



Metropolitan Development Commission Hearing Examiner (June 25, 2026) Meeting Agenda

Meeting Details

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

Date: Thursday, June 25, 2026

Time: 1:00 PM

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

Business:

Special Requests

PETITIONS REQUESTING TO BE CONTINUED:

1. 2026-ZON-018 / 2026-VAR-004 | 5510 Millersville Road

Washington Township, Council District #3
R. Michael Thomas, by Ted Nolting

Rezoning of 2.75-acres from the D-3 and C-4 districts to the C-3 district to provide for a veterinary hospital.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for an outdoor animal run/exercise area located 88 feet from a protected district (100-foot separation required).

****City-County Councilor request for continuance for cause to August 13, 2026**

2. 2026-ZON-043 | 7030 East 33rd Street

Center Township, Council District #9
Damion Wiggins

Rezoning of 1.19 acres from the MU-1 district to the C-5 district for a used automobile sales business.

****Automatic Continuance to July 23, 2026, filed by Registered Neighborhood Organization. Staff request for additional continuance for cause to August 13, 2026.**

3. 2026-ZON-045 | 2003 North College Avenue

Center Township, Council District #13
Maigida Investment LLC, by David Gilman

Rezoning of 0.11-acre from the D-8 district to the MU-2 district to provide for a small mixed-use development.

****Automatic Continuance to July 23, 2026, filed by Registered Neighborhood Organization. Staff request for additional continuance for cause to August 13, 2026.**

4. 2026-CZN-829 / 2026-CVR-829 | 5430 West 86th Street

Pike Township, Council District #1
RaceTrac Petroleum, Inc., by Jasvir Singh

Rezoning of 3.05 acres from the C-4 district to the C-7 district to provide for high-intensity commercial uses.

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for commercial truck parking.

****Automatic Continuance to July 23, 2026, filed by Registered Neighborhood Organization. Staff request for additional continuance for cause to August 13, 2026.**

5. 2026-CZN-831 / 2026-CVR-831 | 1144 South Belmont Avenue

Center Township, Council District #18
Alex Kercheval, by Ryan M. Spahr

Rezoning of 0.25-acre from the D-5 district to the C-3 district to provide for commercial uses.

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a recording studio (not permitted), without required transitional side and rear yard setbacks (minimum 10-foot side and rear transitional yard setbacks required).

****Staff and Petitioner request for continuance for cause to August 13, 2026**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

6. 2026-APP-011 / 2026-VAR-008 | 5001 East Raymond Street

Center Township, Council District #19
SU-9 (FW) (FF)
City of Indianapolis, by Kevin Montgomery

Special Use District Nine Approval to provide for a six-foot-tall fence within the front yard of Emerson Avenue, per plans filed.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for the placement of chain-link fence both within a front-yard area and within side yards without vinyl coating (not permitted).

7. 2026-MOD-004 | 8133 East 96th Street

Lawrence Township, Council District #4
C-4
French Associates LLC, by Ashley Wallis

Modification of Commitments related to 95-Z-55 (#1995-0116318), to modify Commitment #2, to permit development that is consistent and generally in conformance with the submitted site plan, file-dated August 2, 2025 (current commitment limits development to site plan file dated August 22, 1995).

8. 2026-ZON-016 / 2026-VAR-005 (Amended) | 3030 Southeastern Avenue

Center Township, Council District #18
JO & CE Real Estate LLC, by Dylan Seesman

Rezoning of 0.34-acre from D-5 (FF) district to MU-2 (FF) district for an existing building to be renovated for commercial retail uses and up to six dwelling units on the second floor.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a zero-foot front transitional yard from English Avenue (12-foot front transitional yard required), a zero-foot west transitional side yard (15-foot side transitional yard required), with 15 on-site parking spaces (19 on-site spaces required).

9. 2026-ZON-027 | 1611 East 18th Street

Center Township, Council District #8
Diamonds Xellent Investments LLC (Diego Gomez), by Jorge Oscar Gonzales Vasquez

Rezoning of 0.12-acre from the C-3 district to the D-8 district to provide for residential development.

10. 2026-ZON-029 / 2026-VAR-007 | 1003 West 30th Street

Center Township, Council District #12
Skyline General Contracting Corp, by Jorge Gonzales

Rezoning of 0.09-acre from the C-3 district to the D-5 district to provide for residential use.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a residence with a front building line of 25 feet (range of 10 to 19.9 feet required), a side setback of 3 feet (5 feet required), and a corner side setback of 5 feet (8 feet required).

11. 2026-ZON-030 (Amended) | 3505 South Harding Street

Perry Township, Council District #22
Jose de Jesus Padilla Zavala, by Jorge Oscar Gonzales

Rezoning of 0.24-acre from the D-4 (FF) district to the C-1 (FF) district to provide for a multi-tenant building.

12. 2026-ZON-038 | 1830 Shelby Street

Center Township, Council District #18
Abiodun Babalola (Truworth Realty LLC), by Leyla Paz

Rezoning of 0.15-acre from the MU-1 (TOD) district to the D-5 district to provide for the construction of a duplex.

13. 2026-ZON-046 | 3216 East 25th Street

Center Township, Council District #8
Felipe M. Mata, by RG Development, LLC (Josh Smith)

Rezoning of 0.379-acre from the C-3 district to the D-5 district to allow for residential uses.

14. 2026-CZN-813 (Amended) / 2026-CVR-813 | 1127 South East Street

Center Township, Council District #18
Josh Smith

Rezoning of 0.12-acre from the C-5 district to the D-8 district to provide for a multi-unit dwelling, consisting of two units.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a multi-unit dwelling, consisting of two units, with encroachment within the clear-sight triangle of Morris Street and East Street (not permitted) and no maximum front setback (19.9 feet maximum permitted).

15. 2026-CZN-827 / 2026-CPL-827 | 2015 Wagner Lane and 3669 Van Buren Street Center

Township, Council District #19
Habitat for Humanity for Greater Indianapolis, Inc., by Leslie Steinert

Rezoning of 2.27 acres from D-6ll district to D-5 district for residential development.

Approval of a Subdivision Plat to be known as Wagner Lane Estates, Section 2, subdividing 2.27 acres into nine lots.

16. 2026-CZN-828 / 2026-CVR-828 | 1170 Kentucky Avenue

Center Township, Council District #18
KM23 Property, LLC, by Justin Kingen

Rezoning of 1.569 acres, from the C-1 (FF) district to the C-4 district to provide for commercial uses.

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for a commercial and building contractor.

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

17. 2026-CZN-816 / 2026-CVR-816 | 4511 Allisonville Road

Washington Township, Council District #8
Broad Ripple Construction, LLC, by Joseph D. Calderon

Rezoning of 0.21-acre from MU-1 (FF) (W-1) district to C-S (FF) (W-1) district to provide for a contractor's office, offices, light manufacturing, artisan manufacturing, research and development, consumer services and repair of consumer goods, vocational, technical, or industrial school, medical or dental offices, hair and body salon, financial and insurance offices, and a day care.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a reduction of the transparency requirement of the front façade between three feet and eight feet of the wall

surface, within 50 feet of a primary entrance (minimum 40% transparency required), and to provide for a six-foot-tall fence within the front yard (maximum height of 3.5 feet permitted).

18. 2026-CZN-820 / 2026-CVR-820 | 4710, 4716, 4724, 4738, 4742 and 4910 Bluff Road

Perry Township, Council District #22
Alt Construction, LLC, by Brian J. Tuohy

Rezoning of 27.26 acres from the D-A (FF) district to the I-2 (FF) district to provide for light industrial uses, including warehousing, wholesaling and distribution.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a loading area between the front lot line along Bluff Road and the front line of the building (not permitted), and to provide for 39 parking spaces (minimum of 260 spaces required).

PETITIONS FOR PUBLIC HEARING (New Petitions):

19. 2026-CAP-824 / 2026-CVR-824 | 4107 East Washington Street

Center Township, Council District #13
SU-7 (TOD)
Shepherd Community, Inc., by Mindy Westrick Brown

Modification of Commitments related to 2005-ZON-123, to provide for modifying Commitment 4 of Attachment 'C', to permit construction of a community center expansion, with the site plan filed with this petition (development of the site required to be generally compliant with the site plan, file-dated August 9, 2005), and to provide for terminating Commitment 10 of Attachment 'C' requiring existing freestanding sign and sign pole removal within 60 days of the issuance of an Improvement Location Permit.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a proposed community center expansion without meeting the Mixed-Use and Commercial Design Standards, including private frontage type design standards, frontage design standards, building placement and form standards, building scale and design standards, and block and lot open space standards.

Additional Business:

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

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, 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	01/01/2026 - 12/31/2026
Vacant		

This meeting can be viewed live at indy.gov: Channel 16 Live Web Stream. The recording of this meeting will also be archived (along with recordings of other City/County entities) at indy.gov: Watch Previously Recorded Programs.



METROPOLITAN DEVELOPMENT COMMISSION **May 28, 2026**
HEARING EXAMINER

Case Number: 2026-ZON-018 / 2026-VAR-004
Address: 5510 Millersville Road (approximate address)
Location: Washington Township, Council District #3
Petitioner: R. Michael Thomas, by Ted Nolting
Request: Rezoning of 2.75-acres from the D-3 and C-4 districts to the C-3 district to provide for a veterinary hospital.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for an outdoor animal run/exercise area located 88 feet from a protected district (100-foot separation required).

Current Land Use: Veterinary Hospital
Staff Recommendations: Approval
Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was previously continued for cause by Staff, to the April 23, 2026, hearing, in order for it to be heard together with associated petition 2026-VAR-004.

City Councilor Boots requested that this petition be continued from April 23, 2026 to May 28, 2026, and from the May 28, 2026, hearing, to the June 25, 2026, hearing, to continue discussions between the petitioner and area residents.

STAFF RECOMMENDATION

Staff recommends **approval** of the Rezoning request.
Staff recommends **approval** of the Variance request.

PETITION OVERVIEW

LAND USE

The 2.75-acre site is comprised of a parcel developed with a Veterinary Hospital, and a residential structure being used as offices. The site is adjacent to commercial uses zoned C-3, and single-family dwellings zoned D-3.



REZONING

The request would rezone the property to the C-3 district to allow for the construction of a new Veterinary Hospital that is not permitted in the existing D-3 district.

The C-3 District is intended to provide for the development of an extensive range of retail sales and personal, professional, and business services required to meet the demands of a fully developed residential neighborhood, regardless of its size. Examples of such types of uses include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail, and personal and professional service establishments. At this neighborhood scale of retail, a fine-grain of accessibility requisite for all modes of travel must be provided and maintained. It does not make provision, however, for those businesses that draw customers insignificant numbers from well beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators, such as theaters.

VARIANCE OF DEVELOPMENT STANDARDS

The request would allow for an outdoor animal run / exercise area to be located approximately 88 feet from a protected district.

The proposed outdoor animal run. exercise area would be used primarily for the animal patients to relieve themselves under staff supervision. No run structure would be part of the area, instead it would consist of a fenced in grassy area.

STAFF ANALYSIS

The request would rezone the property to the C-3 district to allow for the construction of a new Veterinary Hospital, to replace the existing hospital.

Staff is supportive of the rezoning because it would remove a legacy D-3 zoning that is not compatible with existing commercial uses and would allow for the construction of a new veterinary hospital that is compatible with the surrounding area and would align with the Village Mixed Use recommendation of the Comprehensive Plan.

Staff is supportive of the variance request as it would act as an accessory use to the hospital and would primarily be used for the animal’s relief under supervision.

GENERAL INFORMATION

Existing Zoning	C-4 / D-3	
Existing Land Use	Veterinary Hospital and Office Building	
Comprehensive Plan	Village Mixed Use	
Overlay	N/A	
Surrounding Context	Zoning	Surrounding Context
North:	C-3 / C-1	Commercial retail, office, and daycare
South:	D-3	Single-family dwellings
East:	C-3	Commercial retail
West:	D-3	Single-family dwelling



Thoroughfare Plan		
Millersville Road	Local Street	30-foot existing right-of-way and 50-foot proposed right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	N/A	
Wellfield Protection Area	N/A	
Site Plan	February 17, 2026	
Elevations	N/A	
Landscape Plan	N/A	
Commitments	N/A	
Findings of Fact	March 17, 2026	
C-S / D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Marion County Land Use Plan Pattern Book recommends the Village Mixed-Use typology that 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.

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)

Not Applicable to the Site.

ZONING HISTORY

2025-MO2-001; 5510 Millersville Road (subject site), requested a Modification of Commitments related to 2021-DV2-019, and 2023-MO2- 001, which provided for the location of a temporary modular building with a three-foot south side transitional setback, which expired two years from the date of their approval, being May 11, 2021, and May 11, 2025, respectively. The request is to extend this expiration date to May 11, 2026, **granted**.

2023-MO2-001; 5510 Millersville Road (subject site), requested a Modification of Commitments related to 2021-DV2-019, which provided for the location of a temporary modular building with a three-foot south side transitional setback, which would expire two years from the date of approval, being May 11, 2021. The request is to extend this expiration date to May 11, 2024, **granted**.

2021-DV2-019; 5510 Millersville Road (subject site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a temporary modular building with a three-foot south side transitional setback, **granted**.

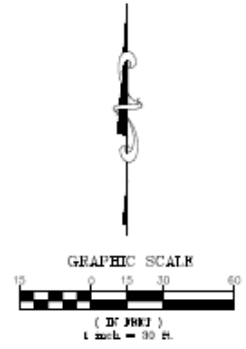
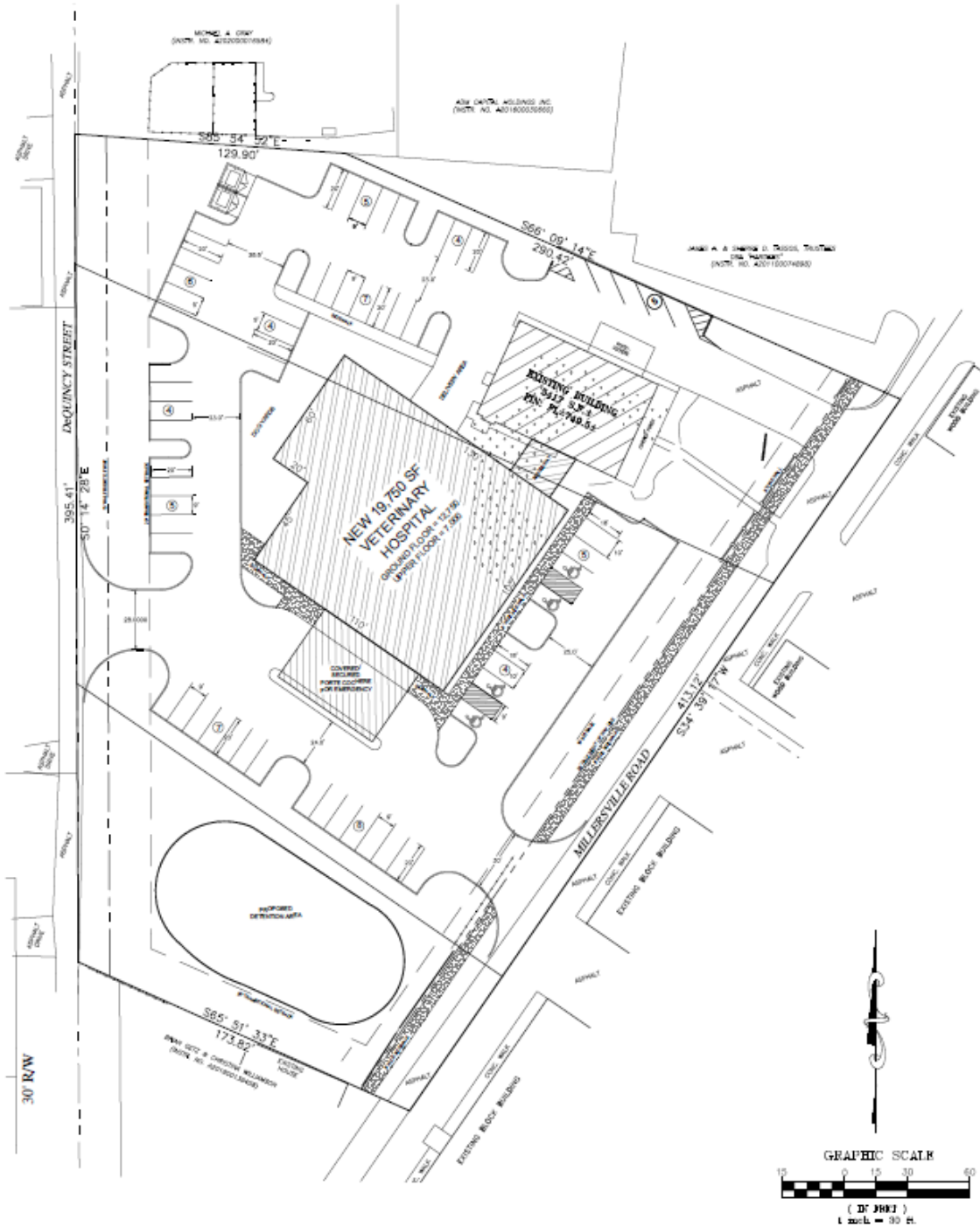
90-V1-126; 5510 Millersville Road (subject site), requested a variance of development standards of the Commercial Zoning Ordinance to permit an addition to an existing veterinary office with an apartment with a 16-foot side yard, **approved**.

