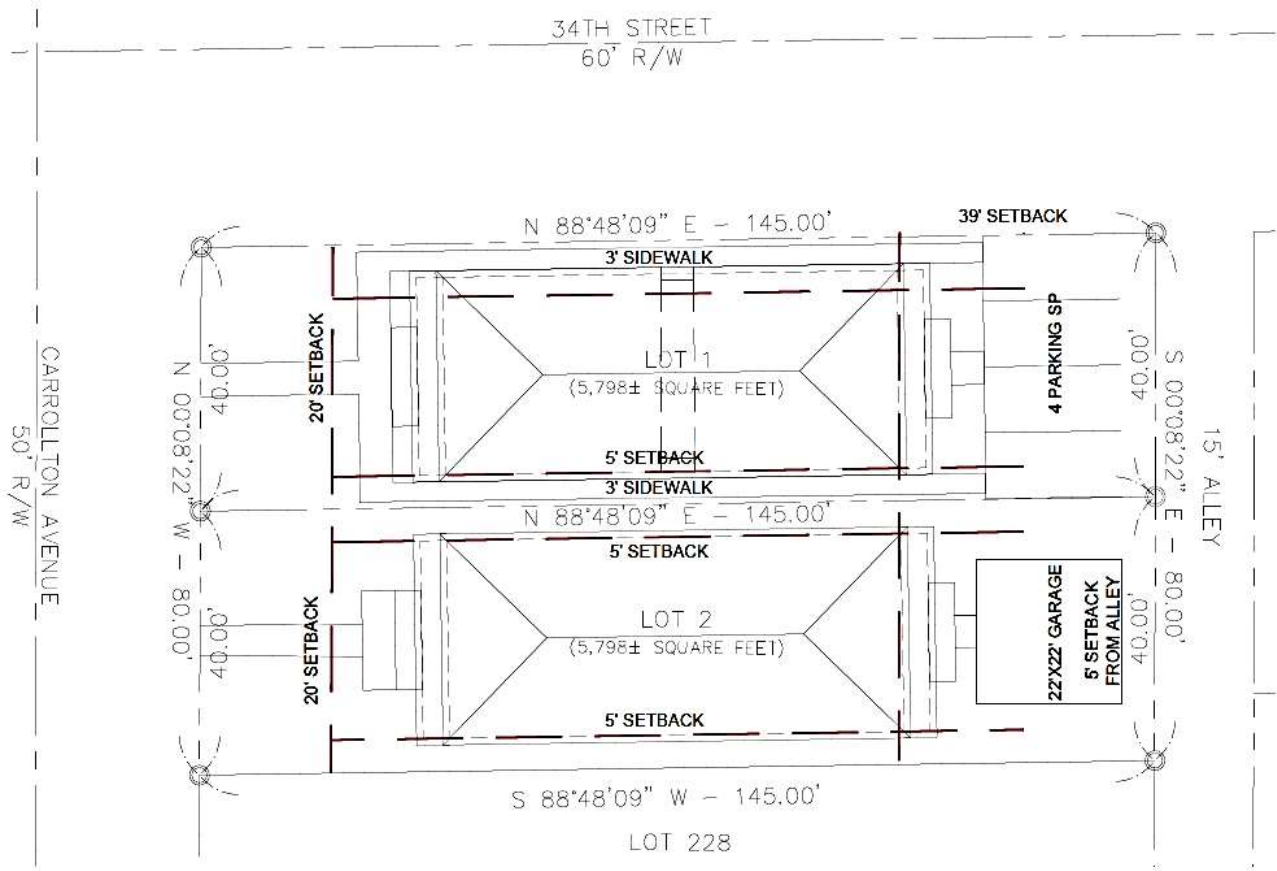






Department of Metropolitan Development
Division of Planning
Current Planning

AMENDED SITE PLAN

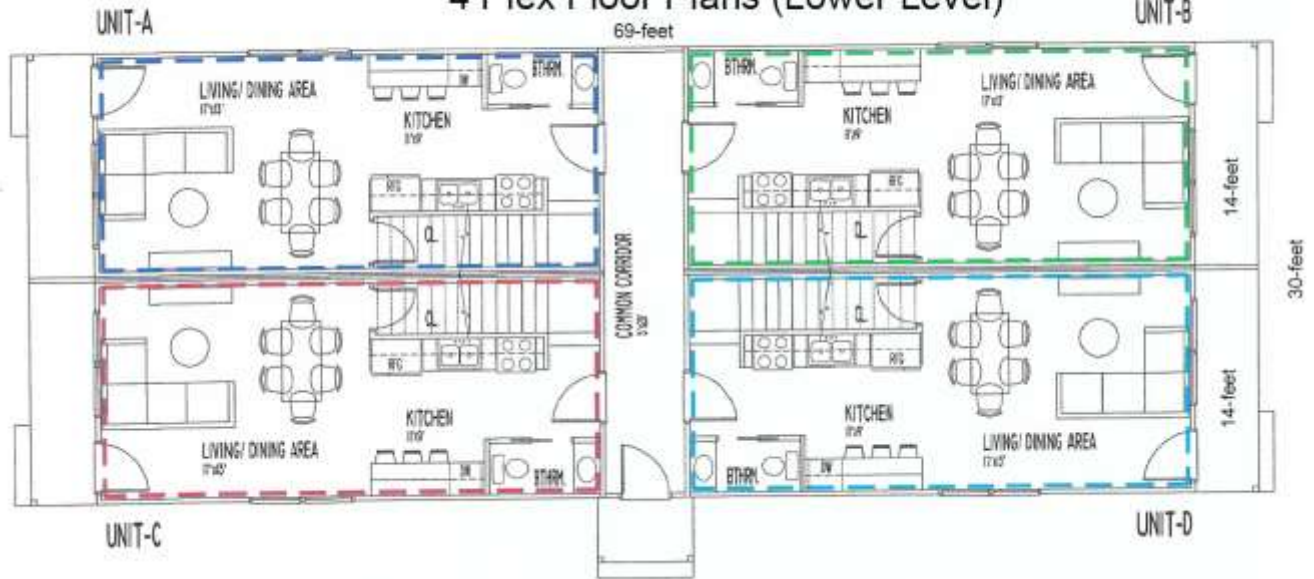


43% OPEN SPACE

SITE DEVELOPMENT PLAN
SCALE: 1" = 20'



4 Plex Floor Plans (Lower Level)



4 Plex Floor Plans (Upper Level)





PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

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

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

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

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

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

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



Photo of proposed Lot 1 looking east from Carrollton Avenue.



Photo of proposed Lot 2 looking east from Carrollton Avenue.



