



# Metropolitan Development Commission Hearing Examiner (August 14, 2025) Meeting Agenda

## Meeting Details

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

**Date:** Thursday, August 14, 2025

**Time:** 1:00 PM

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

## Business:

### Special Requests

#### Waiver of 23-Day Notice Requirements:

2025-APP-008: 2-day written & 3-day posted

2025-MOD-015: 3-day written & 2-day posted

2025-MOD-017: 1-day waiver written & posted

2025-ZON-082: 3-day written & posted

2025-CZN-832 / 2025-CVR-832: 2-day written & 3-day posted

2025-CZN-836 / 2025-CAP-836: 2-day written & 3-day posted

2025-CZN-837 / 2025-CPL-837: 3-day written & posted

2025-CZN-839 / 2025-CPL-839: 1-day written & posted

## PETITIONS REQUESTING TO BE CONTINUED:

### 1. 2025-MOD-017 | 405, 409, and 411 South Shortridge Road

Warren Township, Council District #20

C-S

SRMK, LLC, by David Kingen and Justin Kingen

Modification of Commitments and Site Plan related to 2018-ZON-068 to terminate Commitment # 2 (Attachment "D", item 3) to eliminate the requirement of the submittal of a tree assessment for Administrator's Approval prior to site preparation, and to permit development of the site subject to the site plan filed with this petition (tree assessment required to be submitted for Administrator's Approval prior to site preparation and site to be developed per the site plan file-dated, September 13, 2018).

**\*\*Staff request for continuance for cause to September 11, 2025, with Notice**

### 2. 2025-MOD-018 | 8560 North College Avenue

Washington Township, Council District #2

SU-7 (TOD)

Overdose Lifeline, Inc., by Misha Rabinowitch

Modification of Commitments, related to 90-Z-124, to provide for women's recovery housing program (previous commitments limited the use to a children's group home).

**\*\*Petitioner has withdrawn the Petition**

**3. 2025-ZON-062 | 5709 Five Points Road and 7340 East Edgewood Avenue**

Franklin Township, Council District #25  
Grand Communities, LLC, by Brian J. Tuohy

Rezoning of 64.64 acres from the D-A (FF) district to the D-4 (FF) district to provide for residential development.

**\*\*Staff request for continuance for cause to September 11, 2025**

**4. 2025-ZON-079 | 5451 Moller Road**

Pike Township, Council District #5  
Maribel Morales Picon, by David E. Dearing

Rezoning of 0.733-acre from the D-A and D-P districts to the D-A district to legally establish a detached single-family dwelling.

**\*\*Petitioner has withdrawn the Petition**

**5. 2025-ZON-080 (Amended) | 3350 North German Church Road**

Warren Township, Council District #15  
Hindu Temple of Central Indiana, Inc.

Rezoning of 28.49 acres from the D-A (FF), SU-1 (FF), and SU-38 (FF) districts to the SU-1 (FF) district to provide for religious uses.

**\*\*Staff request for continuance for cause to August 28, 2025, with Notice**

**6. 2025-ZON-081 | 7555 Old Trails Road**

Warren Township, Council District #20  
Wood Alls RE, LLC, by Nicholas Pack

Rezoning of 6.09 acres from the C-S and C-5 districts to the D-7 district, to provide for a multi-family residential development with up to 80 affordable housing units.

**\*\*Petitioner has withdrawn the Petition**

**7. 2025-CZN-830 / 2025-CVR-830 (Amended) | 9110 and 9150 West 10th Street**

Wayne Township, Council District #16  
C-3 (FF)  
Raceway Development Partners, by Misha Rabinowitch

Rezoning of 10.62 acres from the C-3 (FF) district to the D-8 (FF) district for multi-family dwellings.

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a Large Apartment in a D-8 zoning district (not permitted), with a 7' rear yard setback (minimum rear yard setback 10' required).

**\*\*Petitioner request for continuance for cause to August 28, 2025, with Notice**

**8. 2025-CZN-832 / 2025-CVR-832 | 1140 East 46th Street, 4644, 4646, 4648, 4710, and 4716 Carvel Avenue**

Washington Township, Council District #7  
D-5 (W-1), D-P (W-1), and I-3 (W-1)  
Arrow Street Development, LLC, by Joseph D. Calderon

Rezoning of 3.65 acres, from the D-5 (W-1), D-P (W-1), and I-3 (W-1) districts to the MU-2 (W-1) district to provide for a mixed-use development consisting of multi-family dwellings, commercial uses, a parking garage, and resident amenities.

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a medium mixed-use building type (small mixed-use building type permitted).

**\*\*Staff request for continuance for cause to September 11, 2025**

**9. 2025-CZN-837 / 2025-CVR-837 | 1409 South Glen Arm Road**

Wayne Township, Council District #17

Sergio Ramirez and Rosa Mazariegos, by Josh Smith

Rezoning of 0.12-acre from the C-5 district to the D-3 district to legally establish a detached single-family dwelling. Variance of Development Standard of the Consolidated Zoning and Subdivision Ordinance to provide for a 5,281-square-foot lot and a three-foot rear yard setback (minimum 10,000-square-foot lot required and a minimum 20-foot rear yard setback required).

**\*\*Staff request for continuance for cause to August 28, 2025, with Notice**

## Petitions for Public Hearing

### PETITIONS TO BE EXPEDITED:

**10. 2025-APP-008 | 5510 Carvel Avenue**

Washington Township, Council District #7

PK-1 and D-4

City of Indianapolis, Department of Parks and Recreation, by Ben Jackson

Park District One Approval to provide for a new playground, walkways, volleyball court, bike racks, and seating areas.

**11. 2025-MOD-015 | 2326 Southport Commons Drive**

Perry Township, Council District #22

D-P

Wellingshire Partners, LLC, by Timothy Ochs and Jennifer Milliken

Modification of the Development Statement related to petition 2024-ZON-014 to provide for vehicle entry point signs and five incidental signs to be installed as indicated on the site plan, file-dated July 3, 2025 (minimum two-foot setback from a street for vehicle entry point signs and a maximum of 3.2 incidental signs permitted).

**12. 2025-ZON-082 | 1544 East 10th Street**

Center Township, Council District #13

Douglas Koenig

Rezoning of 0.23-acre from the MU-1 district to the D-8 district to provide to legally establish a detached single-family dwelling.

**13. 2025-CZN-839 / 2025-CPL-839 | 2222 Hillside Avenue**

Center Township, Council District #8

Hillside Industrial IN LP, by Jason P. Lueking

Rezoning of 19.943 acres from the SU-7 and I-3 districts to the I-3 district to provide for medium industrial uses.

Approval of a Subdivision Plat, to be known as Hillside Park, creating one 19.943-acre lot from multiple lots,

**\*\*Petitioner has withdrawn 2025-CPL-839**

### ASSESSMENT OF BENEFITS HEARING:

**14. 2025-CVC-829 | 5802, 5808, 5814, and 5820 Evanston Avenue**

Washington Township, Council District #7

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

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

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

**15. 2025-APP-003 | 620 East 21st Street**

Center Township, Council District #13  
PK-2  
DeQuan Branch, by Jorge Gonzales

Park District-Two Approval to provide for a three-story single-family dwelling with an attached garage.

**16. 2025-MOD-012 | 8809 South Meridian Street**

Perry Township, Council District #23  
C-1  
Financial Center First Credit Union, by James J. Ammeen, Jr.

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

**17. 2025-CPL-825 / 2025-CVR-825 | 7140 and 7142 East Washington Street Avenue**

Warren Township, Council District #14  
C-4 (TOD)  
Fieldstone Financial, LLC, by Joseph D. Calderon

Approval of a Subdivision Plat to be known as Wawa Shortridge Primary Plat, subdividing 9.4 acres into three lots.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an automobile fueling station, with 16 pump islands/service areas (eight permitted), with portions of a surface parking area in front of the front building line, with a parking area having a minimum 15-foot setback from Washington Street with parking area behind the front building line encompassing 88.1 percent of the lot width (surface parking areas required behind the front building line, 25 feet required, maximum 40 percent lot width for parking permitted behind front building line), with a front building line encompassing 37.1 percent of the lot width (60 percent required) and deficient first floor transparency (40 percent required).

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

**18. 2025-CZN-836 / 2025-CAP-836 | 4035 Meadows Parkway and 4195 Millersville Road**

Washington Township, Council District #8  
Garvey Properties, LLC, by Joseph D. Calderon

Rezoning of 7.01 acres from the C-S district to the C-S district to provide for continuation of permitted uses under 2013-ZON-037 and 2023-CAP-826, and to add a crematorium use, with no incineration.

Modification of C-S Statement related to 2013-ZON-037 and 2023-CAP-826, to provide for a crematorium use, with no incineration.

**Additional Business:**

**19. ADOPTION OF NEGATIVE FINDINGS - Petition 2025-CVR-823 Denied by Hearing Examiner on June 26, 2025:**

**2025-CVR-823 | 6800 Pendleton Pike**

Lawrence Township, Council District #9  
C-S (TOD)  
Amerco Real Estate Company, by Stephany Sheekey

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



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

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

## HEARING EXAMINER

for

### METROPOLITAN DEVELOPMENT COMMISSION (MDC)

Contractual Zoning Professional	Approving Authority	Term
Judy Weerts Hall	MDC	01/01/2025-12/31/2025
David DiMarzio (Alternate)	MDC	01/01/2025-12/31/2025

This meeting can be viewed live at <https://www.indy.gov/activity/channel-16-live-web-stream>. The recording of this meeting will also be archived (along with recordings of other City/County entities) at <https://www.indy.gov/activity/watch-previously-recorded-programs>.



Department of Metropolitan Development  
Division of Planning  
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

August 14, 2025

**Case Number:** 2025-MOD-017

**Property Address:** 405, 409, and 411 South Shortridge Road (Approximate Addresses)

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

**Petitioner:** SRMK, LLC, by David Kingen and Justin Kingen

**Current Zoning:** C-S

**Request:** Modification of Commitments and Site Plan related to 2018-ZON-068 to terminate Commitment # 2 (Attachment "D", item 3) to eliminate the requirement of the submittal of a tree assessment for Administrator's Approval prior to site preparation, and to permit development of the site subject to the site plan filed with this petition (tree assessment required to be submitted for Administrator's Approval prior to site preparation and site to be developed per the site plan file-dated, September 13, 2018).

**Current Land Use:** Truck and Trailer Parking / Auto Repair / Commercial Building Contractor

**Staff Recommendations:** To be determined.

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

**PETITION HISTORY**

Staff is requesting a **continuance for cause from the August 14, 2025 hearing to the September 11, 2025 hearing** to allow the petitioner additional time to amend the request and address multiple issues that were discovered on site. The amendment would require new notice.

**STAFF RECOMMENDATION**

Staff recommendation to be determined.

**PETITION OVERVIEW**

This petition is to be continued to the September 11, 2025 hearing.



Department of Metropolitan Development  
Division of Planning  
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

August 14, 2025

**Case Number:** 2025-MOD-018  
**Property Address:** 8560 North College Avenue (approximate address)  
**Location:** Washington Township, Council District #2  
**Petitioner:** Overdose Lifeline, Inc., by Misha Rabinowitch  
**Current Zoning:** SU-7 (TOD)  
**Request:** Modification of Commitments, related to 90-Z-124, to provide for women's recovery housing program (previous commitments limited the use to a children's group home).  
**Current Land Use:** Vacant commercial building.  
**Staff Recommendations:** To be determined.  
**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

The petitioner submitted a request to **withdraw** this petition and plans to request a partial refund of the filing fees. The withdrawal would require the acknowledgement from the Hearing Examiner and a determination of the refund request would need to be made.

**STAFF RECOMMENDATION**

Staff recommendation to be determined.

**PETITION OVERVIEW**

This petition is to be withdrawn at the August 14, 2025 hearing.



Department of Metropolitan Development  
Division of Planning  
Current Planning

METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER

August 14, 2025

**Case Number:** 2025-ZON-062  
**Property Address:** 5709 Five Points Road  
**Location:** Franklin Township, Council District #25  
**Petitioner:** Grand Communities, LLC, by Brian J. Tuohy  
**Request:** Rezoning of 64.64 acres from the D-A (FF) district to the D-4 (FF) district to provide for residential development.  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the from the July 10, 2025 hearing, to the August 14, 2025 hearing, to provide additional time for further discussions and submittal of the Traffic Impact Study (TIS).

Staff is requesting a **continuance from the August 1, 2025 hearing, to the September 11, 2025 hearing**, to provide additional time for continued discussions with the petitioner and their representative and review of the TIS.



Department of Metropolitan Development  
Division of Planning  
Current Planning

METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER

August 14, 2025

**Case Number:** 2025-ZON-079  
**Property Address:** 5451 Moller Road (approximate address)  
**Location:** Pike Township, Council District #5  
**Petitioner:** Maribel Morales Picon, by David E. Dearing  
**Current Zoning:** D-A and D-P  
**Request:** Rezoning of 0.733-acre from the D-A and D-P districts to the D-A district to allow residential development.  
**Current Land Use:** Residential (single-family dwelling)  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

PETITION HISTORY

On July 28, 2025 the petitioner's representative sent an e-mail **withdrawing** this request. This will require the acknowledgement of the Hearing Examiner



Department of Metropolitan Development  
Division of Planning  
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 14, 2025**

**Case Number:** 2025-ZON-080 (Amended)  
**Property Address:** 3330 North German Church Road  
**Location:** Warren Township, Council District #15  
**Petitioner:** Hindu Temple of Central Indiana, Inc.  
**Request:** Rezoning of 28.49 acres from the D-A (FF), SU-1 and SU-38 districts to the SU-1 (FF) district to provide for religious uses.  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

Staff is requesting a **continuance from the August 14, 2025 hearing, to the August 28, 2025 hearing**, to amend the request and provide new notice.



Department of Metropolitan Development  
Division of Planning  
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

August 14, 2025

**Case Number:** 2025-ZON-081  
**Property Address:** 7555 Old Trails Road  
**Location:** Warren Township, Council District #20  
**Petitioner:** Wood Alls RE, LLC, by Nicholas Pack  
**Request:** Rezoning of 6.09 acres from the C-S and C-5 districts to the D-7 district, to provide for a multi-family residential development with up to 80 affordable housing units.  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

The Petitioner's Representative forwarded an e-mail on July 24, 2025, **withdrawing the petition**. This will require acknowledgement by the Hearing Examiner.





Department of Metropolitan Development  
Division of Planning  
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 14, 2025**

**Case Number:** 2025-CZN-830 / 2025-CVR-830 (Amended)

**Property Address:** 9110 and 9150 West 10th Street (approximate addresses)

**Location:** Wayne Township, Council District #16

**Petitioner:** Raceway Development Partners, by Misha Rabinowitch  
Rezoning of 10.62 acres from the C-3 (FF) district to the D-8 (FF) district for multi-family dwellings.

**Request:** Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a to provide for a medium Apartment in a D-8 zoning district (not permitted), with a 7' rear yard setback (minimum rear yard setback 10' required).

**Staff Reviewer:** Desire Irakoze, Principal Planner II

**CONTINUANCE**

Staff is requesting a **continuance from the August 14, 2025 hearing, to the August 28, 2025 hearing**, with notice, which has been provided, in order to allow additional time for review of the revised amendment petition.



Department of Metropolitan Development  
Division of Planning  
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

August 14, 2025

**Case Number:** 2025-CZN-832 / 2025-CVR-832

**Property Address:** 1140 East 46th Street, 4644, 4646, 4648, 4710, and 4716 Carvel Avenue (Approximate Addresses)

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

**Petitioner:** Arrow Street Development, LLC, by Joseph D. Calderon

**Current Zoning:** D-5 (W-1), D-P (W-1), and I-3 (W-1)

**Request:** Rezoning of 3.65 acres, from the D-5 (W-1), D-P (W-1), and I-3 (W-1) districts to the MU-2 (W-1) district to provide for a mixed-use development consisting of multi-family dwellings, commercial uses, a parking garage, and resident amenities.

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a medium mixed-use building type (small mixed-use building type permitted).

**Current Land Use:** Single-family dwellings / Commercial buildings

**Staff Recommendations:** To be determined.

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

**PETITION HISTORY**

Staff is requesting a **continuance for cause from the August 14, 2025 hearing to the September 11, 2025 hearing** to allow the petitioner additional time to address multiple concerns brought up by staff or amend the request to include variances. The amendment would require new notice.

**STAFF RECOMMENDATION**

Staff recommendation to be determined.

**PETITION OVERVIEW**

This petition is to be continued to the September 11, 2025 hearing.



Department of Metropolitan Development  
Division of Planning  
Current Planning Section

Item 9.

METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER

August 14, 2025

**Case Number:** 2025-CZN-837 (Amended) / 2025-CVR-837  
**Property Address:** 1409 South Glen Arm Road (*Approximate Address*)  
**Location:** Wayne Township, Council District #17  
**Petitioner:** Sergio Ramirez and Rosa Mazariegos, by Josh Smith  
**Current Zoning:** C-5  
**Request:** Rezoning of 0.12-acre from the C-5 district to the D-3 district to allow the construction of building addition.  
**Current Land Use:** Residential  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

PETITION HISTORY

Staff is requesting a continuance from the **August 14, 2025** hearing, to the **August 28, 2025** hearing, to provide additional time to amend the request, new notice is required.

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 14, 2025**

**Case Number:** 2025-APP-008  
**Property Address:** 5510 Carvel Avenue (Approximate Address)  
**Location:** Washington Township, Council District #7  
**Petitioner:** City of Indianapolis, Department of Parks and Recreation, by Ben Jackson  
**Current Zoning:** PK-1 and D-4  
**Request:** Park District One Approval to provide for a new playground, walkways, volleyball court, bike racks, and seating areas.  
**Current Land Use:** Park  
**Staff Recommendations:** Approval  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

**PETITION HISTORY**

This is the first public hearing on this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval**, subject to substantial compliance with the site plan and landscape plan, both file-dated June 10, 2025.

**PETITION OVERVIEW**

**LAND USE**

The subject site is developed as a neighborhood park within SOBRO neighborhood and is surrounded by a single-family residential districts. The property is part of the Canterbury Annex (12-S-49), which originally divided six (6) acres into 16 lots. In 1959, the site was acquired by the City as a mini park.

**PARK DISTRICT ONE APPROVAL**

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

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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**

Approval of this petition will permit the regrading of existing paths and the installation of a new 5-foot-wide concrete path throughout the park. The proposed improvements include new path connections from Carvel Avenue to the playground, new playground equipment, additional benches, a children's sand pit, grills, upgrades to the existing sand volleyball court, and stormwater drainage improvements. Future phases of development include the installation of a foot rinse station and a children's pump track.

The proposed updates and enhancements are consistent with the Linear Park recommendations of the Comprehensive Plan and are compatible with the surrounding residential context. The improvements will increase park functionality, accessibility, and recreational value for the neighborhood.

Staff is recommending approval of the request.

## GENERAL INFORMATION

Existing Zoning	PK-1 and D-4		
Existing Land Use	Park		
Comprehensive Plan	Linear Park and Suburban Neighborhood		
Surrounding Context	<u>Zoning</u>		<u>Land Use</u>
	North:	D-4	Residential (single-family dwelling)
	South:	D-4	Residential (single-family dwelling)
	East:	D-4	Residential (single-family dwelling)
	West:	D-5	Residential (single-family dwelling)
Thoroughfare Plan			
	Carvel	Local Street	48-foot existing right-of-way
Context Area	Compact		
Floodway / Floodway Fringe	No		
Overlay	No		
Wellfield Protection Area	No		
Site Plan	July 10 <sup>th</sup> 2025		
Site Plan (Amended)	N/A		
Elevations	N/A		
Elevations (Amended)	N/A		
Landscape Plan	N/A		
Findings of Fact	N/A		
Findings of Fact (Amended)	N/A		
C-S/D-P Statement	N/A		

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

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

### Pattern Book / Land Use Plan

## NON-TYPOLOGY LAND USES

These stand-alone land uses are mapped outside of the typology system due to their scale or the nature of their use.

- The **Linear Parks**

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

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

Access to parks and greenways is a critical component to active living. This is especially true for families with children, who might rely on parks, greenways, and playgrounds as a resource to meet recommended levels of physical activity. Greenways and linear parks can create active transportation opportunities for residents, who may opt to walk or bike to some destinations rather than drive if more comfortable infrastructure were available. Parks and greenways also provide opportunities for ‘active leisure’, making them an important resource for older adults and others who might not be able to participate in more strenuous physical activity. Health benefits of green space include reduced risks of chronic disease including diabetes, obesity, and autoimmune diseases.

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

- The **Environmentally Sensitive Areas (ES)** Overlay is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected. The purpose of this overlay is to prevent or mitigate potential damage to these resources caused by development. This overlay is also appropriate for areas that present an opportunity to create a new environmental asset. This overlay is not intended for the preservation of open space.
- **Small-Scale Parks**
  - With the exception of minimally improved natural areas or golf courses, parks should be integrated as focal points and should not have more than 25% of their perimeter comprised of adjoining rear or side yards.
  - Should be situated along streets on which the front door of housing units is located.
  - If a component of a master-planned development, continuous pedestrian infrastructure (sidewalk, greenway, or off-street path) between the proposed site and any residential uses within the development should be provided.
  - In the Environmentally Sensitive Areas (ES) overlay, should preserve or add at least 50% of the entire parcel as tree canopy or naturalized area.

**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)

- INDY GREENWAYS MASTER PLAN (2014)

The Monon Trail is the best known of all of the trails in the Indy Greenways system. Its 10.3 mile length stretches from the Cultural Trail downtown at 10th Street and extends north to Hamilton County at 96th Street, passing through several neighborhoods, communities, commercial districts, and park facilities. It provides a regional connection extending north through Carmel and Westfield with ultimate plans to extend all the way to Sheridan, Indiana. Its length has made it Indy Greenways' most highly used trails and a major alternative commuter route.

- Indy Parks Comprehensive Master Plan (2023)
  - Neighborhood Park
- Indy Parks Comprehensive Plan (2017)
  - Parks that were acquired during the 1950s were primarily smaller neighborhood and mini parks. The neighborhood parks were:
    - Mini parks
      - Canterbury (1959)

## ZONING HISTORY

### SITE

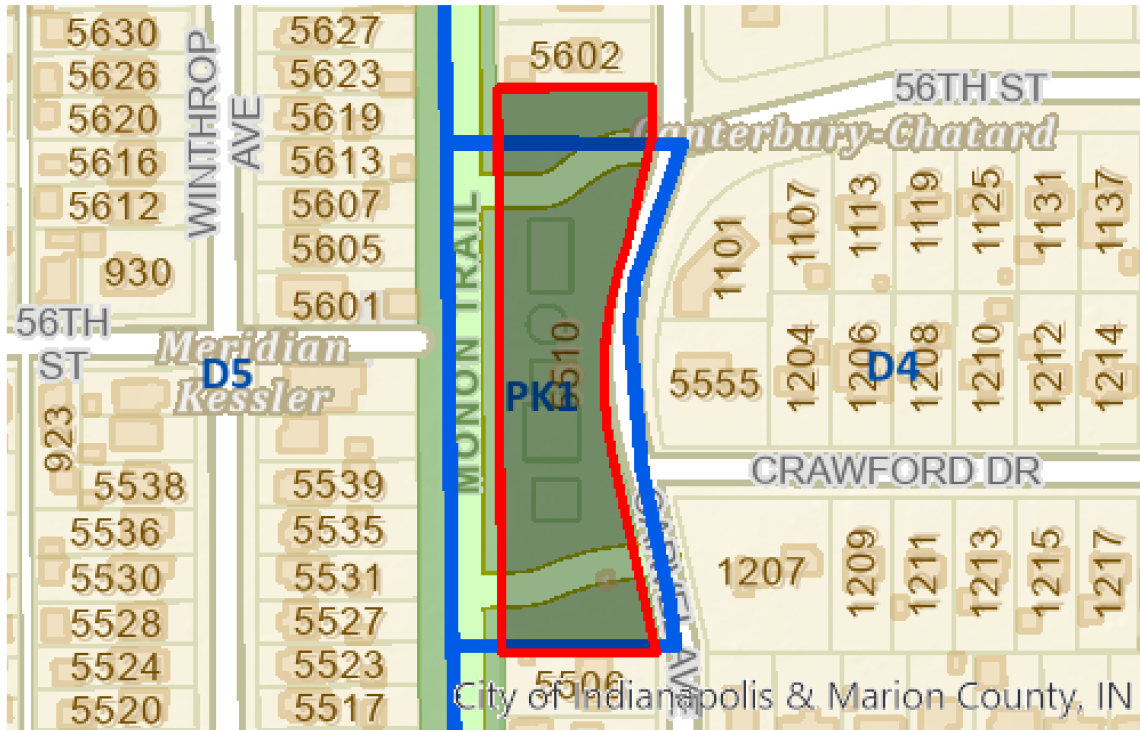
**12-S-49; (subject site)**, request approval of a Subdivision Plat to be known as Canterbury Annex dividing 6 acres into 16 lots, **approved**.

### VICINITY

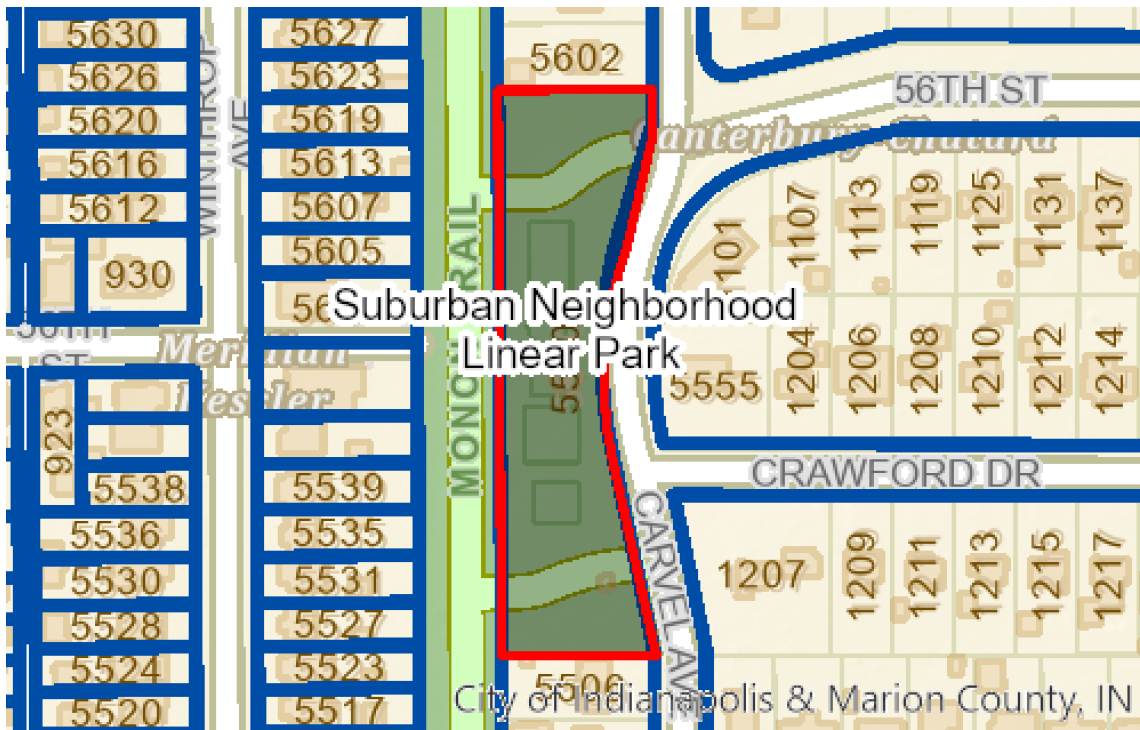
**96-P-36; 710 East 56<sup>th</sup> Street** (west of subject site), request approval of a subdivision plat to be known as Downham's replat of Lot 236 of Northview Addition, dividing 0.48 acres into 2 lots without the provision of: a) drainage plan submittal and approval b) improvement bonds, and c) sidewalks, **approved**.