69-Z-199; 5510 Millersville Road (subject site), requested the rezoning of 0.85 acre, being in the D-3 district, to C-4 classification to provide for a small animal clinic, **approved**.

RU

SITE PLAN

PROPOSED SITE





FINDINGS OF FACT

Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

the proposed animal exercise area will function solely as an accessory area to the veterinary clinic for the brief outdoor movement and exercise of animals receiving treatment at the facility. The area will not be used for kennel operations, long-term boarding, or commercial animal housing. The exercise area will be located approximately eighty-eight (88) feet from the nearest dwelling district and is separated from nearby residential properties by a public street right-of-way, which provides an additional physical buffer. Given the limited and supervised nature of the activity and the separation created by the street, the variance will not create conditions that would adversely affect the public health, safety, morals, or general welfare of the community.

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

the proposed animal exercise area is a limited accessory component of the veterinary clinic intended only for the temporary outdoor movement of animals under staff supervision. The area will not function as a kennel, boarding facility, or location for prolonged animal activity. The exercise area will be located approximately eighty-eight (88) feet from the nearest dwelling district and is separated from nearby residential properties by a public street, providing an additional buffer between the area and neighboring homes. Because the use will be intermittent, controlled, and associated with veterinary treatment activities, the variance will not materially diminish the use or value of adjacent 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 veterinary clinic requires a small, designated outdoor area where animals receiving care may be briefly taken outside for movement and exercise as part of normal veterinary operations. Due to the configuration of the site and the placement of the proposed buildings, parking areas, and circulation drives, there is no reasonable location on the property where such an accessory area can be provided while fully satisfying the 100 foot separation requirement from a dwelling district. Strict enforcement of the 100-foot standard would therefore make it impractical to provide a functional and customary operational feature of a veterinary clinic on the property.

PHOTOS



Subject site, looking west.



Subject site temporary modular building behind the primary building, looking east.



Adjacent dwelling being used as an office related to the subject site, looking southwest.



Adjacent commercial use to the east, looking south.



Adjacent residential property on Dequincy to the west.



Adjacent residential property on Dequincy to the west.



METROPOLITAN DEVELOPMENT COMMISSION **June 25, 2025**
HEARING EXAMINER

Case Number: 2026-ZON-043
Property Address: 7030 East 33rd Street
Location: Center Township, Council District # 9
Petitioner: Damion Wiggins
Request: Rezoning of 1.19-acre from the MU-1 district to the C-5 district to provide for a use automobile sales business.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

A timely automatic continuance has been filed by a registered neighborhood organization that would **continue this petition from the June 25, 2026 hearing, to the July 23, hearing**. This would require acknowledgement from the Hearing Examiner.

Staff would request a **continuance from the July 23, 2026 hearing, to the August 13, 2026 hearing**.



METROPOLITAN DEVELOPMENT COMMISSION **June 25, 2026**
HEARING EXAMINER

Case Number: 2026-ZON-045
Address: 2003 North College Avenue (*Approximate Address*)
Location: Center Township, Council District #13
Petitioner: Maigida Investment LLC, by David Gilman
Request: Rezoning of 0.11-acre from the D-8 district to the MU-2 district to provide for a small mixed-use development.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

A Registered Neighborhood Organization has filed an Automatic Continuance, **continuing this petition to the July 23, 2026, hearing**, from the June 25, 2026, hearing.

This will require the Hearing Examiner’s acknowledgement.

Since the July 23, 2026, hearing has been canceled, staff will then be requesting that this petition be **continued to the August 13, 2026** hearing.



METROPOLITAN DEVELOPMENT COMMISSION **June 25, 2026**
HEARING EXAMINER

Case Number: 2026-CZN-829 / 2026-CVR-829

Property Address: 5430 West 86th Street

Location: Pike Township, Council District # 1

Petitioner: RaceTrac Petroleum, Inc., by Jasvir Singh

Request: Rezoning of 3.05 acres from the C-4 district to the C-7 district to provide for a high-intensity commercial uses.
Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for commercial truck parking.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

A timely automatic continuance has been filed by a registered neighborhood organization that would **continue this petition from the June 25, 2026 hearing, to the July 23, 2026 hearing.** This would require acknowledgement from the Hearing Examiner.

Staff would request a **continuance from the July 23, 2026 hearing to the August 13, 2026 hearing.**



METROPOLITAN DEVELOPMENT COMMISSION **June 25, 2025**
HEARING EXAMINER

Case Number: 2026-CZN-831 / 2026-CVR-831

Property Address: 1144 South Belmont Avenue

Location: Center Township, Council District # 18

Petitioner: Alex Kercheval, by Ryan M. Spahr

Request: Rezoning of 0.25-acre from the D-5 district to the C-3 district to provide for commercial uses.

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a recording studio (not permitted), without required transitional side and rear yard setbacks (minimum 10-foot side and rear transitional yard setbacks required).

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

Due to scheduling conflicts, staff and the petitioner’s representative are requesting a **continuance from the June 25, 2026 hearing, to the August 13, 2026 hearing.**



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

June 25, 2026

Case Number: 2026-APP-011 / 2026-VAR-008

Property Address: 5001 East Raymond Street (approximate address)

Location: Center Township, Council District #19

Petitioner: City of Indianapolis, by Kevin Montgomery

Current Zoning: SU-9 (FW) (FF) / D-2
Special Use District Nine Approval to provide for a six-foot tall fence within the front yard of Emerson Avenue, per plans filed.

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for the placement of chain-link fence both within a front-yard area and within side yards without vinyl coating (not permitted).

Current Land Use: Animal Care Services

Staff Recommendations: Approval

Staff Reviewer: Michael Weigel, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of the requested approval and variance.

PETITION OVERVIEW

LAND USE

5001 East Raymond Street is a 25.25-acre property (parcel number 1000462) at the southwest corner of the intersection of Raymond and Emerson Avenue. The Lick Creek runs through the southern portion of the lot, and most of the property is zoned SU-9 (a small portion to the northwest is zoned D-2). Surrounding land uses include a school to the west, residences and a fueling station to the north, an undeveloped parcel with substantial areas within the floodway to the east, and residences to the south.

The property was rezoned to the SU-9 designation in 2024 to allow for the development of government buildings related to animal care and control, including outdoor dog parks, kennels, and accessory parking areas. Later that year, administrative approval was granted for the site layout within Exhibits below, which included the placement of a fence surrounding the animal care services use at the site.



Department of Metropolitan Development
Division of Planning
Current Planning

SPECIAL DISTRICT NINE APPROVAL

The SU-9 zoning district is a special use designation to allow for building and grounds used by any department of a town, city, township, county, state, or federal government. Development within this district should broadly mirror the standards of the C-1 zoning district on a dimensional level.

Granting the Special District Nine approval petition would allow for the property to have a fence within a height of 6 feet within the front yard of Emerson Avenue. Although the comparable C-1 district would typically require a fence height of 3.5 to 4 feet within the front yard, 742-109.A and 742.109.G of the Indianapolis Zoning Ordinance indicate that **(a)** the Commission shall have the authority to approve site and development plans for buildings and structures; and **(b)** that the Administrator may approve alternative for the development standards applicable to the comparable C-1 district so long as the alternative is appropriate for the site and its surroundings as well as the intent of the stated standards. This is why an approval petition is being sought as opposed to a variance of development standards.

The installed fence runs parallel to the established front building line of the building along the Raymond Street frontage, which is why no approval petition would be required for front yard fence with a height of 6 feet in the front yard of Raymond (just within Emerson Avenue, per below plans).

VARIANCE OF DEVELOPMENT STANDARDS

In addition to limitations on fence height, the Ordinance also places regulations on allowed fence *materials*. Specifically, Table 744-510-1 indicates that the SU-9 zoning district would only allow for chain link fencing in side and rear yards and when coated in black, brown, or dark green vinyl or equivalent. Since the SU-9 zoning district is specifically invoked by this table, approval of the chain link fence in the front yard and without vinyl coating could not be granted via an approval petition as described above, and would instead require the grant of a variance of development standards.

STAFF ANALYSIS

Staff would note that:

- the Comprehensive Plan Pattern Book does not provide explicitly guidance related to fences;
- the proposed fence would not come close to encroaching within the required clear-sight triangle;
- the Ordinance does contemplate some instances in which government facilities such as penal institutions are allowed fencing beyond standard limitations; and
- the unique nature of this use would require a base level of protection for *surrounding* properties as well as the subject site given the concentration of animals that would be housed within the structures and the proximity of those animals to multiple high-traffic frontages.

For these reasons, staff feels that this alternative would be appropriate for the site and its surroundings and recommends **approval** of the Special District Use Nine Approval for increased fence height as well as the variance related to the fence materials. This recommendation is directly related to the intensity of the proposed animal care services use, and should not be viewed as precedent justifying staff support for front-yard fencing in contexts not involving governmental animal care of this intensity.



Department of Metropolitan Development
Division of Planning
Current Planning

GENERAL INFORMATION

Existing Zoning	SU-9 (FW) (FF) / D-2		
Existing Land Use	Animal Care Services		
Comprehensive Plan	Suburban Neighborhood / Floodway		
Surrounding Context	Zoning	Land Use	
	North:	C-3 / D-2 / D-4	Commercial / Residential
	South:	D-3	Residential / Floodway
	East:	D-A / C-4	Residential / Floodway
	West:	SU-2	Educational
Thoroughfare Plan			
Emerson Avenue	Primary Arterial	155-foot proposed right-of-way and 102-foot existing right-of-way	
Raymond Street	Primary Arterial	113-foot proposed right-of-way and 102-foot existing right-of-way	
Context Area	Metro		
Floodway / Floodway Fringe	Yes		
Overlay	Yes		
Wellfield Protection Area	No		
Site Plan	May 22, 2026		
Site Plan (Amended)	N/A		
Elevations	May 22, 2026		
Elevations (Amended)	N/A		
Landscape Plan	May 22, 2026		
Findings of Fact	June 5, 2026		
Findings of Fact (Amended)	N/A		
C-S/D-P Statement	N/A		

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

Pattern Book / Land Use Plan

- The 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.



**Department of Metropolitan Development
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- The land use of an animal care services center would be considered a community-serving institution by the Comprehensive Plan. This is a contemplated land use within the typology when located along arterial streets, in harmony with surroundings, and with pedestrian infrastructure and near bus service
- The Environmentally Sensitive Areas (ES) Overlay is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

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

- Not Applicable to the Site.



ZONING HISTORY

Zoning History – Site

2024ADM251, Approval of improvements related to an Animal Care & Control government facility, **approved**.

2024ZON053, Rezoning of 25.25 acres from the D-2, D-3 (FF) (FW), D-6II (FF) (FW) and C-4 (FF) districts to the SU-9 (FF) (FW) district to provide for government buildings and services, including a 70,000 square-foot animal care center, two dog parks, a livestock barn and outdoor area, and an outdoor kennel area, **approved**.

68-Z-197, Rezoning of 26.90 acres, being in A-2, D-2 & D-3 districts to D-6II classification to provide for the construction of an apartment complex, **approved**.

Zoning History – Vicinity

2023ZON072 ; 2143 South Emerson Avenue (northeast of site), Rezoning of 0.94 acre from the D-3 and SU-18 districts to the D-5 district to provide for residential uses, **approved**.

2023DV1052 ; 2251 Sloan Avenue (west of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a six-foot tall chain link fence within the front yards of Sloan Avenue and Raymond Street (chain link fencing not permitted within front yards, maximum height of 3.5 feet permitted), **denied**.

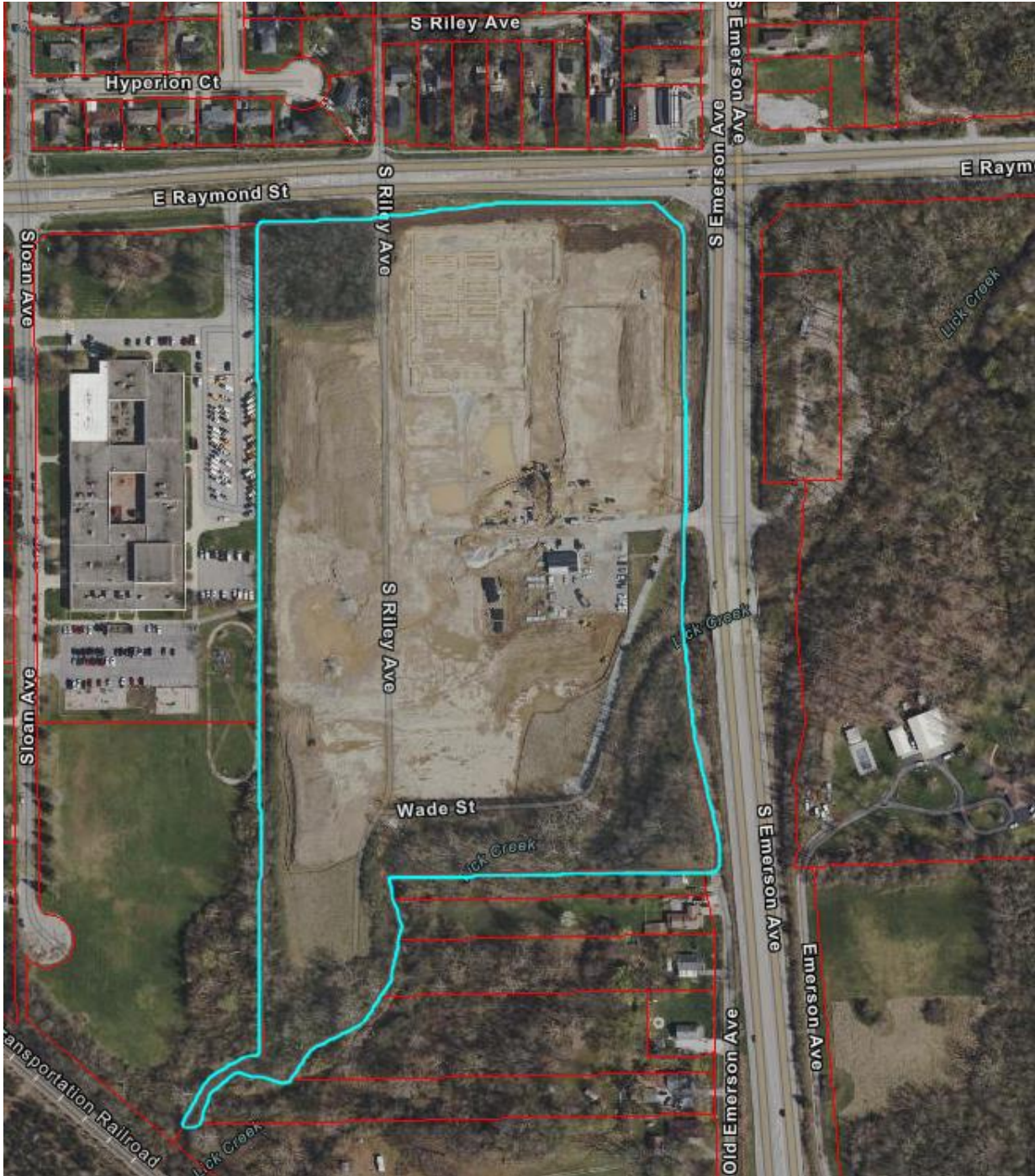
2018HOV027 ; 2403 South Emerson Avenue (east of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for and legally establish accessory buildings and structures in front of the established front building line of the primary dwelling (not permitted), **approved**.