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



Photo of single-family dwellings west of the site.



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



Photo of an undeveloped lot east of the site.



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



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



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



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



METROPOLITAN DEVELOPMENT COMMISSION **November 21, 2024**
HEARING EXAMINER

Case Number: 2024-MOD-020

Property Address: 431 South Shortridge Road

Location: Warren Township, Council District #20

Petitioner: Bhullar Deol Properties, Inc., by Justin Kingen and David Kingen

Current Zoning: C-S

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

Current Land Use: Event Center

Staff Recommendations: No recommendation.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first public hearing on this petition.

STAFF RECOMMENDATION

No recommendation. If the request is approved, staff would request that approval be subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.

PETITION OVERVIEW

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

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



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

MODIFICATION

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

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

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

Environmental Public Nuisances

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

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

Environmental public nuisance means:

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



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

GENERAL INFORMATION

Existing Zoning	C-S	
Existing Land Use	Event Center	
Comprehensive Plan	Office Commercial	
Surrounding Context	Zoning	Land Use
North:	C-7	Truck parking
South:	D-A	Undeveloped land
East:	C-S	Railroad right-of-way
West:	C-1	Commercial uses
Thoroughfare Plan		
South Shortridge Road	Local Street	Existing 126-foot right-of-way and proposed 60-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	N/A	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

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

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

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.



Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

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

ZONING HISTORY

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

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

VICINITY

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

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

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

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

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

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

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

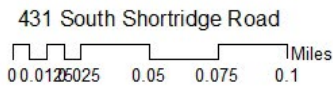
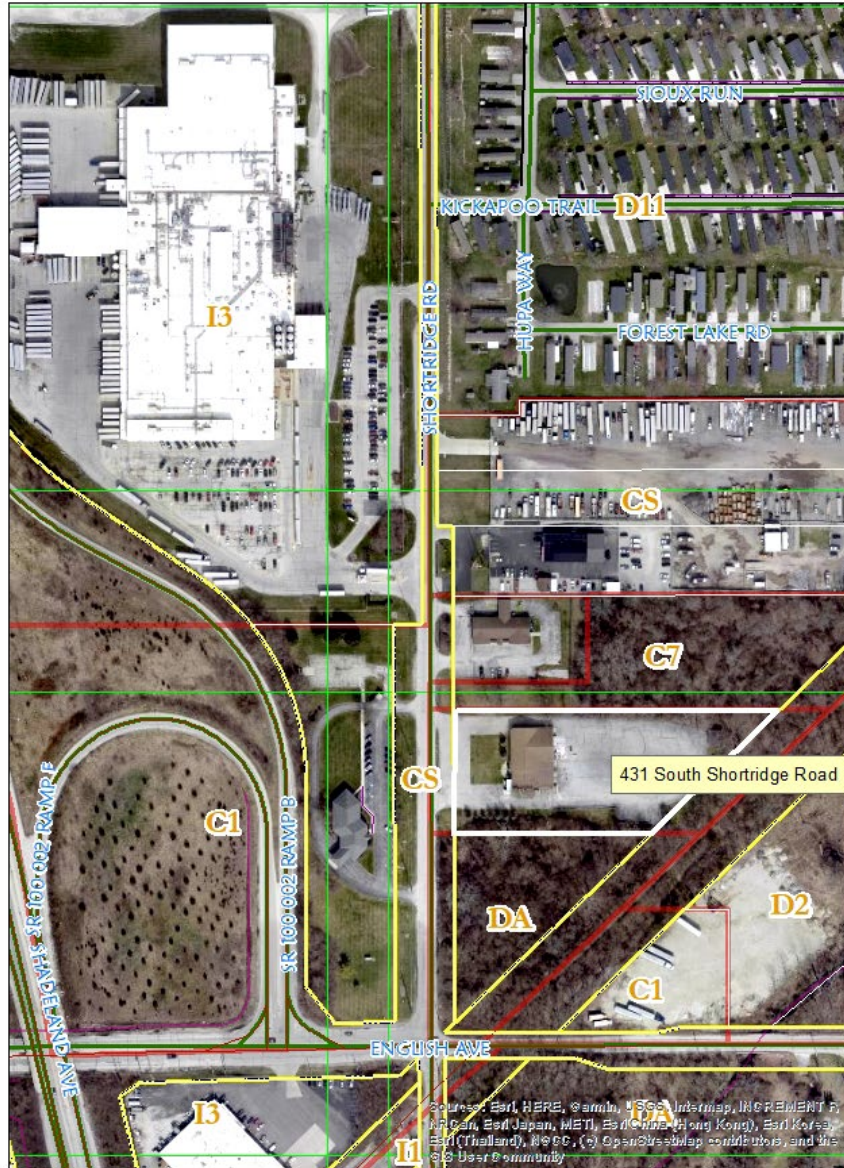


**Department of Metropolitan Development
Division of Planning
Current Planning**

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

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

EXHIBITS





Department of Metropolitan Development
Division of Planning
Current Planning

EXHIBIT A

A202300046117

06/07/2023 09:06 AM

**FAITH KIMBROUGH
MARION COUNTY IN RECORDER**

FEE: \$ 35.00

PAGES: 7

By: JS

KLH

STATEMENT OF COMMITMENTS

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

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

Legal Description: 431 South Shortridge Road (See Attached Exhibit "A")

Statement of COMMITMENTS:

1. The owner agrees to abide by the Open Occupancy and Equal Employment Opportunity Commitments required by Metropolitan Development Commission Resolution No. 85-R-69, 1985, which commitments are attached hereto and incorporated herein by reference as Attachment "A".
2. No sleeping shall be permitted between on the site.
3. No billboards or off-site advertising signs shall be permitted on the property.
4. No new Electronic Variable Message Signs (EVMS) or new pole signs shall be erected on the subject property.
5. All parking lot area shall be maintained and kept litter and weed free.
6. All parking areas shall be striped and marked for appropriate parking and access
7. All persons, visitors and attending events or coming to any office at the 431 South Shortridge Road site shall park on the private property of 431 South Shortridge Road and shall not park along the frontage of this site or any other site along South Shortridge Road in the public right of way or in the grass along the frontage of South Shortridge Road.
8. Trash containers shall be enclosed on three sides and have gates.
9. The existing tree line along the east and south properties lines of the site shall be preserved and maintained except for trimming of the existing trees and vegetation to continue to provide screening and buffering.
10. Only one ground sign (non-illuminated) or one pylon (non-illuminated) shall be permitted on the site.
11. All the additional landscaping with year around evergreens shall be installed prior to the use of the site.