EXHIBITS

2025-APP-008 ZONING MAP



2025-APP-088 LAND USE MAP



2025-APP-008 Canterbury Park Concept Plan



LEGEND

- |                            |   |                                   |
|----------------------------|---|-----------------------------------|
| 1 Entry Point              | 9 Bench, Typ.                           | 17 Bike Rack                      |
| 2 5' Concrete Path         | 10 Open Lawn Area                       | 18 Wood Fence                     |
| 3 Ages 0-12 Playground     | 11 Grass Mounds                         | 19 Foot Rinse (Future)            |
| 4 Playground Structure     | 12 Sand Volleyball with Extended Buffer | 20 Children's Pump Track (Future) |
| 5 Swingset                 | 13 Children's Sand Pit                  |                                   |
| 6 Existing Signage         | 14 Existing Path                        |                                   |
| 7 Existing Shelter, Tables | 15 Asphalt Path                         |                                   |
| 8 Grills                   | 16 Existing Comfort Station             |                                   |

CANTERBURY PARK DESIGN CONCEPT

CANTERBURY PARK, INDIANAPOLIS, INDIANA

\*\*Plan presented is concept level only. Final design selections will be dependent on budget and site constraints.

DATE: 10.2.25



**HWC**  
ENGINEERING  
CONSULTANTS



Department of Metropolitan Development  
Division of Planning  
Current Planning

2025-APP-008 Findings of Fact

Petition Number 2025-APP-008

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:

This plan maintains the current land use as a public park. Several existing amenities will be replaced and upgraded, including the playground, drinking fountain, volleyball court and walkways. The new playground would use modern equipment which meets all current safety and ADA standards.

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 placement of all new amenities will allow for clear lines of site into and out of the park. The existing landscape and fence will remain. A public process was involved in the design of the new park amenities to ensure uses would meet the needs of park users.

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

An additional ADA accessible walkways that connects directly to the Monon Greenway will be added. The existing walkway connection will be maintained.

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

There are no interior roads within the park. The walkways will, however, connect the park to the Monon trail as well as the adjacent Carvel Avenue.

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

Stormwater detention will be installed per DPW's requirements. The park will contain trash cans for park users to deposit refuse.





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

The playground and volleyball court are being replaced in their existing locations. The size of the new playground is similar to the existing one. During the public process it was determined that both amenities were in the ideal locations.

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:

In this plan the park connects to the Monon trail in two locations. Several internal ADA accessible paved walkways connect the shelter to the playground and restroom and Monon trail, and Carvel Avenue.

**DECISION**

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

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

\_\_\_\_\_  
Commission President/ Secretary



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2025-APP-008: Indy GREENWAYS MASTER PLAN

monon trail overview:

\* PROVIDES CONNECTION FROM HAMILTON COUNTY AND  
NORTHERN INDIANAPOLIS DIRECTLY TO DOWNTOWN

MILES: 10.3

DESTINATIONS:

- \* NO RACOMMERCIAL CENTER
- \* BROAD RIF PLE VILLAGE
- \* BROAD RIF PLE HIGH SCHOOL
- \* INDIANA SCHOOL FOR THE DEAF
- \* INDIANA STATE FAIRGROUNDS
- \* DOWNTOWN

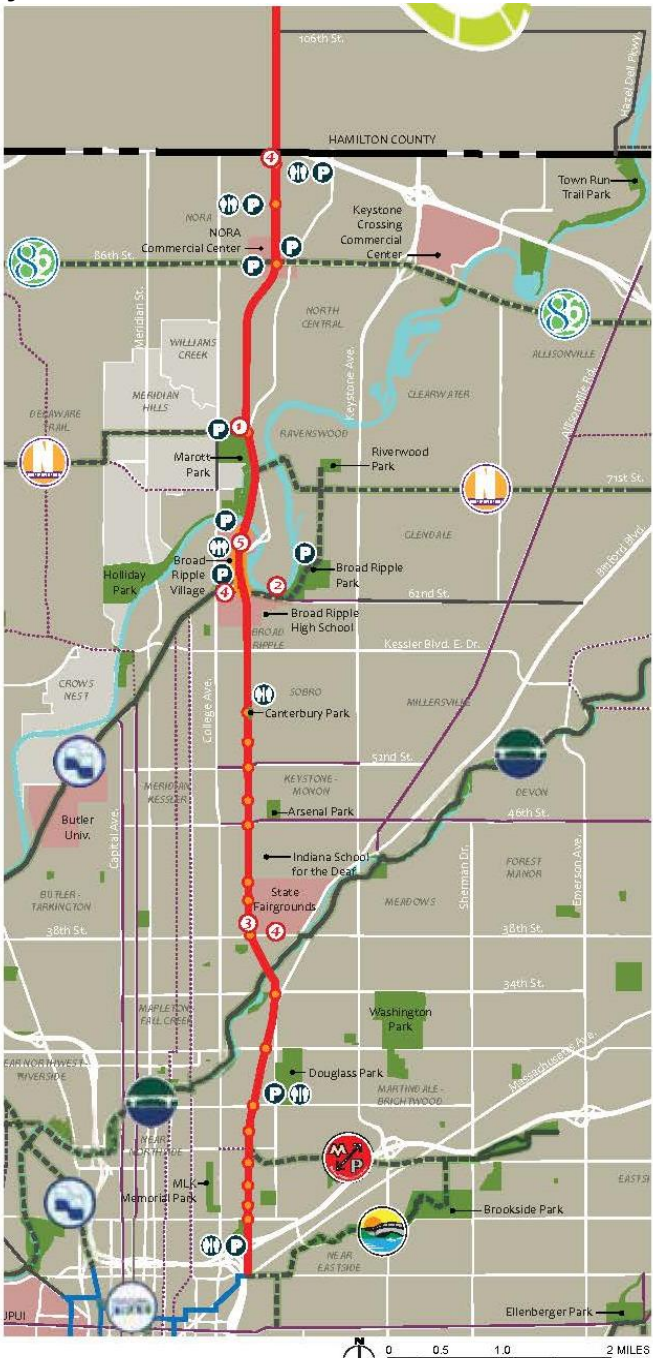
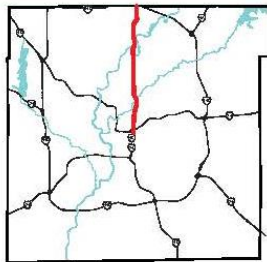
CONNECTIONS:

- \* 86TH-82ND STREET COMMERCIAL CONNECTOR
- \* NORTH TOWN TRAIL
- \* CENTRAL CANAL TO WPATH
- \* FALL CREEK GREENWAY
- \* MONON-POGUES CONNECTOR
- \* POGUES RUN GREENWAY
- \* INDIANAPOLIS CULTURAL TRAIL

legend

- PARKING AREAS
- RESTROOMS
- GREENWAY ACCESS POINTS
- CONTINUOUS GREENWAY ACCESS
- MONON TRAIL
- OTHER GREENWAYS
- INDIANAPOLIS CULTURAL TRAIL
- EXISTING SHARED-USE PATHS
- PLANNED SHARED-USE PATHS
- EXISTING BIKELANES
- PLANNED BIKELANES
- LANDMARKS
- PARKS
- OTHER INCORPORATED AREAS

key map



monon trail





**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 14, 2025**

**Case Number:** 2025-MOD-015  
**Property Address:** 2326 Southport Commons Drive  
**Location:** Perry Township, Council District #22  
**Petitioner:** Wellingshire Partner, LLC, by Timothy Ochs and Jennifer Milliken  
**Current Zoning:** D-P (FF) (W-1)  
**Request:** Modification of the Development Statement related to petition 2024-ZON-014 to provide for vehicle entry point signs and five incidental signs to be installed as indicated on the site plan, file-dated July 3, 2025 (minimum two-foot setback from a street for vehicle entry point signs and a maximum of 3.2 incidental signs permitted).  
**Current Land Use:** Commercial uses currently under development  
**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 the modified Development Statement file-dated July 3, 2025, and site plans file-dated July 3, 2025 and August 12, 2025.

**PETITION OVERVIEW**

This 1.6-acre site, zoned D-P, is currently being developed with a commercial use. It is surrounded by West Southport Road right-of-way to the north; commercial uses to the south; undeveloped land to the east; and Wellingshire Boulevard right-of-way, to the west, all zoned D-P (FF) (W-1).

This site was included in petition 2025-ZON-014 that rezoned 57.81 acres to the D-P district to revise the list of permitted uses and update the D-P Statement associated with Petitions 97-Z-14 / 97-DP-3 and subsequent modification and approval petitions.

## **MODIFICATION**

The request would modify the Development Statement related Petition 2024-ZON-014 to provide for vehicle entry point signs and five incidental signs to be installed as indicated on the site plans, file-dated July 3, 2025 and August 12, 2025. The approved Sign Program deferred to the Sign Regulations for all secondary freestanding signage. See Exhibit A.

The request would permit the vehicle-entry sign to be located more than the minimum of two feet from a street. Staff supports this because of the configuration of Wellingshire Boulevard and the landscaped areas within the center of the boulevard and as well as the along the street sides. Additionally, the five-foot wide sidewalk along the western site boundary pushes the proposed sign further into the site and away from the street. Consequently, staff supports this modification.

This request would also provide for seven incidental (free standing secondary) signs when the Sign Regulations would allow 3.2 incidental signs based upon the site acreage. Despite the proposed increase in the number of signs and given the traffic generated by this use, staff believes the additional signs are supportable and would result in a more organized functional circulation within the site and improved pedestrian and vehicle safety, with minimal impact on surrounding land uses.

## **Floodway / Floodway Fringe**

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

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

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

## **Wellfield Protection Secondary Zoning**

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

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

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

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

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

The subject site is located within the W-1 South wellfield protection area and any use or development within a wellfield protection district would be subject to the Technically Qualified Person (TQP) review and approval, unless and until the property owner provides sufficient justification that the type of use, type of facility, and chemical quantity limits, independent of the land use would be exempt from the requirements for filing a development plan. Otherwise, a development plan would be required to be filed and approved on behalf of the Metropolitan Development Commission by the (TQP). Contaminants that would have an adverse effect would include chemicals that are used in the home, business, industry, and agriculture. Chemicals such as furniture strippers, lawn and garden chemicals, cleaning chemical and solvents, gasoline, oil, and road salt can all contaminate groundwater supplies if poured on the ground or improperly used or stored.

## GENERAL INFORMATION

<b>Existing Zoning</b>	D-P (FF) (W-1)
<b>Existing Land Use</b>	Under development with commercial uses
<b>Comprehensive Plan</b>	Community Commercial

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<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	D-P (FF) (W-1)	West Southport Road right-to-way
South:	D-P (FF) (W-1)	Commercial uses
East:	D-P (FF) (W-1)	Undeveloped land
West:	D-P (FF) (W-1)	Wellingshire Boulevard right-of-way
<b>Thoroughfare Plan</b>		
Southport Commons Drive	Local Street	TBD
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	Yes – Little Buck Creek	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	Yes - South W-1	
<b>Site Plan</b>	N/A	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	July 3, 2025	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

The Comprehensive Plan recommends Community Commercial. 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.

### 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:

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Current Planning**

- *Conditions for All Land Use Types – Community 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.

**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-PLT-031, 7125 Wellingshire Boulevard**, requested approval of a Subdivision Plat to be known as Southern Dunes Commons at Wellingshire, subdividing 18.73 acres into two lots and three blocks, with a waiver of sidewalk requirements along Southport Road, per Chapter 741, Article III, Section 6 of the Consolidated Zoning and Subdivision Ordinance, **pending**.

**2024-ZON-014; 7125 Wellingshire Boulevard**, requested rezoning of 57.81 acres from the D-P (FF) (W-1) district to the D-P (FF) (W-1) district to revise the list of permitted uses for Parcel 2 of the Southern Dunes (formerly Wellingshire) Planned Unit Development. Permitted uses would be as follows: Parcel 2 (7125 Wellingshire Boulevard) Public, Institutional, Religious and Civic Uses, Medical or Dental Offices, Centers or Clinics, Animal Care, Boarding, Veterinarian Services, Artisan Food and Beverage, Farmers Market, Financial and Insurance Services, Hair and Body Care Salon or Service, Bar or Tavern, Eating Establishment or Food Preparation (any type), Indoor Recreation and Entertainment, Hotel, Motel, Offices (Business, Professional or Government), Outdoor Recreation and Entertainment, Grocery Store, Liquor Store, Retail, Light and Heavy General, Automobile and Light Vehicle Wash, Automobile, Motorcycle, Light Vehicle Service or Repair, Vehicle Charging Station and other Accessory Uses, **approved**.

**2013-MOD-016; 7185 Wellingshire Boulevard and 7500 South Belmont Avenue**, requested modification of the Development Statement for 97-Z-14 (97-DP-3), as modified by 2000-APP-038, 2000-APP-161, 2001-APP-161, 2001-APP-158, 2002 APP-03 and 2002-APP-127 to generally include: a) 2,341 dwelling units and 2.17 units per acre; b) multi-family developed on Parcels One and 25; c) 250,000 square feet of commercial development, 400 multi-family units and a 15-acre assisted living facility within Parcel Two; d) multi-family and commercial on Parcels 12 and 13, subject to the overall 2.17 units per acre density; and e) perimeter street improvements: The west approach of Stop 11 Road at the intersection of Stop 11 Road and State Road 37 and the east and west approaches of County Line Road at the intersection of County Line Road and State Road 37 shall be improved to the extent approved by DPW and INDOT (requires double right-turn and left-turn lanes, and double-left turn lanes, one through land and one right-turn lane, respectively, **approved**.

**2004-ZON-093; 2201 and 3425 West Southport Road, 7500 State Road 37, 2701 West Stop 11 Road and 8808 Bluff Road**, requested rezoning of 1,023 acres, being in the D-P (GSB)(FW)(FF)(W-1) District to the D-P (FW)(FF)(W-1) classification to provide for a map correction to rezoning case 97-Z-14 to remove all property from the Gravel Sand =Borrow (GSB) classification, **approved**.

**2002-APP-127; 2201 West Southport Road**, requested a modification of the Development Statement related to petitions 97-Z-14 (97-DP-003), 2000-APP-38, 2000-APP-161, 2001-APP-158 and 2002-APP-033 to provide for 1) Parcel 3 and Parcel 3a of southern Dunes to be developed with two-family dwellings; 2) a decrease of acreage of Parcel 1B from 62 acres to 38 acres; 3) improvements / upgrades of State Road 37 to the extent approved by DPW and INDOT; 4) changes to traffic signal improvements, the method of provided for "fair share" costs of improvements, and "in kind" improvements, times in which a Letter of Credit shall be obtained and the amount of funds required for the Letter of Credit; and 5) deletion of VI.A.3.g which provided for reservation of right-of-way at the intersection of State Road 37 and

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Current Planning**

Southport Road, and the expiration of said reservation after ten years for those parts of the right-of-way not required, **approved**.

**2002-APP-033; 2201 West Southport Road**, requested modification of the Development Statement related to petitions 97-Z-14 (97-DP-3), 2000-APP-038, 2000-APP-161 and 2001APP-158 to modify Section 1 to read: No building, with the exception of the clubhouse, shall exceed 35 feet. The Clubhouse located on Parcel 14 shall not exceed 48 feet, **approved**.

**2001-APP-158; 2201 West Southport Road**, requested modification of the development statement related to petition 97-Z-14 (97-DP-2), 2000-APP-038, and 2001-APP-161 to provide for the reconfiguration of the proposed residential, commercial recreational and miscellaneous uses within the proposed development to include a) a corrected legal description of 1,189 acres; b) 12 single-family residential communities; c) total acreage within each residential community of development parcel may increase or decrease by as much as 10%; d) proposed number of lots or units within each residential community of development parcel may increase or decrease by as much as 25%; e) creation parcel 9a as three acres of open space, with development of this site limited to a pylon sign not to exceed 30 feet in height to serve as identification of the proposed adjacent commercial uses; and f) density to be based on the entire development minus the commercial properties, **approved**.

**2000-APP-161; 2201 West Southport Road**, requested modification of the Development Statement related to petitions 97-Z-14 (97-DP-3) and 2000-APP-038 to provide for 43-foot-tall multi-family dwellings on Parcels 25 and / or 1, **approved**.

**2000-APP-038, 2201 West Southport Road**, requested modification of the Development Statement, related to petition 97-Z-14 (97-DP-3), of Southern Dunes (formerly known as Wellingshire) to provide for a reconfiguration of the proposed residential, commercial, recreational, and miscellaneous uses within the proposed development, **approved**.

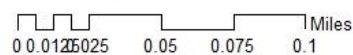
**97-Z-14 (97-DP-3); 2201 West Southport Road**, requested rezoning of 1,130 acres, being in the D-A (FF), SU-23 (GSB)(FF), SI-3 (FF), D-6 (FF), and C-3 (FF) districts to the D-P (GSB)(FF) classification to provide for a residential and golf course community development consisting of eight single-family residential communities, three multi-family residential communities, a 27-hole golf course, a nine-hole golf course, a golf academy, club house and practice area, two neighborhood commercial centers, two neighborhood commercial services, a mini-warehouse use, recreational amenities and open space areas, **approved**.

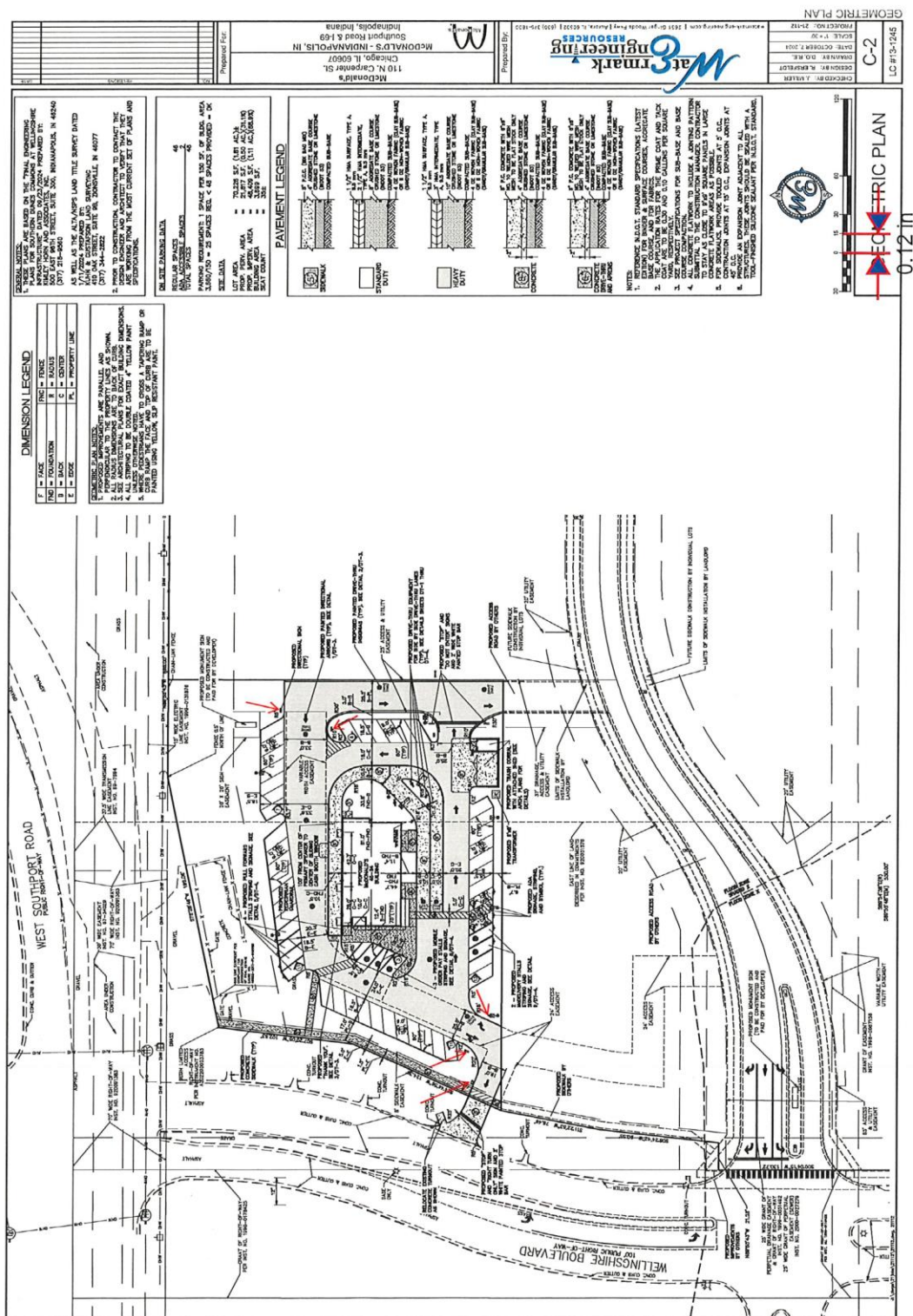


EXHIBITS



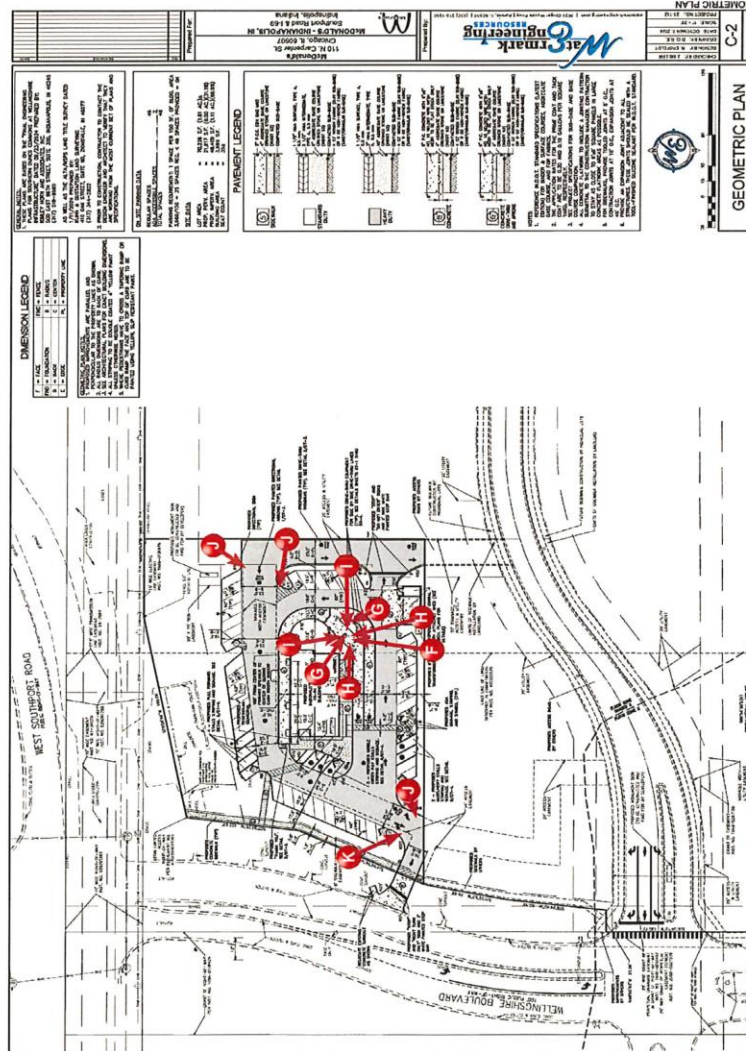
2326 Southport Commons Drive







- Sign Schedule**
- F** Double Welcome Point Gateway-Charcoal
  - G** Spring Board Canopy-Charcoal
  - H** Outdoor Digital Pre-Browse
  - I** Outdoor Digital Menu Board
  - J** 3 Sq Foot directional, Welcome w/Arch
  - K** 3 Sq Foot directional, Thank you w/Arch



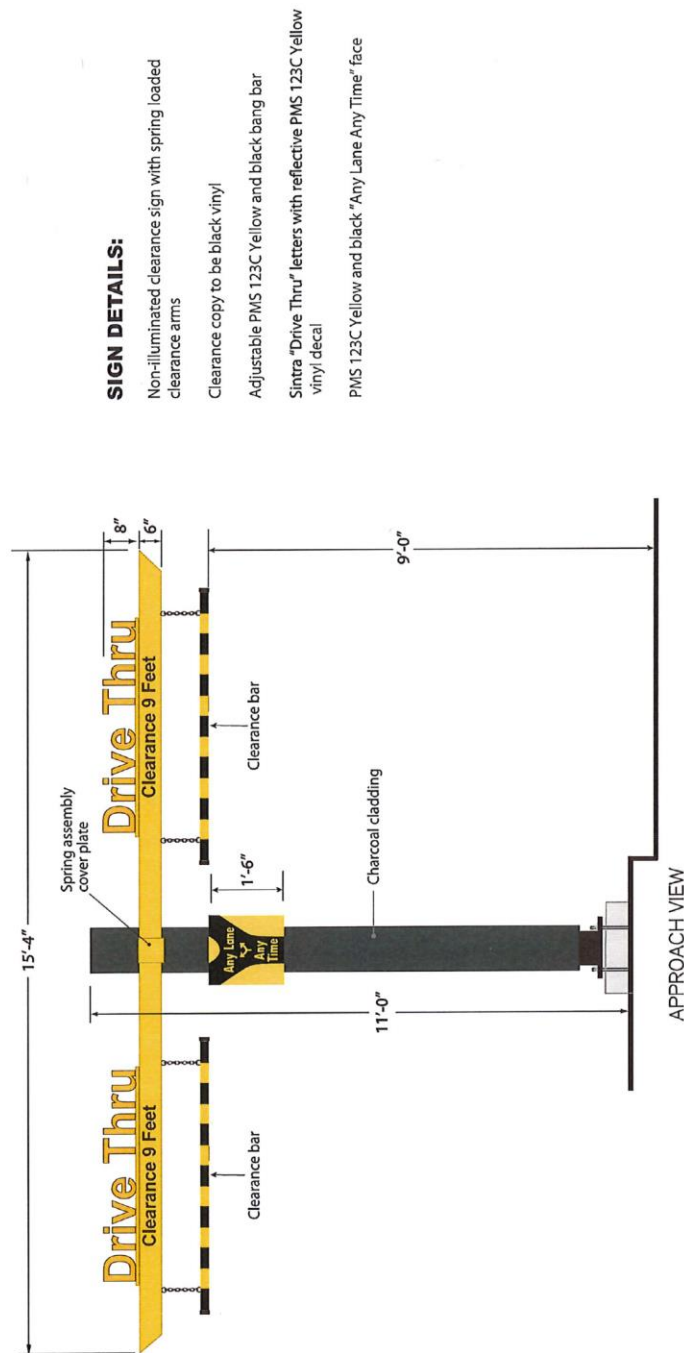
**Everbrite**

Project No: 44763  
 Address: 2326 Southport Commons Dr, Indianapolis, IN 46217  
 Description: McDonalds Rest. # 40630

Prepared By: Michelle Zetti  
 Date: 04/16/2025  
 Customer Signature:

Page 2 of 15

Double Welcome Point Gateway-Charcoal (DWPG\_CHAR)





Everbrite, LLC - 4849 South 110th Street - Greenwood, IN 46030 - www.everbrite.com

Project No: 44763

Address: 2328 Southport Commons Dr. Indianapolis, IN 46217

Description: McDonalds Rest. # 40630

Prepared By: Michelle Zeil

Date: 04/16/2025

Customer Signature:

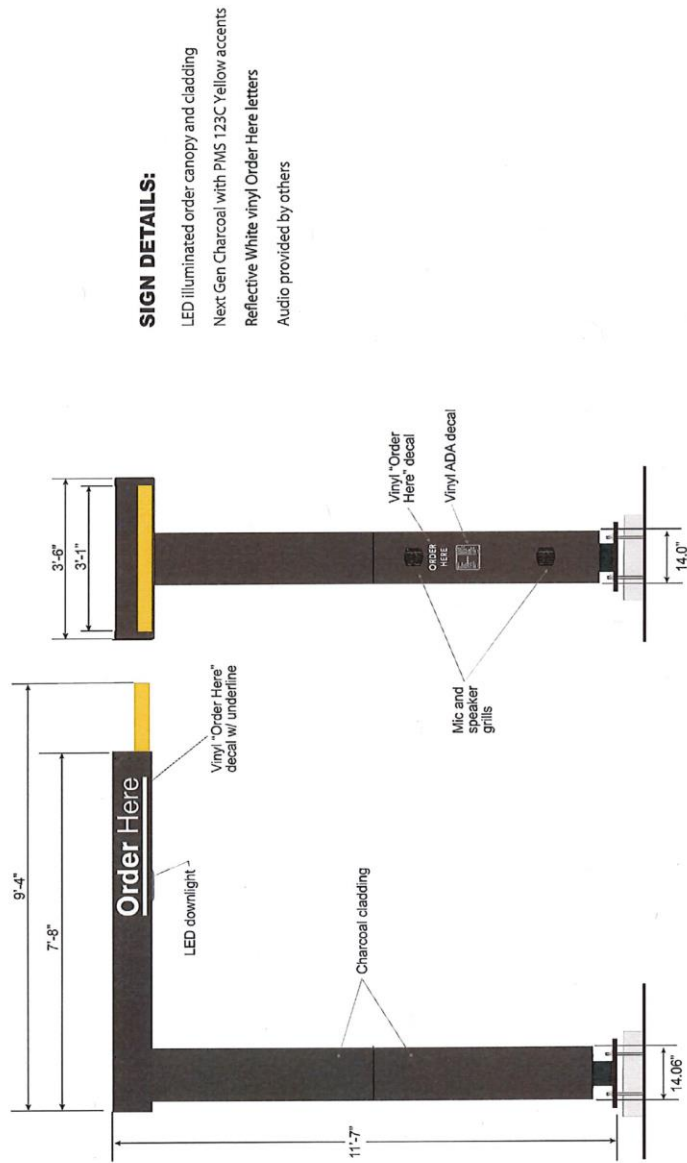
PIF: 519957-1



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G Spring Board Canopy-Charcoal (SSB)