2017UV2024 ; 2143 South Emerson Avenue (northeast of site), Variance of use of the Consolidated Zoning and Subdivision Ordinance to permit an automobile sales lot (not permitted), with three storage trailers and a garage to store wrecked automobiles and two storage trailers and a garage for automobiles preparing to be sold (not permitted), **denied**.

2006UV1026 ; 2414 South Emerson Avenue (south of site), Variance of Use and Development Standards of the Dwelling Districts Zoning Ordinance to legally establish the keeping and raising of 20 goats and sheep (not permitted), and to legally establish a 429-square foot barn with a 3.5-foot north side yard setback (minimum six-foot side yard setback required) and with an 11-foot aggregate side yard (minimum 16-foot aggregate side yard required), **denied**.

EXHIBITS

2026APP011 ; Aerial Map

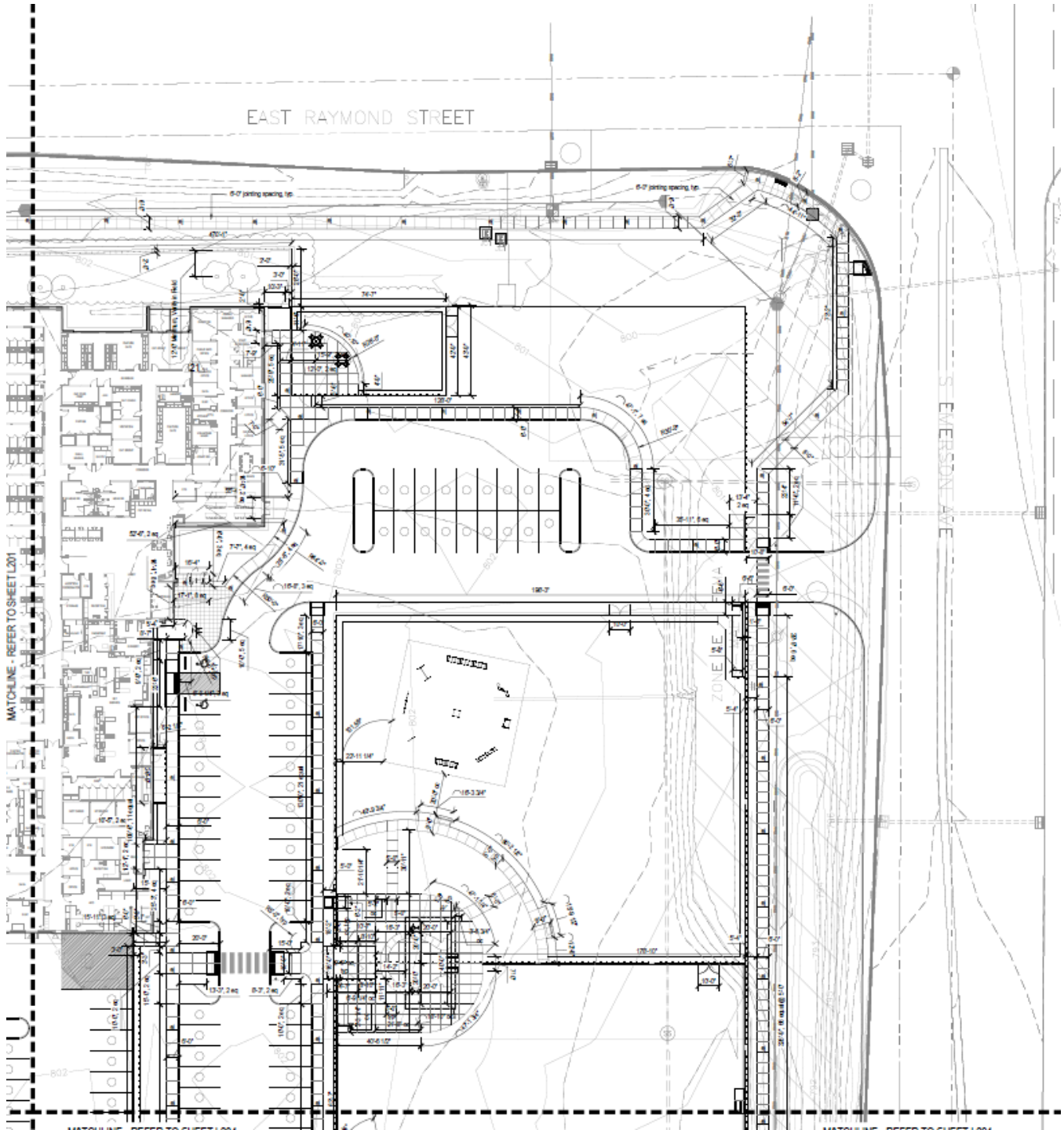


Note: aerial image taken prior to completion of animal care facility

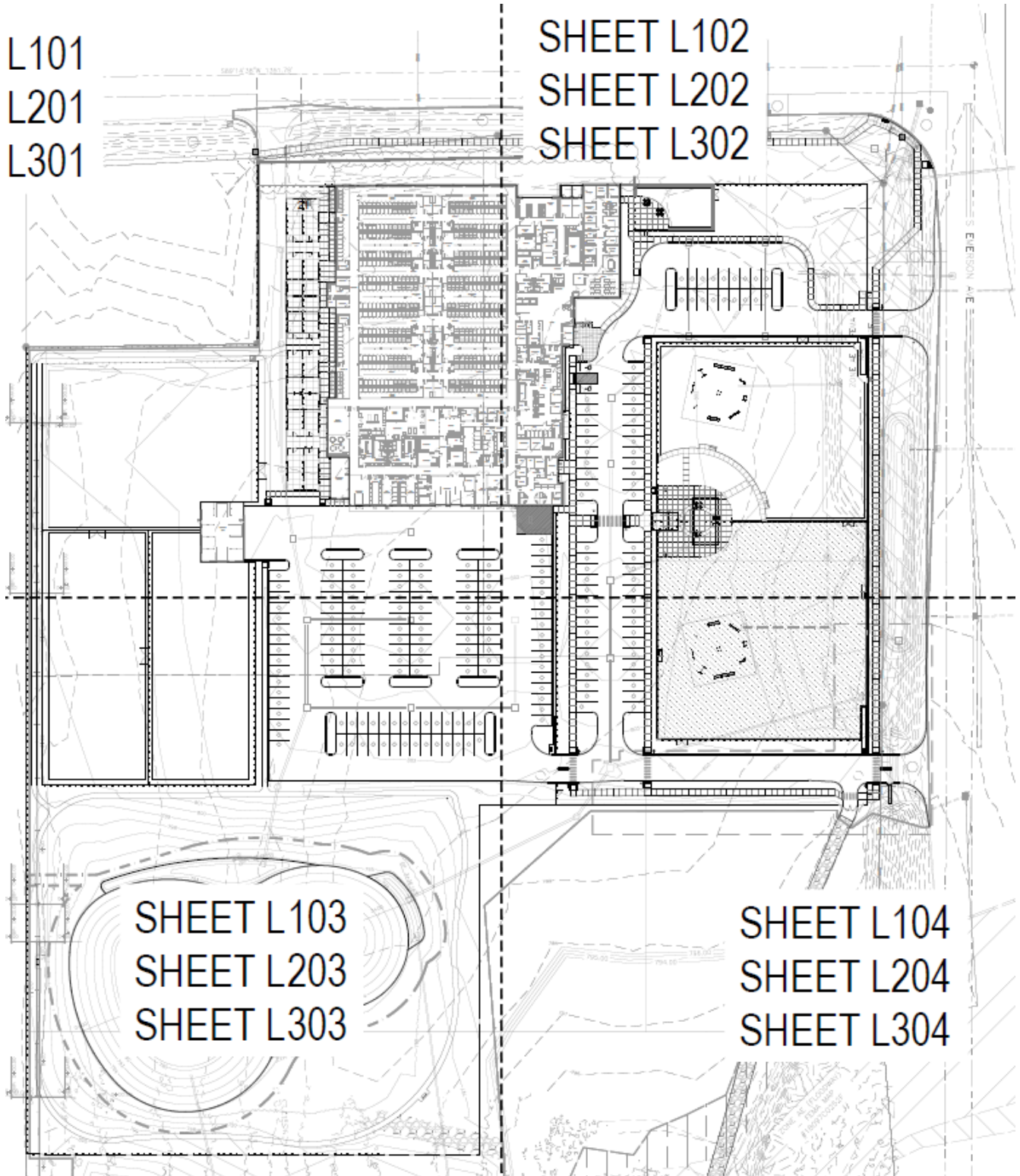


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2026APP011 ; Site Plan (Northeast Corner)



2026APP011 ; Site Plan (Full Property)





2026APP011 ; Project Narrative (Partial)

The new animal care shelter has just opened and is finishing up final construction punch items. Over the past several months the building has become a target for vandalism as well as theft throughout construction. While the goal of the facility is to welcome in the community and promote a friendly atmosphere for those looking for adoption or the other services provided, it is now apparent that during after hours the building is at risk of ongoing damage. The worst incident thus far was when someone in the middle of the night broke out 3 large windows along Raymond St.

The shelter administration has requested a fence be installed along Raymond, connecting to the rest of the project’s fencing which will now create an entirely enclosed site around the building. The location is shown on the attached plans, uploaded. The fence will be 6’ high black vinyl coated chain link that is the same as the rest of the project.

2026APP011 ; Findings of Fact

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

The requested fence is off of the road and sidewalk roughly 20’. There is no health or safety impacts, only visual. In fact the fence is needed to improve the safety of staff and volunteers at the building as well as help prevent vandalism to the building.

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

The Animal Care Shelter has brought a quality government service facility and services, along with several full and part time jobs to a site that has long been vacant. All other sides of the building already included the same fencing as is proposed and we believe it does not detract from the quality of the property - it is simply necessary for the function and safety. Overall the project is adding value to the surrounding area and the fence will not change that.

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

We have already seen the difficulties of not having this fence. In the last six months there have been several criminal activities at the property, as the fencing went up around the other sides we saw more impact specifically on the north elevation. The most serious event was when a vandal broke out 3 large section of the new glass wall along Raymond. The fence will add a necessary layer of protection for the building and its patrons.

2026APP011 ; Photographs



Photo 1: Subject Site Viewed from North



Photo 2: Subject Site Viewed from Northeast

2026APP011 ; Photographs (continued)



Photo 3: Subject Site Viewed from East



Photo 4: Subject Site (Dog Park) Viewed from East

2026APP011 ; Photographs (continued)



Photo 5: Southeastern Portion of Subject Site



Photo 6: Northwestern Portion of Subject Site

2026APP011 ; Photographs (continued)



Photo 7: Adjacent Property to East



Photo 8: Adjacent Property to North



METROPOLITAN DEVELOPMENT COMMISSION **June 25, 2026**
HEARING EXAMINER

Case Number: 2026-MOD-004
Address: 8133 East 96th Street (approximate addresses)
Location: Lawrence Township, Council District #4
Zoning: C-4
Petitioner: French Associates LLC, by Ashley Wallis
Request: Modification of Commitments related to 95-Z-55 (1995-0116318), to modify Commitment #2, to permit development that is consistent and generally in conformance with the submitted site plan, file-dated August 2, 2025 (current commitment limits development to site plan file dated August 22, 1995).

Staff Recommendations: Approval
Current Land Use: Vacant commercial building
Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first hearing of this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of the request.

PETITION OVERVIEW

LAND USE

This 1.55-acre site is comprised of a vacant commercial building on a parcel zoned C-4. The site is surrounded by commercial uses, all zoned C-4 in Marion County.

This site was included in petition 95-Z-55 that rezoned 49.60 acres from the C-6 and I-2-S districts to the C-4 district to provide for office and commercial uses.

Petition 95-Z-55 was subject to commitments. Commitment #2 required “the site shall be developed in substantial compliance with the site plan, file dated August 22, 1995.”



MODIFICATION

The request would modify Commitment #2 and the site plan file-dated August 22, 1995, related to 95-Z-55, to allow for the proposed development and the associated site plan file-dated August 2, 2025.

STAFF ANALYSIS

Staff is supportive of the modification because it would allow for development in line with the context of the surrounding area.

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Vacant Commercial Building	
Comprehensive Plan	Regional Commercial	
Overlay	N/A	
Surrounding Context	Zoning	Surrounding Context
North:	Hamilton County	Commercial
South:	C-4	Commercial
East:	C-4	Commercial
West:	C-4	Commercial
Thoroughfare Plan		
East 96 th Street	Local Street	48-foot existing and proposed right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	N/A	
Wellfield Protection Area	N/A	
Site Plan	August 7, 2025	
Elevations	N/A	
Landscape Plan	N/A	
Commitments	April 27, 2026	
Findings of Fact	N/A	
C-S / D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

Marion County Land Use Plan Pattern Book.

Pattern Book / Land Use Plan

The Marion County Land Use Plan Pattern Book recommends this site to the Regional Commercial working typology for provide for general commercial and office uses that serve a significant portion of the county rather than just surrounding homes. Uses are typically in large freestanding buildings or integrated centers and should provide pedestrian connection between buildings.



Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

Not Applicable to the Site.

ZONING HISTORY

2026-DV3-004; 8133 East 96th Street (subject site) Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an automobile fueling station and convenience store with deficient facade transparency, per plans submitted, **granted**.

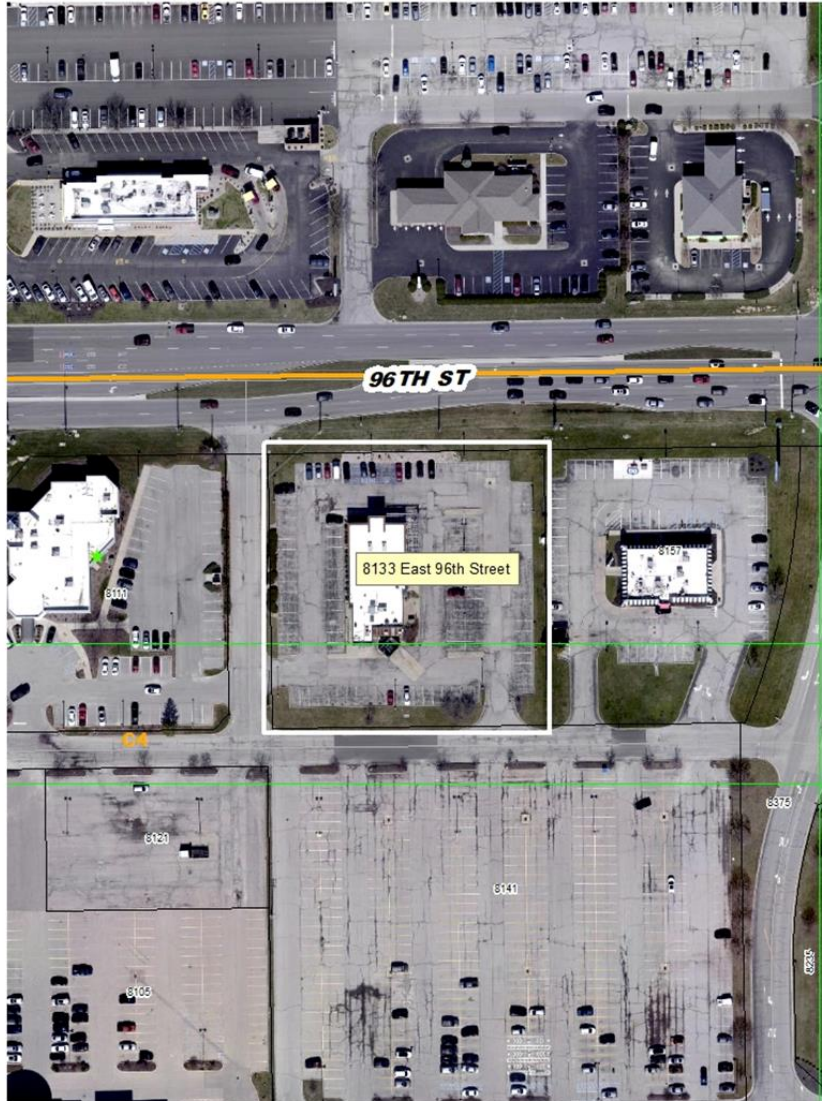
2025-CPL-861 / 2025-CVR-861; 9425 Hague Road (west of site), Approval of a Subdivision Plat, to be known as Waffle House Addition, dividing 1.65 acres into two lots, and a Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the development of a restaurant with 32 parking spaces, **approved**.