MDC's Exhibit B -- page 1 of 6



①



Department of Metropolitan Development
 Division of Planning
 Current Planning

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

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

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

These COMMITMENTS shall be binding on the owner, subsequent owners of the real estate and other persons acquiring an interest therein; provided that Commitment #1 (Open Occupancy and Equal Opportunity Commitments) shall not be binding on an owner, subsequent owners or other person acquiring an interest therein if such persons are exempt persons or are engaged in an exempt activity as defined on Attachment "A" which is attached hereto and incorporated herein by reference. These COMMITMENTS may be modified or terminated by a decision of the Metropolitan Development Commission made at a public hearing after proper notice has been given.

COMMITMENTS contained in this instrument shall be effective upon:

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

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

These COMMITMENTS may be enforced jointly or severally by:

1. The Metropolitan Development Commission;
2. Owners of all parcels of ground adjoining the real estate to a depth of two (2) ownerships, but not exceeding six-hundred-sixty (660) feet from the perimeter of the real estate, and all owners of real estate within the area included in the petition who were not petitioners for the rezoning or approval. Owners of real estate entirely located outside Marion County are not included, however. The identity of owners shall be determined from the records in the offices of the various Township Assessors of Marion County which list the current owners of record. (This paragraph defines the category of persons entitled to receive personal notice of the rezoning or approval under the rules in force at the time the commitment was made);
3. Any person who is aggrieved by a violation of either of the Commitments contained in Commitment #1 (Open Occupancy and Equal Employment Opportunity Commitments);

The undersigned hereby authorizes the Division of Planning of the Department of Metropolitan Development to record this Commitment in the office of the Recorder of Marion County, Indiana, upon final approval of petition #2022-CZN-868.



View looking south along South Shortridge Road



View looking north along South Shortridge Road



View of site looking east across South Shortridge Road



View of site looking east across South Shortridge Road



View of site looking east



View of site looking southeast



View from site looking north



View from site looking southwest across South Shortridge Road



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

November 21, 2024

Case Number: 2024-ZON-125

Property Address: 4460 & 4498 North Keystone Avenue (Approximate Addresses)

Location: Washington Township, Council District #8

Petitioner: Mark and Kim Crouch

Current Zoning: D-5 (W-1) and C-3 (W-1)

Request: Rezoning of 0.42 acres from the D-5 (W-1) and C-3 (W-1) districts to the C-4 (W-1) district to provide for commercial uses.

Current Land Use: Auto Repair

Staff Recommendations: Denial

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends denial** of the request.

If approved against staff’s recommendation the approval shall be subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

1. A 52-foot half right-of-way shall be dedicated along the frontage of Keystone Avenue, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP)

PETITION OVERVIEW

LAND USE

The 0.42-acre subject site is developed with two commercial buildings currently utilized for a car repair and maintenance service business.



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

REZONING

The grant of the request would rezone the property from the D-5 (W-1) and C-3 (W-1) districts to the C-4 (W-1) district to allow for commercial 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 C-3 District is for the development of an extensive range of retail sales and personal, professional and business services required to meet the demands of a fully developed residential neighborhood, regardless of its size. Examples of such types of uses include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail and personal and professional service establishments. At this neighborhood scale of retail, a fine-grain of accessibility requisite for all modes of travel must be provided and maintained. It does not make provision, however, for those businesses that draw customers in significant numbers from well beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators, such as theaters. It does not allow those businesses that require the outdoor display, sale or storage of merchandise; or require outdoor operations. In general, to achieve maximum flexibility of permitted land use, the C-3 District makes possible a highly varied grouping of indoor retail and business functions.

The C-4 District is designed to provide for the development of major business groupings and regional-size shopping centers to serve a population ranging from a community or neighborhoods to a major segment of the total metropolitan area. These centers may feature a number of large traffic generators such as home improvement stores, department stores, and theatres. Even the smallest of such freestanding uses in this district, as well as commercial centers, require excellent access from major thoroughfares. While these centers are usually characterized by indoor operations, certain permitted uses may have limited outdoor activities, as specified.

WELLFIELD

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

There are two wellfield district designations. An area identified as W-1 is a one-year time-of-travel protection area. The W-5 is a five-year time-of-travel protection area. All development within these districts is subject to Commission approval.

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



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

DEPARTMENT OF PUBLIC WORKS

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 52-foot half right-of-way along Keystone Avenue. This dedication would also be consistent with the Marion County Thoroughfare Plan.

STAFF ANALYSIS

The southern subject parcel has historically been used as an office and the northern subject parcel was a fueling station with truck and trailer storage and rental. The site is currently operating an auto repair business with two commercial buildings on site.

Because of the existing Fall Creek W-1 Wellfield Protection District on site, staff is recommending denial of the rezoning to the C-4 district that allows uses that could cause additional contamination on the site. Furthermore, it is unclear to staff what type of business would be proposed on site although the site plan notes an existing gas station and fuel pumps that do not exist today.

If a fueling station were proposed, it would not be permitted since it is a prohibited use in the Wellfield Protection District. Additionally, the site would not be conducive for a fueling station if proposed since the site is difficult to exit considering the amount of traffic that runs along Keystone Avenue.

Staff recommended that the petitioner rezone to the C-3 district instead to align with the community commercial recommendation of the Comprehensive Plan and provide a less invasive district adjacent to the couple residential dwellings to the west.

GENERAL INFORMATION

Existing Zoning	D-5 (W-1) and C-3 (W-1)	
Existing Land Use	Auto Repair	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North: C-S	Automobile Sales
	South: C-3	Dental Office
	East: C-5	Retail
	West: I-1	Residential (Single-family dwelling)
Thoroughfare Plan		
Keystone Avenue	Primary Arterial Street	104-foot proposed right-of-way and 100-foot existing right-of-way.
45 th Street	Local Street	48-foot proposed right-of-way and 50-foot existing right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	



Department of Metropolitan Development
Division of Planning
Current Planning

Wellfield Protection Area	Yes
Site Plan	October 3, 2024
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019).

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends community commercial development of the site.
- The Community Commercial typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.
- **Conditions for All Land Use Types**
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
- **Small-Scale Offices, Retailing, and Personal or Professional Services**
 - Outdoor display of merchandise should be limited.
 - If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.
 - Should be located along an arterial or collector street.
 - If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
- **Large-Scale Offices, Retailing, and Personal or Professional Services**
 - Should be located along an arterial street.
 - Outdoor display of merchandise should be limited.
 - If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.



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

- If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
- Should be no larger than 25 acres with 125,000 square feet of floor space and no more than three out lots.
- A commercial rezoning of the site would align with this recommendation except for uses that would not be permitted in the wellfield protection district, which staff wants to prevent with the recommendation to lower the proposed commercial rezoning district to C-3.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

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

- Not Applicable to the Site.