Everbrite, LLC - 4848 South 110th Street - Greenfield, WI 53228 - www.everbrite.com

Project No: 44763  
 Address: 2326 Southport Commons Dr. Indianapolis, IN 46217  
 Description: McDonalds Rest. # 40630

Prepared By: Michelle Zeitl  
 Date: 04/16/2025  
 PIF: 519957-1  
 Customer Signature:

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Outdoor Digital Pre-Browse (ODPB)



Project No: 44763

Address: 2326 Southport Commons Dr. Indianapolis, IN 46217

Description: McDonalds Rest. # 40630

Prepared By: Michelle Zelt

Date: 04/16/2025

Customer Signature:

PIF: 519957-1

McDonald's logo

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Outdoor Digital Menu Board (ODMB)

Project No: 44763  
 Address: 2326 Southport Commons Dr. Indianapolis, IN 46217  
 Description: McDonalds Rest. # 40630

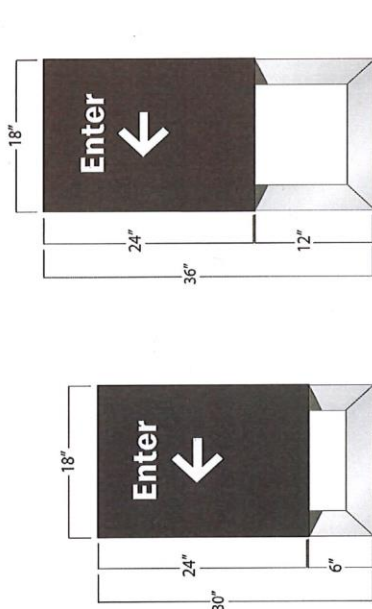
Prepared By: Michelle Zettl  
 Date: 04/16/2025  
 Customer Signature:

PIF: 519957-1

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3 Sq Foot directional, Welcome w/Arch (E01645S)



Directionals without Arch



Directionals with Arch

**SIGN DETAILS:**

Routed aluminum Next Gen Charcoal faces and Next Gen Silver frame

LED illuminated letters, arrow, and optional Arch logo

White letters and arrow, PMS 123C Yellow Arch

**Available Copy**

Enter  
 Exit  
 Welcome  
 Thank You  
 Drive-Thru

**Available Heights**

36"  
 30"

Everbrite, LLC 4648 South 11th Street, Greenfield, WI 52221 www.everbrite.com

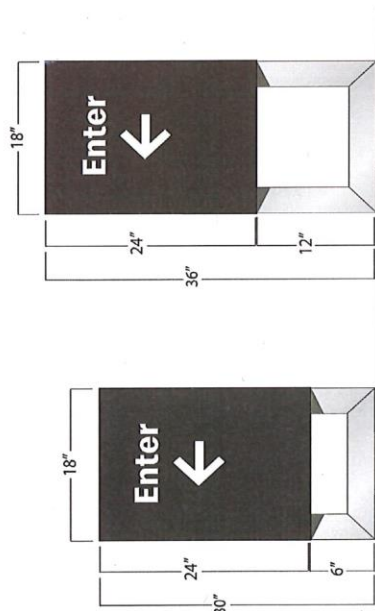
Project No: 44763  
 Address: 2326 Southport Commons Dr. Indianapolis, IN 46217  
 Description: McDonalds Rest. # 40630

Prepared By: Michelle Zeitl  
 Date: 04/16/2025  
 Customer Signature:

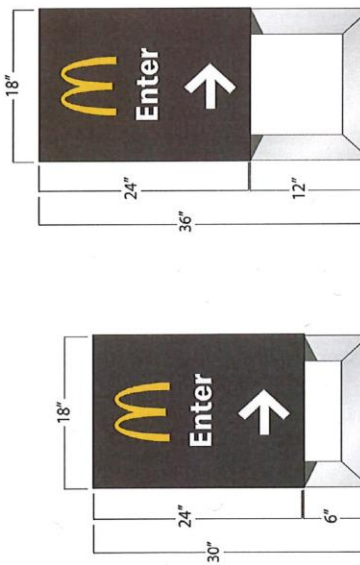
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3 Sq Foot directional, Thank you w/Arch (E01649S)



Directionals without Arch



Directionals with Arch

**SIGN DETAILS:**

Routed aluminum Next Gen Charcoal faces and Next Gen Silver frame

LED illuminated letters, arrow, and optional Arch logo

White letters and arrow, PMS 123C Yellow Arch

**Available Copy**

Enter

Exit

Welcome

Thank You

Drive-Thru

**Available Heights**

36"

30"

Project No: 44763  
 Address: 2326 Southport Commons Dr. Indianapolis, IN 46217  
 Description: McDonalds Rest. # 40630

Everbrite, LLC - 4849 South 11th Street - Greenfield, WI 53228 - www.everbrite.com

Prepared By: Michelle Zent  
 Date: 04/16/2025  
 Customer Signature:

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Division of Planning  
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**EXHIBIT A**

Zoning Ordinance per the particular use. Shared parking is permissible. No parking maximum shall apply.

4. Drive-Through:  
Service units and stacking spaces may face Wellingshire Boulevard, Southport Road or I-69.

**STANDARDS/REQUIREMENTS APPLICABLE TO SOUTHPORT/I-69 PARCEL**

**Building Setbacks:**

1. Front Yard (Wellingshire Boulevard):  
Buildings: Twenty (20) feet, measured from the existing right-of-way line.  
Accessory Uses: Five (5) feet measured from the existing right-of-way line.
2. Front Yard (Southport Road):  
Buildings: Twenty (20) feet, measured from the right-of-way line.  
  
Accessory Uses: Five (5) feet measured from the existing right-of-way line.
3. Front Yard (I-69):  
Buildings: Twenty (20) feet, measured from the right-of-way line.  
  
Accessory Uses: Five (5) feet measured from the existing right-of-way line.
4. Side/Rear Yard (Overall boundary line of Subject Property) :  
Buildings: Twenty (20) feet, measured from overall south boundary line of Subject Property, and not each lot line.
5. Individual Lots, yards not fronting on Wellingshire Boulevard, Southport Road or I-69:  
Buildings: Ten (10) feet, measured from lot line.  
Accessory Uses: Zero (0) feet, measured from lot line.

**Landscaping:** Detailed landscaping plans will be submitted for Administrator's Approval, prior to obtaining an Improvement Location Permit for development of any lot. At a minimum, any such landscaping plan shall provide for perimeter landscaping along Wellingshire Boulevard and Southport Road frontages and along the south property line.

**Utilities/Drainage:** All utilities are available to the site. There will be no utility poles located on the Subject Property, unless already existing and financially impractical to bury. Storm drainage will be professionally engineered to meet all City of Indianapolis requirements with respect to runoff rate and quantity, as well as water quality. The Petitioner may use a combination of surface and underground drainage systems to meet City of Indianapolis Ordinance requirements.

**Lighting:** All free standing light fixtures and lighting elements shall meet the requirements of the Zoning Ordinance.

**Signs:** Petitioner proposes the following signs:

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1. Development Identification Signs: Two (2) pylon signs, each oriented to Interstate 69 traffic, not to exceed forty (40) feet in height (measured from the grade where the signs are actually located) and three hundred (300) square feet in area identifying the development and tenants within the development on the Southport/I-69 Parcel, to be located along the I-69 frontage of the Subject Property, in the approximate locations shown on Exhibit "C".
2. One (1) freestanding monument or pylon sign, not to exceed twenty-five (25) feet in height and three hundred (300) square feet in area, identifying tenants in the commercial portion of the development, to be located near the corner of Southport Road and Wellingshire Boulevard in the approximate location shown on Exhibit "C".
3. One (1) freestanding monument or pylon sign, not to exceed ten (10) feet in height and twenty (20) feet in width, but in no event with a square footage exceeding one hundred fifty (150) square feet, identifying the commercial portion of the development, but not identifying specific tenants, in the approximate location shown on "Exhibit "C".
4. Individual lots shall not be permitted to have freestanding individual building identification signs.
5. Wall signs, as permitted by the Sign Regulations of Marion County, on all of the Buildings.
6. Up to three (3) Construction/Leasing signs with a maximum height of twenty (20) feet measured from street level grade and a maximum size of sixty-four (64) square feet. One (1) Construction/Leasing sign may have a maximum height of forty (40) feet and a maximum size of two hundred (200) square feet in sign area.
7. Secondary freestanding signs as permitted by Table 744-906-2 of the Zoning Ordinance for Commercial Districts.

**Building Materials:** All Buildings shall feature one or more of the following materials: glass, steel, aluminum, wood, masonry, stone, EIFS and fiber cement board.

**LIST OF EXHIBITS**

Exhibit "A"	Legal Description of Southport/I-69 Parcel
Exhibit "B"	Site Plan
Exhibit "C"	Sign Plan

43647638.2





View looking north along Wellingshire Boulevard



View of site looking east along West Southport Road

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View of site looking east across Wellingshire Boulevard



View of site looking east across Wellingshire Boulevard



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View of site looking northeast



View of site looking north





View of site looking northwest



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 14, 2025**

**Case Number:** 2025-ZON-082  
**Property Address:** 1544 East 10th Street (Approximate Address)  
**Location:** Center Township, Council District #13  
**Petitioner:** Douglas Koenig  
**Current Zoning:** MU-1  
**Request:** Rezoning of 0.23-acre from the MU-1 district to the D-8 district to provide to legally establish a detached single-family dwelling.  
**Current Land Use:** Single-family dwelling  
**Staff Recommendations:** Approval  
**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the request.

**PETITION OVERVIEW**

**LAND USE**

The 0.23-acre site is developed with a single-family dwelling, detached garage, and gravel parking area. It is surrounded by a single-family dwelling to the west, zoned MU-1, a single-family dwelling to the north, zoned D-8, a multi-unit dwelling to the east, zoned MU-1, and a school to the south, zoned SU-2.

**REZONING**

The request would rezone the property to the D-8 district to allow for a detached single-family dwelling which is not permitted in the existing MU-1 district.

The MU-1 District is intended for the development of high-rise office uses and apartments intermixed, grouped in varying combinations, or provided in the same building. MU-1 is designed for use along arterials with both high-traffic counts and positive pedestrian experience or demand. Appropriate settings for the MU-1 district include the midtown and uptown areas of the City, very near rapid transit stops, or in the midst of high intensity Regional Commercial complexes.

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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.

## STAFF ANALYSIS

The request would rezone the site to the D-8 district for a single-family dwelling and associated detached garage to be built after the demolition of the exiting garage on site.

The petitioner was notified that the rear parking area would need to be paved and the new detached garage would need to meet the five-foot rear setback and five-foot side setback requirements. Because the site plan submitted was not to scale, staff could not confirm the current open space calculation and informed the petitioner that the 40% open space would need to be met as well.

The request would align with the Traditional Neighborhood recommendation of the Comprehensive Plan and the historical residential use of the site per an 1898 Sanborn map that notes the existence of a single-family dwelling on site at that time.

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

## GENERAL INFORMATION

<b>Existing Zoning</b>	MU-1	
<b>Existing Land Use</b>	Single-family dwelling	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	D-8	Residential (Single-family dwelling)
South:	SU-2	School
East:	MU-1	Residential (Multi-unit dwelling)
West:	MU-1	Residential (Single-family dwelling)
<b>Thoroughfare Plan</b>		
10 <sup>th</sup> Street	Primary Arterial Street	56-foot proposed right-of-way and 61-foot existing right-of-way.
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	July 9, 2025	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	

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

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- The Near Eastside Quality of Life Plan (2020)
- Infill Housing Guidelines (2021)

### Pattern Book / Land Use Plan

- The Comprehensive Plan recommends Traditional Neighborhood development of the site.
- The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.
- **Conditions for All Land Use Types**
  - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
  - All development should include sidewalks along the street frontage.
- **Conditions for All Housing**
  - A mix of housing types is encouraged.
  - Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
  - Primary structures should be no more than one and a half times the height of other adjacent primary structures.
  - Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.

- **Detached Housing**

- The house should extend beyond the front of the garage. Garages should be loaded from an alley or side street when possible and should be detached if located on the side of the house.
- Secondary units are encouraged.
- Lots should be no larger than one and a half times the adjacent lots.

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

- Not Applicable to the Site.

**Neighborhood / Area Specific Plan**

- The site falls within The Near Eastside Quality of Life Plan (2020).
- The plan did not address the residential use of this specific 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.

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

**Indy Moves**

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

- Not Applicable to the Site.

## ZONING HISTORY

### Zoning History - Vicinity

**2020-ZON-027; 1018 Newman Street** (east of site), Rezoning of 0.06 acre from the MU-1 district to the D-8 district, **approved**.

**2018-ZON-124; 1604 and 1608 East 10<sup>th</sup> Street** (east of site), Rezoning of 0.37 acre from the MU-1 district to the D-8 classification, **approved**.

**2015-UV1-020; 1616 East 10th Street** (east of site), Variance of use and development standards of the Commercial Zoning Ordinance to provide for the construction of a 721-square foot carport (not permitted), with a six-foot east side yard and to legally establish a 224-square foot storage shed, with a zero-foot west side yard, **granted**.

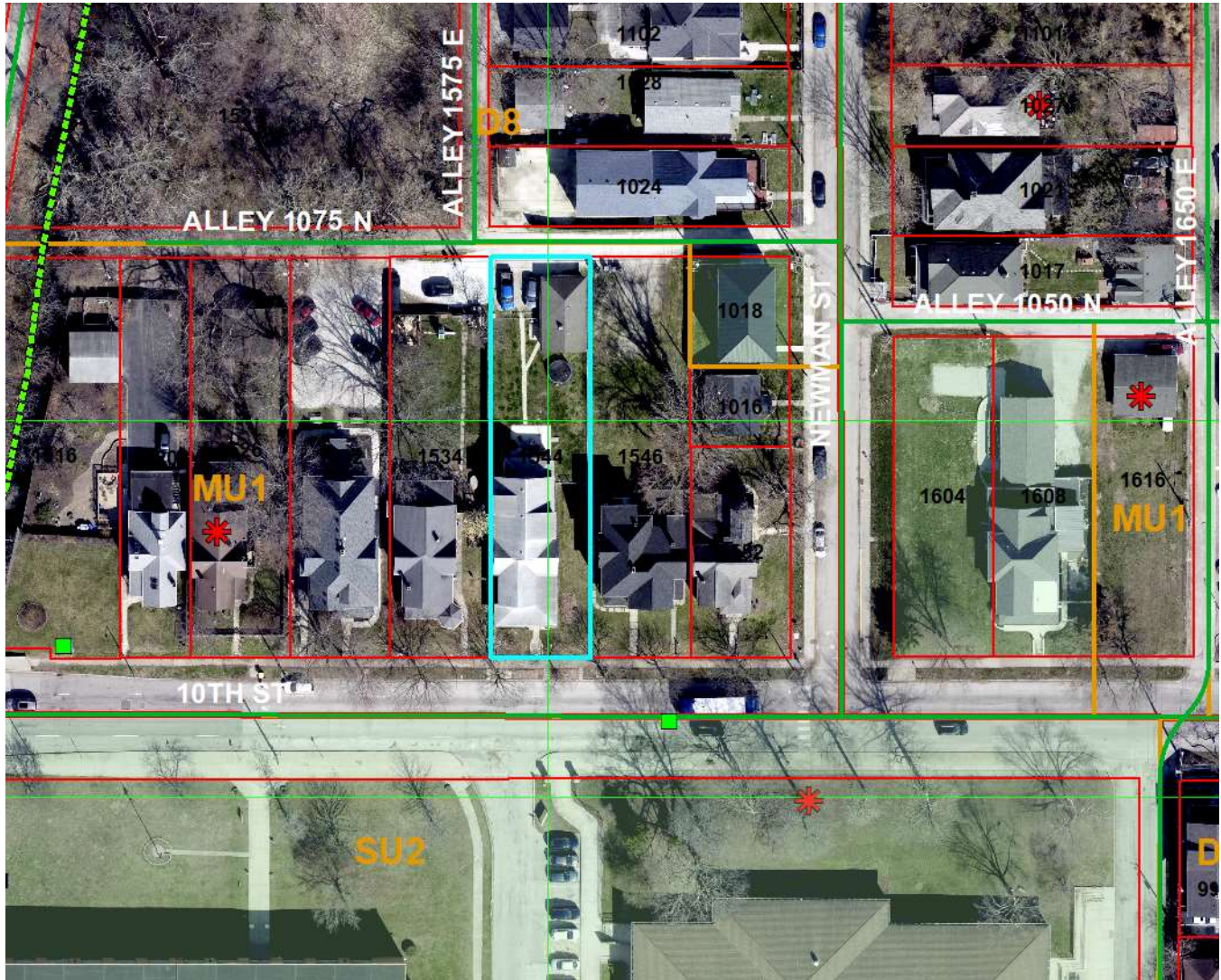
**2013-HOV-035; 1526 East 10th Street** (west of site), Variance of use and development standards of the Commercial Zoning Ordinance to legally establish a single-family dwelling, with a zero-foot west side setback, and a detached garage, **granted**.

**92-Z-99; 1401, 1501 and 1601 East 10<sup>th</sup> Street and 1501 East Michigan Street** (south of site), Rezoning of 80 acres, being in the D-5 District, to the SU-2 classification to legally establish an existing school, **approved**.

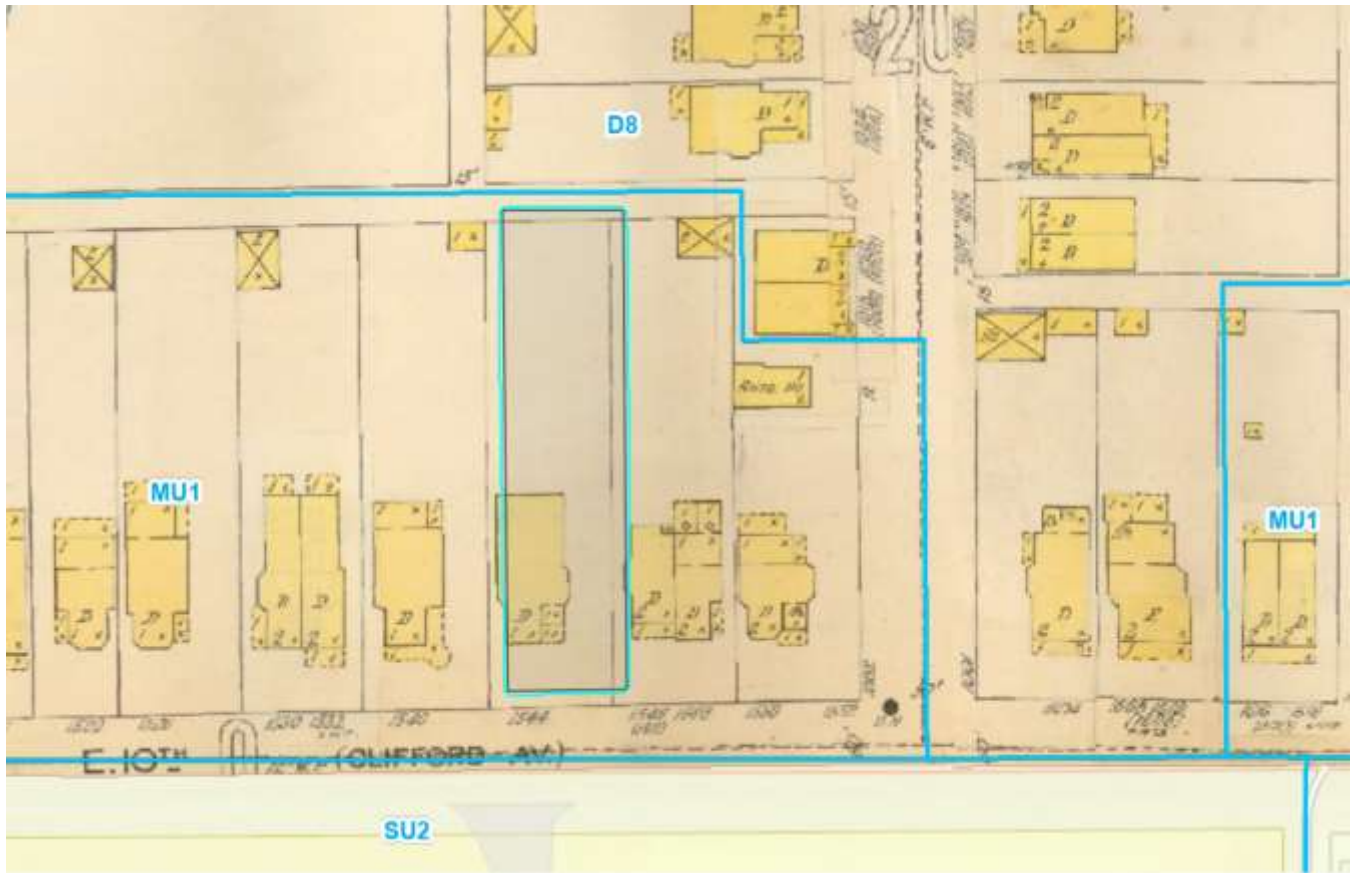
**83-HOV-47; 1027 Newman Street** (northeast of site), Variance of development standards of the Dwelling Districts Zoning Ordinance, to allow the replacement of a gable roof with a gambrel roof on an existing garage that is 2.5 and 1.5 feet from the side property lines, **granted**.



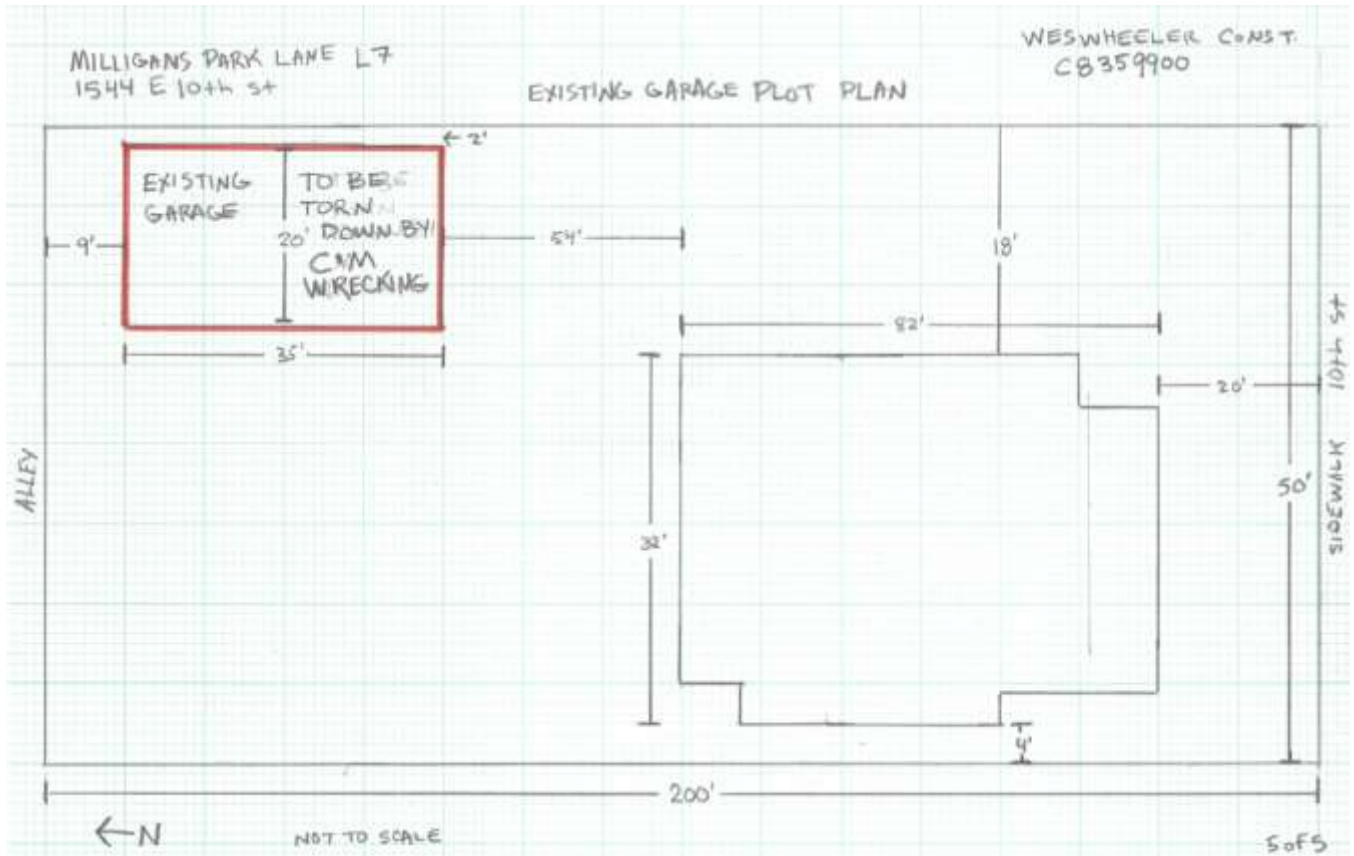
EXHIBITS



Aerial Map



1898 Sanborn Map



Site Plan





Photo of the subject stie.



Photo of the rear yard, existing detached garage to be demolished, and gravel parking area.



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Photo of the existing alley north of the site looking west.



Photo of the school south of the site.

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Photo of the multi-unit dwelling east of the site.



Photo of the residential dwellings west of the site.



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 28, 2025**

**Case Number:** 2025-CZN-839 / 2025-CPL-839  
**Property Address:** 2222 Hillside Avenue (Approximate Address)  
**Location:** Center Township, Council District #8  
**Petitioner:** Hillside Industrial IN LP, by Jason P. Lueking  
**Current Zoning:** SU-7 and I-3  
**Request:** Rezoning of 19.943 acres from the SU-7 and I-3 districts to the I-3 district to provide for medium industrial uses.  
Approval of a Subdivision Plat, to be known as Hillside Park, creating one, 19.943-acre lot, from multiple lots.  
**Current Land Use:** Industrial  
**Staff Recommendations:** Approval  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

**PETITION HISTORY**

This is the first public hearing on this petition.

**STAFF RECOMMENDATION**

Staff recommends approval of this petition

**PETITION OVERVIEW**

**LAND USE**

This 19.943-acre site, currently split-zoned SU-7 and I-3 (Medium Industrial District) is improved with a multi-tenant industrial building. The property is currently being occupied by a discount store. It is surrounded by a fraternal lodge zoned SU-34 to the north; the Monon-Pogue's Run Connector right-of-way to the south; the Keystone Enterprise Park zoned C-S to the east; and KIPP Indy Legacy High School on SU-7-zoned land to the west.

**PLAT**

The plat petition was withdrawn by the petitioner.

**REZONING**

This request, if approved, would rezone the site from SU-7 and I-3 to the I-3 Classification to provide uniform zoning across the property.

**SU-7** is Special Use District Seven that permits charitable, philanthropic and not-for-profit institutions.



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**I-3** is the Medium Industrial District for industries that present moderate risks to the general public. Wherever practical, this district should be away from Protected Districts and buffered by intervening lighter industrial districts. Permitted uses include processing of food, manufacturing using mechanical manipulation of materials with more intense manufacturing permitted by Special Exception, heavy equipment sales & service, waste or recycling transfer facility, dry cleaning, medical labs, contractors, warehousing and distribution, fleet terminals, vehicle storage and auction, vehicle repair, heavy equipment sales & repair, outdoor storage, etc.