1995-Z-55; 8377 East 96th Street (includes subject site); Rezone 36.82 acres from I-2-S to the C-4 District, **approved**.

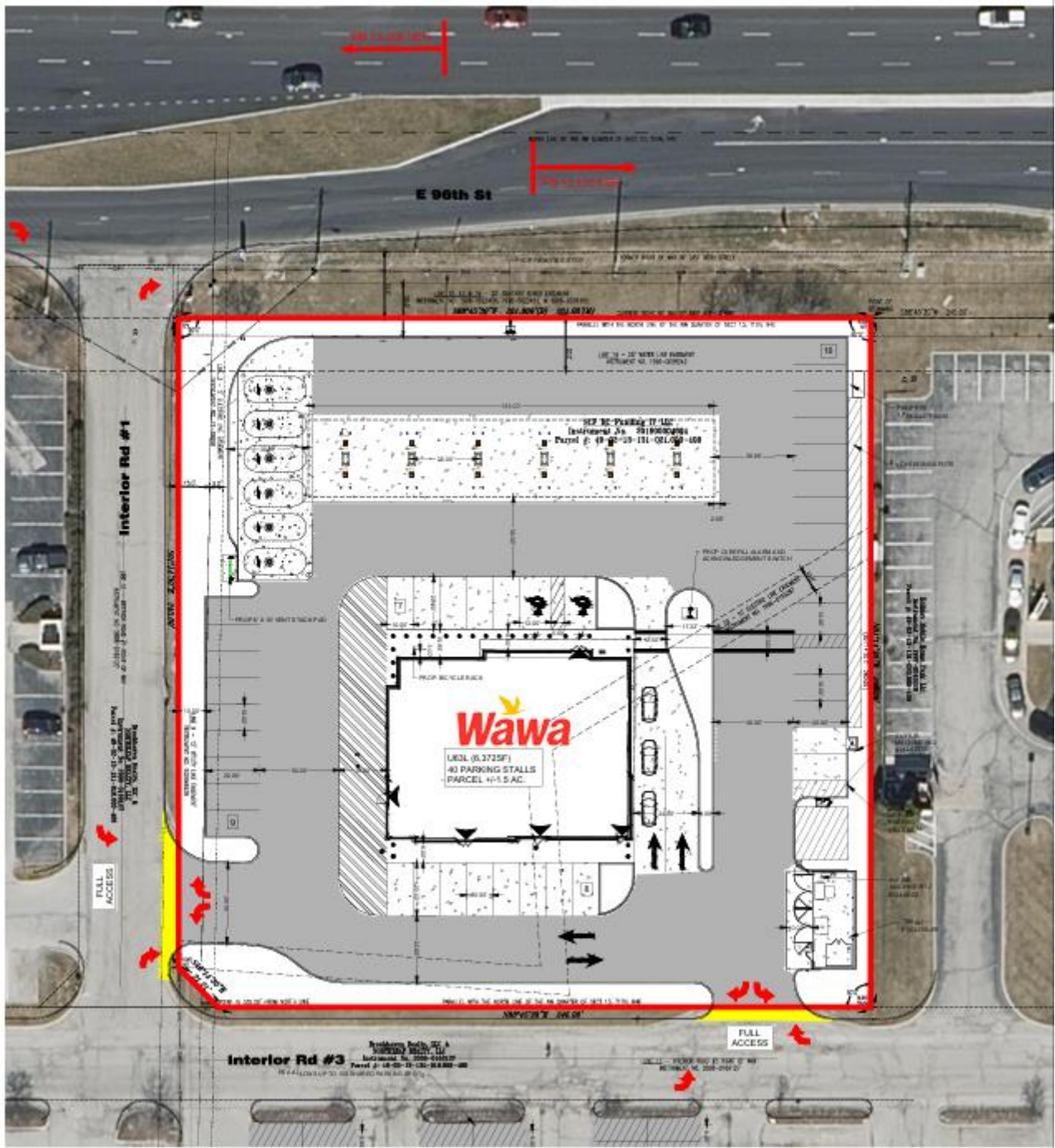
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EXHIBITS

LOCATION MAP



PROPOSED SITE PLAN - FILE DATED AUGUST 2, 2025





PROPOSED COMMITMENTS

**STATEMENT OF MODIFICATION OR TERMINATION
OF COVENANTS OR COMMITMENTS**

**COVENANTS OR COMMITMENTS MODIFYING OR TERMINATING EXISTING COVENANTS OR
COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN
CONNECTION WITH AN APPROVAL PETITION, REZONING OF PROPERTY, A VARIANCE PETITION
OR SPECIAL EXCEPTION PETITION**

In accordance with I.C. 36-7-4-918.8 and I.C. 36-7-4-1015, the owner of the real estate located in Marion County, Indiana, which is described below, makes the following modification(s) or termination(s) of covenants or commitments concerning the use and development of that parcel of real estate:

Legal Description:

The Land referred to herein below is situated in the County of Marion, State of Indiana, and is described as follows:

Part of the Northwest Quarter of Section 13, Township 17 North, Range 4 East located in Lawrence Township, Marion County, Indiana, being bounded as follows:

Commencing the Northeast corner of the Northwest Quarter of Section 13, Township 17 North, Range 4 East; thence South 88 degrees 45 minutes 30 seconds West (assumed bearing) 12.41 feet along the North line of said Northwest quarter; thence South 01 degree 29 minutes 09 seconds East 54.07 feet to the point of curvature of curve to the right, said point of curvature being North 88 degrees 30 minutes 51 seconds East 697.50 feet from the radius point of said curve; thence Southerly 15.93 feet along said curve to a point being 70.00 feet (measured perpendicular in a Southerly direction) from the North line of said Northwest quarter, said point being North 89 degrees 49 minutes 22 seconds East 697.50 feet from the radius point of said curve; thence South 88 degrees 45 minutes 30 seconds West 245.00 feet parallel with the North line of said Northwest quarter to the point of beginning of this description; thence South 88 degrees 45 minutes 30 seconds West 261.900 feet parallel with the North line of said Northwest quarter; thence South 01 degree 14 minutes 30 seconds East 245.00 feet perpendicular to the North line of said Northwest quarter; thence South 46 degrees 14 minutes 30 seconds East 21.21 feet to a point being 330.00 feet (measured perpendicular in a Southerly direction) from the North line of said Northwest quarter; thence North 88 degrees 45 minutes 30 seconds East 246.00 feet parallel with the North line of said Northwest quarter to a point being South 01 degree 14 minutes 30 seconds East (perpendicular to the North line of said Northwest quarter) of the point of beginning; thence North 01 degree 14 minutes 30 second West 260.00 feet perpendicular to the North line of said Northwest quarter to the point of beginning.

The property described above is one and the same as contained in First American Title Insurance Company's Commitment No. NCS-1286466-PHIL, dated November 21, 2025. Prior Instrument Reference: Instrument Number A201900064914

Statement of MODIFICATION OR TERMINATION of Covenants or Commitments:

1. Modify commitment number 2 in the Statement of Commitments recorded as Instrument 1995-0116318 at the Office of the Recorder of Marion County, Indiana; original commitments; to permit the development consistent and generally in conformance with the submitted site plan. The site plan is dated August 7, 2025.

- 2.



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ORIGINAL COMMITMENTS

COMMITMENTS

NOTE: Article VII, Section 3(b) of the rules of the Metropolitan Development Commission requires use of this form in recording Commitments made with respect to zoning and approval cases in accordance with I.C. 36-7-4-605. Resolution No. 85-R-69, 1985 and Article III, Section 4 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 REZONING OF PROPERTY OR PLAN APPROVAL

In accordance with I.C. 36-7-4-605, 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: SET OUT IN ATTACHMENT "B" HERETO

Statement of COMMITMENTS:

1. The owner agrees to abide by the Open Occupancy and Equal Employment Opportunity Commitments required by Metropolitan Development Commission Resolution No. 85-R-69, 1985, which commitments are attached hereto and incorporated herein by reference as Attachment "A".
2. The site shall be developed in substantial conformance with the site plan, file dated August 22, 1995, a copy of which is attached hereto as Attachment "C".
3. All public roadway improvements required by the Memorandum of August 16, 1995, from Maurice Geisendorff shall be completed prior to the opening of any business, a copy of which is attached hereto as Attachment "D".
4. All semi-trucks shall be required to enter and exit the subject real estate by way of 96th Street, Hague Road or Castlegate Drive. Except as otherwise permitted in paragraph 5, no such traffic shall be permitted to access Village Way.
5. Construction traffic shall not be permitted on Village Way except for the completion of the east end of the thru-street proposed from Castlegate Drive to Village Way, and any road utility or landscaping improvements to be made to Village Way.
6. The site shall be developed in accordance with the transportation-related commitments outlined in the memorandum from the Department of Capital Asset Management (DCAM) to the Department of Metropolitan Development (DMD), dated August 16, 1995, authored by Maurice Geisendorff and directed to Maury Plambeck. However, per the request of DCAM and the Town of Fishers the following provisions shall amend the corresponding provisions of the August 16, 1995 memorandum:
 - II.a. the median shall be designed to provide access at the signalized intersection/entrance to the site (shown as Meijer Drive on site plan)
 - IV.a. the signal shall also be at no cost to the Town of Fishers.

However, owner shall dedicate up to 55' from the centerline of Hague Road where necessary and up to 70' from the centerline of East 96th Street to the appropriate governmental entities. All final details shall be subject to DCAM approval.

29/10/95 10:25AM JOAN N. SOMERIL MARION CTY RECORDER ALM 35.00 PAGES: 1
Inst # 1995-0116318 *MP*



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7. Site drainage and erosion shall be in conformance with the requirements of the DCAM, as outlined in the memorandum from DCAM to DMD, dated August 7, 1995, a copy of which is attached hereto as Attachment "E".

8. A final landscaping plan shall be submitted for Administrator's review and approval prior to obtaining an Improvement Location Permit. The landscaping plan shall indicate the location, species and number of trees and shrubs proposed at time of planting, as well as the dimensions of proposed berms. The landscaping on the site may be phased, but landscaping for each individual site shall be installed prior to opening of any individual business within each phase. Landscaping shall be maintained and replaced at all times after installation when necessary.

9. A lighting plan shall be submitted for review prior to obtaining any Improvement Location Permits. The plan shall be designed to achieve an average measurement of zero foot-candles generated by artificial light from the property along the east property line except as otherwise reasonably required for public safety.

10. The building elevations for the Meijer store including the 13 foot wall shall be submitted for Administrator's review and approval prior to obtaining an Improvement Location Permit for their facility. The exterior shall be a brick facade similar to the Meijer store located in Carmel, Indiana. The mechanical equipment to be located on the roof of the Meijer store shall be located so that it is not visible from Village Way. A parapet wall, at least three (3') feet in height shall be installed along the east and south roof line of the Meijer store. The decibel level of the roof top HVAC units, as measured from the east side of Village Way, will be no higher than the existing ambient levels along the east side of Village Way.

11. Outside speakers (not including speakers for gas stations, restaurants and drugstores) shall be expressly prohibited, however, speakers shall be permitted inside of the garden center structure. Those garden center speakers shall be directed away from the residential development on Village Way. The decibel level of the speakers, as measured from the east side of Village Way, will be no higher than the existing ambient levels along the east side of Village Way.

12. A sign program for the entire site shall be submitted for Administrator's review and approval prior to obtaining an Improvement Location Permit for any signs. Separate sign programs may be submitted for the C-4 and the C-1 sites. Each of the C-4 and C-1 sites shall be considered an integrated center. For the C-4 site, only incidental and directional signs (freestanding or wall types permitted) shall be permitted to be oriented toward Village Way. There shall be no business identification or advertising signs on the east side of the Meijer building.

13. There shall be a six foot (6') landscape mound installed along the west side of Village Way behind the proposed Meijer store. Said mound shall be landscaped per the landscape plan reviewed by the Administrator as referred to in paragraph 8 above.

14. Outside sale of motor vehicles shall be prohibited.

15. All construction and/or reconfiguration of confirmed wetland, if any, shall be prohibited during the water fowl migratory season.

16. Outside unenclosed storage shall only be permitted in front of the Meijer store.



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17. The access to Village Way shall be limited to ingress only and shall not be opened for vehicular traffic until the opening of the Meijer store. If requested by DCAM, owners shall install a traffic signal at the access point on Village Way. The southwest corner of the Village Way entrance shall be terraced and landscaped per the landscape plans to be approved.

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

COMMITMENTS contained in this instrument shall be effective upon the adoption of rezoning petition #95-2-54 by the City-County Council changing the zoning classification of the real estate from a C-6/I-2-S zoning classification to a C-4 zoning classification and shall continue in effect for as long as the above-described parcel of real estate remains zoned to the C-4 zoning classification or until such other time as may be specified herein.

These COMMITMENTS may be enforced jointly or severally by:

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

The undersigned hereby authorizes the Division of Development Services of the Department of Metropolitan Development to record this Commitment in the office of the Recorder of Marion County, Indiana, upon final approval of petition #95-2-54.

IN WITNESS WHEREOF, owner has executed this instrument this 11 day of Sept, 1995.

Signature Kevin M. Kossor Signature _____

BY: Printed Kevin M. Kossor Printed _____
AUTHORIZED AGENT

Glendale Partners at Fairfield Crossing, LLC



Department of Metropolitan Development
Division of Planning
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STATE OF INDIANA)
)SS:
COUNTY OF MARION)

Before me, a Notary Public, in and for said County and State, personally appeared Kevin D. McKasson agent (s) of the real estate who acknowledged the execution of the foregoing instrument and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 11th day of SEPT.

Signature Thomas Michael Quinn

Printed Thomas Michael Quinn

County of Residence:
Hamilton

My Commission Expires:
12-6-95

This instrument prepared by Thomas Michael Quinn, Attorney at Law
tmq\duc\bmuc4.com

PHOTOS



Subject site, existing building to be demolished, looking southeast.



Subject site, existing building to be demolished, looking southeast.



Adjacent commercial to the west of subject site.



Adjacent commercial to the east of subject site.



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**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

June 25, 2026

Case Number: 2026-ZON-016 / 2026-VAR-005 (Amended)
Address: 3030 Southeastern Avenue (Approximate Address)
Location: Center Township, Council District #18
Petitioner: JO & CE Real Estate LLC, by Dylan Seesman
Request: Rezoning of 0.34-acre from D-5 (FF) to MU-2 (FF), for an existing building to be renovated for commercial retail uses and up to six dwelling units on the second floor.
 Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a zero-foot front transitional yard from English Avenue (12-foot front transitional yard required), a zero-foot west transitional side yard (15-foot side transitional yard required), with 15 on-site parking spaces (19 on-site spaces required).
Current Land Use: Mixed Use
Staff Recommendations: Staff recommends **approval** of the Rezoning request.
 Staff recommends **approval** of the Variance requests.
Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

Petition 2026-ZON-016 was previously continued for cause by Staff, to the May 26, 2026, hearing, in order for it to be heard together with associated petition 2026-VAR-005.