ZONING HISTORY

Zoning History - Site

92-Z-150; 4456 and 4460 North Keystone Avenue (subject site), Rezoning of 0.92 acre, being in the D-5 District, to the C-3 classification to conform zoning with the present uses, **approved**.

77-UV3-14; 4498 North Keystone Avenue (subject site), Variance of use and development standards to continue open air storage and rental of 12 U-Haul trailers and 3 U-Haul trucks in conjunction with present service station, **granted**.

74-UV3-189; 4498 North Keystone Avenue (subject site), Variance of use and development standards to continue open air storage and rental of 12 U-Haul trailers and 3 U-Haul trucks in conjunction with present service station, **granted, temporary for 2 years**.

71-V2-16; 4460 North Keystone Avenue (subject site), Variance of use, setbacks, side and transitional yard requirements to erect an office building with pole sign, **granted**.

Zoning History - Vicinity

2023-UV2-006; 2320 Duke Street (southwest of site), Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the use of a rubber press, a Heavy Manufacturing operation (not permitted), **granted**.

2013-ZON-010; 4530 North Keystone Avenue (northwest of site), Rezoning of 2.9 acres, from the I-1-S (W-1) and D-5 (W-1) Districts to the C-S (W-1) classification to provide for I-2 uses and the rental of trucks, vans and trailers and the repair and maintenance of said vehicles, **approved**.

2008-ZON-827; 4510 North Keystone Avenue (north of site), Rezoning of 0.5 acre, from the D-5 (W-1) and I-2-S (W-1) Districts to the C-4 (W-1) classification to provide for general commercial uses, **approved with commitments**.

2003-UV3-035; 2219 East 45th Street (west of site), Variance of Use of the Industrial Zoning Ordinance to provide for a printing shop, **approved**.

99-HOV-32; 2301 East 46th Street (west of site), Variance of development standards to provide for an addition to a training center with a 16-foot front yard setback and a 13.6 side-yard setback, **granted**.

97-UV1-63; 2320 East Duke Street (southwest of site), Variance of use of the Industrial Zoning Ordinance to provide for the operation of a mechanical contractor, within an existing building, **granted**.

85-Z-153; 4502 North Keystone Avenue (north of site), Rezoning 0.713 acre, being in the D-5 and I-1-S district, to the C-S classification, to permit all uses I the C-5 and I-2-S districts except for gas station, live adult entertainment arcades and adult bookstores, **approved**.

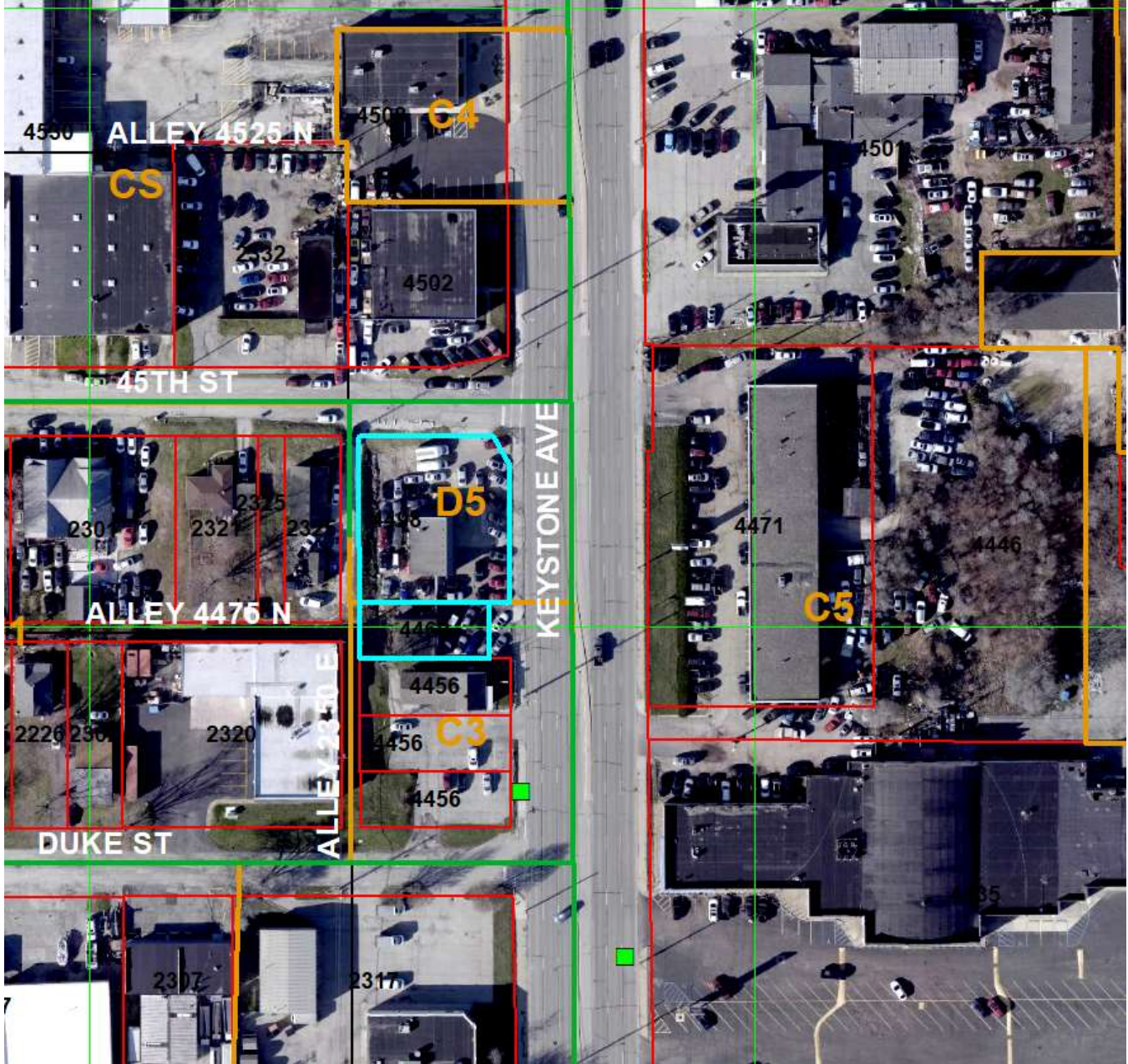


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84-UV3-18; 7301 North Illinois Street (north of site), Variance of use of the Dwelling Districts Zoning Ordinance to provide for the expansion and remodeling of an existing guest house on a lot zoned for single-family dwellings only, **withdrawn**.