## OVERLAY

The site is also within the Industrial Reserve (IR) Overlay, intended for areas suitable for industrial development due to large parcel size, proximity to compatible uses, and interstate access. While no additional uses are permitted by the overlay, certain uses are excluded, including small-scale offices, retail, personal or professional services, and heavy commercial uses.

## STAFF ANALYSIS

**A site visit revealed the presence of a banner sign, for which a sign permit must be obtained.**

While the I-3 district is more intense than the Comprehensive Plan's recommended Light Industrial classification, the current uses—such as warehousing, wholesaling and distribution, logistics, research and development, manufacturing, and public safety facilities—are permitted within the I-2 (light Industrial) district. Furthermore, this rezone petition in practice only rezones the access road and easement to allow better site maneuverability the building is already zoned I-3. The I-3 Zoning District has a side and Rear transitional yard of 40 feet from the eastern property line allowing for greater separation of uses than I-2 district.

The building can be found in the 1962 aerials and according to the property card it was built in 1957, 1957, according to property records. Given the historical and existing industrial use of the site, as well as the scope and intent of the rezoning, staff recommends approval of the request.

## GENERAL INFORMATION

<b>Existing Zoning</b>	SU-7 and I-3	
<b>Existing Land Use</b>	Industrial	
<b>Comprehensive Plan</b>	Light Industrial	
<b>Surrounding Context</b>	<u><b>Zoning</b></u>	<u><b>Land Use</b></u>
North:	SU-34	Fraternal Lodge
South:	ROW	Monon-Pouges Connector
East:	C-S	Keystone Enterprise Park
West:	SU-7	Kipp Indy Legacy High School
<b>Thoroughfare Plan</b>		
Hillside Avenue	Primary Collector	Enter ROW Requirement vs 78-foot Proposed right-of-way
<b>Context Area</b>	Compact	

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<b>Floodway / Floodway Fringe</b>	No
<b>Overlay</b>	Industrial Reserve
<b>Wellfield Protection Area</b>	No
<b>Site Plan</b>	N/A
<b>Site Plan (Amended)</b>	N/A
<b>Elevations</b>	N/A
<b>Elevations (Amended)</b>	N/A
<b>Landscape Plan</b>	N/A
<b>Findings of Fact</b>	N/A
<b>Findings of Fact (Amended)</b>	N/A
<b>C-S/D-P Statement</b>	N/A

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Pattern Book (2019)
- Martindale-Brightwood Neighborhood Plan (2011) (2003) (1997)

### Pattern Book / Land Use Plan

The **Light Industrial** typology provides for industrial, production, distribution, and repair uses conducted within enclosed structures and unlikely to create emissions of light, color, 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.

### Environmentally Sensitive Areas

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

### Industrial Reserve

The **Industrial Reserve (IR)** overlay is intended for areas that are prime for industrial development due to factors such as large parcel size, proximity to compatible uses, and/or interstate access.

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

- Not Applicable to the Site.

### Neighborhood / Area Specific Plan

#### Martindale-Brightwood Neighborhood Plan Quality of Life Plan (2011)

#### Martindale-Brightwood Neighborhood Plan (2003)

Potential Redevelopment Area

#### LIGHT INDUSTRIAL:

Industries that conduct their entire operations within completely enclosed buildings and do not have objectionable characteristics that extend beyond their property lines. Some examples are jewelry manufacturing and engraving, warehousing, construction companies, upholstering, paper box and paper products manufacturing from finished paper, and manufacturing of optical goods.

- BUSINESS DEVELOPMENT GOAL: Provide a strong base for the neighborhood.  
**Recommendations**
  - Seek new businesses for the Keystone Enterprise Park that provide good jobs for neighborhood residents.
  - Make the sort of physical improvements that encourage investment and increase retail activity in the neighborhood.

#### The Martindale-Brightwood Industrial Development Area (1997)

### Infill Housing Guidelines

- Not Applicable to the Site.

### Indy Moves

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

#### INDY GREENWAYS MASTER PLAN (2014)

#### Monon-Pogue's Connector

The final part of the master plan deals with smaller greenway and trail segments that help to complete the overall system and address areas of the city where additional connections are needed or where there are opportunities for meaningful connections. These types of connections include:

- Greenway-to-greenway connections
- Opportunities to connect between greenways in areas currently underserved by the greenway system

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- Opportunities to establish connections between the greenways and nearby public facilities that will generate significant pedestrian and bicycle traffic.
- Areas where there is available right-of-way for greenway-to-greenway connections

**Greenway-To-Greenway Connectors**

Several areas have been identified where there are strong potential connections between greenway segments. These potential routes link the different greenways together expanding the reach of each greenway for the user. They also provide a different experience for the user by providing alternative loops within the greenway and expanding the greenways into new areas. One such example in this plan is the Monon Connector, a proposed connection between the Monon Trail and the Pogue's Run Greenway. This 1.8-mile link is proposed on an abandoned rail corridor that parallels 21st street. Not only would this connection provide access to the Monon Trail for residents on the east side, but it would also bring users to the Pogue's Run Art and Nature Park, helping to invigorate use of that property.

## ZONING HISTORY

### SITE

**2025-UV1-007; 2222 Hillside Avenue** (subject site), Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for I-3 Uses (not permitted), **withdrawn**.

**2018-ZON-027; 2259 Ralston Avenue** (part of subject site), Rezoning of 13.13 acres from the SU-16 and I-3 districts to the SU-7 classification to provide for an adult and child day care center, with building additions and urban gardens, **approved**.

**2018-PLT-077; 2255 Ralston Avenue** (west of subject site), Approval of a Subdivision Plat, to be known as KIPP Indy – Edna Martin Christian Center, dividing 13.04 acres into three lots, **approved**

**2012-UV2-017; 2222 Hillside Avenue** (subject site), Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a scrap metal recycling facility (not permitted), **granted**.

### VICINITY

**2011ZON064; 1802 E 23<sup>rd</sup> street** (north of subject site), Rezoning of 5.62 acres, from the SU-1 and SU-34 Districts to the D-7 classification to provide for multifamily uses, **approved**.

**2008-ZON-106; 1701 East 25<sup>th</sup> Street (north of subject site)**, request rezoning of four acres from the SU-1 and D-5 to D-7, **approved**.

**2007-ZON-001; 1701 East 25<sup>th</sup> Street** (north of subject site), request rezoning of 3.41 acres from SU-1 to D-7, **approved**.

**2005-ZON-173; 2255 Ralston Avenue** (west of subject site), requested rezoning of 9.87 acres, being in the I-3-U District, to the SU-16 classification to provide for recreational uses, **approved**.

**2004-UV3-027, 2255 North Ralston Avenue** (west of subject site), requested a variance of use to provide for the expansion of an indoor sports complex, and the installation of a mobile office structure, in I-3-U, **approved**.

**2003-ZON-840/2003-PLT-840; 2115-2150 North Keystone, 2215-2236 North Tacoma Avenue, 2154-2222 Winter avenue, 2219-2223 Bellis Street, 2100-2223 Greenbriar lane, 21-29-2205 Jefferson Avenue, 2162-2247 North Temple Avenue, 2218-226 Eastern Avenue, 2205-2248 East Pruitt Street** (east of site), rezoning of 44.464 acres, being in the D-5, I-3-U, I-4-U and SU-1 Districts, to the C-S Classification to provide for an industrial Park with limited C-3, C-4, C-I-C, I-1-U, I-2-U and I-3-U uses, **approved**

**2002ZON837/ 2002- PLT-837; 2311 North Temple Avenue** (east of site), requested rezoning of 36.109 acres from the D-5 and SU-1 to C-S to provide for a mixed use industrial Park, Including light industrial, retail and hospitality uses, and requested plat approval of an industrial park to be known as Keystone



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Enterprise Park, Phase 1, a replat of 1-6 in wilder's subdivision, all Lots in Arthur V. Brown's Oak Hill Subdivision, all lots in Hillside Terrace, et al, dividing 36.109 acres into four blocks, **approved**.

**2002-UV3-008, 2255 North Ralston Avenue** (west of subject site), requested a variance of use to provide for the expansion of an indoor sports complex in I-3-U, **approved**.

**97-UV3-98, 2259 North Ralston Avenue** (west of subject site), requested a variance of use to provide for an indoor sports complex in I-3-U, **approved**

**96-HOV-16; 2302-2461 Ralston Avenue** (west of subject site requested a variance of development standards of the Dwelling Districts Zoning Ordinance to allow construction of 10 homes with a main floor area of 600 square feet, **granted**.

**95-HOV-16; 2302-2461 North Ralston Avenue** (west of subject site), Variance of development Standards of the dwelling districts zoning ordinance to allow construction of 10 homes with a main floor area of 600 square feet (minimum 660 square feet required) **granted**

**91-Z-30; 1720-2050 East 23<sup>rd</sup> Street** (north of subject site), request rezoning of 13.1 acres, being in the D-7 District, to the SU-34 classification to legally establish an existing lodge, **approved**.

**86-SE3-2; 2102 Hillside Avenue** (south of subject site), request an industrial special Exception to provide for the operation of a concrete manufacturing plan, granted

**81-UV2-98; 1902 East 23<sup>rd</sup> Street** (north of subject site), requested a variance of use and development standards to permit temporary use as a parking lot, **granted**.

EXHIBITS

2018PLT077 Zoning Map



## INDY GREENWAYS MASTER PLAN Monon-Pogue's Connector

### monon trail overview:

\* PROVIDES CONNECTION FROM HAMILTON COUNTY AND  
 NORTHERN INDIANAPOLIS DIRECTLY TO DOWNTOWN

MILES: 10.3

#### DESTINATIONS:

- \* NO RA COMMERCIAL CENTER
- \* BROAD RIPPLE VILLAGE
- \* BROAD RIPPLE HIGH SCHOOL
- \* INDIANA SCHOOL FOR THE DEAF
- \* INDIANA STATE FAIRGROUNDS
- \* DOWNTOWN

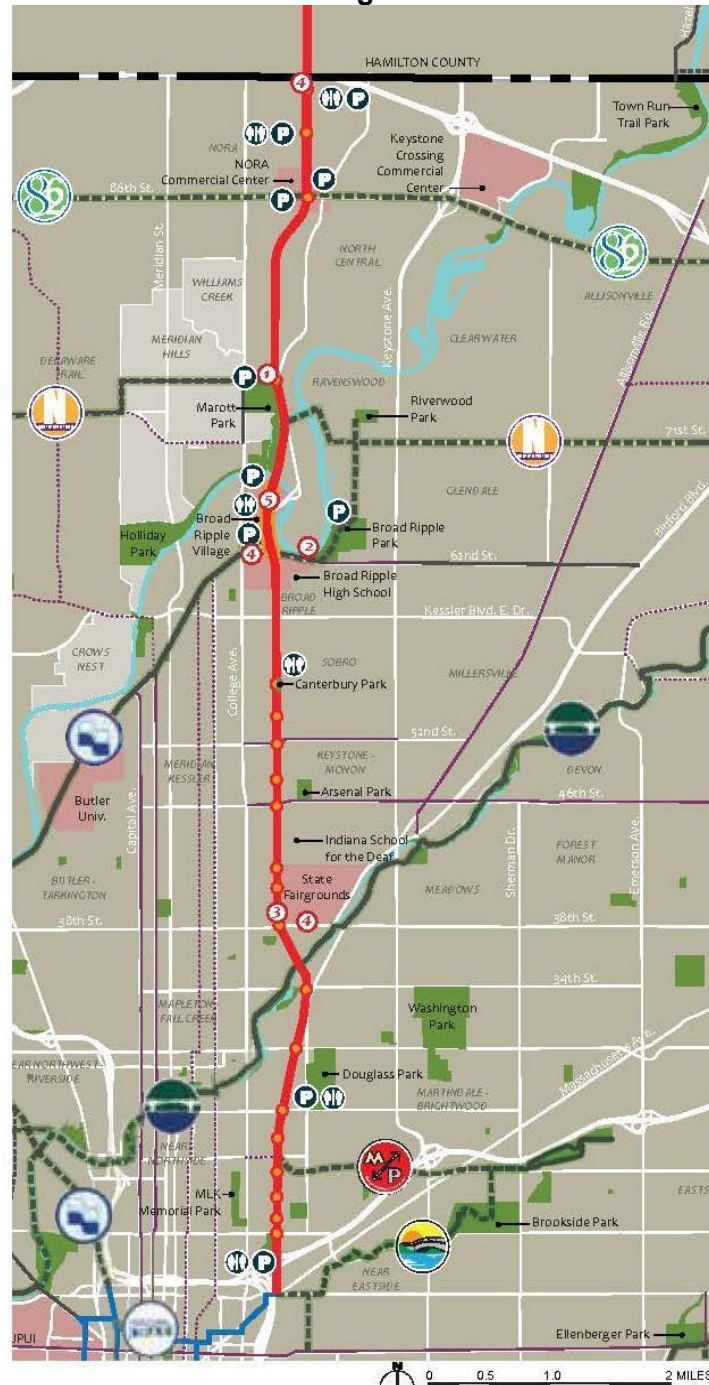
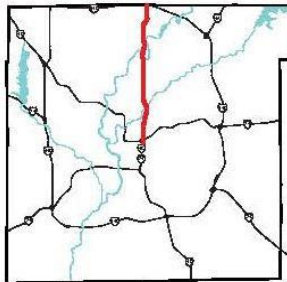
#### CONNECTIONS:

- \* 86TH-82ND STREET COMMERCIAL CONNECTOR
- \* NORTHTOWN TRAIL
- \* CENTRAL CANAL TO WPATH
- \* FALL CREEK GREENWAY
- \* MONON-POGUES CONNECTOR
- \* POGUES RUN GREENWAY
- \* INDIANAPOLIS CULTURAL TRAIL

### legend

- PARKING AREAS
- RESTROOMS
- GREENWAY ACCESS POINTS
- CONTINUOUS GREENWAY ACCESS
- BUILT MONON TRAIL
- PROPOSED MONON TRAIL
- BUILT OTHER GREENWAYS
- PROPOSED OTHER GREENWAYS
- INDIANAPOLIS CULTURAL TRAIL
- EXISTING SHARED-USE PATHS
- PLANNED SHARED-USE PATHS
- EXISTING BIKELANES
- PLANNED BIKELANES
- LANDMARKS
- PARKS
- OTHER INCORPORATED AREAS

### key map



**monon trail**





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

**2025-CZN-839 Proposal by Petitioner**

**Proposal by Petitioner**

On or about September 20, 2022, the Petitioner, Hillside Industrial IN LP, acquired approximately 17.915 acres of real estate located at 2222 Hillside Avenue, Indianapolis, Indiana ("Original Property"). The Original Property has a zoning classification of I-3, or Medium Industrial, and features a warehouse with a total of 152,256 square feet ("Warehouse"). The Warehouse is used and leased for industrial purposes to four (4) tenants who have their own individual spaces within the Warehouse.

The Petitioner subsequently acquired 1.985 acres of land ("Adjacent Property") from Piper Warehouse, Inc., an Indiana corporation, by Special Warranty Deed dated October 22, 2024 and recorded November 1, 2024 as Instrument No. A202400089756 in the office of the Recorder of Marion County, Indiana.

The Adjacent Property was excess land formerly part of two (2) parcels of real estate used for Kipp Indy Legacy High School under Marion County Tax Parcel No. 1106183 (2259 Ralston Avenue) and Parcel No. 1106185 (2135 Ralston Avenue). The Adjacent Property has grass areas, asphalt paved areas and a dry retention basin area. No buildings are located on the Adjacent Property. The zoning for the Adjacent Property is SU-7.

The Adjacent Property does not have direct access to a public road and access to the Adjacent Property to and from 23rd Street and Hillside Avenue is through and across portions of the Petitioner's Original Property.

Petitioner (and the predecessor owner) purchased the Adjacent Property for the purpose of improving access and maneuverability around the warehouse located on the Petitioner's Adjacent Property. The Adjacent Property also provides additional parking for trucks and trailers used by tenants of the Petitioner to bring products to and from the Warehouse.

Petitioner requests a re-zoning of the Adjacent Property from SU-7 to I-3. The Adjacent Property will be used for driveway purposes, parking of trucks, trailers and equipment and other incidental purposes to support the Warehouse located on the Petitioner's Adjacent Property.

Per the request of the Department of Metropolitan Development, the Petitioner is simultaneously filing a Petition for Plat approval that will combine the Original Property and the Adjacent Property into one lot for Hillside Park Subdivision. The lot will have a total of approximately 19.943 acres.

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

**2025-CZN-839 Plan of Operations**

**Plan of Operations**

The portion of the subject property currently zoned SU-7 (1.985 acres) includes grass areas, asphalt paved areas which are used for parking and driveway purposes along with a dry retention area. This property provides improved functionality including enhanced parking and maneuverability for tenants of the warehouse located on the adjacent parcel including approximately 17.9 acres ("Original Property").

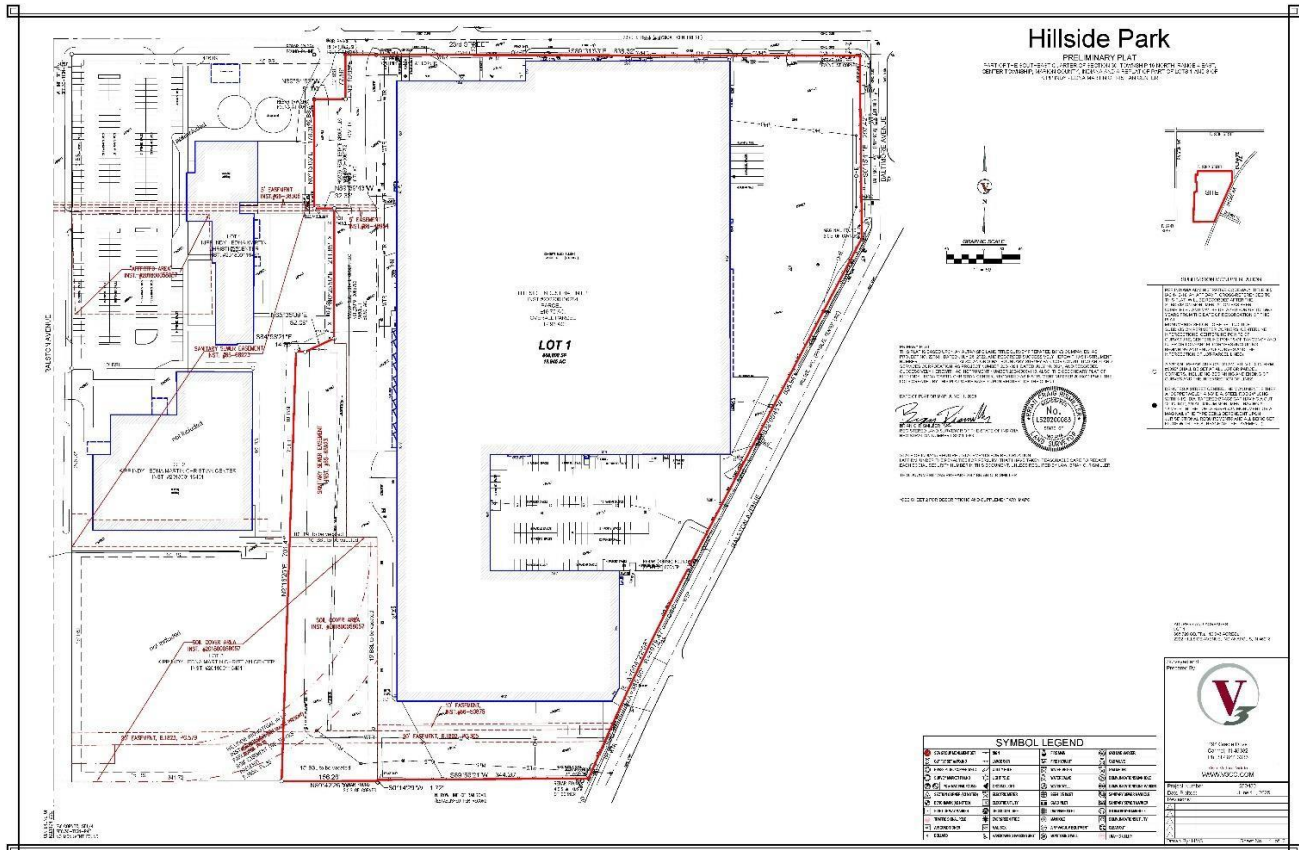
There is fencing between the subject property and adjacent land to the West that is used for Kipp Indy Legacy High School. Access to the property is also limited by gates along the public roads that provide access to the property. Cameras are installed for additional security applicable to property.

There are 4 tenants on the property including the City of Indianapolis, Metropolitan Police Department. Between the 4 tenants, it is estimated that 40 to 50 employees access the warehouse building on the property each business day. Business hours are generally 10 a.m. to 5 p.m. Monday through Friday but Tenants are allowed access to the warehouse at other times.

There are not any known hazardous or explosive materials on the property.

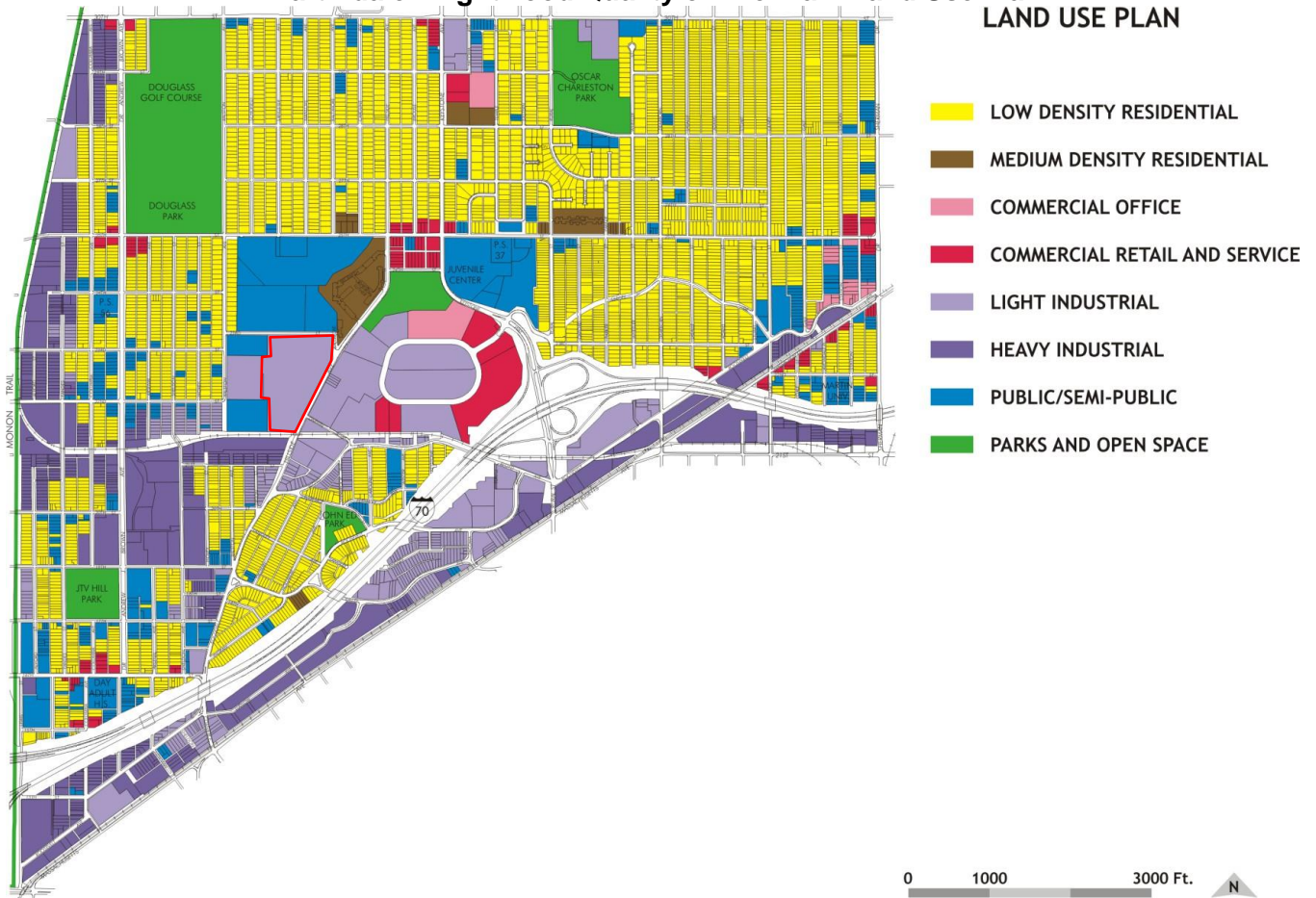


2025-CZN-839 Preliminary Plat



**Martindale-Brightwood Quality of Life Plan :Land Use Plan**

**LAND USE PLAN**



**2025-CZN-839 Photos:**

**Looking west on subject property at warehouse**



**On subject property entrance parking lot looking north**





On subject property looking east at Hillside Avenue



On Hillside Avenue looking south





On Hillside Avenue looking north



Looking east from Hillside Avenue and banner wall sign.





Looking south from subject property at Monon-Pogue's Connector



Looking east from subject property at area to be rezoned





Department of Metropolitan Development  
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Looking east from subject property at area to be rezoned







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**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 14, 2025**

**Case Number:** 2025-CVC-829  
**Property Address:** 5802, 5808, 5814, and 5820 Evanston Avenue (Approximate Addresses)  
**Location:** Washington Township, Council District #7  
**Petitioner:** Roman Catholic Archdiocese of Indianapolis Properties, Inc., by Brian J. Tuohy  
**Current Zoning:** D-5  
**Request:** Vacation of a portion of Evanston Avenue, being 50 feet in width, from the north right-of-way line of 58th Street, north 600 feet, to the north right-of-way line of Northgate Street.  
**Current Land Use:** Public Street  
**Staff Recommendations:** Denial of the vacation.  
**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

**ADDENDUM FOR AUGUST 14, 2025 HEARING EXAMINER**

This petition was approved by the Hearing Examiner at their July 10, 2025, hearing. On August 5, 2025, the appraisal report was submitted to the file. Staff has reviewed the findings and agrees with its findings.

**ASSESSMENT OF BENEFITS**

Appraiser Used: Murphy Appraisal Services, Paul Schuster, Appraiser  
Appraiser's Benefits: \$8,700.00  
Appraiser's Fee: \$1,000.00

**RECOMMENDED MOTION (approval):** That the Hearing Examiner find that the proposed vacation is in the public interest; that Hearing Examiner sustain, confirm, approve and adopt the Final Assessment Roll in 2025-CVC-829, assessing benefits in accordance therewith, in the amount of \$8,700.00 and that the petitioner pay the Appraiser's Fee of \$1,000.00; that the Hearing Examiner confirm and ratify the adoption of Declaratory Resolution 2025-CVC-829; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

**July 10, 2025**

This petition was continued from the June 26, 2025 hearing to the July 10, 2025 hearing at the request of the petitioner to allow staff additional time to review a new site plan proposal.

## STAFF RECOMMENDATION

Staff **recommends approval of the rezoning.**

Staff finds the **vacation** would not be in the public interest and recommends the vacation petition be **denied**.

**RECOMMENDED MOTION (Denial)**: That the Hearing Examiner find that the proposed vacation is not in the public interest and that the Hearing Examiner deny Declaratory Resolution 2025-CVC-829.

**RECOMMENDED MOTION (Approval)**: That the Hearing Examiner find that the proposed vacation is in the public interest; that a hearing upon the assessment of benefits be held on August 14, 2025; that the Hearing Examiner confirm and ratify the adoption of Declaratory Resolution 2025-CVC-829; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

## PETITION OVERVIEW

### LAND USE

The 1.56-acre site is comprised of four parcels (8008213, 8008211, 8008210, and 8008209) developed with single-family dwellings to be demolished. The site falls within the Canterbury-Chatard neighborhood.

The site is surrounded by a surface parking lot to the north, zoned SU-2, a baseball field and parking areas to the east, zoned SU-2, and single-family dwellings west and south, zoned D-5.

### VACATION

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

The request would permit adjacent properties west of the alley to be combined with a portion of the existing right-of-way for the development of tennis courts and additional parking. An approximate 13-foot wide lane for vehicular use will be proposed between the tennis courts and baseball field to the east. This is intended to be used as an access easement for the City and utility traffic to prevent a dead end.