The petition was continued for cause at the request of the petitioner from the May 26, 2026, hearing to the June 25, 2026 hearing, in order to amend the request and provide new notice.

Amended Petition: The request was amended to withdraw the request for vehicle maneuvering of three parking spaces within the right-of-way of Southeastern Avenue. A new request to provide 15 on-site parking spaces where 19 on-site parking spaces are required was added to the petition. Since this was an increase in intensity from the original request, new notice was required.

STAFF RECOMMENDATION

Staff recommends **approval** of the Rezoning request.

Staff recommends **approval** of the Variance requests.



PETITION OVERVIEW

LAND USE

The 0.34-acre site is comprised of a parcel developed with a mixed-use building, and parking area. The site is adjacent to commercial uses zoned C-3 and D-5, and single-family dwellings zoned D-5.

REZONING

The request would rezone the property to the MU-2 district to allow for the redevelopment of a combined mix of commercial and residential uses that are not permitted in the existing D-5 district.

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

The MU-2 District is intended to meet the daily needs for surrounding neighborhoods and include small social spaces that serve as neighborhood gathering places. The district includes primarily neighborhood-serving businesses and institutions, including a wide range of small-scale retail and service uses that typically do not draw customers from beyond the adjacent neighborhoods, and employment, institutional and residential uses that complement the compact, walkable development pattern. The MU-2 District is implemented as a small node or on busy corridors in the Traditional Neighborhood or City Neighborhood Typologies of the Land Use Pattern Book, or as a Village Mixed Use Typology. The typical size of a district is from 2 to 20 acres (1 to 4 blocks) but depends on the context and what integrates best into surrounding neighborhoods and complimentary zoning districts.

VARIANCE OF DEVELOPMENT STANDARDS

The request would allow for a zero-foot front transitional yard from English Avenue, a zero-foot west transitional side yard, and for 15 on-site parking spaces where 19 on-site spaces are required.

STAFF ANALYSIS

The request would rezone the property to the MU-2 district to allow for the redevelopment of a combined mix of commercial and residential uses.

Staff is supportive of the rezoning because it would remove a legacy D-5 zoning that is not compatible with the existing commercial uses and would allow for the redevelopment of the existing building that is compatible with the surrounding area and would align with the Village Mixed Use recommendation of the Comprehensive Plan.

Staff is supportive of the variance request for the zero-foot west side transitional yard setback, as it is adjacent to a commercial use that is zoned D-5 and permitted by Variance. Therefore, a zero-foot side setback would be appropriate between two commercial uses.



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Staff is supportive of the variance request for the zero-foot front transitional yard from English Avenue, as the building would be setback approximately 60 feet from the parcel line. English Avenue would provide additional separation from the single-family dwellings on the north side of the street from the subject site.

Staff is supportive of the variance request for 15 on-site parking spaces as this is a highly pedestrian area, and there are two bicycle trails in the immediate area, allowing for other means of mobility. In addition, there is sufficient on street parking on English Avenue for the proposed use and the adjacent residential uses.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Mixed-use building	
Comprehensive Plan	Village Mixed Use	
Overlay	N/A	
Surrounding Context	Zoning	Surrounding Context
	North: D-5	Single-family dwellings
	South: C-4	Commercial restaurant
	East: C-4	Undeveloped
	West: D-5	Commercial use
Thoroughfare Plan		
Southeastern Avenue	Secondary Arterial	70-foot existing right-of-way and 78-foot proposed right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	100-year flood plain	
Wellfield Protection Area	N/A	
Site Plan - revised	June 4, 2026	
Elevations	N/A	
Landscape Plan	N/A	
Commitments	N/A	
Findings of Fact	April 6, 2026	
C-S / D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Marion County Land Use Plan Pattern Book recommends the Village Mixed-Use typology that 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



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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.

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)

Not Applicable to the Site.



ZONING HISTORY

2017-UV3-017; 3009 English Avenue (west of site), requested a Variance of Use and Development Standards to provide for a tire shop, and a zero-foot north front yard, without landscaping, and a zero-foot south front yard, with deficient landscaping, and to provide for four parking spaces, with insufficient maneuvering, within the front yard setback, **granted**

2015-ZON-069; 2815 English Avenue (west of site), requested the Rezoning of 4.18 acres, from the D-5 and C-4 districts to the D-10 classification to provide for multi-family uses, **approved**.

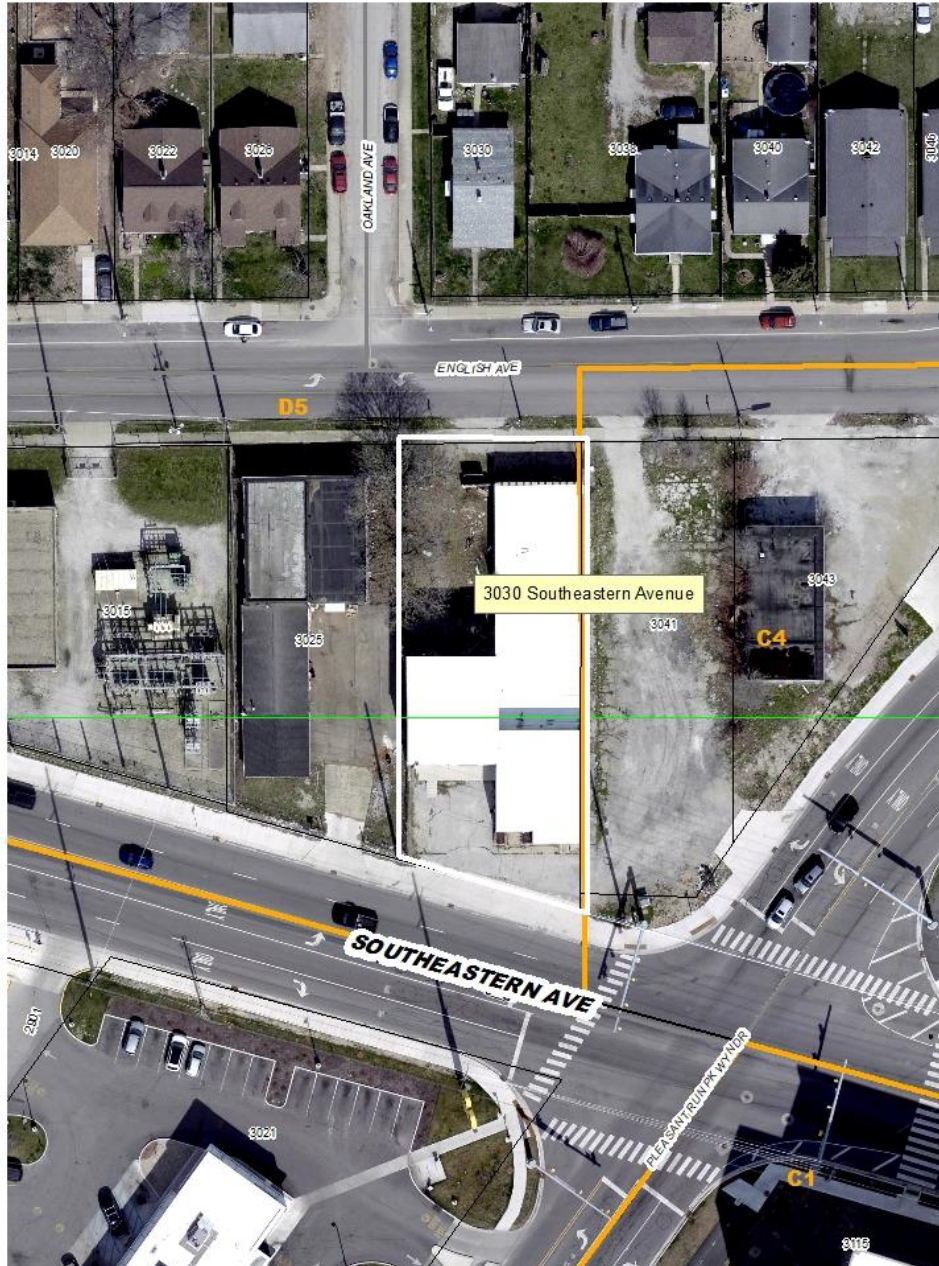
99-Z-160; 3009 English Avenue (subject site), requested the Rezoning of 0.23 acre from D-5 to C-3 to conform to the recommendation of the Southeastside Neighborhood Plan, **approved**.

87-UV2-18; 3025 English Avenue (west of site), requested a Variance of Use of the Dwelling Districts Zoning Ordinance to provide for a machine shop, **granted**.

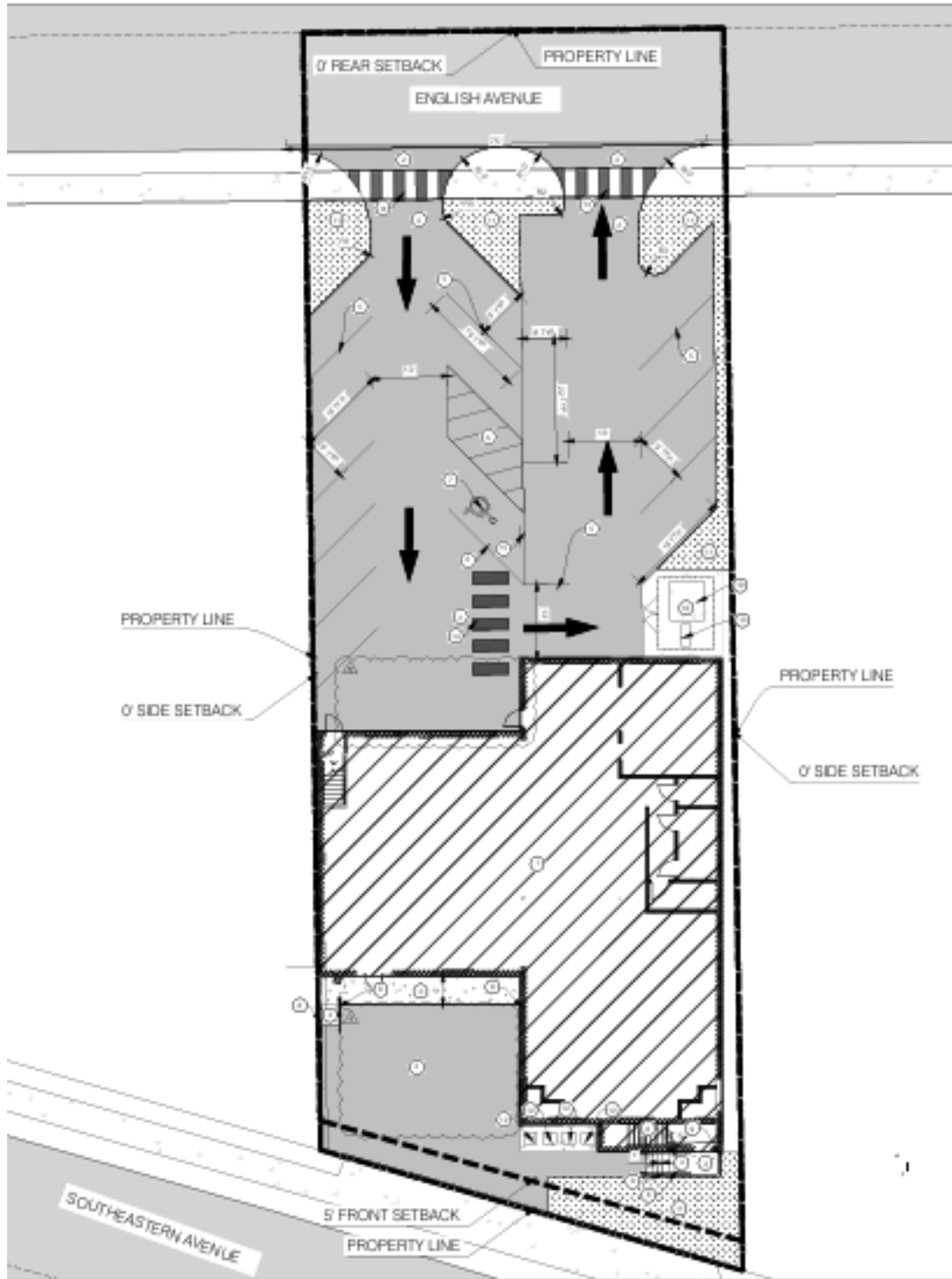
RU

EXHIBITS

LOCATION MAP



SITE PLAN – Revised 6-4-2026.





FINDINGS OF FACT

Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

We are requesting a variance to the Indianapolis Marion-County Zoning Ordinance Parking Standards noted in Table 744-402-1, which requires the site to have 19 parking spaces. The existing site is an abandoned apartment complex. With our proposed improvements of a mixed-use building of retail and apartment units, we will positively impact the surrounding community through the revitalization of the existing site and the increase of business to the community.

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

The adjacent properties are abandoned buildings and therefore would not negatively be impacted by our proposed improvements.

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

The project site is a 0.31 acre site, so with the addition of a 4,000 sq-ft building and other site requirements like dumpster locations and ADA accessibilities added the current parking requirements of 19 spaces is not possible. We are proposing the site to have 16 standard parking spaces, 1 ADA space with a van unloading spot, and 1 compact parking space, which we believe to be adequate parking for the proposed use of the site.

PHOTOS



Subject site, looking South from English Avenue.



Subject site looking north from Southeastern Avenue.



Adjacent commercial use to the west of subject site, zoned D-5, looking south.



Adjacent commercial use to the south.



Adjacent residential property on English to the north.



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

June 25, 2026

Case Number: 2026-ZON-027

Property Address: 1611 East 18th Street

Location: Center Township, Council District #8

Petitioner: Diamonds Xellent Investments LLC (Diego Gomez), by Jorge Oscar Gonzales Vasquez

Current Zoning: C-3

Request: Rezoning of 0.12-acre from the C-3 district to the D-8 district to provide for residential development.

Current Land Use: Vacant

Staff Recommendations: Approval

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the June 11, 2026 hearing, to the June 25, 2026 hearing, at the request of staff because no one appeared on behalf of the petitioner.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning. The recommendation does not include approval of the site plan or elevations.

PETITION OVERVIEW

This 0.12-acre site, zoned C-3, is vacant and surrounded by commercial uses to the north, across East 18th Street; vacant land to the south, zoned C-3; vacant land to the east, zoned D-5; and commercial uses to west, across Roosevelt Avenue, zoned C-3.

REZONING

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



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

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

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

The Comprehensive Plan recommends traditional neighborhood typology for the site.

Recommended land uses in this typology include detached / attached / small-scale multi-family / large-scale multi-family housing; assisted living facilitates / nursing homes; group homes; bed and breakfast; small-scale offices, retailing, and personal or professional services; small- and large- scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; small-scale parks; and community farms / gardens.

This request would align with the Plan recommendation of traditional neighborhood and the historical residential use.

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Vacant land	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-3 / C-1	Commercial uses
South:	C-3	Vacant land
East:	D-5	Vacant land
West:	C-3	Commercial uses
Thoroughfare Plan		
Roosevelt Avenue	Primary Arterial	Existing 60-foot right-of-way and proposed 56-foot right-of-way.
East 18 th Street	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	



Wellfield Protection Area	No
Site Plan	March 3, 2026
Site Plan (Amended)	N/A
Elevations	March 3, 2026
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types –Traditional Neighborhood Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.



Department of Metropolitan Development
Division of Planning
Current Planning

- 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

- 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.”