76-UV1-146; 2301 East 45th Street (north of site), Variance of use and Development Standards to permit storage and parking of new and used automobiles, in connection with existing auto sales and repair on north side of street, **denied**.

EXHIBITS



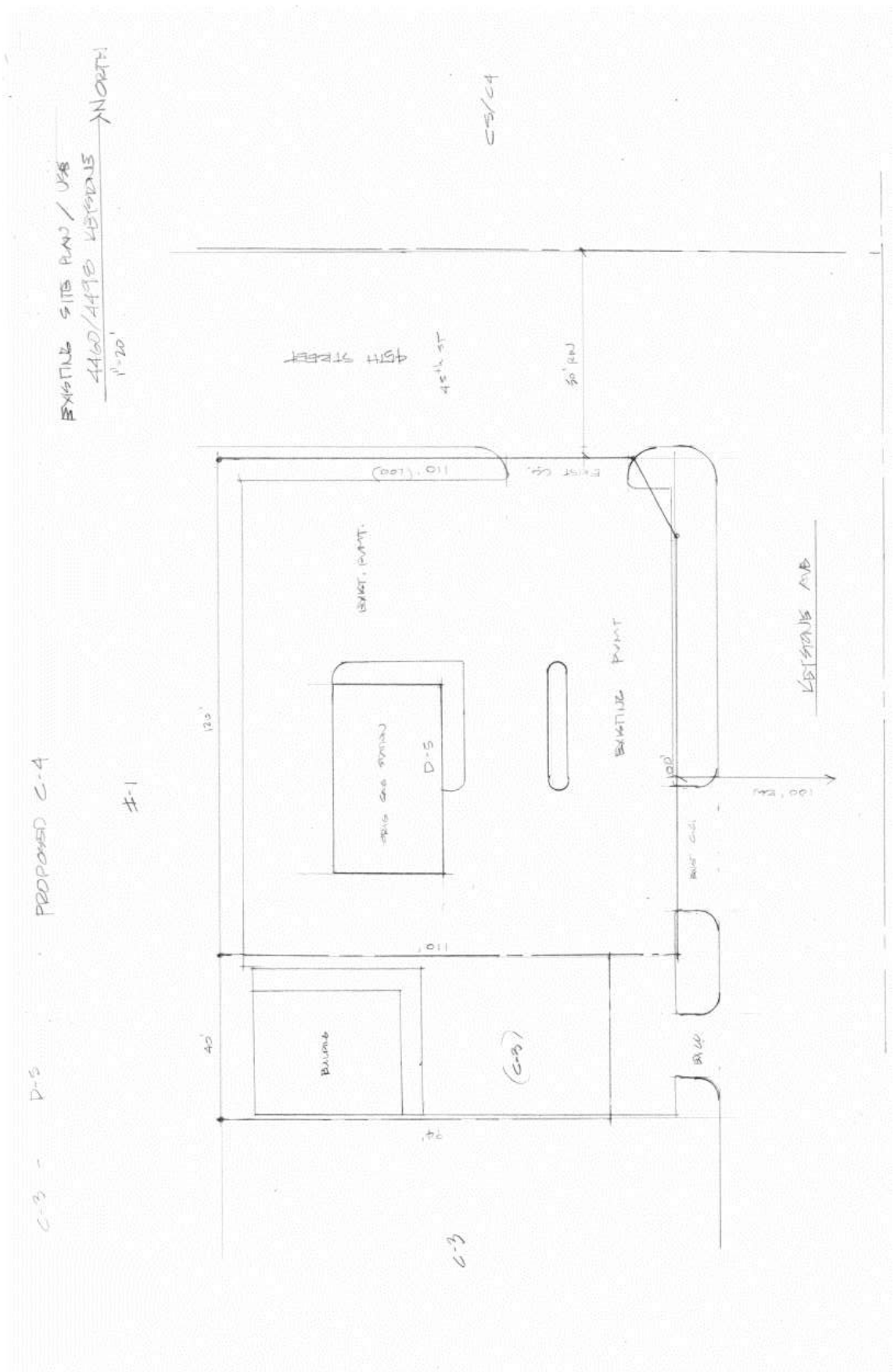




Photo of the subject site at 4460 North Keystone Avenue.