However, the site plan does not call out which direction traffic is expected to travel with it being converted into one lane where two-way traffic currently exists. After evaluation of the above considerations, staff finds that the vacation would not be in the public interest and recommends the vacation petition be denied. If approved, the vacation request would require an assessment of benefits hearing since the existing right-of-way is improved.

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

## PROCEDURE

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

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

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

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

## GENERAL DESCRIPTION:

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

## DPW INPUT ON PROPOSED VACATION

“This request is concerning. Although, there is no Stormwater infrastructure along the street segment, there is public sewer, which needs to have access to maintain. There are also several homes that use this portion of Evanston to access their driveways. Without public ROW, they would have to traverse private property to access their homes. I would recommend against granting this request.”

Staff would note that the existing single-family dwellings along the proposed section of Evanston Avenue to be vacated would be demolished.

## UTILITIES AND AGENCY REPORT

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



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Division of Planning  
Current Planning**

## STAFF ANALYSIS

The Comprehensive Plan recommends suburban neighborhood development which contemplates small and large school uses. Staff considers schools to be compatible with residential neighborhoods, with appropriate design and buffering to minimize the impact of the operation and activities of a school campus, such as outdoor activities, signs, setbacks, and landscaping.

However, staff recommends denial of the vacation request since it would not be in the public interest.

## GENERAL INFORMATION

<b>Existing Zoning</b>	D-5	
<b>Existing Land Use</b>	Residential	
<b>Comprehensive Plan</b>	Suburban Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	SU-2	Surface Parking Lot
South:	D-5	Residential (Single-family dwelling)
East:	SU-2	Baseball Field and Parking Areas
West:	D-5	Residential (Single-family dwellings)
<b>Thoroughfare Plan</b>		
Evanston Avenue	Local Street	48-foot proposed right-of-way and 52-foot existing right-of-way.
58 <sup>th</sup> Street	Local Street	48-foot proposed right-of-way and 50-foot existing right-of-way.
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	May 23, 2025	
<b>Site Plan (Amended)</b>	June 25, 2025	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	June 17, 2025	
<b>Findings of Fact</b>	May 23, 2025	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

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

### Pattern Book / Land Use Plan

- The Comprehensive Plan recommends suburban neighborhood development of the site.
- The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.
- **Conditions for All Land Use Types**
  - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
  - All development should include sidewalks along the street frontage.
  - Hydrological patterns should be preserved wherever possible.
  - Curvilinear streets should be used with discretion and should maintain the same general direction.
  - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- **Small-Scale Schools, Places of Worship, Neighborhood-Serving Institutions/Infrastructure, and Other Places of Assembly**
  - Should be located along an arterial 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.
  - Schools should not be within 1000 feet of a highway, freeway, or expressway.
  - Should be located within one-half mile of a bus or rapid transit stop unless there is no or limited bus service within the institution's service area.
- **Large-Scale Schools, Places of Worship, Community-Serving Institutions/Infrastructure, and Other Places of Assembly**
  - Should be located along an arterial street.

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- 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.
- Schools should not be within 1000 feet of a highway, freeway, or expressway.
- Should be located within one-half mile of a bus or rapid transit stop unless there is no bus service within the institution's service area.
- In predominantly platted, single-family neighborhoods, site should be at least as wide as it is deep.
- Should be in harmony with the surrounding neighborhoods and site and screen their parking, service, and emergency vehicle areas to buffer surrounding residential uses.

**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 Indy Moves Transportation Integration Plan (2018), more specifically IndyMoves PedalIndy (2018) recommends an active transportation bike neighborway along 58<sup>th</sup> Street / Tuxedo Street / Olney Street from Primrose Avenue to 71<sup>st</sup> Street.

## ZONING HISTORY

### Zoning History – Site

**91-P-60; 2002 East 56<sup>th</sup> Street (subject site)** Approval of subdivision plat to be known as Northdale Subdivision, dividing 3.3+ acre into 4 lots, **approved**.

### Zoning History – Vicinity

**2018-ZON-016; 5824, 5830, 2834, and 5840 Evanston Avenue** (north of site), Rezoning of 0.8 acre, from the D-4 districts to the SU-2 classification, **approved**.

**2004-ZON-818; 5714-5745 Evanston Avenue and 2019 Northdale Lake Drive** (southeast of site), Rezoning of 2.25 acres being in the D-6II District, to the D-P classification to legally establish multi-family residential development with a density of 10.70 units per acre, **approved**.

**2000-ZON-069; 5885 Crittenden Avenue** (north of site), Rezone 10.6 acres from the D-5 to SU-2 to legally establish an existing high school and related athletic facilities, **approved**.

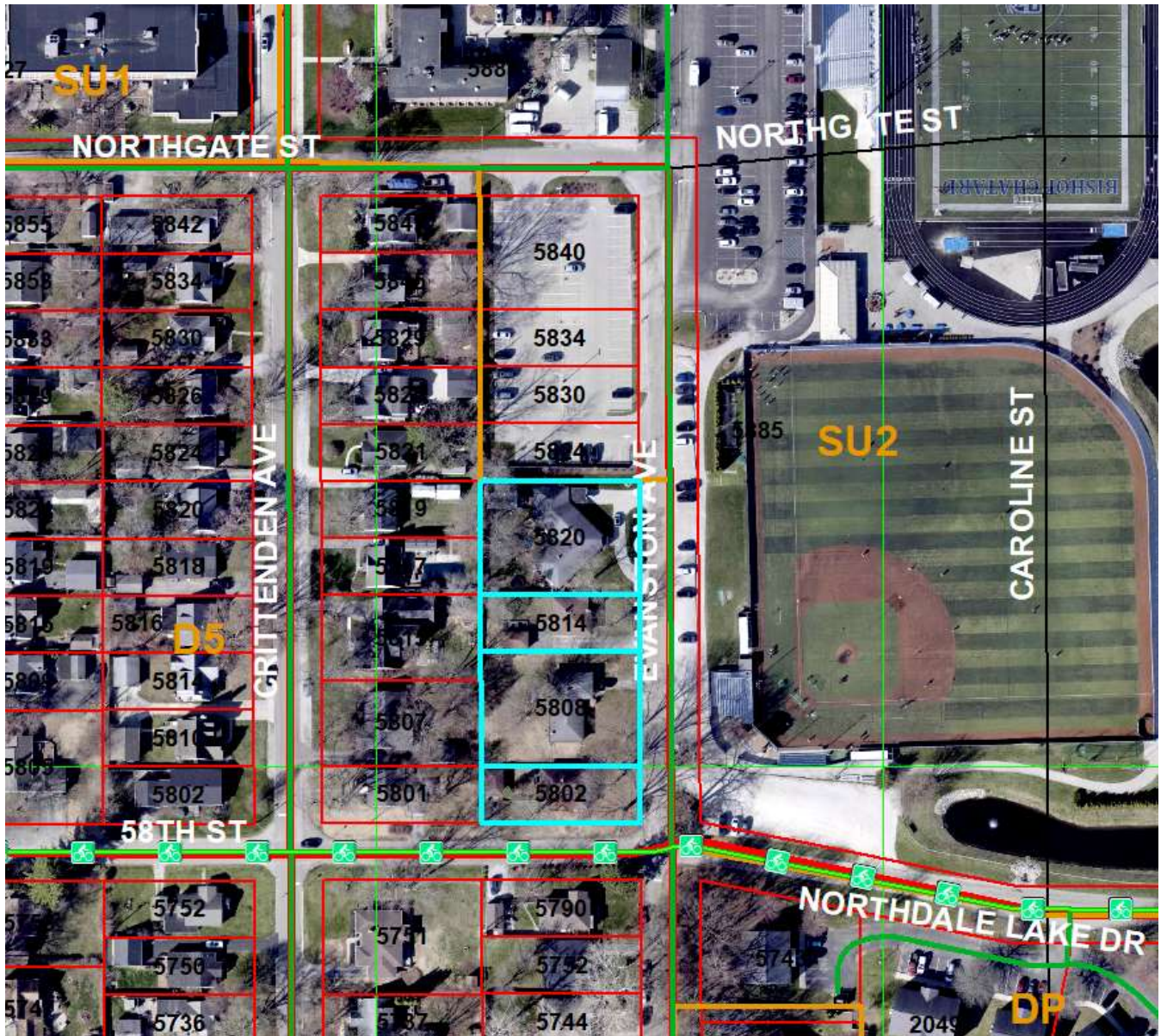
**70-Z-56; 1700 – 1900 East 54<sup>th</sup> Street** (southeast of site), Rezoning of 55.75 acres being in the D-4 and D-5 districts to the D-6II classification to provide for the construction of an apartment and townhouse development, **approved**.

**70-Z-52; South side of Kessler Boulevard, East Drive, between Crittenden and Norwaldo Avenues** (northwest of site), Rezoning 3.70 acres from the D-5 district to the SU-1 classification to provide for the construction of a new church building with off street parking as per plans filed, **approved**.

**67-Z-105; All lots east of Evanston and lots on west and east of Caroline Between and including lots facing East 58<sup>th</sup> Street and Northgate Street** (east of site), Rezoning of approximately 6.573 acres being in the D-5 district to Special Use (2) classification to permit recreational purposed, **approved**.

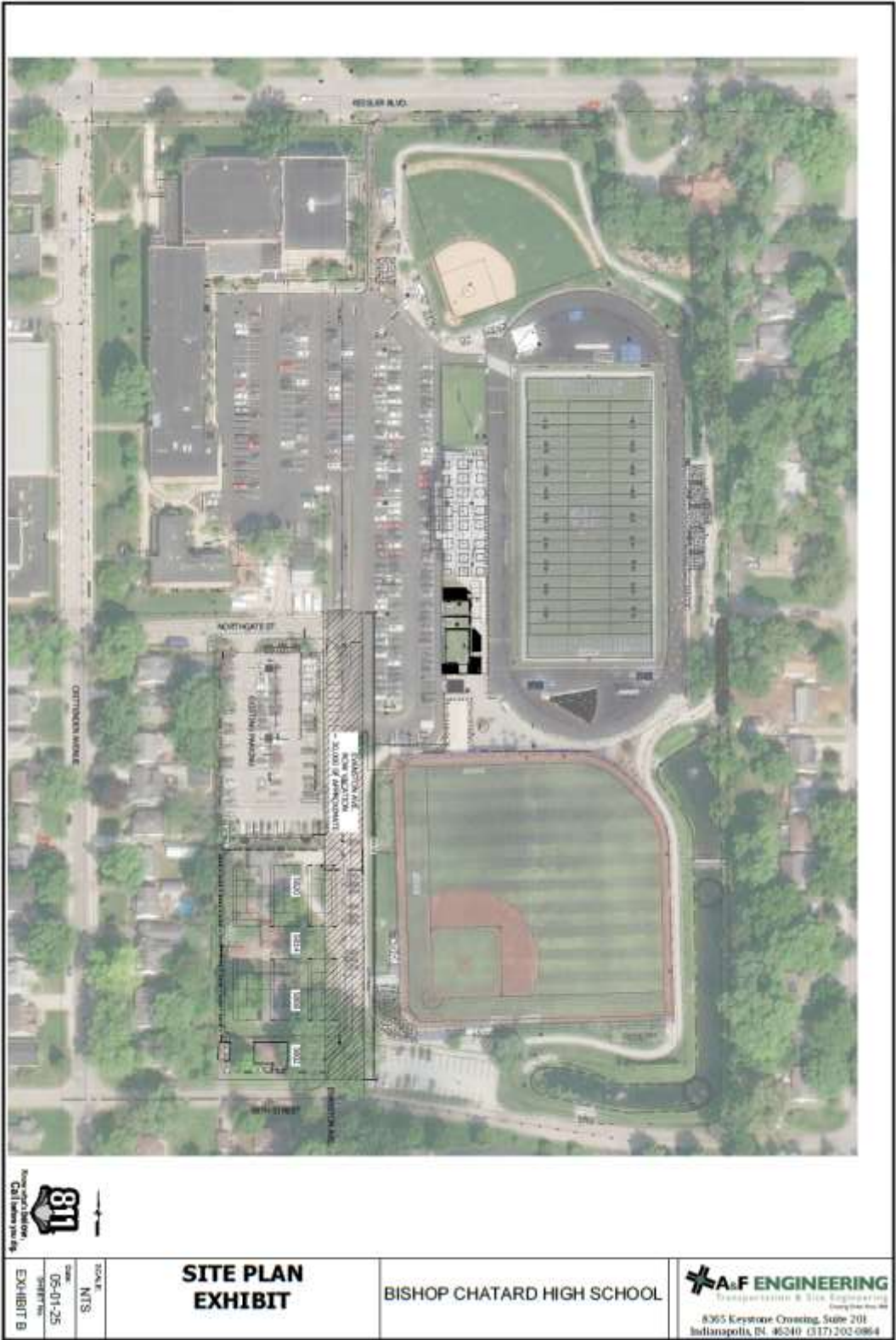


EXHIBITS



Aerial Map





OVERALL SITE PLAN

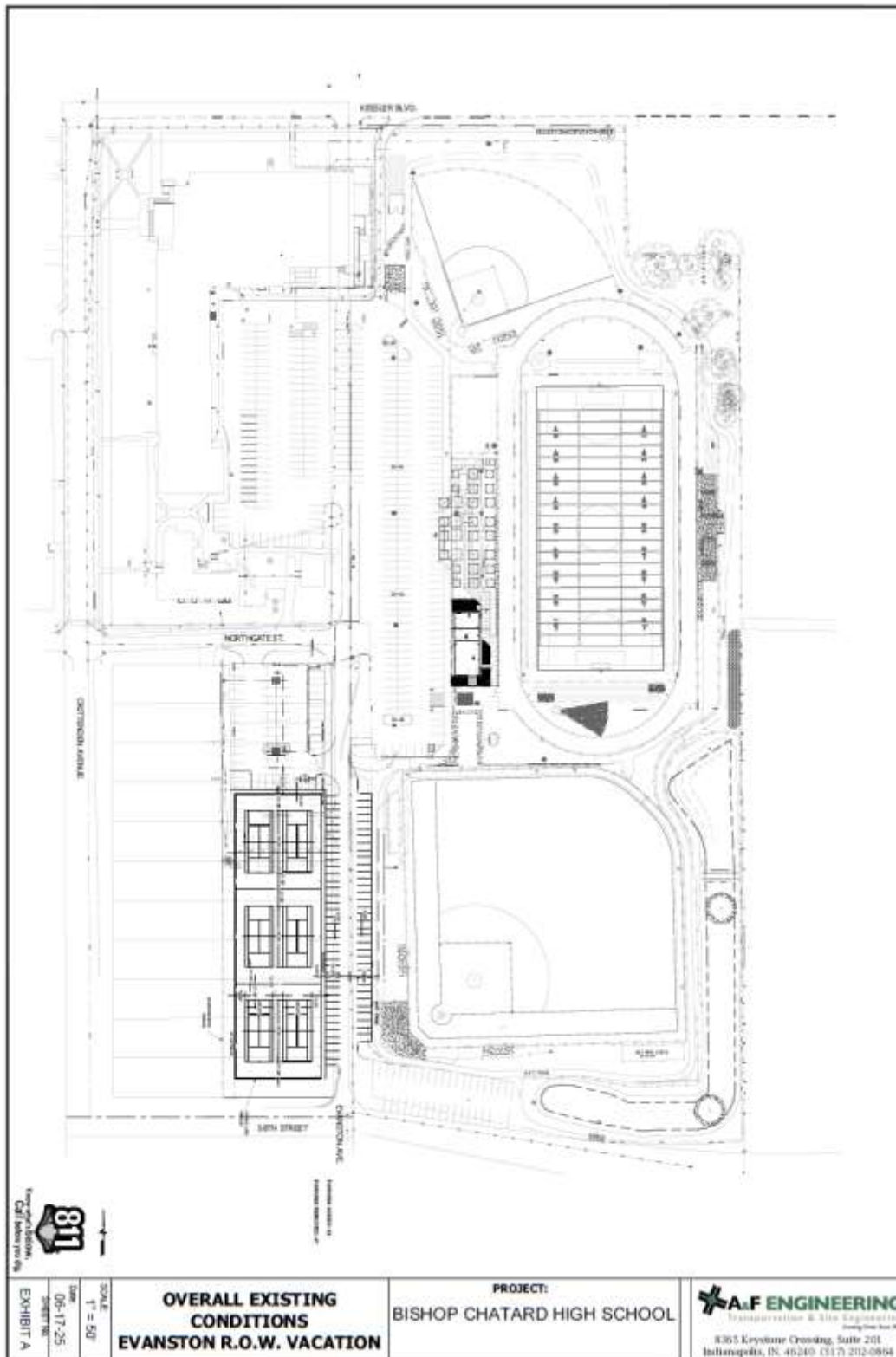


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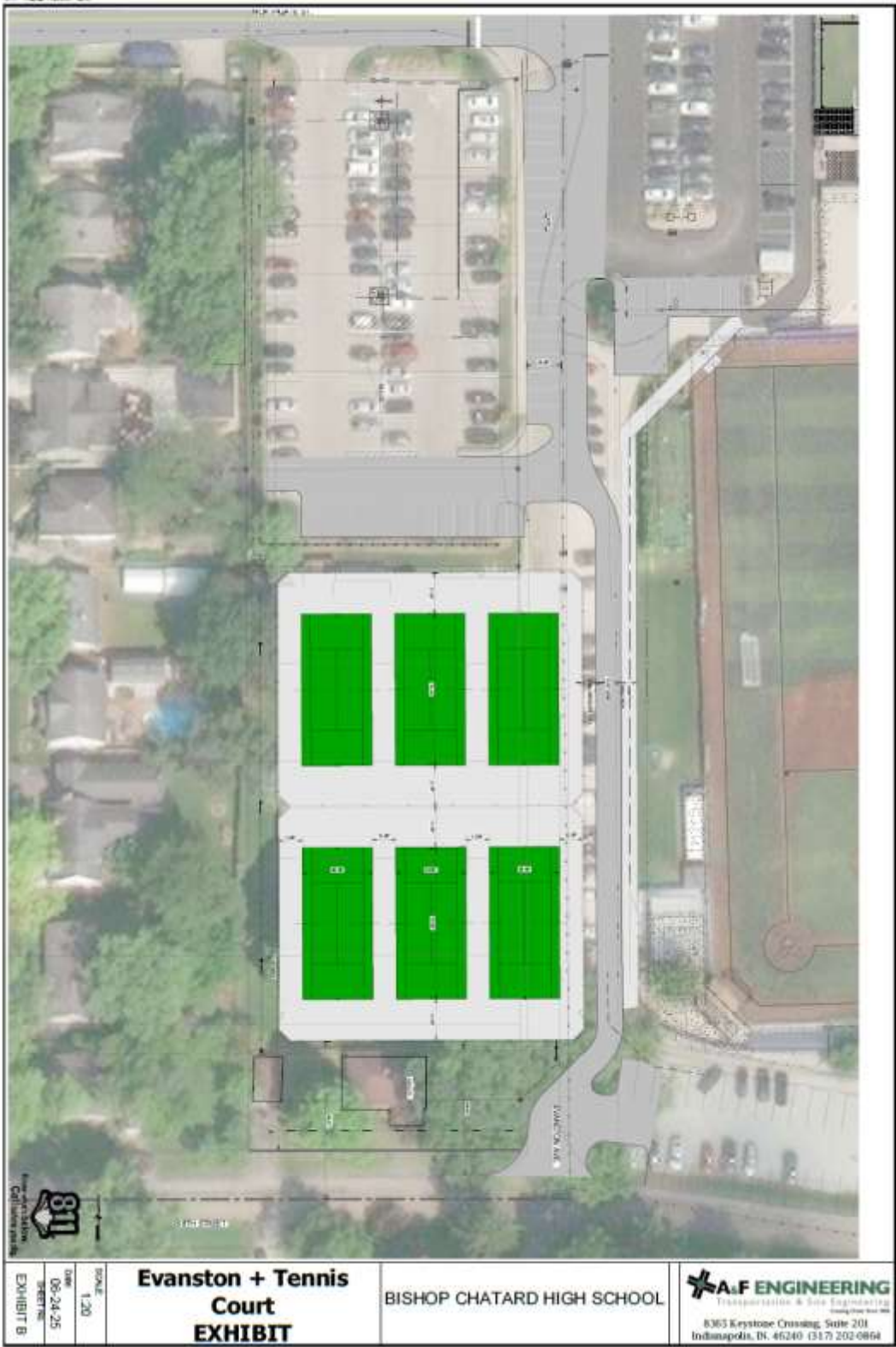
SCALE: NTS DATE: 05-01-25 SHEET NO. EXHIBIT A	<b>OVERALL EXISTING CONDITIONS EVANSTON R.O.W. VACATION</b>	<b>PROJECT:</b> BISHOP CHATARD HIGH SCHOOL	 <b>A&amp;F ENGINEERING</b> Transportation & Site Engineering Creating Order Since 1968 8365 Keystone Crossing, Suite 201 Indianapolis, IN. 46240 (317) 202-0864
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Right-of-way Vacation Exhibit



Amended Rezoning Site Plan





Final Rezoning Site Plan



Department of Metropolitan Development  
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Petition Number \_\_\_\_\_

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

**PETITION FOR VACATION OF A PUBLIC WAY, EASEMENT OR PUBLIC PLACE**

**FINDINGS OF FACT**

**1. THE PROPOSED VACATION IS IN THE PUBLIC INTEREST because:**

The vacation will allow the Petitioner to develop and improve the site with tennis courts for use by the adjacent school.

Petitioner owns the parcels on both sides of the area to be vacated. The vacation will allow for substantial investment in the area.

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**DECISION**

IT IS THEREFORE the decision of this body that this VACATION petition is APPROVED, subject to any conditions stated in the minutes (which conditions are incorporated herein by reference and made a part of this decision).

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

_____	_____
_____	_____
_____	_____



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Photo of the subject site at 5802 Evanston Avenue looking north from East 85<sup>th</sup> Street.



Photo of the subject site at 5808 Evanston Avenue looking west.





Photo of the subject site at 5814 Evanston Avenue looking west.



Photo of the subject site at 5820 Evanston Avenue looking west.





Photo of the existing school parking lot north of the site.



Photo of East Northgate Street looking west from the proposed street vacation.

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Photo looking north from the proposed street vacation.



Photo looking south along Evanston Avenue at the proposed street vacation.





Photo of the school property where East Northgate Street terminates.



Photo of Evanston Avenue to be vacated and the school's baseball field and parking area to the east.





Photo of the western property boundary looking north from East 58<sup>th</sup> Street.



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



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Photo of the single-family dwelling

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 14, 2025**

**Case Number:** 2025-APP-003  
**Property Address:** 620 East 21<sup>st</sup> Street  
**Location:** Center Township, council District #13  
**Petitioner:** DeQuan Branch, by Jorge Gonzales  
**Current Zoning:** PK-2  
**Request:** Park District Two Approval to provide for a three-story single-family dwelling with an attached garage.  
**Current Land Use:** Vacant  
**Staff Recommendations:** Denial.  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

The Hearing Examiner continued this petition from the July 24, 2025 hearing, to the August 14, 2025 hearing, to provide additional time for further discussions with the petitioner's representative.

**STAFF RECOMMENDATION**

Denial.

**PETITION OVERVIEW**

This 0.03-acre site, zoned PK-2, is vacant and surrounded by single-family dwellings to the east and west and a detached garage to the north, all zoned PK-2 and a park to the south, across East 21<sup>st</sup> Street, zoned PK-1.

This site was included in Petition 70-Z-260 that rezoned 80 acres to the PK-2 district.

**Park District One Approval**

The Ordinance classifies Park District One and Two as Development Plan Districts. "No use, building or structure shall hereafter be established, constructed or used on any land in a Development Plan district for any purpose, until a Site and Development Plan for such land, including the proposed use or uses, has been filed with and approved by the Commission in accordance with this zoning ordinance."



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“The Commission may consider and act upon any such proposed use and Site and Development Plan, approve the same in whole or in part, and impose additional development standards, requirements, conditions, or commitments thereon at any public hearing of the Commission.”

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

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

The Site and Development Plan must include layout and elevation plans for all proposed buildings and structures, and must indicate:

- a. Proposed uses, buildings and structures.
- b. All existing uses, buildings, and structures, in addition to any proposed to be demolished.
- c. Proposed buildings and structures and the use of each.
- d. Elevations of all sides of each building.
- e. Zoning and existing land uses of adjacent properties.
- f. Off-street vehicle and bicycle parking layouts with summary table of the number of required off-street parking, loading, and stacking spaces.

Because the proposed dwelling would not be compatible with the surrounding neighborhood and the established architectural character, the Infill Housing Guidelines should be reviewed and considered as this site is redeveloped. Staff would note that historically the dwelling occupied the entire parcel, which would not be acceptable but the request, as submitted, would not be supportable.

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The dwellings in this area are typically two-story with detached garages and larger footprints than the proposed dwelling. Admittedly, the site presents development challenges but in staff's opinion, the proposed site plan and elevations are not acceptable and do not align with the Ordinance or the Infill Housing Guidelines.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	PK-2	
<b>Existing Land Use</b>	Vacant	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<u><b>Zoning</b></u>	<u><b>Land Use</b></u>
North:	PK-2	Detached garage
South:	PK-1	Park
East:	PK-2	Single-family dwelling
West:	PK-2	Single-family dwelling
<b>Thoroughfare Plan</b>		
East 21 <sup>st</sup> Street	Local Street	Existing 60-foot right-of-way and proposed 48-foot right-of-way.
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	June 16, 2025	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	June 27, 2025	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

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.
- *Detached Housing* (detached housing refers to detached single-family homes. While this type of housing may include a secondary dwelling unit (such as a mother-in-law suite or carriage house), the secondary dwelling unit is usually smaller than the primary home and the entire property is under a single ownership).

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- The house should extend beyond the front of the garage. Garages should be loaded from an alley or side street when possible and should be detached if located on the side of the house.
- Secondary units are encouraged.
- Lots should be no larger than one and a half times the adjacent lots.

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

Not Applicable to the Site.

**Neighborhood / Area Specific Plan**

Not Applicable to the Site.

**Infill Housing Guidelines**

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

## ZONING HISTORY

**70-Z-40; Park Avenue / Broadway Street and 17<sup>th</sup> / 21<sup>st</sup> Streets**, requested rezoning of 12.88 acres, being in the D-8 and PK-1 districts to the PK-1 classification to provide for park use, **approved**.

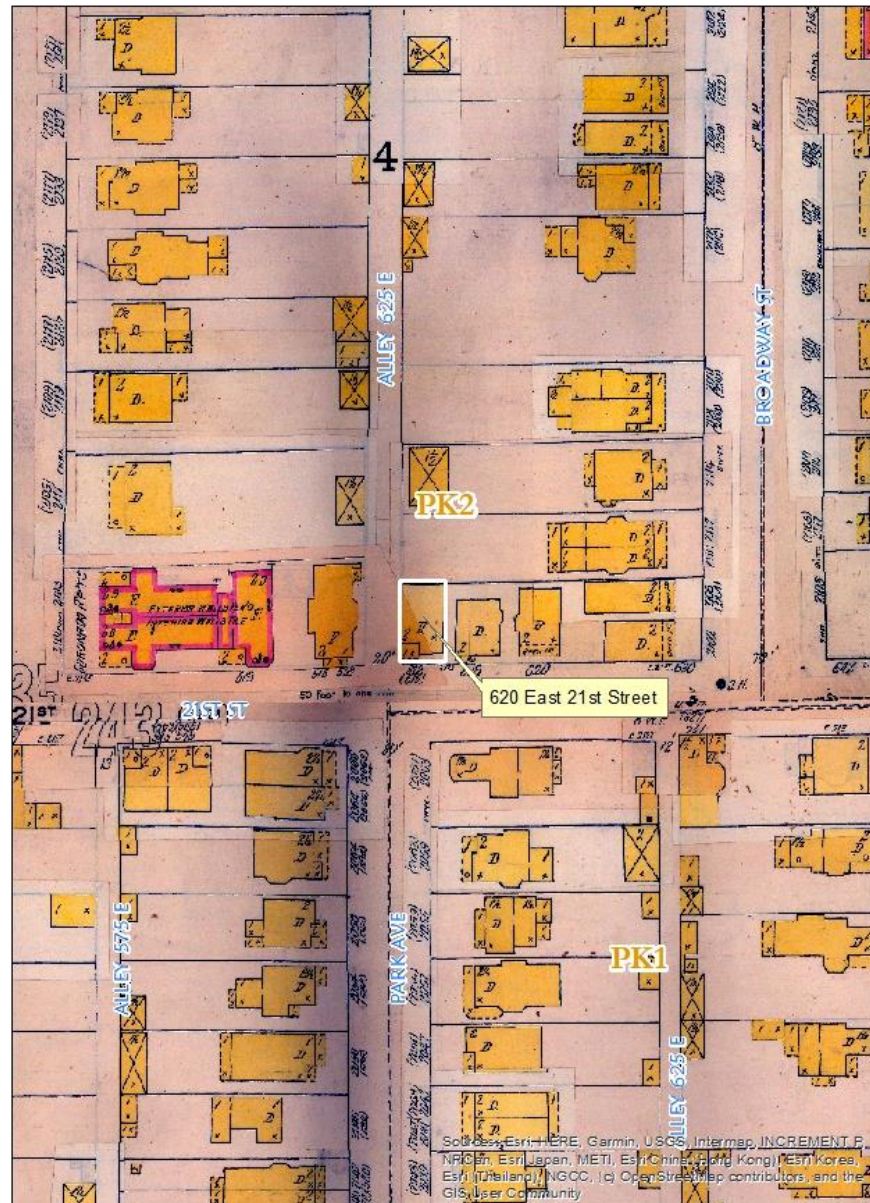
**70-Z-260; 16<sup>th</sup> / 22<sup>nd</sup> Streets and Central Avenue / College Avenue**, requested rezoning of 8-0 acres, being in the C-3, C-3, C-4 and D-8 districts, to the PK-2 classification, **approved**.