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

These guidelines apply to infill development in residential areas within the Compact Context Area and include the following features:

Site Configuration

- Front Setbacks
- Building Orientation
- Building Spacing
- Open Space
- Trees, Landscaping, and the Outdoors

Aesthetic Considerations

- Building Massing
- Building Height
- Building Elevations and Architectural Elements

Additional Topics

- Secondary Dwelling Units, Garages, and Accessory Structures
- Adapting to the Future

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

Indy Moves

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

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

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

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



Department of Metropolitan Development
Division of Planning
Current Planning

ZONING HISTORY

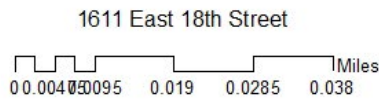
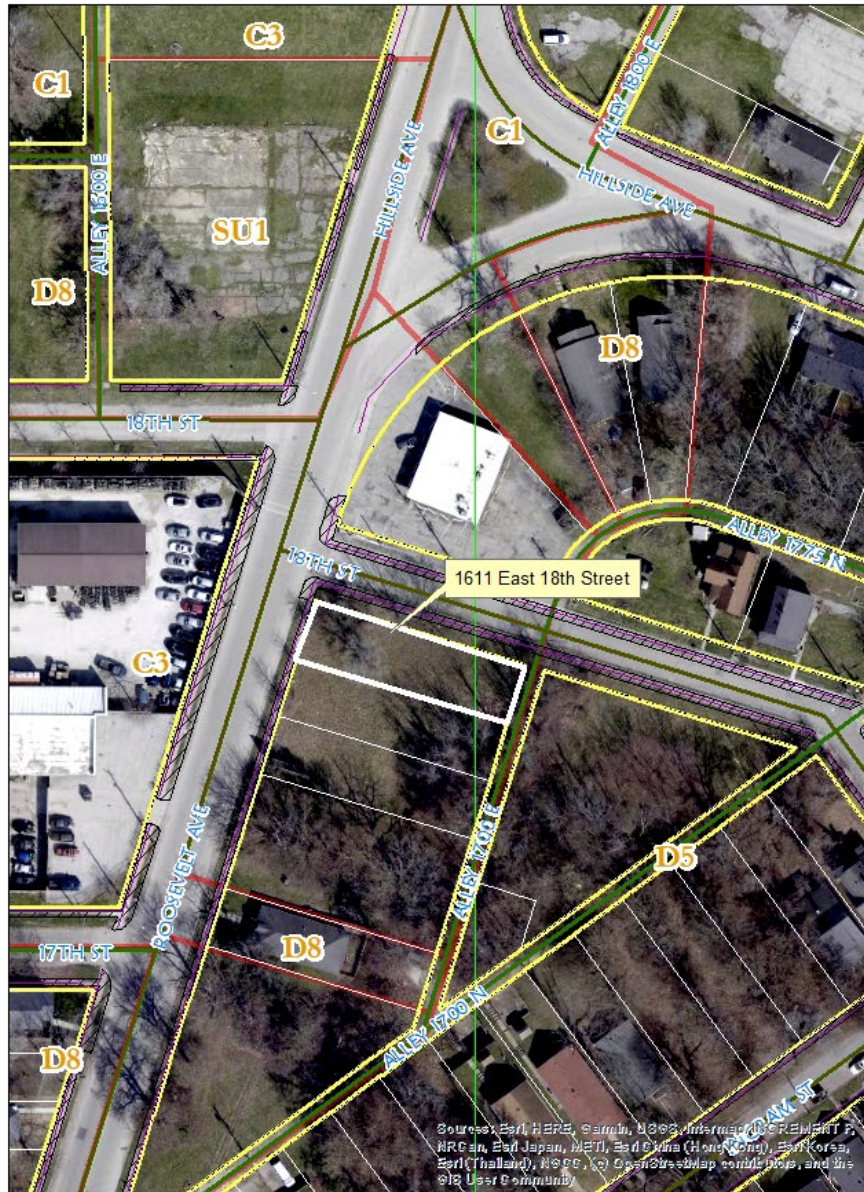
2026-ZON-025; 1719 Roosevelt Avenue (south of site), requested rezoning of 0.12-acre from the C-3 district to the D-8 district to provide for residential development, **pending**.

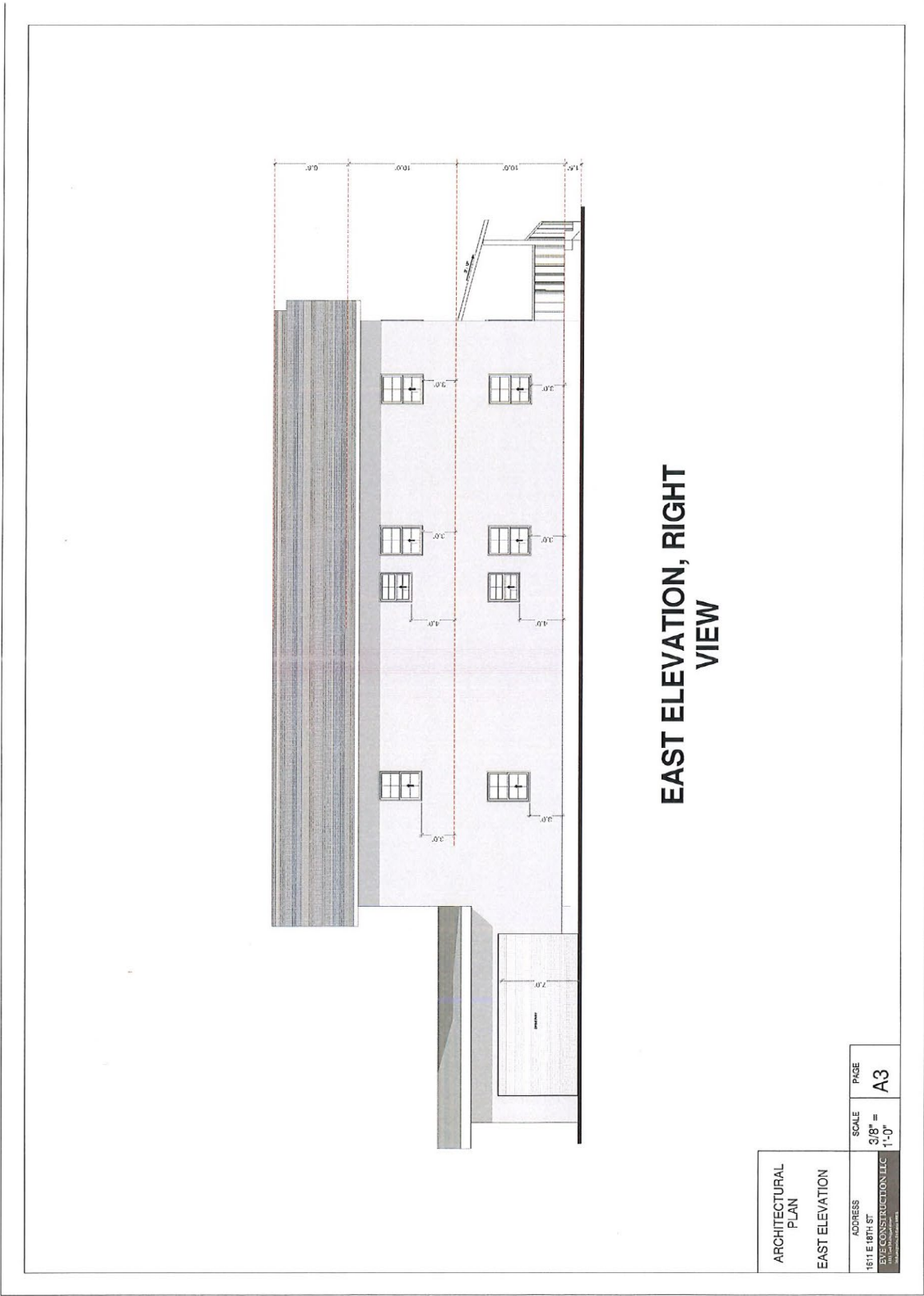
2006-ZON-098; 1701 Roosevelt Avenue (south of site), requested rezoning of 0.1 acre, from the C-3 District, to the D-8 classification to provide for residential uses, **approved**.

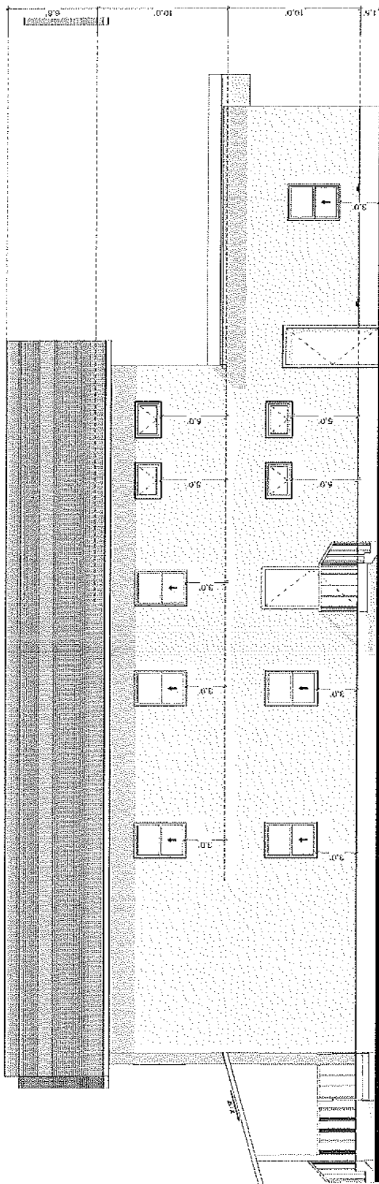
2006-ZON-101; 1743 and 1747 Roosevelt Avenue (northeast of site), requested a rezoning of .58 acre, being in the C-1 Commercial District, to the D-8 Dwelling District classification to provide for residential uses, **approved**.

96-Z-77 and 96-CV-22; 1813-1829 Roosevelt Avenue (east of site), requested a rezoning of .97 acre, being in the D-5 Dwelling District, to the D-8 Dwelling District classification and variances of development standards relating to setbacks and the encroachment of dumpsters and parking into the required yards, to provide for multi-family residential development, **approved**.

EXHIBITS

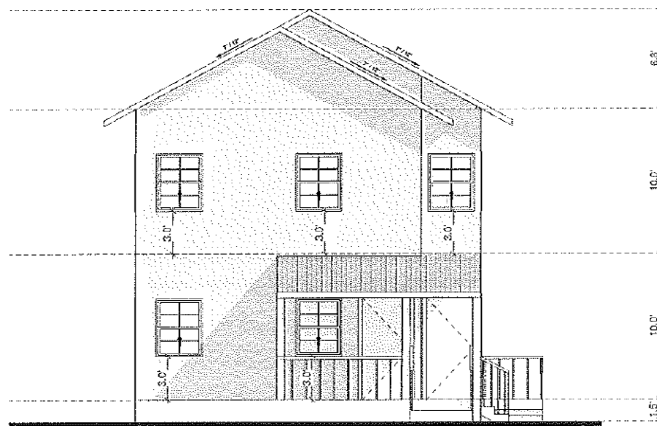






**WEST ELEVATION,
LEFT VIEW**

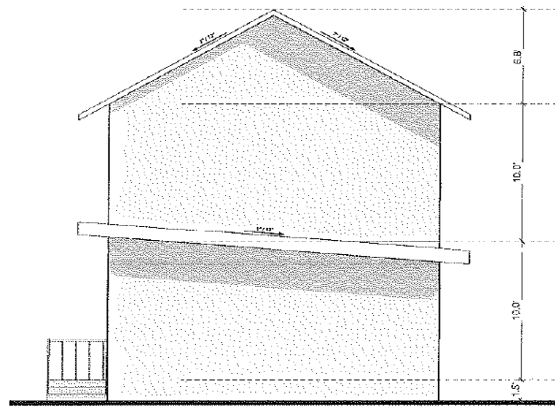
ARCHITECTURAL PLAN	SCALE	PAGE
WEST ELEVATION	3/8" = 1'-0"	A4
ADDRESS 1811 E. 18TH ST	EWE CONSTRUCTION LLC 1811 E. 18TH ST DENVER, CO 80202	



**NORTH ELEVATION,
FRONT VIEW**

ARCHITECTURAL
PLAN
NORTH ELEVATION

ADDRESS	SCALE	PAGE
1611 E 18TH ST EYE CONSTRUCTION LLC 1113 2nd Ave. Suite 100 Baltimore, MD 21202	3/8" = 1'-0"	A2



**SOUTH ELEVATION,
REAR VIEW**

ARCHITECTURAL
PLAN
SOUTH ELEVATION

ADDRESS	SCALE	PAGE
1611 E 18TH ST EVE CONSTRUCTION LLC 2011 1611 E 18TH ST INDIANAPOLIS, IN 46203	3/8" = 1'-0"	A5



View looking east along East 18th Street





View of site looking south across East 18th Street



View of site looking south across East 18th Street



View looking south at intersection of East 18th Street and Roosevelt Avenue



View of site looking east across Roosevelt Avenue



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER** **June 25, 2026**

Case Number: 2026-ZON-029 / 2026-VAR-007

Property Address: 1003 West 30th Street (*Approximate Address*)

Location: Center Township, Council District #12

Petitioner: Skyline General Contracting Corp, by Jorge Gonzales

Current Zoning: C-3
Rezoning of 0.09-acre from the C-3 district to the D-5 district to provide for residential use.

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a residence with a front building line of 25 feet (range of 10 to 19.9 feet required).

Current Land Use: Undeveloped

Staff Recommendation: Staff recommends **approval** of the rezoning and variance requests.

Staff Reviewer: Michael Weigel, Principal Planner I

PETITION HISTORY

6/11/26: This petition was continued by the Hearing Examiner since the petitioner was not in attendance.

STAFF RECOMMENDATION

Staff recommends **approval** of the rezoning and variance requests.

PETITION OVERVIEW

LAND USE

1003 West 30th Street is a 0.09-acre parcel with a width of 30 feet located at the southwestern corner of the intersection of 30th and Rader Street. The property was previously improved with a residential structure that occupied both the subject lot and the property to the west; this building was demolished between 1986 and 1990. Surrounding lots and land uses are either undeveloped or residential in nature. The property is currently zoned C-3 for commercial usage.

REZONING

Approval of this petition would rezone the property from the C-3 designation to the D-5 zoning district to allow for residential use. The petitioner has indicated that they would pursue development of a single-family residence on this property, which would be allowed for a lot of this width within D-5.



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

The C-3 District is for the development of an extensive range of retail sales and personal, professional and business services required to meet the demands of a fully developed residential neighborhood, regardless of its size. Examples of such types of uses include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail and personal and professional service establishments.

The D-5 district is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in new strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situations in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan.

VARIANCES OF DEVELOPMENT STANDARDS

Since this property is located within a Walkable Neighborhood district and on a block with an established context of residences being placed near the front of lots (a Terrace frontage per Table 744-701-2), the enforceable front building line for new residential development would range from 10 feet to 19.9 feet. The applicant has indicated that they would be seeking a front building line of at least 25 feet from the front lot line, which would require approval of a Variance of Development Standards.

STAFF ANALYSIS

A previous application was filed in late 2025 for a Variance of Use to allow for development of a duplex while maintaining the C-3 zoning of the lot. This petition (2025UV2018) was withdrawn upon staff's recommendation, and a filing for a rezoning to the D-5 district was made instead.

Staff would note that the D-5 zoning district would align with the United Northwest Neighborhood Plan recommendation for residential development of 3.5-5 dwelling units per acre, and that the narrow width of this corner lot would not make residential development feasible. The site is also surrounded by residential zoning on all 4 sides, and several neighboring lots have been granted rezonings from commercial to residential zoning in a similar fashion. Staff recommends **approval** of the rezoning.

With regards to the variance, staff notes that the location of this lot at the intersection of two public streets results in the creation of a required clear-sight triangular area where development exceeding 2.5 feet in height would not be permitted (see diagram within Exhibits below). Placement of a house with a compliant front building line between 10 and 19.9 feet would necessarily result in encroachment that house within the required clear-sight triangle. Development of the site would not be possible without a variance related to either clear-sight triangle encroachment or the front building line range.

Staff would note that the proposed 25-foot front building line would avoid any clear-sight issues while also placing the new residence roughly in line with residences on the *east* side of Rader Street, which would serve to reduce any incongruence with applicable Infill Housing Guidelines (see Comprehensive Plan Analysis below). The proposed variance would serve to preserve visibility and public safety for the intersection, and given that immutable site characteristics would require some form of variance relief, staff would recommend **approval** of the requested variance related to the front building line range.