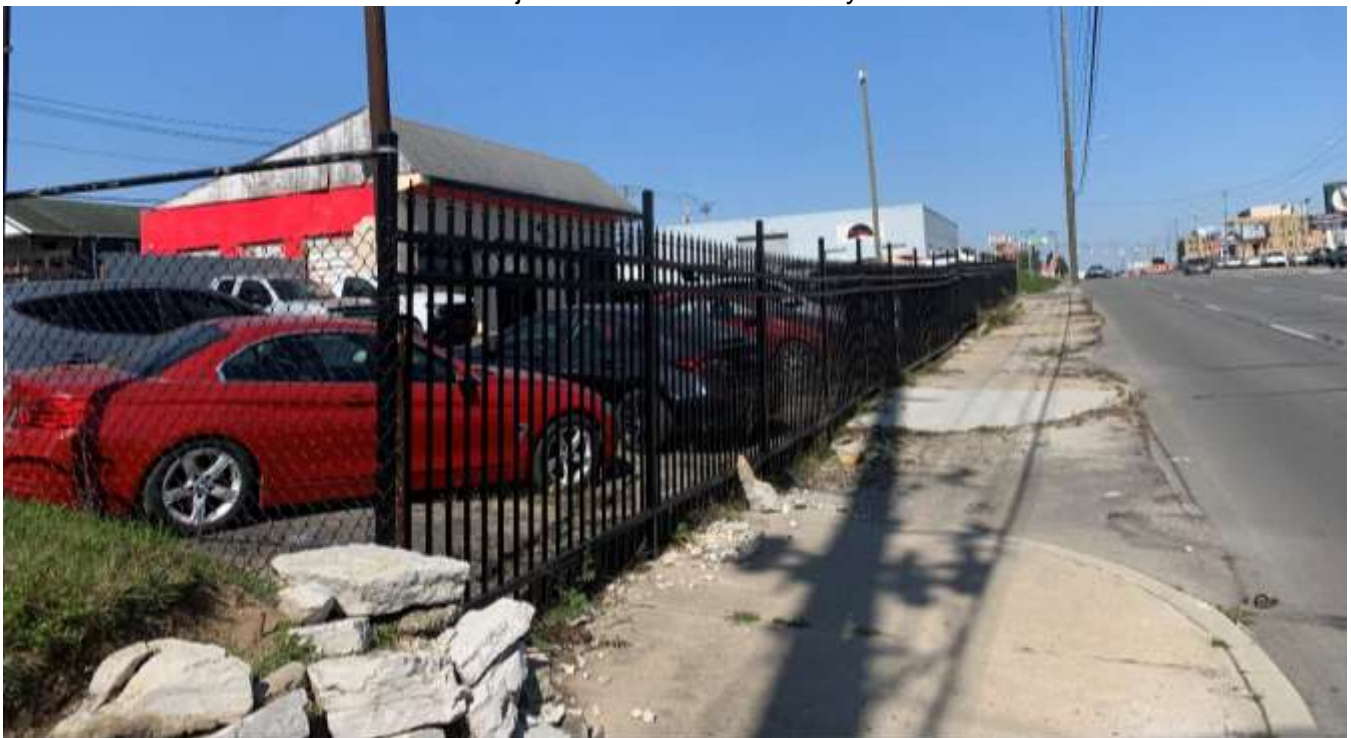


Photo of the subject site's street frontage looking north along Keystone Avenue.



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



Photo of the subject site looking south from 45th Street.



Photo of the subject site looking southeast from 45th Street.



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



Photo of a commercial shopping strip east of the site.



Photo of the dentist office south of the site zoned C-3.



METROPOLITAN DEVELOPMENT COMMISSION **November 21, 2024**
HEARING EXAMINER

Case Number: 2024-ZON-128
Property Address: 8040 East Southport Road
Location: Perry Township, Council District #25
Petitioner: Kopetsky's Auto Wash, by Elizabeth Bentz Williams
Current Zoning: C-3
Request: Rezoning of 1.21 acres from the C-3 District to the C-4 District to provide for an automobile and light vehicle wash use.
Current Land Use: Undeveloped
Staff Recommendations: Denial.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first public hearing on this petition.

STAFF RECOMMENDATION

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

The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.

PETITION OVERVIEW

This 1.21-acre site, zoned C-S, is undeveloped and surrounded by commercial uses to the north, zoned C-3 and C-S; single-family dwellings to the south across East Southport Road, zoned D-P; undeveloped land to the east, zoned C-3; and a retention pond to the west, zoned C-3.

Petition 2014-CZN-824B rezoned this site to the C-3 district to provide for an integrated commercial center.



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REZONING

The request would rezone the site to the C-4 (Community-Regional) District. “The C-4 District is designed to provide for the development of major business groupings and regional-size shopping centers to serve a population ranging from a community or neighborhoods to a major segment of the total metropolitan area. These centers may feature a number of large traffic generators such as home improvement stores, department stores, and theatres. Even the smallest of such freestanding uses in this district, as well as commercial centers, require excellent access from major thoroughfares. While these centers are usually characterized by indoor operations, certain permitted uses may have limited outdoor activities, as specified.”

The Comprehensive Plan recommends office commercial typology for the site.

As proposed, this request would not be consistent with the Plan because the office commercial typology was intended to provide a buffer between the residential uses to the south and west and the commercial uses to the north, serving as a transition from low intense residential uses to more intense commercial uses. Additionally, it would be an intensification of what was contemplated at the time this site was rezoned in 2014.

Furthermore, the car wash operations are primarily outdoor operations that create increased traffic, trash, and noise that would be more detrimental to surrounding land uses.

For these reasons, staff is recommending denial.

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.

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Undeveloped land	
Comprehensive Plan	Office Commercial	
Surrounding Context	Zoning	Land Use
	North: C-3 / C-S	Commercial uses
	South: D-P	Single-family dwellings
	East: C-3	Undeveloped land
	West: C-3	Retention pond
Thoroughfare Plan		
East Southport Road	Primary Arterial	Existing 140-foot right-of-way and proposed 80-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	October 7, 2024	
Site Plan (Amended)	N/A	
Elevations	October 7, 2024	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

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

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

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



ZONING HISTORY

2014-CZN-824A / 2014-CZN-824B / 2014-CZN-824C / 2014-CVR-824; 8120 East Southport Road, requested rezoning of 28.15 acres from the D-A district to the C-4 classification to provide for an approximately 98,500 square foot grocery store, a fueling station and integrated commercial center (Part A); rezoning of 5.9 acres from the D-A district to the C-3 classification to provide for an integrated commercial center (Part B); rezoning of 19.15 acres from the D-A district to the D-6II classification to provide for a multi-family development (Amended – Part C); and a variance of development standards of the Commercial Zoning Ordinance to provide for a grocery store, a gasoline station and commercial retail development, a) with outdoor seating and dining, b) with 500 square feet of outdoor storage on the fueling station parcel; and c) with 665 parking spaces, **approved and granted**.

VICINITY

2013-ZON-070; 6725 South Franklin Road (east of site), requested a rezoning of three acres from the D-A district to the C-3 classification to provide for a gas station, **approved**.

2007-ZON-075; 7016 South Franklin Road (east of site), requested rezoning of 3.15 acres from the D-A District to the C-1 classification to provide for office-buffer commercial uses, **approved**.

2001-ZON-821 (2001-DP-006) / 2001-PLT-821; 8515 Indian Creek Road (east of site), requested rezone 33.647 acres from D-A to D-P to provide for 29.147 acres of single-family residential development of 83 lots (2.84 units/acre), 2 acres of commercial development, and 4.5 acres for educational uses, and requests approval of a subdivision plat to be known as Indian Creek Meadows, dividing 29.147 acres into 83 lots, with a waiver of perimeter sidewalk to be an asphalt bike / pedestrian path, cul-de-sac length, and local street width for density over 2.5 units / acre, **approved**.

2001-ZON-042; 8710 – 8822 Indian Creek Road South (east of site), requested a rezoning of 29.61 acres being in the D-A district to the SU-2 classification to provide for a bus barn, athletic fields, communication labs and other educational uses, **pending**.

2000-ZON-010; 8750 East Southport Road (east of site), requested a rezoning of 69.494 acres being in the D-A District to the SU-2 classification, **approved**.

99-Z-107/99-DP-18; 7835 East Southport Road (east of site), requested rezoning of 80.64 acres from the D-A district to the D-P classification to provide for a single-family subdivision, **approved**.

97-UV3-46; 6223 and 6225 South Franklin Road (east of site), requested a variance of use of the Dwelling Districts Zoning Ordinance to legally establish a daycare/preschool facility, **granted with conditions**.

97-Z-53; 7700 East Southport Road (west of site), requested a rezoning of 2.662 acres from D-A to SU-39 to provide for water tanks and a water pumping station, **approved**.