EXHIBITS



Source: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NOAA, IGN, OpenStreetMap contributors, and the GIS User Community

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620 East 21st Street

0 0.0045 0.009 0.018 0.027 0.036 Miles





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

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

**FINDINGS OF FACT**

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

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

The project aligns with the Comprehensive Plan by maximizing efficient land use and integrating harmoniously with the nearby park. This location enhances the quality of life for residents by providing direct access to green space and promoting a healthy, sustainable environment.

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 project optimizes land use by combining efficiency and aesthetics. Being near a park ensures compatibility with adjacent uses, creating an attractive and functional environment for residents and the community. Loading areas, and nearby public transit options. Additionally, bicycle facilities are incorporated, promoting sustainable and accessible transportation choices for all users.

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

The project is designed to ensure easy and efficient access through various modes of transportation, including adequate parking, loading areas, and nearby public transit options. Additionally, bicycle facilities are incorporated, promoting sustainable and accessible transportation choices for all users.

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

The project design ensures the integration of a multi-modal transportation network by effectively linking with existing and planned public streets as well as internal roads. Traffic control measures, both active and passive, are included to ensure smooth and safe traffic flow, enhancing accessibility and connectivity within and outside the development.

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

The project is designed to meet sanitation, drainage, and public utility requirements using sustainable, low-impact solutions. Efficient stormwater management systems, proper drainage infrastructure, and reliable public utility services will be implemented without compromising the natural environment, promoting responsible and environmentally respectful development.

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

The project is designed so that the sites allocated for each proposed use are appropriately located, considering existing and proposed topographical conditions and other environmental factors. The design, orientation, and character of each area are suitable for the intended uses, ensuring harmonious integration with the surrounding environment. Additionally, the layout follows the principles of the Comprehensive Plan, promoting a coherent and sustainable development.

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

The project ensures efficient and safe pedestrian connectivity through the installation of paths, trails, and sidewalks in accordance with required regulations. Pedestrian accessibility to public transit and internal spaces of the development is prioritized, promoting sustainable and accessible transportation options for all users. Additionally, sidewalks along eligible public streets are provided, ensuring barrier-free accessibility and safe movement for pedestrians.

**DECISION**

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

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

\_\_\_\_\_  
Commission President/ Secretary





View looking east along East 21<sup>st</sup> Street



View of site looking northeast across East 21<sup>st</sup> Street



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View of site looking north across East 21<sup>st</sup> Street



View of site looking east across abutting north / south alley

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View looking west along East 21<sup>st</sup> Street east of site

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 14, 2025**

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

**Property Address:** 8809 South Meridian Street

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

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

**Current Zoning:** C-1

**Request:**

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

**Current Land Use:** Single-family dwelling (vacant)

**Staff** No recommendation to modify Commitment #4.

**Recommendations:** Denial to modify Commitments #3 and #5.

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

**PETITION HISTORY**

The Hearing Examiner continued this petition from the June 26, 2025 hearing, to the July 10, 2025 hearing, to provide time for notice to be provided to those requiring notice.

The Hearing Examiner acknowledged the timely automatic continuance filed by a registered neighborhood organization that continued these petitions from the July 10, 2025 hearing, to the August 14, 2025 hearing.

**STAFF RECOMMENDATION**

No recommendation to modify Commitment #4 (lighting), but if approved, staff would request that approval be subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least five business days prior to the MDC hearing:

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



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Staff recommends denial of the modification of Commitments #3 (maintain residential structure) and #5 (signage limitation).

## **PETITION OVERVIEW**

This 0.93-acre site, zoned C-1, is developed with a single-family dwelling that was used commercially but is now vacant. It is surrounded by a single-family dwelling to the north, across Crosby Drive, zoned D-A; single-family dwellings to the south and east, zoned D-3; and medical offices to the west, across South Meridian Street, zoned C-1.

Petition 88-Z-214 rezoned the site to the C-1 district to provide for an accounting office.

## **MODIFICATION**

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

The Comprehensive Plan recommends suburban neighborhood typology for the site.

This request would modify commitments for the rezoning petition 88-Z-214. The commitments were originally the result of negotiation between the petitioner and remonstrators during the 1988 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.

It appears that the commitments were an effort to minimize the impact of encroachment of commercial uses into a solidly residential neighborhood. Staff would note that the staff report for this petition strongly recommended denial and stated that the request would create a “spot commercial zone and would damage the viability of surrounding residential property.”

Staff further offered the following “amendments” to the 1988 petition, with the statement that the inclusion of these amendments did not alter staff’s recommendation for denial:

1. The existing residential structure shall be utilized for the office, and the site shall retain a residential character.
2. Any signs shall be limited to wall signs on the front of the residential structure and shall be compatible with the design of the structure.
3. Site access shall only be from South Meridian Street.
4. Right-of-way shall be dedicated along South Meridian Street in accordance with the Thoroughfare Plan as per the request of the Department of Transportation.

Even though the C-1 district permitted the financial office use (bank, savings and loan, credit union, etc.) at the time of the 1988 rezoning and the current Ordinance permits financial services in the C-1 district, the Pattern Book guidelines and recommendations exclude drive through operations because of required separation from protected districts. This is particularly critical in this situation because the services would likely be available 24 hours and day, seven days a week, and 365 days a year, resulting in a negative and detrimental impact on the surrounding neighborhood to the north, east and south.

The Pattern Book also recommends that commercial uses be located on arterial streets. South Meridian Street is a primary arterial, but Crosby Drive is a local street serving the residential neighborhood to the north, east and south. Staff would note that access would also be provided along Crosby Drive that would increase and expand the negative impact on the neighborhood and erode the viability of the residential uses.

The Pattern Book also recommends that that this commercial use be no closer than one mile from another commercial node. The commercial node at the intersection of South Meridian Street and County Line Road is approximately 180 feet to the south of this site.

### **Environmental Public Nuisances**

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

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

Environmental public nuisance means:

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

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

**GENERAL INFORMATION**

<b>Existing Zoning</b>	C-1	
<b>Existing Land Use</b>	Commercial uses - vacant	
<b>Comprehensive Plan</b>	Suburban Neighborhood Typology	
<b>Surrounding Context</b>	<u><b>Zoning</b></u>	<u><b>Land Use</b></u>
North:	D-A	Single-family dwelling
South:	D-3	Single-family dwelling
East:	D-3	Single-family dwellings
West:	C-1	Medical offices
<b>Thoroughfare Plan</b>		
South Meridian Street	Primary Arterial	Existing 104-foot right-of-way and proposed 80-foot right-of-way.
Crosby Drive	Local Street	Existing 50-foot right-of-way and proposed 50-foot right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	May 16, 2025	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

The Comprehensive Plan recommends Suburban Neighborhood typology. The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-

serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of one to five dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.

### Pattern Book / Land Use Plan

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

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

- *Conditions for All Land Use Types – Suburban Neighborhood 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.
  - Curvilinear streets should be used with discretion and should maintain the same general direction.
  - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- *Small-Scale Offices, Retailing, and Personal or Professional Services (defined as commercial uses with minimal outdoor operations, storage, or display on lots of less than 1.5 acres and a height of less than 35 feet.)*
  - If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
  - Should be **located at the intersections of arterial streets** and should be **no closer than one mile to another commercial node** with one acre or more of commercial uses except as reuse of a historic building.
  - Should be limited to an aggregate of 3.5 acres per intersection, with no one corner having more than 1.5 acres.
  - Should be limited to areas and parcels with adequate space for required screening and buffering.
  - Automotive uses (such as gas stations and auto repair) and uses requiring a distance of separation of greater than 20 feet under the zoning ordinance (such as liquor stores, adult uses, and **drive-through lanes**) are **excluded**.



- Should not include outdoor display or merchandise.

#### **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

**88-Z-211; 8809 South Meridian Street** requested rezoning of one acre, being in the D-A district, to the C-1 classification to provide for office uses, **approved**.

### VICINITY

**93-Z-126; 8824 South Meridian Street (west of site)**, requested rezoning of 8.4 acres, being in the D-A District, to the C-1 classification to provide for a medical office buildings and out-patient surgery center, **approved**.

**90-Z-183 / 90-CV-26; 8905 South Meridian Street (south of site)**, requested rezoning of 12 acres, being in the D-A District, to the C-3 classification to provide for commercial development and a variance of development standards to permit a single- establishment of 46,000 square feet on an integrated center site, **approved and granted**.

**90-Z-82; 102 and 208 East County Line Road, (south of site)**, requested rezoning 3.0 acres, being the D-A District, to the D-6 classification to provide for multi-family residential development **approved**.

**89-Z-204; 8 Dixie Drive (south of site)**, requested rezoning of 0.45-acre, being in the D-3 District to the C-1 classification to provide for office use, **denied**.

**88-Z-94; 116 East County Line Road (south of site)**, requested rezoning of 7.84 acres, being in the D-A District, to the D-6 classification to provide for multi-family residential development, **approved**.

**87-Z-233; 20 East County Line Road (south of site)**, requested rezoning of 5.5 acres, being in the D-A District, to the C-S classification to provide for offices, personal and professional service establishments, and mini-warehouses, **withdrawn**.

**87-Z-219; 402 West County Line Road (south of site)**, requested rezoning of 31.4 acres, being in the D-P, A-2 (FW) (FP) Districts, to the D-3 (FW) (FP) classifications to provide for single-family residential development, **approved**.

**87-Z-96; 8892 South Meridian Street (north of site)**, requested rezoning of 68 acres, being in the D-P (FW) (FP) Districts to the D-3 (FW) (FP) classifications to provide for single-family residential development, **approved**.

**86-Z-57; 8901 South Meridian Street (south of site)** requested rezoning of 0.85 acre, being in the D-3 District the C-1 classification to provide for office uses, **approved**.

**85-Z-179 / 85-DP-10; 185 Country Woods Drive (north of site)**, requested rezoning of 1.48 acres, being in the D-P District, to the D-P classification to provide for 60 two-bedroom apartments, **approved**.



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**79-Z-103; 6 East County Line Road (south of site)**, requested rezoning of 0.69 acre, being in the D-A District, to the C-3 classification to provide for a restaurant, **dismissed**.

**72-Z-150; 8500 South Meridian Street (north of site)**, requested rezoning of 25 acres, being in the D-A District, to the SU-34 classification to provide for a recreation center, **approved**.

**70-Z-163; 8701 South Meridian Street (north of site)**, requested rezoning of 27 acres, being in the D-A District, to the D-3 classification to provide for residential use by platting, **approved**.

EXHIBITS





Firefox

1 of 1



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4/16/2025, 4:00 PM

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EXHIBIT A

RECEIVED FOR RECORD  
JAN 15 1988  
000116262

NOTE: Article 201, Section 3(b) of the rules of the Metropolitan Development Commission required use of this form in approving commitments made with respect to zoning and approval cases in accordance with I.C. 36-7-4-607, Resolution No. 85-R-69, 1985 of the Metropolitan Development Commission requires the owner to make Commitment #1.

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

In accordance with I.C. 36-7-4-607, the owner of the real estate located in Marion County, Indiana, which is described below, makes the following COMMITMENTS concerning the use and development of that parcel of real estate.

Legal Description: See attached Exhibit "A"

Lots numbered Forty-four and Forty-five (44 and 45) in Southern Homes, an Addition in Marion County, Indiana, the plat of which is recorded in Plat Book 29, Page 280 in the office of the Recorder of Marion County, Indiana.

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 C-1 uses are to be conducted on this real estate except those set out under Section A.1. of the C-1 Office Buffer Section of the Commercial Zoning Ordinance of Marion County, Indiana.
3. The existing (residential) structure shall remain and serve as the office premises for this C-1 office use and shall not be altered from its present appearance or designated appearance, and shall not be replaced with another commercial building, nor shall any new commercial structure be placed upon this real estate until other real estate in the 8800 block of South Meridian Street that is not presently zoned or used for commercial purposes has been approved for commercial use by local zoning authorities.
4. There shall be no external lighting installed upon or added to the premises that projects onto adjacent residence to the north, south or east.
5. There shall be no commercial signs except an incidental sign identifying the office use, not larger than sixteen (16) square feet in size and it shall be non-illuminated.

(CONTINUED ON REVERSE SIDE)

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, 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.

88-2-214  
filed MAY 11-2-88

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6. There shall be no outside storage of any material or equipment used in or by the owner's or occupant's business, except that which can be contained within the existing detached structure behind the existing dwellinghouse or store house and garden, etc. equipment.
7. The existing landscaping on this real estate shall be maintained. In the event the existing residential structure is altered or replaced or another commercial structure is placed on the real estate as provided in Commitment (3) above, then a suitable landscape of buffer screen employing evergreen plantings along the east, north and south lot lines to screen or buffer the commercial use from adjacent residences shall be installed and maintained that is approved by the Administrator of Planning and Zoning.
8. These covenants shall run with the land and may be enforced by the Hill Valley Homeowners Association, Inc. or its successors.
9. Right-of-way shall be dedicated along South Meridian Street in compliance with the Marion County Thoroughfare Plan, per the request of the Department of Transportation.

88-116262



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View looking south along South Meridian Street



View looking north along South Meridian Street





View looking east along Crosby Drive



View from site looking north





View of dwelling looking south



View of dwelling looking south



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View from site looking southwest



View from site looking west





View from site looking north



View from site looking northeast



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 14, 2025**

**Case Number:** 2025-CPL-825 / 2025-CVR-825

**Property Address:** 7140 and 7142 East Washington Street (approximate addresses)

**Location:** Warren Township, Council District #14

**Petitioner:** Fieldstone Financial, LLC, by Joseph D. Calderon

**Current Zoning:** C-4 (TOD)

**Request:** Approval of a Subdivision Plat to be known as Wawa Shortridge Primary Plat, subdividing 9.4 acres into three lots.  
  
Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an automobile fueling station, with 16 pump islands/service areas (eight permitted), with portions of a surface parking area in front of the front building line, with a parking area having a minimum 15-foot setback from Washington Street with parking area behind the front building line encompassing 88.1 percent of the lot width (surface parking areas required behind the front building line, 25 feet required, maximum 40 percent lot width for parking permitted behind front building line), with deficient first floor transparency (40 percent required).

**Current Land Use:** Commercial

**Staff Recommendations:** **Denial**

**Staff Reviewer:** Desire Irakoze, Principal Planner II

**PETITION HISTORY**

**ADDENDUM FOR AUGUST 14, 2025 HEARING EXAMINER**

The Hearing Examiner continued these petitions from the July 24, 2025 hearing to the August 14, 2025 Hearing at the joint request of staff and the petitioner's representative to allow additional discussion and submission of updated materials for further discussions. On July 28, 2025, the petitioner provided revised building elevations indicating increase glazing area.

While transparency ratios improved, staff noted that much of the additional glazing is spandrel glass, which is opaque and does not count toward the transparency requirements. Staff recommends a commitment regarding that all glazing materials used meet the definition of transparency as outlined in the Zoning Ordinance.

The updated site plan also remains noncompliant with multiple development standards of the C-4 Zoning District, the Transit Oriented Development (TOD) Overlay, and the Blue Line Transit-Oriented Development Strategic Plan.

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The site plan has been updated to show connections to from the building rest of the integrated commercial center.

Staff continues to **strongly recommend denial** of these petitions.

**ADDENDUM FOR JULY 24, 2025 HEARING EXAMINER**

The Hearing Examiner continued these petitions from the June 12, 2025 hearing, to the July 24, 2025 hearing, at the request of staff and the petitioner's representative for further discussions, provide new notice and submit updated documents.

An additional site plan was submitted on July 15, 2025, reflecting the following modifications:

- The site plan shows a reduction in the number of pump islands/service areas and associated landscaping, from 16 to 12. However, this remains in excess of the eight (8) pump islands permitted under the Transit Oriented Development (TOD) Overlay regulations.
- The petitioner has withdrawn the variance request related to the Front Building line encompassing 37.1 percent of the lot width (where 60 percent is required).

Despite these revisions, the proposed plan continues to fall significantly short of compliance with both the C-4 District development standards and the TOD Secondary Overlay requirements.

Staff continues to **strongly recommend denial** of these petitions.

**June 12, 2025 Hearing Examiner**

This is the first public hearing on these petitions

**STAFF RECOMMENDATION**

Staff strongly **recommends denial** of the request.

Should the Hearing Examiner approve and find that the plat, file dated April 11, 2025, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provides a bond as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
2. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section. 3.
3. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
4. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
5. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
6. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the Final Plat prior to recording.
7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the Final Plat prior to recording.
8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the Final Plat prior to recording.

9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the Final Plat prior to recording.
10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the Final Plat.
11. That all the standards related to Secondary Plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the Final Plat.
12. That the plat shall be recorded within two (2) years after the date of conditional approval by the Hearing Examiner.

## PETITION OVERVIEW

### LAND USE

This 9.4-acre site, zoned C-4 (TOD), is developed with a commercial center, that includes an IU Health clinic, a fitness gym, and other commercial tenants. The petitioner proposes to construct an automobile fueling station consisting of 12 pump islands—1.5 times the maximum permitted under TOD regulations

This petition would provide for the construction of an automobile fueling station with 12 pump islands/service areas (eight (8) permitted) with a parking area having a minimum 15-foot setback from Washington Street with parking area behind the front building line encompassing 88.1 percent of the lot width (25 feet required, maximum 40 percent lot width for parking permitted behind front building line), with a front building line encompassing 37.1 percent of the lot width (60 percent required) and deficient first floor transparency (40 percent required).

### PLAT

#### Site Plan

This petition requests the approval of a Subdivision Plat to be known as Wawa Shortridge Primary Plat, subdividing 9.4 acres into three (3) lots.

While the configuration appears to be crafted to technically avoid certain variance triggers, most notably the Front Building Line width requirement, it does so through the introduction of a shared parking easement. This easement appears to serve no functional shared purpose and instead functions primarily to reduce the frontage calculation of Lot 1. Staff does not support this approach, as it undermines the intent of the TOD Overlay's frontage requirements and circumvents the established form-based development expectations. A design that complies with the spirit and letter of the ordinance—rather than one that relies on artificial lot divisions—is strongly preferred

#### Streets

No new streets are proposed

#### Sidewalks

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Sidewalks currently exist along the East Washington Street frontage. However, per Section 722-301. F.2 of the Ordinance, nonresidential and mixed-use developments with more than one (1) primary building must include an unobstructed walkway at least five (5) feet wide connecting those buildings. The current plan does not provide a pedestrian connection between the buildings on Lot 1 and Lot 2.

**Waivers**

None requested

**VARIANCE OF DEVELOPMENT STANDARDS**

**Variance Request #1 To allow for 12 pump islands/service areas (eight permitted)**

TABLE 742-207-2 Location and Limitation of Specific Uses	
Use Type	Specific Restrictions
Automobile Fueling Station (primary or accessory use)	<ul style="list-style-type: none"> <li>• Within 600' of a Transit Station*--Prohibited</li> <li>• Greater than 601' from a Transit Station—Limited to no more than 8 pump islands/services areas.</li> </ul>

The petitioner is requesting a variance to increase the number of pump islands for an automobile fueling station from the eight (8) islands permitted under the Transit Oriented Development (TOD) Overlay standards to twelve (12) islands. The TOD Overlay specifically limits fueling stations beyond 600 feet from a transit station to no more than eight (8) pump islands as a means to control the scale of auto-oriented uses and maintain a pedestrian-friendly environment. This requirement doesn't preclude an owner from having a fueling station, but rather requires fuel stations within a specialized geographical area to be limited by design. This approach is no different than other Overlay Districts that seek to place limitations on uses due to the policy recommendations for that area: examples include environmentally sensitive areas like Wellfields and Floodplains and the Regional Center.

The petitioner originally proposed 16 islands and, following staff feedback, reduced the request to 12. However, this remains non-compliant with TOD regulations. Staff finds that there is no demonstrated hardship or site condition necessitating the additional islands.

Furthermore, other recent rezonings in the same corridor have complied with the 8-island standard, confirming the feasibility of such development. Granting this variance would run counter to the goals of the TOD Overlay, which seeks to reduce automobile-centric uses along key transit corridors.

Therefore, staff recommends **denial** of this variance request and advises the petitioner to further revise the site plan to comply with the permitted number of pump islands

**Variance request #2 Parking Area in Front of Front Building Line**

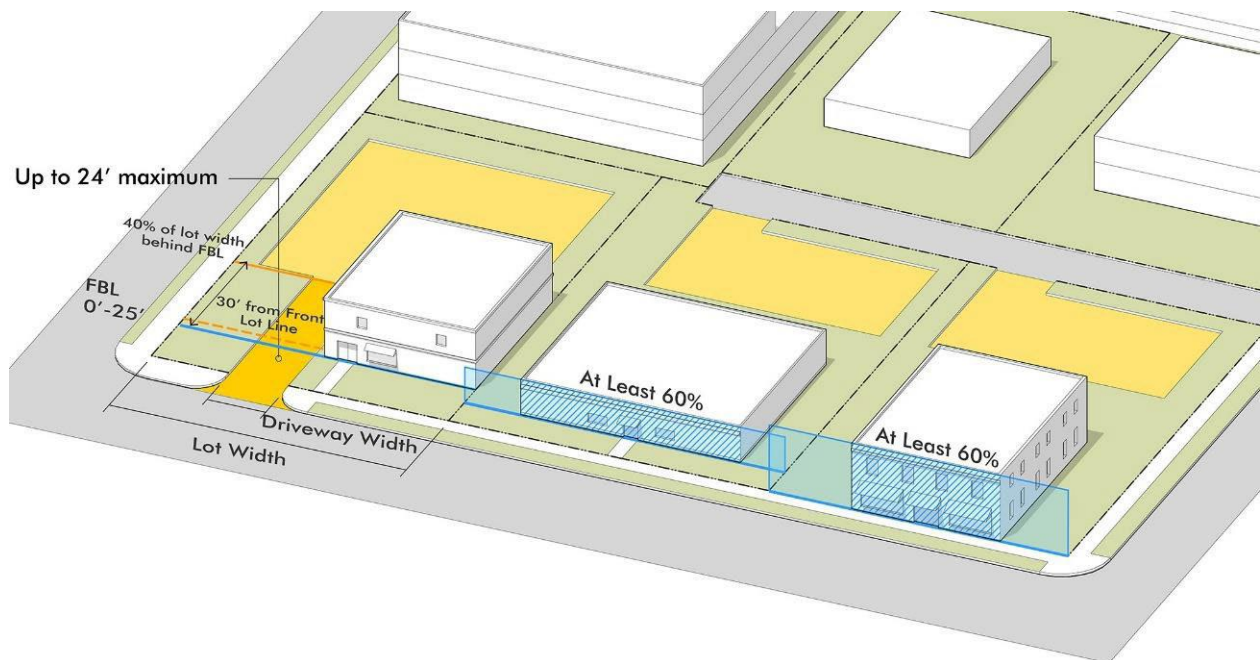
**Private Frontage Types.** The design of private frontages on lots establishes the relationship of buildings and lots to the streetscape. Coordinating the quality and character of the streetscape, the placement of the building, and the details of building design creates better relationships. The private frontage design



standards in Table 744-702-2 coordinate the access, building location and building design on a block-by-block basis to create a consistent frontage along the block.

TABLE 744-702-3: PRIVATE FRONTAGE DESIGN STANDARDS	
FRONTAGE TYPE □ FRONTAGE ELEMENT V	CONNECTOR
<b>FRONTAGE DESIGN</b>	
<i>Surface Parking Limits</i>	25' setback; AND 40% maximum of lot width behind FBL
<i>Landscape [See Section 744, Article V. for standards and specifications.]</i>	1 street tree per 35' of frontage
<b>BUILDING PLACEMENT &amp; FORM</b>	
Front Building Line (FBL)	0' – 25'
Required FBL (minimum)	60%
<b>BUILDING SCALE &amp; DESIGN</b>	
<i>First Story Transparency</i>	40% - 90%
<i>Upper Story Transparency</i>	15% - 40%

**Figure 744.701.05 Connector: Frontage Design & Building Placement & Form**



The petitioner is seeking relief from the requirement that surface parking areas be located entirely behind the front building line (FBL), with a minimum 25-foot setback from Washington Street. The submitted site plan depicts a parking area encroaching into the required setback, with certain parking spaces located within the front yard.

According to Table 744-402-1 of the zoning ordinance, the proposed 6,372 square-foot fueling station requires a minimum of 26 off-street parking spaces. The petitioner, however, is providing 62 spaces—more than double the required minimum. Staff finds that this surplus of parking indicates there is no true

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hardship necessitating the placement of parking within the front yard setback. By simply relocating the eight (8) electric vehicle (EV) charging spaces and two (2) regular spaces currently situated in the setback area to the rear of the site, the petitioner could maintain compliance with parking count requirements while adhering to the TOD Overlay's form-based development standards.

The intent of these requirements is to maintain a pedestrian-oriented streetscape and prevent vehicular dominance along primary transit corridors. Allowing parking in the front yard would undermine this intent and detract from the urban design character the overlay seeks to establish.

Staff, therefore, **recommends denial** of this variance request as the petitioner has clear and reasonable options for compliance without undue hardship.

**Variance Request #3 Parking Area Covering 88.1% of Lot Width Behind FBL**

This variance pertains to the TOD Overlay's limitation that surface parking areas behind the front building line may not occupy more than 40 percent of the lot's width. The petitioner's proposed site plan indicates a parking width of 88.1 percent, more than double the allowable maximum.

Staff's analysis indicates that this excessive parking width is a direct result of the lot's oversized frontage dimensions and the building's relatively narrow footprint. Specifically, the subject lot has a width of 209 feet, while the proposed building has a length of only 92.2 feet. According to the standards, a compliant lot would be no wider than 154 feet for the proposed building length.

Staff notes that this is a newly created lot as part of the accompanying companion plat petition, meaning its dimensions can still be revised. The petitioner could reduce the lot width by approximately 55 feet or increase the building width to better meet the frontage requirements. Both options are feasible given the site's size and context.

There are no unique or unusual conditions on the site that would necessitate retaining the proposed excessive lot width and parking coverage. This variance is sought purely as a matter of design convenience rather than necessity, and its approval would undermine the TOD Overlay's intent to establish pedestrian-scale development patterns. Again, staff asserts that a fueling center can be built at this location, its design must meet the standards of the Ordinance absent any actual hardship.

Staff therefore **recommends denial** of this variance request and encourages the petitioner to adjust the lot configuration and building footprint accordingly.

**Variance request #4 Deficient First-Floor Transparency**

**Transparency Definition:** Expressing the level of visibility provided and maintained between an inside and outside activity area of the whole building, which is usually through the windows and doors; this ratio is expressed as a percentage. Transparency must be maintained and unobstructed to allow visibility between the two areas.