Department of Metropolitan Development
 Division of Planning
 Current Planning

GENERAL INFORMATION

Existing Zoning	C-3		
Existing Land Use	Undeveloped		
Comprehensive Plan	Dwellings 3.5 – 5 Units per Acre		
Surrounding Context	Zoning	Surrounding Context	
	North:	D-8	North: Residential
	South:	D-5	South: Undeveloped
	East:	D-5	East: Residential
	West:	D-5	West: Residential
Thoroughfare Plan			
30 th Street	Primary Arterial	61-foot existing right-of-way and 78-foot proposed right-of-way	
Rader Street	Local Street	60-foot existing right-of-way and 48-foot proposed right-of-way	
Context Area	Compact		
Floodway / Floodway Fringe	No		
Overlay	No		
Wellfield Protection Area	No		
Site Plan	03/10/2026		
Site Plan (Amended)	06/04/2026		
Elevations	N/A		
Elevations (Amended)	N/A		
Landscape Plan	N/A		
Findings of Fact	03/10/2026		
Findings of Fact (Amended)	06/07/2026		



COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- United Northwest Neighborhood Plan
- Infill Housing Guidelines

Pattern Book / Land Use Plan

- Not Applicable to the Site. See Neighborhood Plan below.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- The United Northwest Neighborhood Plan recommends this site for Low Density Residential development (typically 3.5 to 3 dwelling units per gross acre for single family dwellings).

Infill Housing Guidelines

- When front setbacks are different, homes should be built in the 'setback range', and when setbacks are the same homes should match the existing context. Corner sites should reflect context from both streets. Guidelines do not provide specific guidance related to clear-sight triangles.



ZONING HISTORY

ZONING HISTORY – SITE

2025UV2018, Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for construction of a single-family residence (not permitted), per the site plan, **withdrawn**.

96-V2-31, Variance of Development Standards of the Sign Regulations to provide for the placement of a 5.75 by 6.75 foot advertising being (1) located 110 feet of a protected district (minimum 240 foot separation from a protected district fronting on the same street required); (2) 5.75 feet in height (maximum 4 feet in height permitted); (3) with a front setback of 2.5 feet from West 30th Street (minimum 55 feet required); (4) with a front setback of 6.5 feet from Rader Street (minimum 25 feet required); (5) located within the clear-sight triangular area (not permitted), **approved**.

ZONING HISTORY – VICINITY

2003DV3005 ; 970 West 30th Street (northeast of site), Variance of Use of the Dwelling Districts Zoning Ordinance to provide for a 15-foot front yard setback for a single-family dwelling from Rader Street (minimum 25-foot front setback required), **approved**.

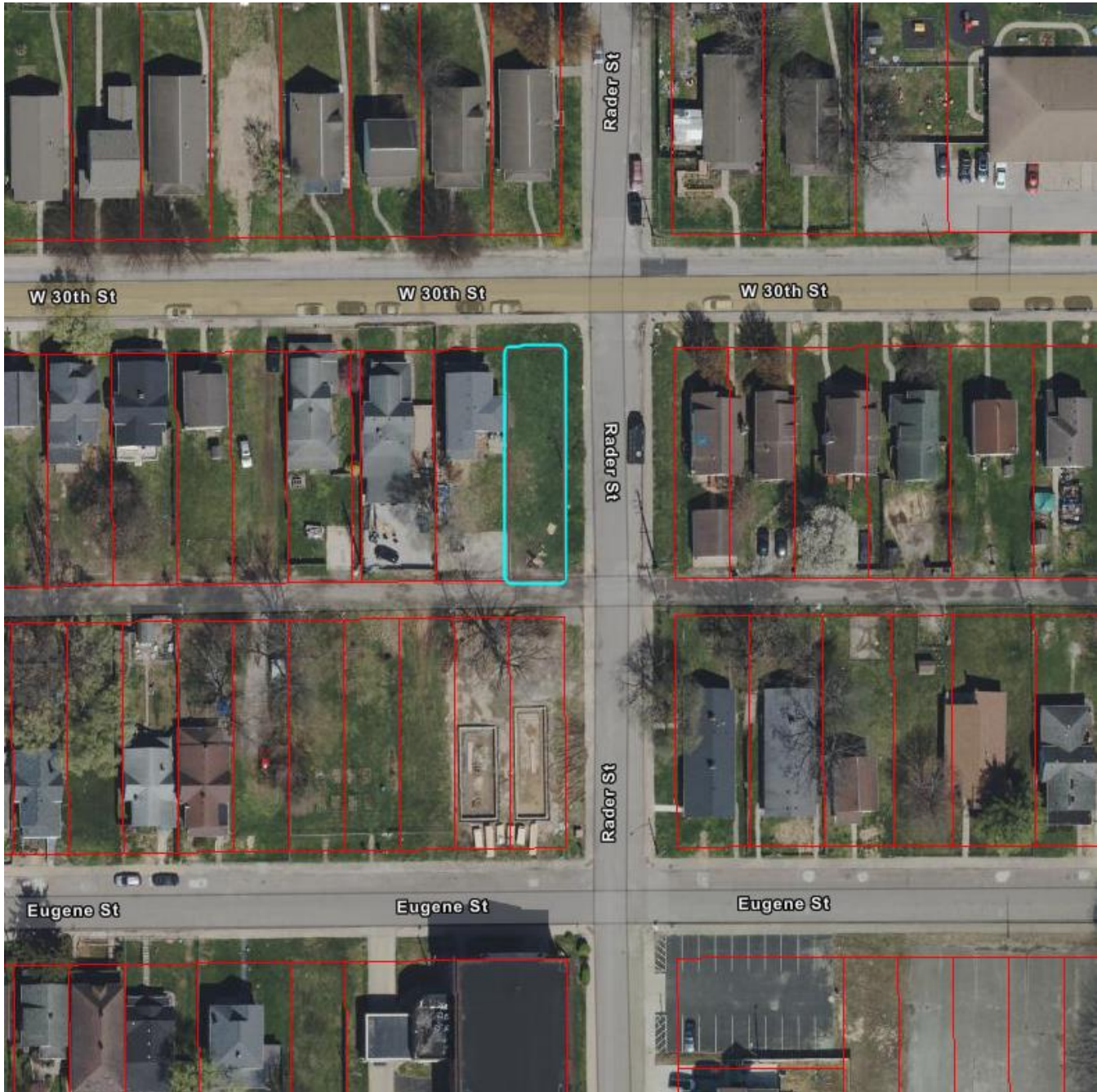
2002ZON059 ; 962 West 30th Street (northeast of site), Rezone 0.30 acre, from C-3 District, to D-5 to provide for single-family residential development, **approved**.

2001ZON126 ; 1021 West 30th Street (west of site), Rezone 0.10 acre, from C-3 District, to D-5 to provide for residential development, **approved**.

2000HOV015 ; 1006 West 30th Street (north of site), Variance of Development Standards of the Dwelling Districts to provide for the construction of a single-family dwelling, with a 7.2-foot front setback along Rader Street (minimum 8-foot setback along a local street required per 99-CV-21V) and 3.2-foot side yard setback (minimum 4-foot side yard setback required), **approved**.

EXHIBITS

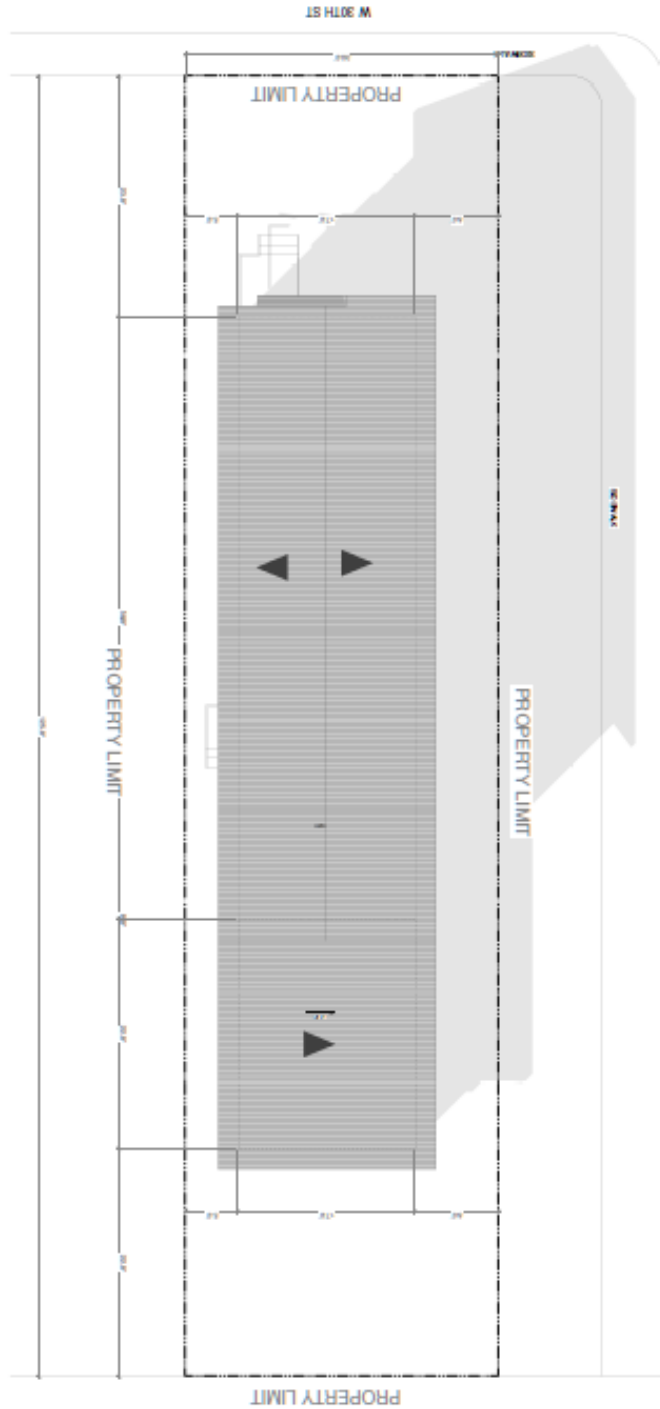
2026-ZON-029 / 2026-VAR-007 ; Aerial Map





Department of Metropolitan Development
Division of Planning
Current Planning

2026-ZON-029 / 2026-VAR-007 ; Site Plan



2026-ZON-029 / 2026-VAR-007 ; Clear-Sight Triangular Area



2026-ZON-029 / 2026-VAR-007 ; Findings of Fact

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

Safety Evidence: The proposed 21-foot setback is only 4 feet less than the technical Clear-Sight Triangle requirement. W 30th St is classified as a Local Street. Under Indianapolis zoning (Table 740-304-C), the required clear sight distance for a Local Street intersection is 75 feet along the centerline.
 A 4-foot reduction in building placement does not obstruct the 75-foot sight line. A driver's ability to see oncoming traffic remains unimpeded because the building corner is static and low-risk.
 To mitigate any theoretical concern, the petitioner volunteers to keep the triangle free of fences or vegetation over 3 feet tall.

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

The adjacent property to the west (closer to the intersection) has a significantly shallower setback than we are requesting. Granting a 21-foot setback actually preserves the property values of neighbors by maintaining a consistent building line, rather than forcing a "hole" in the streetscape with a 25-foot void.

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

Indiana Courts define "Practical Difficulty" as a situation where the owner could comply with the literal ordinance (by building at 25 ft) but doing so would create an unnecessary burden regarding the lot's layout. Push the house so far back that the rear yard becomes functionally useless (losing required open space). Result in a house that is inconsistent with the block, violating the "harmony" clause of the zoning ordinance.

2026-ZON-029 / 2026-VAR-007 ; Photographs



Photo 1: Subject Site Viewed from North



Photo 2: Subject Site Viewed from Southeast

2026-ZON-029 / 2026-VAR-007 ; Photographs (continued)



Photo 3: Adjacent Property to West

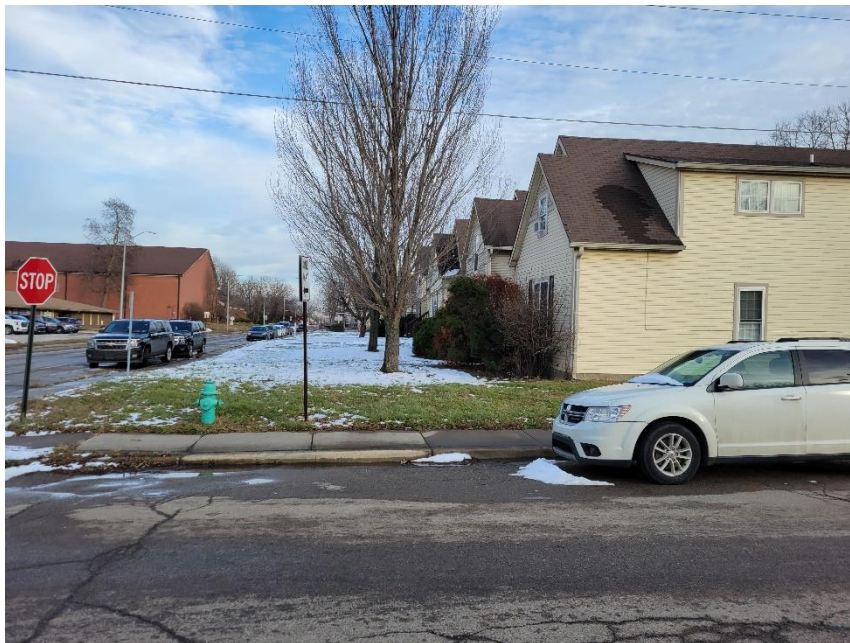


Photo 4: Adjacent Property to East

2026-ZON-029 / 2026-VAR-007 ; Photographs (continued)



Photo 5: Adjacent Property to North



Photo 6: Adjacent Property to Northwest



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER** **June 25, 2026**

Case Number: 2026-ZON-030 (Amended)

Property Address: 3505 South Harding Street (*approximate address*)

Location: Perry Township, Council District #22

Petitioner: Jose de Jesus Padilla Zavala, by Jorge Oscar Gonzales

Current Zoning: D-4 (FF)

Request: Rezoning of 0.24-acre from the D-4 (FF) district to the C-1 (FF) district to provide for a multi-tenant retail building.

Current Land Use: Unoccupied Residential

Staff Recommendations: Staff recommends **approval** of this petition.

Staff Reviewer: Michael Weigel, Principal Planner I

PETITION HISTORY

6/11/2026: The petition was continued to the June 25, 2026 hearing date by the Hearing Examiner given that the petitioner was not present. Additionally, the petitioner agreed to amend their request to the C-1 (FF) district instead of C-3 (FF) per a request from a neighborhood group.

5/14/2026: A timely automatic continuance request was filed by a registered neighborhood group.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

LAND USE

The 0.24-acre site is comprised of a parcel developed with a vacant residential structure built around 1920 as well as a detached garage built in 1952. The site is surrounded by industrial uses to the north and south (zoned D-4 and I-2 respectively), residential uses to the east zoned D-4, and commercial uses to the west zoned C-3 and D-4.

REZONING

The request would rezone the property from the D-4 (FF) district to the C-3 (FF) district to allow for a multi-tenant retail building that would not be permitted in the existing D-4 district.



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The D-4 district is intended for low or medium intensity single-family and two-family residential development. Land in this district needs good thoroughfare access, relatively flat topography, and nearby community and neighborhood services and facilities with pedestrian linkages. Provisions for recreational facilities serving the neighborhood within walking distance are vitally important. The D-4 district has a typical density of 4.2 units per gross acre.

The C-3 (Neighborhood Commercial) zoning district is for the development of an extensive range of retail sales and personal, professional and business services required to meet the demands of a fully developed residential neighborhood, regardless of its size. Examples of such types of use include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail, and personal and professional service establishments.