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96-Z-42 / 96-DP-4; 8101 East Southport Road (east of site), requested rezone 93.5 acres from D-A to DP to provide for 199 single-family residential lots, **approved**.

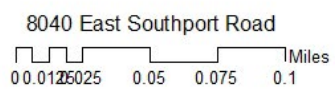
96-Z-6A; 6610 South Franklin Road (east of site), requested a rezoning of 58 acres being in the D-A district to the SU-3 classification to provide for the development of a golf course, **approved**.

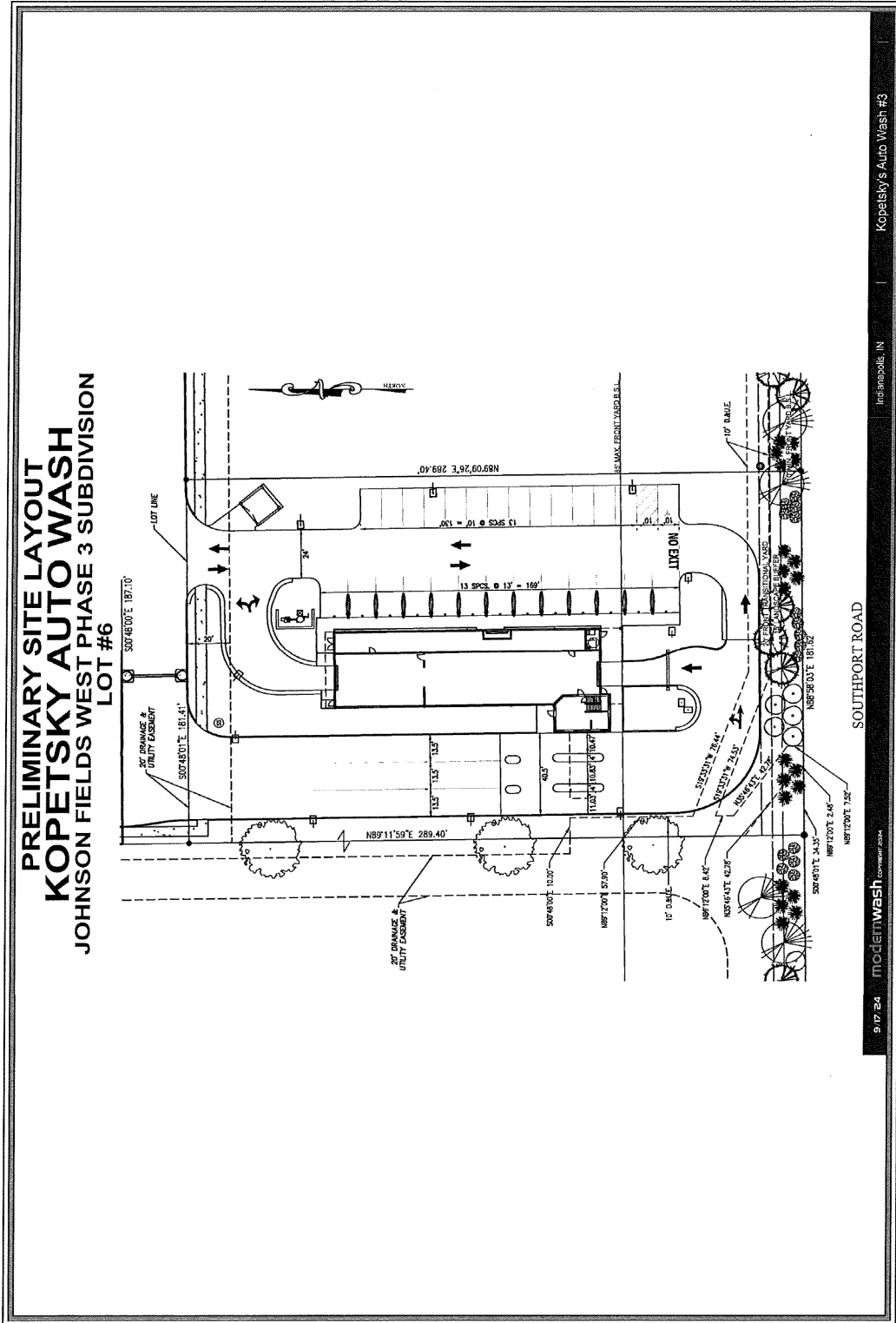
96-Z-B; 6636 South Franklin Road (east of site), requested a rezoning of 1 acre being in the D-A district to the D-1 classification to provide for the continued use of an existing single-family residence, **granted**

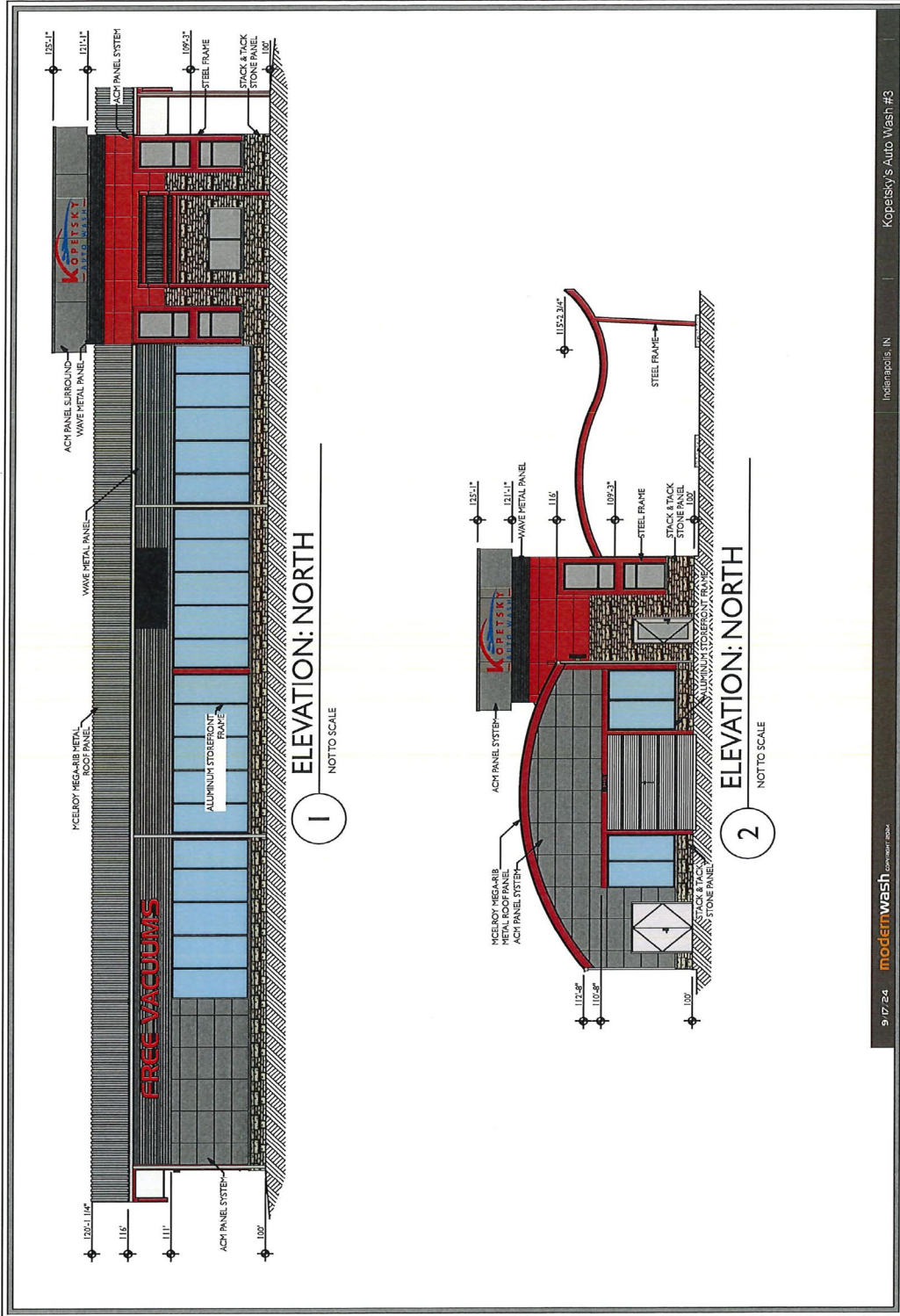
84-Z-204; 7802 East Southport Road (east of site), requested the rezoning of 20.63 acres, being in the A-2 District, to the SU-5 classification to provide for the construction and maintenance of a radio broadcasting tower and accessory building, **approved**.