**Transparency Calculation Formula:**

$$\text{Transparency Ratio} = \frac{\text{Sum of the transparent areas of the ground floor wall area. (sq.ft.)}}{\text{Ground floor wall area between 3 ft. and 8 ft. above grade level (sq.ft.)}} \times 100$$

### Staff Transparency Calculations.

<i><b>ELEVATIONS</b></i>	<b>FRONT</b>		<b>REAR</b>		<b>LEFT</b>		<b>RIGHT</b>	
<i><b>MATERIALS</b></i>	<b>SQFT</b>	<b>%</b>	<b>SQFT</b>	<b>%</b>	<b>SQFT</b>	<b>%</b>	<b>SQFT</b>	<b>%</b>
<i>TRANSPARENT GLAZING</i>	113	25 %	35	8 %	81	23 %	0	0 %
<i>SPADREL GLAZING</i>	132	29 %	155	34 %	31	9 %	60	17 %
<i>TOTAL GLAZING</i>	245	54 %	190	42%	117	31%	60	17%
<i>REQUIRED</i>	181	40%	181	40%	143	40%	143	40%
<i>WALL AREA</i>	457		457		360		360	

The final variance request seeks relief from the Ordinance requirement that at least 40 percent of the wall surface area on all public-facing building facades between three and eight feet above grade be composed of transparent glazing. This standard is intended to ensure active, engaging frontages that support pedestrian interaction, safety, and visual interest along transit corridors.

As the subject property is located within both the C-4 zoning district and the Transit Oriented Development (TOD) Secondary District, both sets of standards apply. Specifically, the C-4 District Dimensional Standards require that any façade with a public pedestrian entrance, as well as any façade within 50 feet of an arterial street, maintain a minimum of 40 percent transparency within the defined area. In this case, both the northern and southern facades of the proposed building are affected by this standard.

The submitted building elevations indicate substantial non-compliance. The proposed design provides transparency ratios as low as 0 percent (right elevation) and 8 percent (rear elevation), with the front elevation providing only 25 percent transparent glazing—far below the required minimum. Furthermore, much of the glazing depicted on the elevations is spandrel glass, which does not meet transparency standards as it is opaque and does not allow visibility into or out of the building.

The petitioner has offered no compelling justification for retaining such a low level of transparency, and staff finds that allowing this variance would directly contradict the TOD Overlay's pedestrian-oriented design objectives. Accordingly, staff **recommends denial** of this variance request and advises the petitioner to revise the building elevations to meet the transparency requirements outlined in both the TOD Overlay and the C-4 district standards.

### STAFF ANALYSIS

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

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

The Transit Oriented Development Secondary District aims to reduce or limit auto-related businesses along transit lines through design standards that assert pedestrian-oriented scale rather than autocentric configuration. Allowing a fueling station of this scale—along with the extensive deviations from design standards—runs counter to the very principles the overlay seeks to uphold.

Allowing a fueling station of this scale—along with the extensive deviations from design standards—runs counter to the very principles the overlay seeks to uphold.

The proposed plan increases vehicular dominance at the expense of pedestrian access and undermines long-term investment in transit infrastructure. Further, staff sees no justifiable hardship or design constraints that prevent a compliant development.

The development pattern in this corridor is evolving. This site has the opportunity to contribute positively to that evolution. Instead, the proposal signals a regression toward an auto dominated typology.

Further, Staff does not believe there to be any practical difficulty for needing the requested variances. The subject site contains sufficient lot frontage and does not contain any significant obstructions or natural difficulties that impact the manner in which it can be developed.

Staff encourages the petitioner to submit a revised site plan that aligns with TOD principles and ordinance requirements to promote better land use compatibility, pedestrian orientation, and long-term neighborhood vitality.

## GENERAL INFORMATION

<b>Existing Zoning</b>	C-4 (TOD)
<b>Existing Land Use</b>	Commercial (Parking Lot)
<b>Comprehensive Plan</b>	Office/Industrial Mixed-Use



<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
North:	C-S	Commercial (Auto-Repair)
South:	C-5/ SU-9	Auto-Dealer / State Government Offices
East:	C-4	Commercial
West:	ROW	Highway Interchange
<b>Thoroughfare Plan</b>		
East Washington Street North Shortridge Road	Primary Arterial Local Street	120 feet of right-of-way existing and 102 feet proposed 74 feet of right-of-way existing and 48 feet proposed
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	Yes -TOD	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	April 29, 2025	
<b>Site Plan (Amended)</b>	July 15, 2025	
<b>Elevations</b>	April 29, 2025	
<b>Elevations (Amended)</b>	July 28, 2025	
<b>Landscape Plan</b>	October 10, 2025	
<b>Findings of Fact</b>	April 29, 2025	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan (2019)
- Blue Line Transit-Oriented Development Strategic Plan (2022)
- IndyMoves (2019)

### 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:

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- The Marion County Land Use Plan pattern Book recommends the Office/Industrial Mixed Use working typology for this site.
  - The **Office/Industrial Mixed-Use (Business Park)** typology is intended to provide for light industrial, distribution, and office uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. The typology is characterized by groups of buildings within office/warehouse parks. Examples of typical uses include warehousing, wholesaling, research and development facilities, testing and evaluation facilities, offices, education resource centers, assembly of high technology products, and conference centers. Industrial or truck traffic should be separated from local/residential traffic in this typology.

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

- Blue Line Transit-Oriented Development Strategic Plan (2022)
  - The subject site is located approximately 1,000 feet from the Sadlier Drive Blue Line transit station.
  - The Sadlier Drive transit station has been categorized as the community center typology, which is characterized as a dense, mixed-use neighborhood center with minimum 2 stories at the core with no front or side setbacks, and 0–10-foot setbacks at the periphery.

The Blue Line Transit-Oriented Development Strategic Plan TOD recommends Community Center Typology Characteristics

- Community Center
  - A dense mixed-use neighborhood center
  - Minimum of 2 stories at core
  - No front or side setbacks at core; 0-10 ft. front setbacks and 0-10 ft. side setbacks at the periphery
  - Multi-family housing with a minimum of 3 units
  - 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)

- Not Applicable to the Site.

## ZONING HISTORY

### SITE

**2024-DV3-026; 7140 and 7142 East Washington Street** (subject site) Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an automobile fueling station with 16 pump islands/service areas (eight permitted) with a parking area having a minimum 15-foot setback from Washington Street with parking area behind the front building line encompassing 88.1 percent of the lot width (25 feet required, maximum 40 percent lot width for parking permitted behind front building line), with a front building line encompassing 37.1 percent of the lot width (60 percent required) and deficient first floor transparency (40 percent required), **withdrawn**.

**83-HOV-44A, 7140 and 7142 East Washington Street** (subject site) variance of development standards of the Sign Regulations to allow for the relocation of an integrated-center pole sign containing 678.31 square feet, **granted**.

### VICINITY

**2022-CZN-804 / 2022-CVR-804; 7150 East Washington Street** (northwest of site), Rezoning of 3.57 acre from the C-4 (TOD) districts to the C-S (TOD) districts, **withdrawn**.

**2016-DV1-044, 7101 E Washington Street** (south of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an approximately 38-foot-tall freestanding pylon sign, within 158 feet of an existing freestanding sign on the 372-foot frontage of East Washington Street (300-foot separation and 600 feet of frontage required for two signs), **granted**.

**2015-UV3-031, 7410 E Washington Street** (east of site), Variance of use and development standards of the Commercial Zoning Ordinance to provide for the expansion of a carwash, with additional vending, change and storage structures and 16 vacuum stations (not permitted), with a five-foot north side transitional yard (20-foot transitional yard required), with said facilities being within 100 feet of a protected district (not permitted), **denied**.

**2014-DV3-024, 7 N Shortridge Road** (east of site), Variance of development standards of the Commercial Zoning Ordinance to provide for a fast-food restaurant, with carry-out and delivery services within approximately 10 feet of a D-3 zoned protected district (fast food restaurants and carryout food service not permitted within 100 feet of a protected district), **granted**.

**2013-ZON-026; 401 N Shadeland Avenue** (north of site), Rezoning of 37 acres from the C-S District to the C-S classification to provide for a solar power generation in addition to the uses previously approved by 2010-ZON-063, **approved**.

**2010-ZON-063, 401 N Shadeland Avenue** (north of site), Rezoning of approximately 36 acres from the C-4 District to the C-S classification to provide for a data processing center, C-4 uses, with certain use prohibitions, and public safety uses, including an impound lot, **approved**.

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**2010-UV2-003; 401 North Shadeland Avenue** (north of site), requested a variance of use to provide for the parking and storage of automobiles for a three-year period, **granted**.

**2006-ZON0-65; 41 N Shadeland Avenue** (east of site), rezoning of .43 acres, being in the D-3 District, to the C-3 classification to provide for neighborhood commercial uses, **approved**

**2005-ZON-200; 7206 E Washington Street** (east of site), rezoning of 0.49 acre, being in the C-4 district, to the C-5 Classification to provide for general commercial uses, **approved**.

**2004-UV2-028, 41 North Shortridge Road** (east of site), variance of use to provide for a restaurant with alcoholic beverage sales within an existing building in D-5; **denied**.

**97-Z-171; 7101 East Washington Street** (south of site), Rezoning of 1.26 acres, being in the C-4 and D-2 Districts, to the C-5 Classification to provide for retail commercial uses including an automobile dealership for new and used vehicles, **approved**.

**94-V1-19; 7150 East Washington Street**, requested a second integrated center sign with excess area, **granted**.

**93-V2-111, 41 North Shortridge Road** (east of site), variance of use to provide for a grocery store on the first floor of an existing two-story office building in D-5; **approved**.

**90-Z-214; 7201 East Washington Street** (southeast of site), Request the rezoning of 6.356 acres, being in the C-4 District, to the C-5 classification to provide for the sale of the Automobile parts, and automobile repair, **approved**.

**90-CV-32A; 7201 East Washington Street** (southeast of site), Variance of development standards of the Commercial Zoning Ordinance to permit the construction of a care center, having a 3-foot transitional yard along the south property line, **granted**.

**89-Z-191; 7201 East Washington Street** (southeast of site), request the rezoning of 16.9 acres, being in the D-2 and C-2 Districts, to the C-4 classification to provide for commercial development, **approved**.

**89-UV2-96; 7101 East Washington Street** (south of site), Request a variance of use of the Commercial Zoning Ordinance to permit the continued operation of a portable sales office, with the outdoor display and sales of mini barns and garages, **granted**.

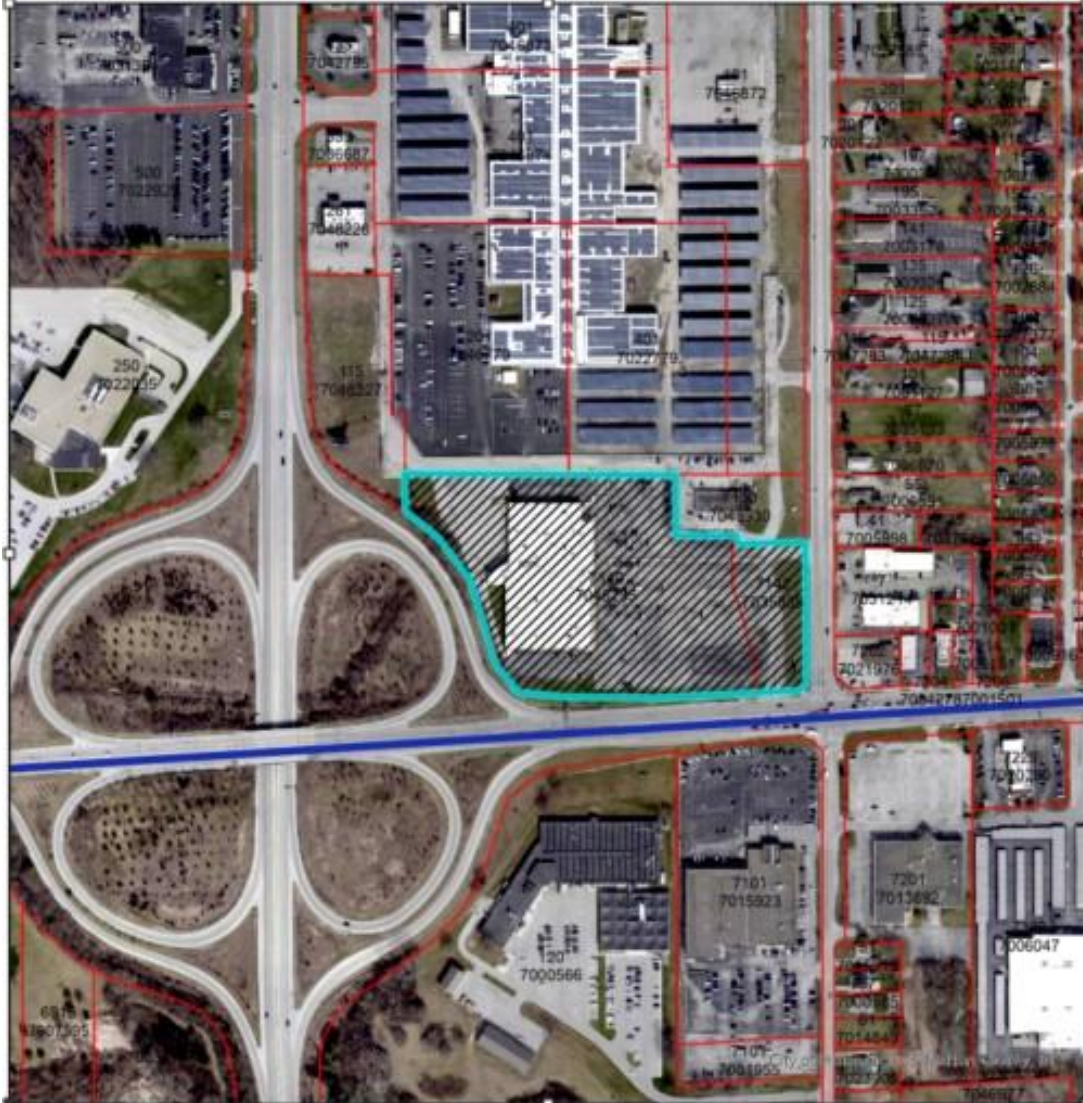
**89-Z-27; 350 North Shadeland Avenue**, requested a zoning of four acres from the C-2 and C-4 districts to the C-5 district, **approved**.

**87-UV3-50, 7206 East Washington Street** (east of site), variance of development standards to provide for a fast-food restaurant with a drive-through component located within 100 feet of a protected district; **approved**.



## EXHIBITS

## 2025-CVR-825/2025-CPL-825 Area Map









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2025-CVR-825/2025-CPL-825 Finding of Fact

Petition Number 2025-CVR-\_\_\_\_\_

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

the project allows for a development on an unused portion of a commercial parking lot which has safe ingress/egress, and which provides for a building and other improvements which attempt to provide elements desired under the Transit Oriented Development requirements in the Zoning Ordinance

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

there is adequate vehicular circulation proposed by the development and the investment in redeveloping an unused portion of an existing parking lot will add value to existing adjoining uses, which are all commercial and suburban in nature. The Subject Property is largely surrounded by pavement and with suburban retail, and automotive uses to the west and south. The variances will not interfere with access or visibility to or from the adjoining properties.

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

the use is a permitted use, but has to be oriented to south, in order to meet the front build to line, which restricts available transparency on the south facade, due to interior components on the inside of the south facade. There are parking spaces in excess of 40% of the lot width on the north end of the subject property, but there are parking spaces in the same location today. Finally, the only difference between the proposed fueling stations and the Zoning Ordinance requirements is that the proposed fueling stations are double sided, whereas the Zoning Ordinance would require single sided fueling stations, which would not even necessarily reduce the canopy and fueling station area, and which is neither practical or economically feasible.

DECISION

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

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

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





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2025-CVR-825/2025-CPL-825 Updated WaWa Color Site Plan

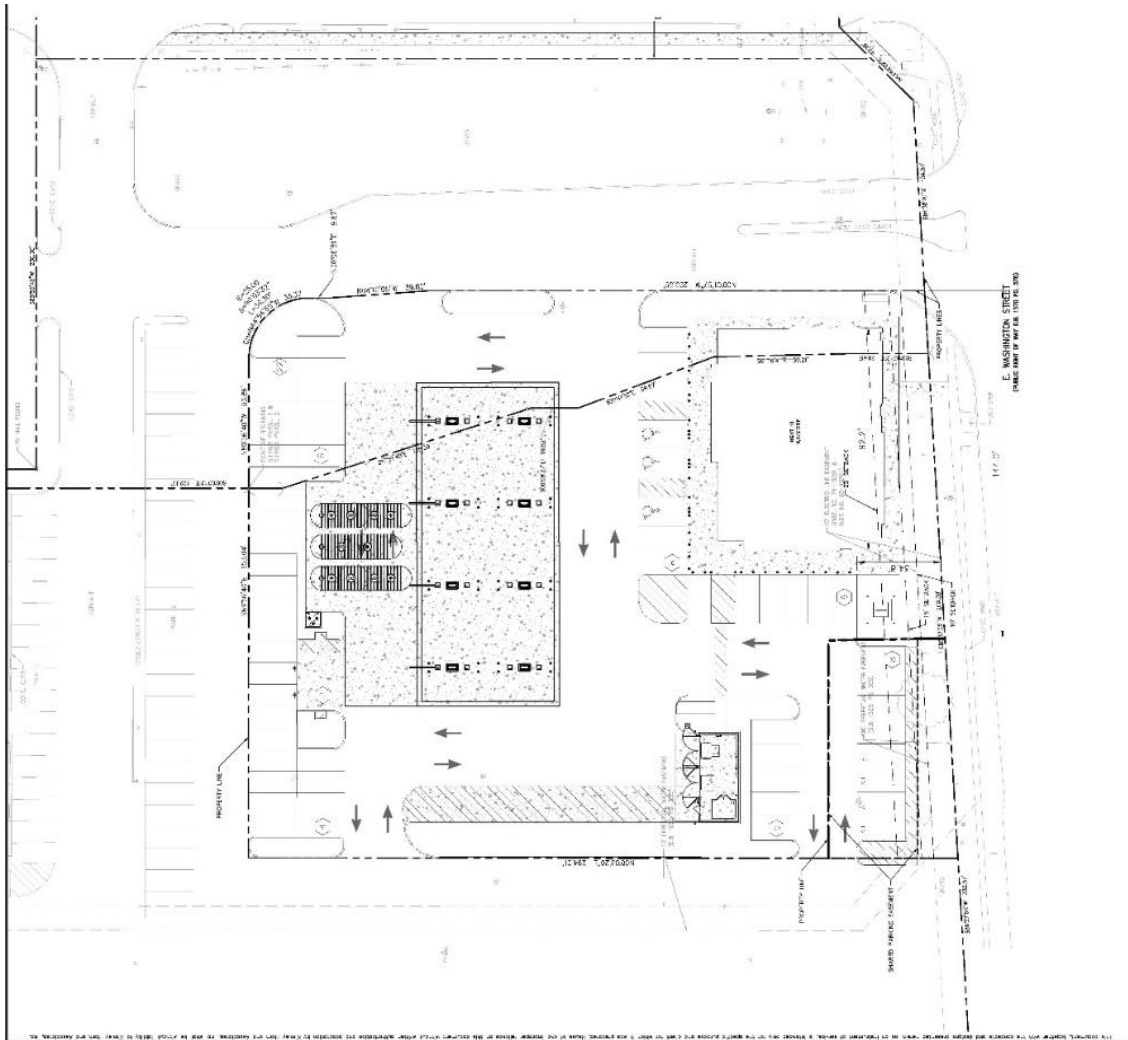






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2025-CVR-825/ 2025-CPL-825 Old Site Plan



2025-CVR-825/ 2025-CPL-825 Updated Elevations

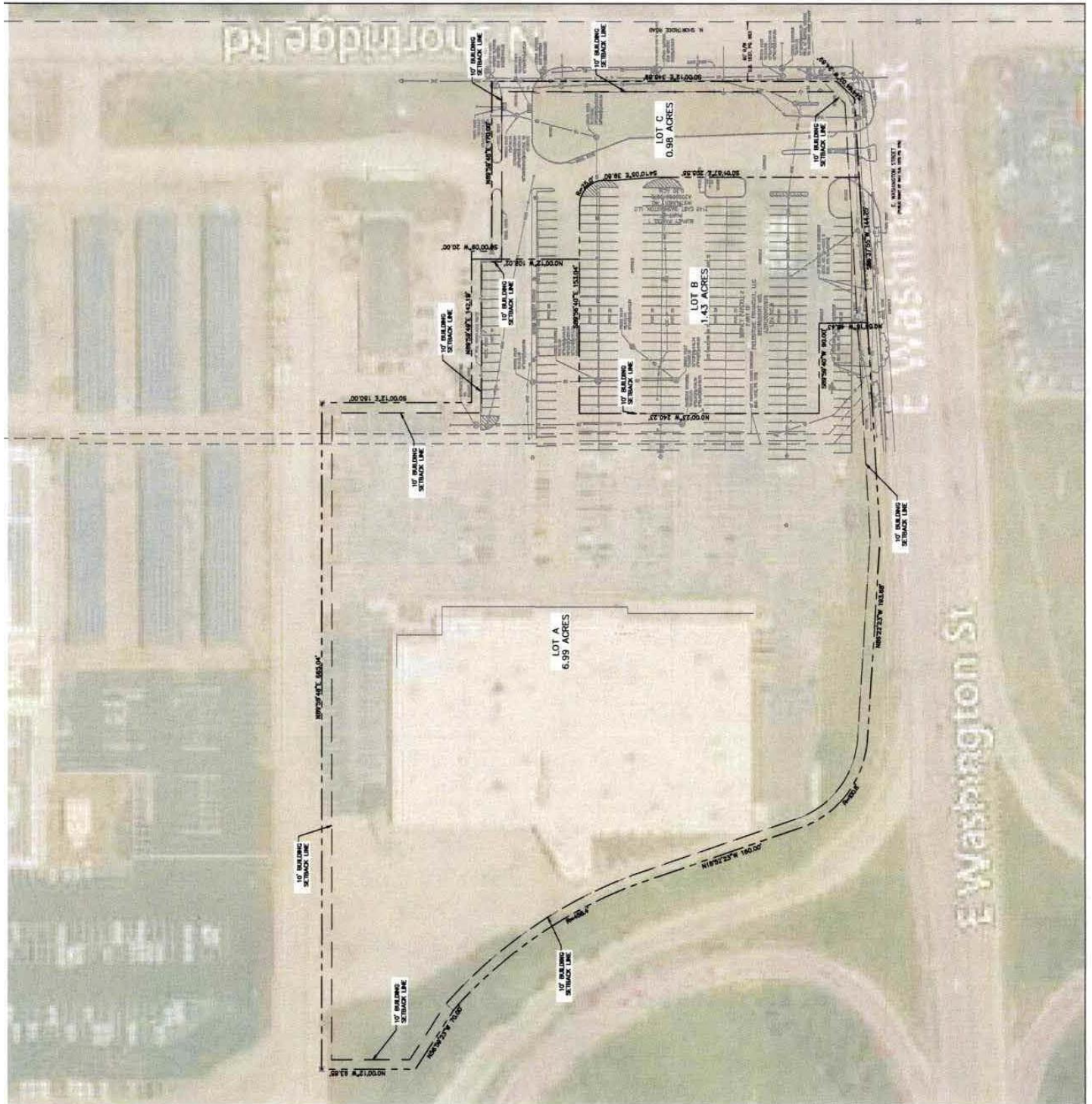


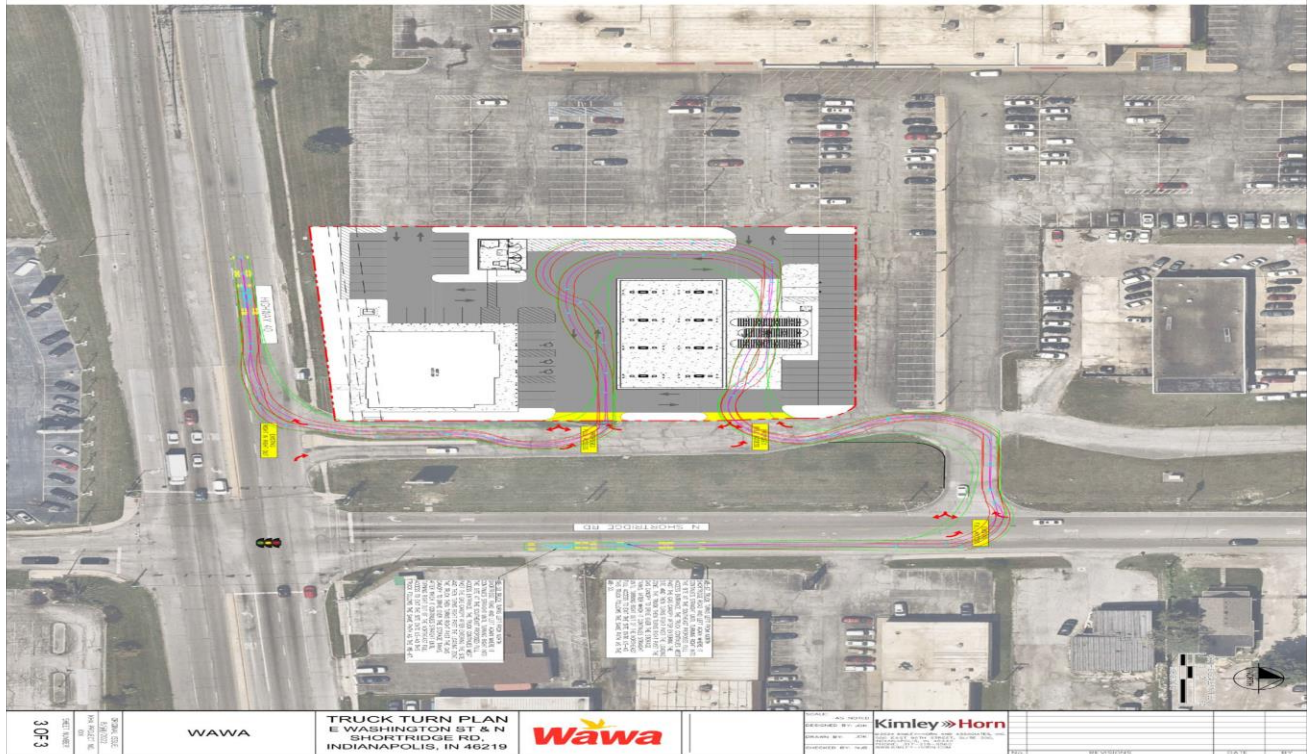
2025-CVR-825/ 2025-CPL-825 Old Elevations





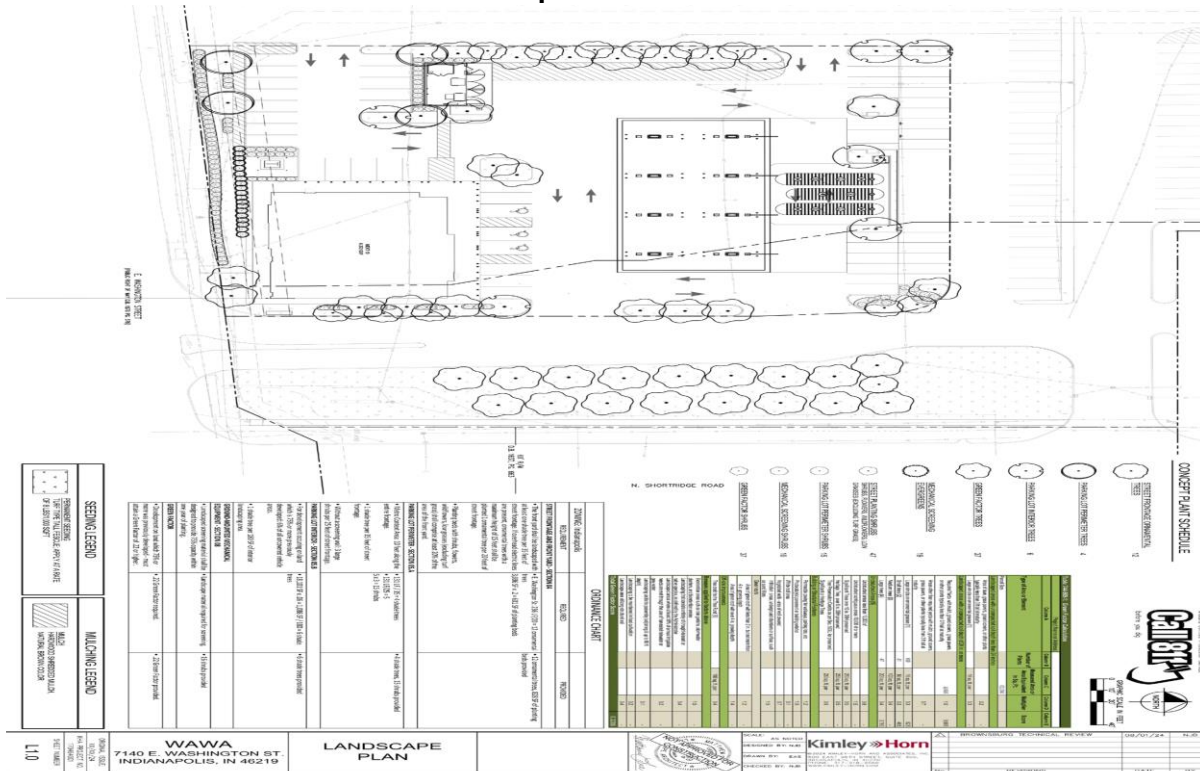
**2025-CVR-825/ 2025-CPL-825 PLAT**



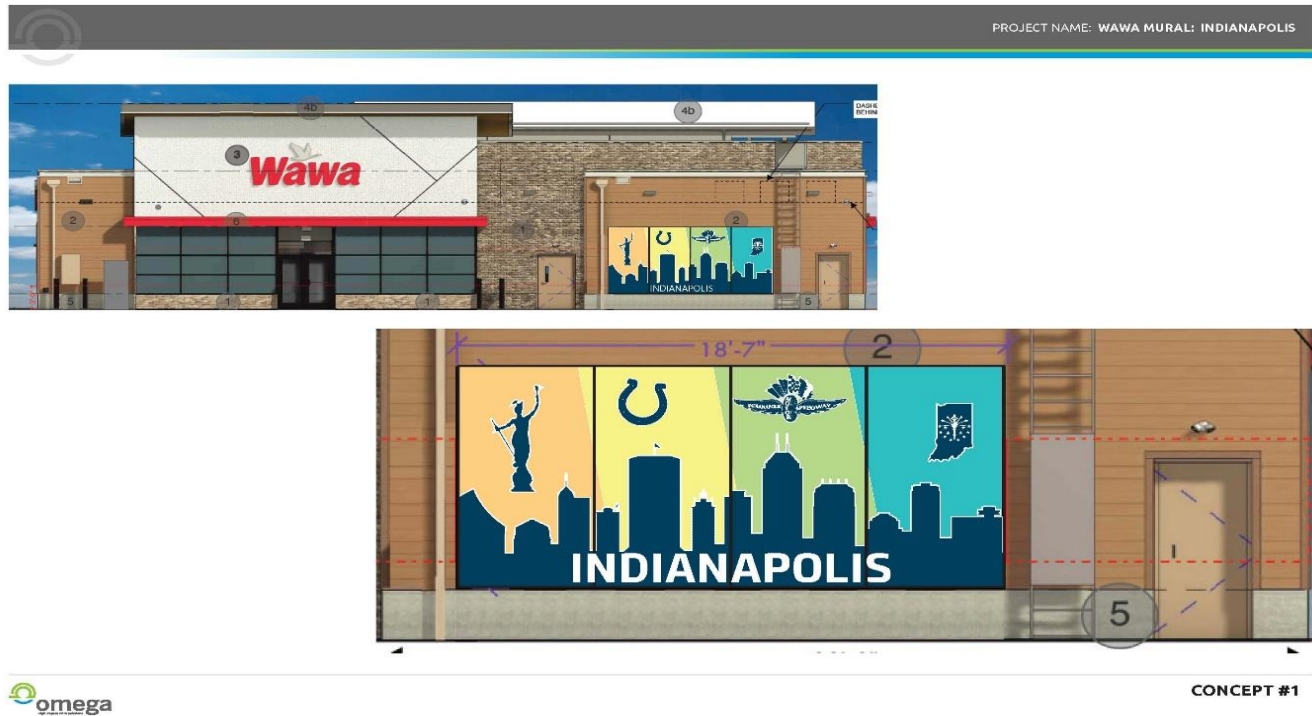




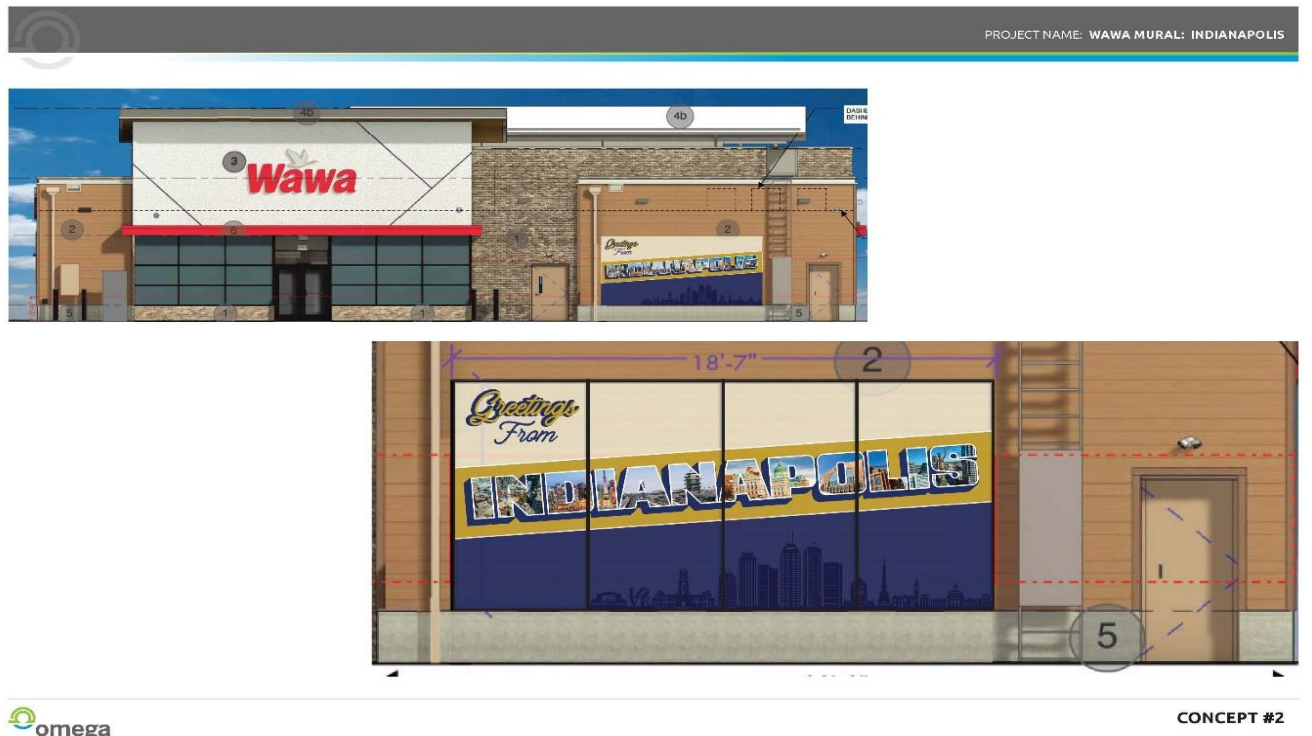
## 2025-CVR-825/ 2025-CPL-825 Landscape Plan



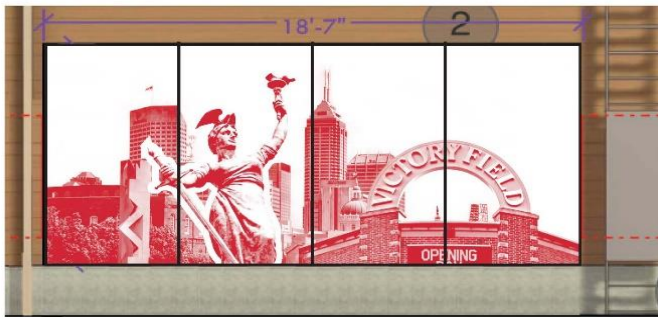
2025-CVR-825/2025-CPL-825 Front Elevation Concept #1



2025-CVR-825/2025-CPL-825 Front Elevation Concept #2



2025-CVR-825/2025-CPL-825 Front Elevation Concept #3





**Petitioner's Exhibit**

**List of Variances**

**7140-7142 East Washington:**

1. **Ch. 742, Art. II, Sec. 07, Table 742-207-2:** Automobile Fueling Station limited to 8 pump islands/service areas; 8 two-sided pump islands/service areas proposed.
2. **Ch. 744, Art, VI 1, Sec. 702, Table 744-702-3:** Surface parking in connector frontage has a 40% maximum of lot width behind the front building line; portions of parking are located north of the front building line exceed 40% of the lot width.
3. **Ch. 744, Art. VII, Sec. 702, Table 744-702-3:** First story street frontage transparency of 40% - 90% required; Less than 40% first floor transparency on Washington Street frontage provided.



From proposed Lot 1 looking west.



Looking south along the proposed entrance drive on to East Washington Street





Looking South from the subject property at the bus station along East Washington Street.



Looking from, the subject property west towards the exiting commercial center





Looking west from subject site along proposed western entrance.



Looking North toward



Looking east across proposed entrance to site at existing pylon sign.



Looking west from E Washington Street at I U Connected Health Care and Get Fit Athletic Club



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 14, 2025**

**Case Number:** 2025-CZN-836 /2025-CAP-836

**Property Address:** 4035 Meadows Parkway and 4195 Millersville Road

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

**Petitioner:** Garvey Properties, LLC, by Joseph D. Calderon

**Current Zoning:** C-S (W-5)  
Rezoning of 7.01 acres from the C-S (W-5) district to the C-S (W-5) district to provide for continuation of permitted uses under 2013-ZON-037 and 2023-CAP-826, and to add a crematorium use, with no incineration.

**Request:** Modification of C-S Statement related to 2013-ZON-037 and 2023-CAP-826, to provide for a crematorium use, with no incineration.

**Current Land Use:** Mixed-Use (Commercial / Industrial)

**Staff Recommendations:** Denial of both the rezoning and approval requests.

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

**PETITION HISTORY**

This is the first public hearing on this petition.

**STAFF RECOMMENDATION**

Denial of the rezoning and modification requests. If approved, staff would request that approval be subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least five business days prior to the MDC hearing:

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

**PETITION OVERVIEW**

This 7.01-acre site, zoned C-S, is developed with industrial style buildings and associated parking and storage areas. It is surrounded by single-family dwellings to the north across Millersville Road, zoned D-5 (W-5); educational uses to the south zoned D-P (W-5); commercial / industrial uses to the east, zoned C-S (W-5); commercial uses to the west, across Meadows Parkway, zoned C-4 (W-5).



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Petitions 2013-ZON-037 and 2023-CAP-826, including this site, provided for industrial and commercial uses, as well as I-2-S uses that were initially approved in 1989 and expanded in the subsequent years.

## **REZONING**

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

The Comprehensive Plan recommends Village Mixed-Use typology for the site. Recommended land uses in the Village Mixed-Use typology include residential, commercial, schools, places of assembly, artisan manufacturing / food production but does not include any type of industrial uses.

This typology creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. The surrounding land uses to the north, west and south supports and is representative of the village mixed-use typology.

As proposed, this request would not be consistent the Comprehensive Plan recommendation of village mixed-use. The proposed crematorium would be a permitted as a “special exception” in the I-3 district and permitted in the I-4, both of which would be districts with intense and heavy industrial uses that would not be appropriate in proximity of protected districts (residential and schools) and the village mixed-use typology. Allowing this use would also potentially set a precedence for expansion of industrial uses on this rather large site that would be detrimental to the surrounding land uses, specifically the adjacent residential neighborhood and schools.

## **MODIFICATION OF C-S STATEMENT**

This request would modify the development statements associated with petitions 2013-ZON-037 and 2023-CAP-826 to include, in addition to existing permitted uses, a crematorium use.

The 1989 rezoning permitted office, commercial and industrial development, with the expansion of uses with the 2013 (landscaping / design / installation business) and 2023 (storage buildings associated with the landscaping business) petitions. This request would expand uses that would be more intense, and therefore, more impactful to surrounding land uses.

## **Wellfield Protection Secondary Zoning**

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

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

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

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

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

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

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## Environmental Public Nuisances

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

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

Environmental public nuisance means:

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

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

## GENERAL INFORMATION

<b>Existing Zoning</b>	C-S (W-5)	
<b>Existing Land Use</b>	Commercial and industrial mixed use	
<b>Comprehensive Plan</b>	Village Mixed-Use	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
North:	D-5 (W-5)	Single-family dwellings
South:	D-P (W-5)	Educational uses
East:	C-S (W-5)	Industrial / commercial uses
West:	C-4 (W-5)	Commercial uses



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Thoroughfare Plan		
Millersville Road	Primary Collector	Existing 75-foot right-of-way and proposed 50-foot right-of-way.
Meadows Parkway	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	Yes – Fall Creek W-5	
<b>Site Plan</b>	June 23, 2025	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	June 23, 2025	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	June 23, 2025	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

The Comprehensive Plan recommends Village Mixed-Use typology. 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.

### Pattern Book / Land Use Plan

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

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

- *Conditions for All Land Use Types – Village Mixed-Use 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.
  - Where possible, contributing historic buildings should be preserved or incorporated into new development.

**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

**2023-CAP-826 / 2023-CVR-826; 4195 Millersville Road**, requested modification of Development Statement and Site Plan related to 2013-ZON-037 to remove the requirement for landscaping and buffering along Millersville Road and Meadows Parkway, and to provide for storage buildings as shown on the site plan submitted with this petition and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building located ten feet from Meadows Parkway with zero transparency, **approved and granted**.

**2014-ZON-029; 4201 Millersville Road (northeast of site)**, requested the rezoning of 6.3 acres from the C-S district to the C-S district to add automobile and motorcycle restoration and storage, lawn care, tree service, contracting offices and operations to the list of permitted uses, **approved**.

**2013-ZON-037; 4201 Millersville Road**, requested the rezoning of 13.4 acres from the C-S district to the C-S district to provide for a landscape design and installation business, including offices, nursery, material and equipment storage, sculpture garden, retail sales area; offices and production space for the design and fabrication of landscape feature, fencing and artwork for hardscape installation; urban farming and associated uses, aquaponics and related operations; fabrication and warehouse space; general office and flex space; schools and ancillary facilities; other compatible uses and I-2-S uses, **approved**.

**89-Z-7; 4201 Millersville Road**, requested the rezoning of 14.3 acres from the D-5 district to the C-S district to provide for offices, general storage facilities, manufacturing, processing and packaging of food products, and high-tech research, development and manufacturing, **approved**.

## VICINITY

**2013-ZON-071; 4175 Millersville Road (southwest of site)**, requested the rezoning of 1.3 acre from the C-1 district to the C-S district to provide for C-3 uses and a banquet hall, **approved**.

**2012-ZON-042; 3801 - 4005 Meadows Drive, 3805 – 3806 North Dearborn Street (southeast of site)**, requested the rezoning of 102 acres from the D-8, D-9, SU-2, C-4 and C-S district to the D-P district to provide for single-family, two-family and multi-family residential uses, commercial uses permitted within the C-1, C-3 and C-4 districts, special and institutional uses permitted within the SU-1, SU-2, SU-3, SU-6, SU-7, SU-9, SU-37, SU-38 and SU-39 districts, light manufacturing and assembly, agricultural uses, community garden and sales of products produced therein, **approved**.



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**2010-ZON-042; 3801-4005 Meadows Drive, 3805-3806 North Dearborn Street (adjacent to the southwest),** requested a rezoning of 101.9 acres from the D-8 (W-5), D-9 (W-5), SU-2 (W-5), C-4 (W-5) and C-S (W-5) Districts, to the D-P (W-5) classification to provide for single-family, two-family and multi-family residential uses, commercial uses permitted within the C-1, C-3 and C-4 Districts, special and institutional uses permitted within the SU-1, SU-2, SU-6, SU-7, SU-9, SU-37, SU-38, SU-39 Districts, mixed-use areas of residential and commercial in the same building as well as Live/work units, including light manufacturing and assembly and residential, commercial and institutional uses within the same building and uses permitted within the SU-3 and SU-9 Districts and agricultural uses, including a community garden and the sale of products produced therein, **approved.**

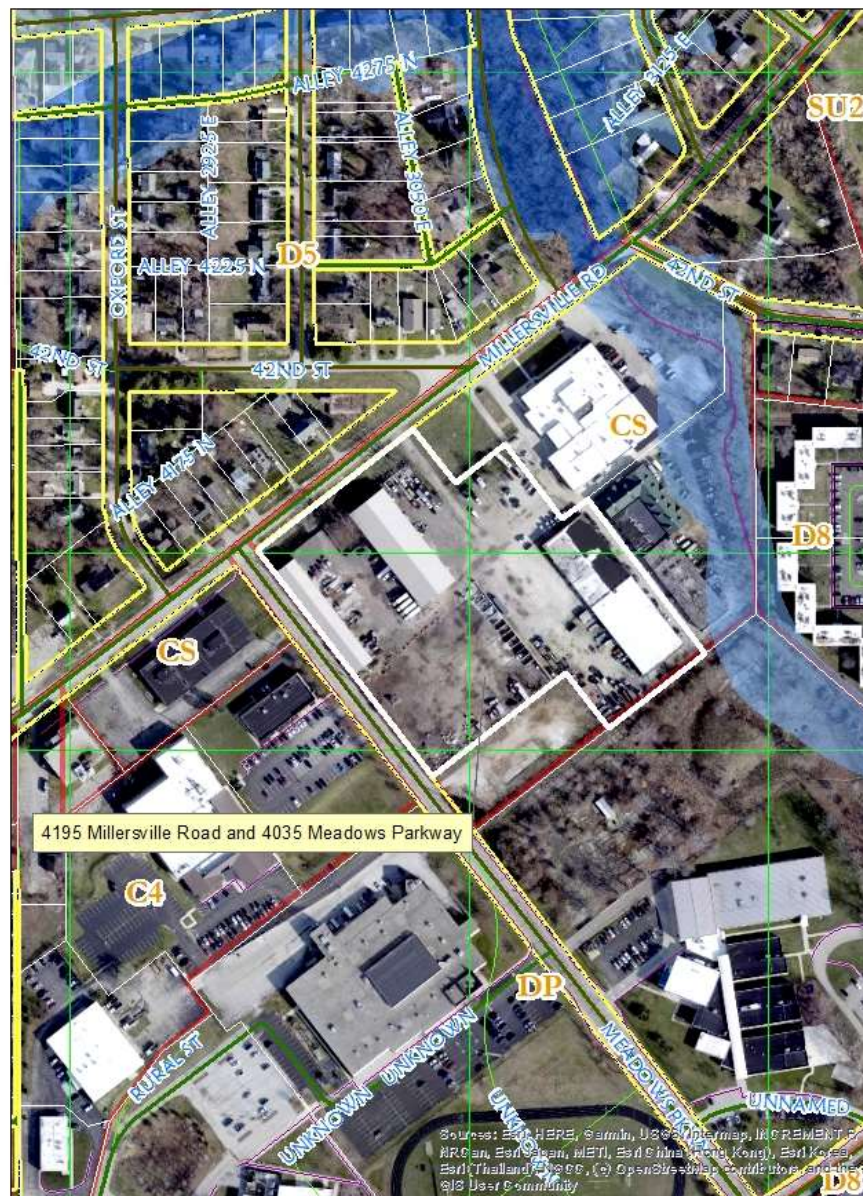
**2006-ZON-008; 3980 Meadows Drive (southeast of site),** requested the rezoning of 14 acres from the C-1, C-4 and D-8 districts to the SU-2 district, **approved.**

**2001-ZON-165; (adjacent to southwest),** requested rezoning of 12.5 acres from C-4 to C-S to provide for a general contractor with related offices and outdoor storage, general offices, educational use, and C-3 uses, **approved.**

**87-UV1-45; 4201 Millersville Road (northeast of site),** requested a variance of use to provide for a loading dock, **approved.**

**62-Z-172; 3939 Meadows Drive (southwest of site),** requested the rezoning of two acres from the U1-H1-A2 district to the U3-H1-A4 district to provide for the sales of office equipment, **approved.**

EXHIBITS



4195 Millersville Road and 4035 Meadows Parkway



0.0125025 0.05 0.075 0.1 Miles

## C-S Statement

### Second Amended C-S Development Statement

**Introduction:** Petitioner and Owner, Garvey Properties LLC, seeks to redevelop approximately 7 acres of property commonly known as 4195 Millersville Road (the "Subject Property"), in order to use the Subject Property as a contractor's storage facility, and to provide for potential future use of the Subject Property. Recently, Petitioner/Owner was approached by a user, Serene Reflections Pet Water Cremation, about occupying space in the Subject Property.

**Zoning:** The Subject Property is currently zoned C-S, as more particularly set forth in the City of Indianapolis Consolidated Zoning and Subdivision Ordinance ("Zoning Ordinance"), pursuant to a rezoning in 2013 under Case Number 2013-ZON-037 (the "2013 Rezoning"). The 2013 Rezoning allowed for the establishment of a headquarters for a landscape/design and installation firm, including an office nursery, material and equipment storage as well as a sculpture garden and retail sales area (the "Primary 2013 Use"). In 2023, pursuant to 2023-CAP/CVR-826, Petitioner/Owner updated the C-S Development Statement and obtained certain development standard variances.

Proposed Permitted Primary Uses of the Subject Property as described and defined in Chapter 743, Art II, Table 743-1 in the Zoning Ordinance shall be as follows:

- 1) The Primary 2013 Use.
- 2) Offices and production space for companies involved in design and fabrication of landscape features, fencing and art work to be utilized in landscape installations.
- 3) Urban Farming and associated uses.
- 4) Aquaponics and related operations.
- 5) Fabrication and Warehouse space.
- 6) General Office and Flex (industrial) space.
- 7) Schools and ancillary facilities.
- 8) Other compatible uses and those permitted in the I-2-S zoning district.
- 9) Crematorium (no incineration) – as limited by the Executive Summary of the use attached hereto as Exhibit "A".

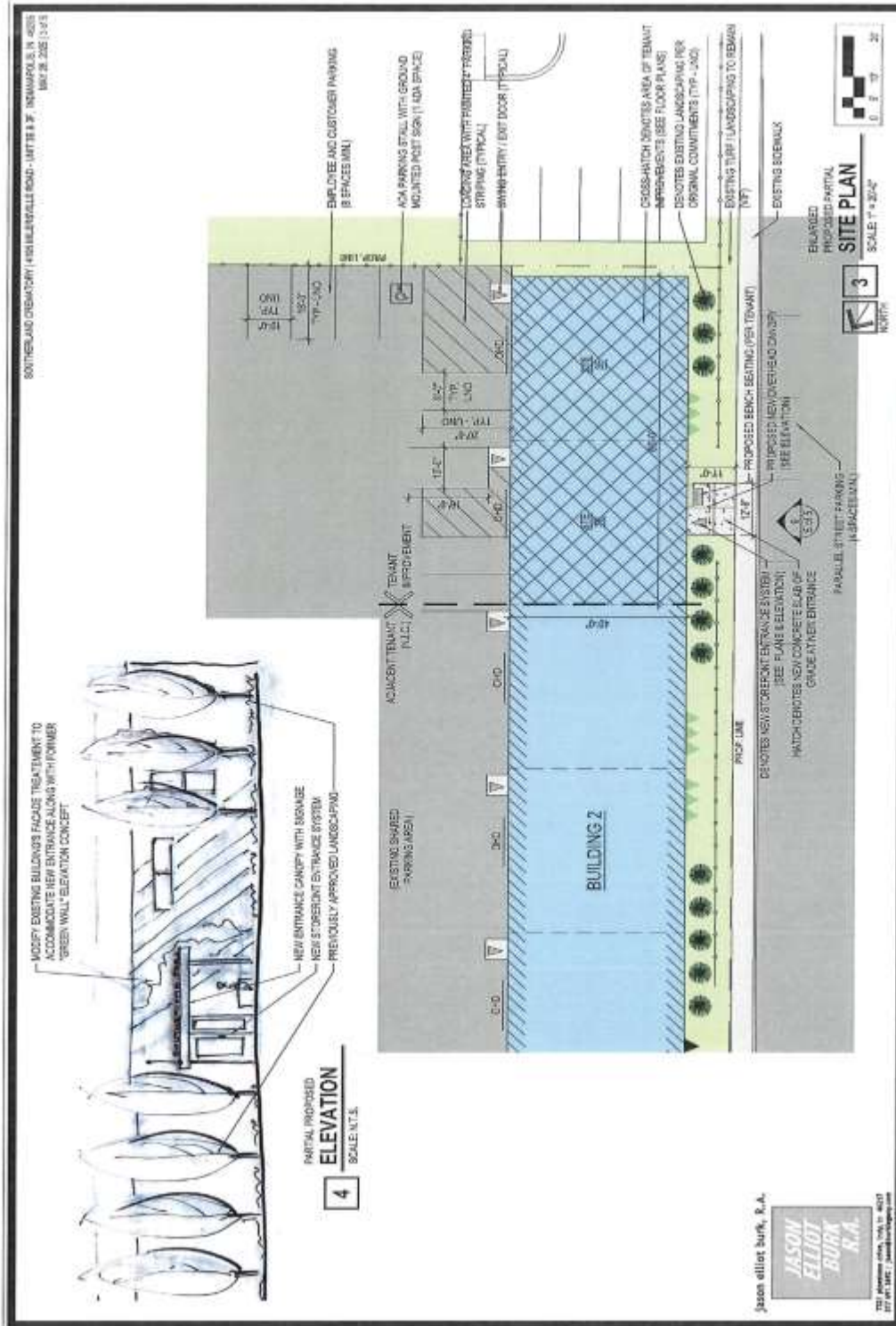
For purposes of this development statement, the intent is to add the Crematorium as an additional use and not otherwise amend the 2023 Amended C-S Development Statement, including, but not limited to, Development Standards and Signs.

47954235.1











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View looking east along East 42<sup>nd</sup> Street



View looking west along East 42<sup>nd</sup> Street



View looking south along Meadows Parkway



View looking north along Meadows Parkway

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View of site looking northeast across Meadows Parkway



View of site looking northwest





View from site looking west across Meadows Parkway

METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER  
PETITION FOR VARIANCE OF USE  
NEGATIVE FINDINGS OF FACT

- 1. BASED ON THE EVIDENCE SUBMITTED THE PETITIONER FAILED TO MEET ITS BURDEN OF PROOF TO SHOW THAT THE GRANT OF THE VARIANCE WOULD NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY. The expansion of an existing mini warehouse operation within the Transit-Oriented Development (TOD) overlay would not align with the purpose of the TOD overlay to maximize the economic development and public benefit by creating walkable urban villages and promoting economic mobility.
- 2. BASED ON THE EVIDENCE SUBMITTED THE PETITIONER FAILED TO MEET ITS BURDEN OF PROOF TO SHOW THAT THE GRANT OF THE VARIANCE WOULD NOT CAUSE THE USE OR VALUE OF THE AREA ADJACENT TO THE PROPERTY TO BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER. The expansion of an existing mini warehouse operation within the TOD overlay that exceeds the maximum 0.5-acre would substantially affect the surrounding land uses in an adverse manner.
- 3. BASED ON THE EVIDENCE SUBMITTED THE PETITIONER FAILED TO MEET ITS BURDEN OF PROOF TO SHOW THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED AND THE CONDITION IS NOT DUE TO THE GENERAL CONDITION OF THE NEIGHBORHOOD. The site can continue to operate as a mini warehouse business as permitted by petitions 2018-ZON-001 and 2017-ZON-057.
- 4. BASED ON THE EVIDENCE SUBMITTED THE PETITIONER FAILED TO MEET ITS BURDEN OF PROOF TO SHOW THAT THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WOULD CONSTITUTE AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT. The site can continue to operate as a mini warehouse business as permitted by petitions 2018-ZON-001 and 2017-ZON-057.
- 5. BASED ON THE EVIDENCE SUBMITTED THE PETITIONER FAILED TO MEET ITS BURDEN OF PROOF TO SHOW THAT THE GRANT OF THE VARIANCE WOULD NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN. The expansion of an existing use within the Transit-Oriented Development (TOD) overlay would not align with the purpose of the TOD overlay to maximize the economic development and public benefit by creating walkable urban villages and promoting economic mobility.

DECISION

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

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

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