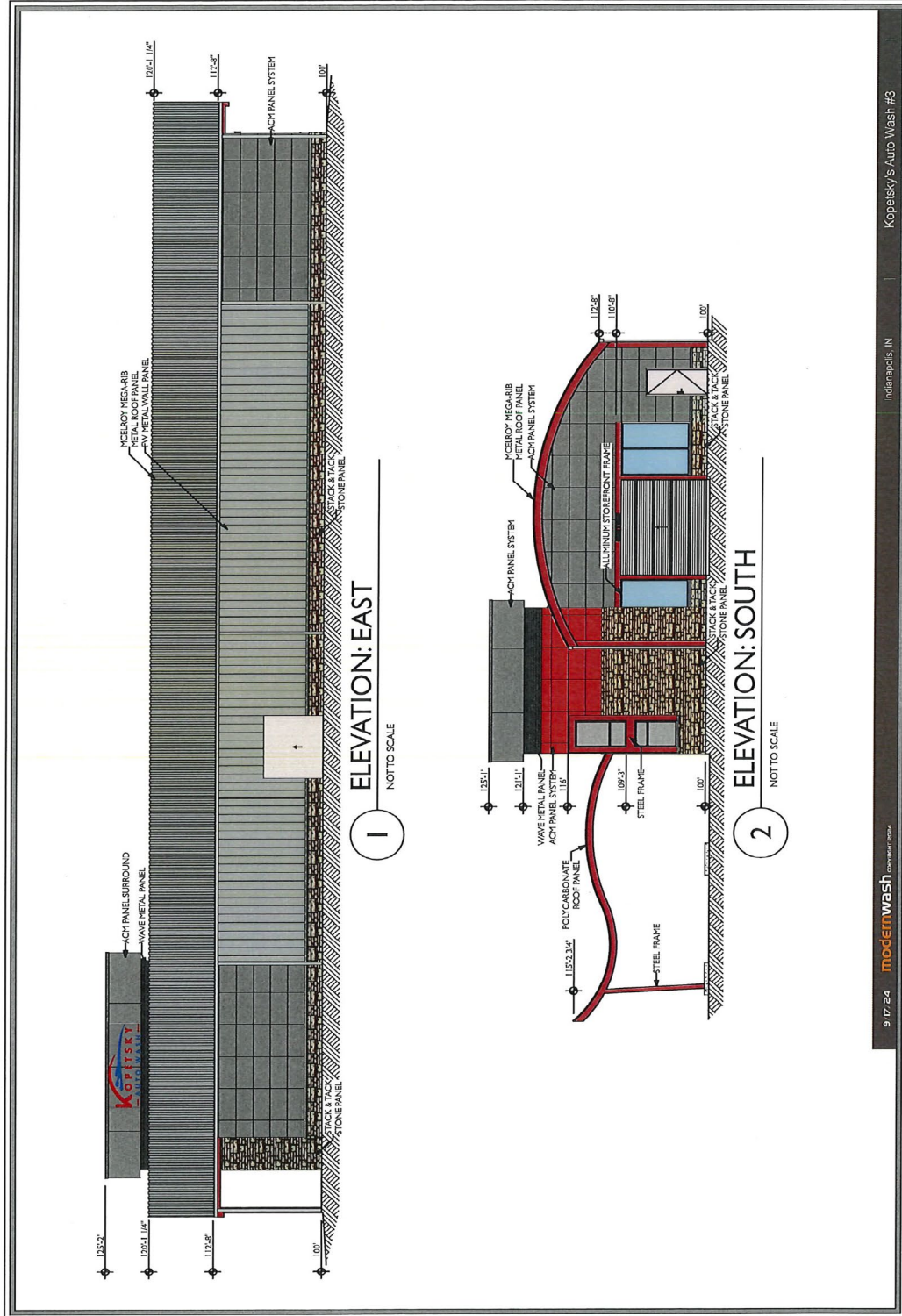
83-Z-5 / 83-CV-4; 7802 East Southport Road (east of site), requested the rezoning of 20.83 acres, being in the A-2 District, to the D-12 classification to permit the development of 58 two-family residences on platted lots, **denied**; and, a variance of development standards of the Dwelling Districts Zoning Ordinance to permit a reduction in the minimum lot area, lot width, side yard, and front setback requirements, **withdrawn**.

EXHIBITS









9/17/24 modernwash.com/19/2024 Kopetsky's Auto Wash #3 Indianapolis, IN



Kopetsky's Auto Wash #3

Indianapolis, IN

9/17/24 modernwash.com/indianapolis



View of site looking north across East Southport Road



View of site looking north across East Southport Road



View looking west along private drive



View looking east along private drive



View of site looking south across private drive



View from site looking north across private drive



View from site looking east