The FF (Floodway Fringe) is a secondary zoning district that overlays the primary zoning district. FF indicates a 1% chance for significant flooding as well as shallow flooding in any given year. FF is based upon hydrological data and is delineated on the FEMA maps.

STAFF ANALYSIS

The Comprehensive Plan Pattern Book recommends this property to the Heavy Industrial working typology, and also places it within an Environmentally Sensitive Areas (ES) overlay. More detailed information is available in the “Comprehensive Plan Analysis” section below, but staff would note that (a) most heavy industrial land uses would be removed from consideration by the Plan when near residential areas as would be the case here, (b) the Plan contemplates small-scale retail or professional service uses within the Heavy Industrial typology in some instances, and (c) the size of this parcel would not allow for feasible industrial development that would respect setback requirements.

The Plan of Operation provided by the applicant indicates that potential users might include a barbershop or coffee shop, and that no drive-thru facilities are being considered for the property. Staff feels that uses of this intensity could be supportive for residences to the east, and that the C-3 district might serve as a buffer between those homes and higher-intensity zoning and uses along the Harding Street corridor.

The site plan provided by the applicant indicates a design that would require multiple variances, including but not limited to deficient landscaped area and a reduction of the required transitional yard to the east. Staff would be unlikely to support variances to allow for development that does not meet the standards of the C-3 zoning district. Staff would note that the level of parking and paving shown would almost double the required minimum, and that it would likely make meeting stormwater retention standards within the Floodway Fringe difficult.

The petitioner has indicated that they will explore options to amend the site plan in the future to either avoid the need for variances or would apply for variances separately at a later date. The only questions considered by this staff report would be the appropriateness of the C-3 zoning district for the site, and staff feels that given the surrounding land use context and Plan recommendation that a commercial district of this intensity would be appropriate. Therefore, staff recommends **approval** of the rezoning request, with the caveat that substantial future variances would be unlikely to be supported.



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GENERAL INFORMATION

Existing Zoning	D-4 (FF)	
Existing Land Use	Unoccupied Residential	
Comprehensive Plan	Heavy Industrial	
Surrounding Context	Zoning	Surrounding Context
	North: D-4	North: Industrial
	South: I-2	South: Industrial
	East: D-4	East: Residential
	West: D-4 / C-3	West: Commercial
Thoroughfare Plan		
Harding Street	Primary Arterial	84-foot existing right-of-way and 102-foot proposed right-of-way
Sumner Avenue	Primary Collector	74-foot existing right-of-way and 80-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	Yes	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	03/05/2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Heavy Industrial typology provides for industrial, production, distribution, and repair uses that are intense and may create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding building or groups of buildings, often within industrial parks. Outdoor operations and storage are common. Typical uses include food processing, milling, storage of petroleum products, recycling, welding, and concrete mixing. Industrial or truck traffic should be separated from local/residential traffic.
 - Small-scale Offices, Retailing, and Personal or Professional Services land uses are contemplated for the typology in instances where they would be subordinate to and serving primarily industrial uses, when adjacent to interstate interchanges or arterial streets at the edge of the typology, and when placed in a manner that would not interfere with industrial traffic or loading.
- 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.



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- For Small-scale Offices, Retailing, and Personal or Professional Services land uses, development impacting wetlands or woodland should include a one-for-one replacement of such features, and development should preserve or add at least 10% 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)

- Not Applicable to the Site.



ZONING HISTORY

ZONING HISTORY – SITE

95-UV1-77, variance of use of the Dwelling Districts Zoning Ordinance to provide for retail sales (not permitted), including furniture, baby items and sports equipment, **approved**.

ZONING HISTORY – VICINITY

2023ZON021 ; 3449 South Harding Street (north of site), Rezoning of 0.75 acre from the D-4 (FF) district to the C-3 (FF) district to provide for retail sales of accessories and parts for semi-tractors and trailers, **approved**.

2022CZN812 ; 3602 South Harding Street (southwest of site), Rezoning of 4.47 acres from the D-4 (FF) district to the I-3 (FF) district, **approved**.

2022CVR812 ; 3602 South Harding Street (southwest of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 65-foot east transitional yard (150 feet required) and 22-foot south side yard (30 feet required), **approved**.

2021ZON066 ; 3449 South Harding Street (north of site), Rezoning of 0.75 acre from the D-4 (FF) district to the C-S (FF) district to provide for a convenience store and gasoline station, **denied**.

2016UV1011 ; 3512 South Harding Street (west of site), Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the indoor parking and storage of construction vehicles (not permitted), related to a construction business (not permitted), **approved**.

2015HOV003 ; 3544 South Harding Street (southwest of site), Variance of use of the Dwelling Districts Zoning Ordinance to legally establish two single-family dwellings on one lot (not permitted), per plans filed, **approved**.

2005ZON016 ; 1309 West Sumner Avenue (east of site), rezone 1.717 acres, being in the D-4 (FF) District, to the C-S (FF) classification to provide for a truck and trailer sales and storage facility, **withdrawn**.

2004ZON032 ; 3515 South Harding Street (south of site), rezone 0.80 acre, being in the D-4 (FF) District, to the I-2-S (FF) classification to provide for industrial uses, **approved**.

97-Z-7 ; 1309 West Sumner Avenue (east of site), rezoning of 0.753 acre, being in the D-A District, to the I-3-S classification to provide for industrial uses, **denied**.

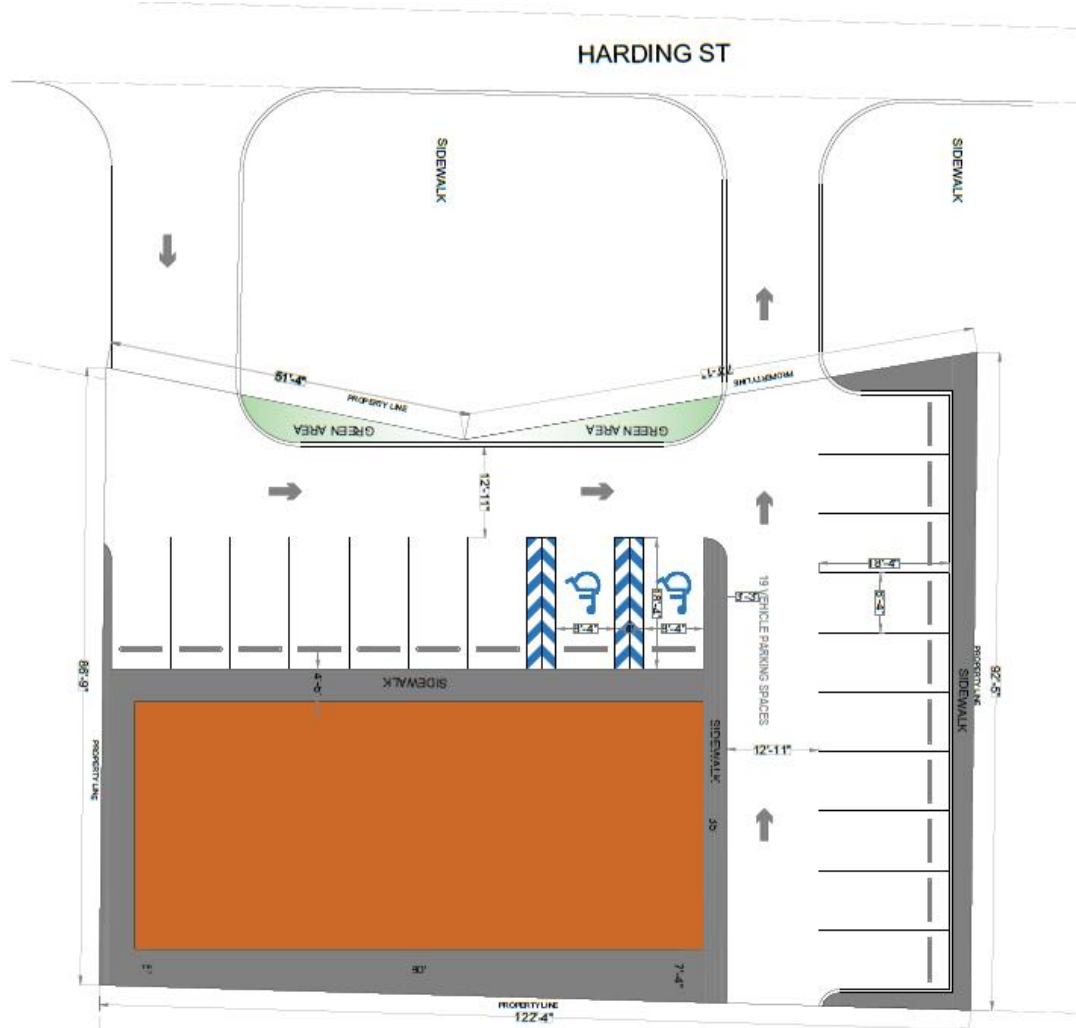
96-V1-103 ; 3602 South Harding Street (southwest of site), variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of 60 by 80 foot accessory building for an existing single-family residence resulting in the total square footage of accessory buildings being 5,241 square feet or 314% of the square footage devoted to the primary structure, **approved**.

EXHIBITS

2026ZON030 ; Aerial Map



2026ZON030 ; Site Plan / Elevation Rendering



PROPOSED ELEVATION

SITE DATA:
 PARCEL SIZE (10281.43 SQ.FT)
 PARCEL : #5011742
 PROP. NEW BUILDING AREA: (2800 SQ.FT)



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2026ZON030 ; Operation Plan (Partial)

1. Project Vision and Concept

The vision for 3505 S Harding St is to transform an underutilized industrial property into a vibrant, neighborhood-scale retail hub. The plan is to create a small commercial center that provides essential services to the surrounding community in a walkable and accessible format. The development will consist of a single structure subdivided into multiple suites to accommodate a barber shop, a coffee shop, and other small-scale retail tenants. This adaptive reuse project aims to reduce blight, increase neighborhood amenities, and generate local tax revenue without the need for heavy industrial traffic or infrastructure.

2. Proposed Land Use and Tenancy

The building will be designed for "plug-and-play" retail tenants whose build-out requirements are minimal. The focus is on service and retail uses that are compatible with neighboring properties and do not involve drive-through facilities or outdoor storage.

- **Anchor Tenant Concept:** The space will be subdivided to allow for a coffee shop (which typically requires minimal kitchen exhaust and plumbing) and a barber shop (requiring simple plumbing for sinks).
- **Flex Retail:** Additional offices will be leased to retailers such as tailors, small gift shops, or estheticians, all of which are low-impact uses permitted in the C-4 district.
- **Operating Hours:** Operations will be limited to daytime and early evening hours (e.g., 7:00 AM to 9:00 PM) to minimize impact on adjacent residential or vacant industrial neighbors.

3. Site Plan and Building Modifications

To comply with the application requirements for an Improvement Location Permit (ILP) and the rezoning petition, the following physical plans will be drafted professionally:

- **Building Improvements:** The exterior of the existing industrial structure will be renovated with a more pedestrian-friendly facade, including large display windows and a defined entryway, as required by commercial design standards. Exterior elevation plans will be submitted showing new finishing materials, door and window dimensions, and lighting.
- **Parking and Circulation:** A detailed site plan will be drawn to scale showing new, striping for off-street parking, designated bicycle parking, and clear pedestrian walkways connecting the sidewalk to the building entrances. The plan will indicate dimensions for all curb cuts and driveway connections to S Harding St.
- **Landscaping:** A landscape plan will be prepared to add visual screening and green space, including new trees and shrubs along the frontage to satisfy the city's landscaping and screening requirements.
- **Lighting:** A lighting plan will be included to show low-level, cutoff fixtures for the parking area to ensure safety without creating light pollution for neighboring properties.

2026ZON030 ; Photographs



Photo 1: Existing Buildings Viewed from West



Photo 2: Subject Site Viewed from Northwest

2026ZON030 ; Photographs (continued)



Photo 3: Subject Site + Existing Buffering Viewed from North



Photo 4: Adjacent Property to East

2026ZON030 ; Photographs (continued)



Photo 5: Adjacent Property to North



Photo 6: Adjacent Property to Northwest

2026ZON030 ; Photographs (continued)



Photo 7: Adjacent Property to South



Photo 8: Adjacent Property to West and Southwest



MDC HEARING EXAMINER

June 11, 2026

Case Number:	2026-ZON-038
Property Address:	1830 Shelby Street (<i>approximate address</i>)
Location:	Center Township, Council District #18
Petitioner:	Abiodun Babalola (Truworth Realty LLC), by Leyla Paz
Request:	Rezoning of 0.15 acres from the MU-1 (TOD) district to the D-5 (TOD) district to provide for the construction of a duplex.
Current Land Use:	Undeveloped
Staff Recommendations:	Staff recommends approval of this petition.
Staff Reviewer:	Josh Levesque, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- 1830 Shelby Street is an undeveloped lot roughly 0.15-acre in size. Currently zoned MU-1, this parcel sits midblock on Shelby between Iowa Street and Naomi Street. The block hosts a variety of land uses, including residences, a barber shop, a church, a plumbing company, and a butcher shop. The block is split between MU-1, MU-2, and SU-1 zoning districts.
- Historic aerial images show a single-family residence on this property until at least 2015. Property record cards show that two parcels were combined in 2016 or 2017 to create the lot as it exists today.
- The Ordinance indicates the purpose of the MU-1 district as being “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.”
- The Comprehensive Plan contemplates the Village Mixed-Use typology for this parcel. This 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



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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. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.”

- The site is also roughly 265 feet from the Red Line Bus Rapid Transit (BRT) stop at Shelby Street and East Pleasant Run Parkway North Drive. The 2020 Red Line Strategic Plan conceptualized the typology as a walkable neighborhood. Characteristics of this walkable neighborhood include:
 1. A mix of uses at the station area and primarily residential beyond
 2. A maximum of 3 stories throughout
 3. No front or side setbacks at the core; 0-15-foot front setbacks and 0-20-foot side setbacks and the periphery
 4. A mix of multi-family and single-family housing

- Infill Housing Guidelines also guide staff’s analysis for this site. MU-1 calls for apartments and high rises. In the context of the surrounding homes, this would feel out of place. Such a building may feel more appropriate across the street by the butcher shop or directly near the BRT stop. Here, however, a duplex is more contextually appropriate with the existing homes on the block. As the Comprehensive Plan stated, village mixed-use does not have to be vertically mixed. The mixed-use can come in the context of the block. With the butcher shop, the small commercial space on the corner of Pleasant Run and Shelby, and further lots better suited to larger mixed-use development, a duplex would not conflict with the Comprehensive Plan. Furthermore, both the Comprehensive Plan and the Red Line strategic plan indicate that a variety of housing types should be considered. Duplexes help to provide additional density compared to the existing single-family homes to the north.

- Based on the analysis above, staff recommends approval of this petition. Staff will note that this petition is for a rezone only. A minimum lot width of 60 feet is required for a duplex in the D-5 district. The petitioner will need to seek a variance for deficient lot width should they wish to follow through on the plans for a duplex. Additionally, all other development standards must be met.

GENERAL INFORMATION

Existing Zoning	MU-1	
Existing Land Use	Undeveloped	
Comprehensive Plan	Village Mixed Use	
Surrounding Context	Zoning	Surrounding Context
North:	MU-1	North: Residential/Commercial
South:	MU-1	South: Residential/Vacant
East:	MU-2	East: Commercial/Parking
West:	D-5	West: Residential
Thoroughfare Plan		



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Shelby Street	Primary Arterial	65-foot existing right-of-way and 56-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	4/9/2026	
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

Pattern Book / Land Use Plan

- The Comprehensive Plan contemplates the Village Mixed-Use typology for this parcel. This 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. 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.”

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The site is within a quarter-mile of the Red Line Bus Rapid Transit (BRT) stop at Shelby Street and East Pleasant Run Parkway North Drive. The 2020 Red Line Strategic Plan conceptualized the typology as a walkable neighborhood. Characteristics of this walkable neighborhood include:



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- A mix of uses at the station area and primarily residential beyond
- A maximum of 3 stories throughout
- No front or side setbacks at the core; 0-15-foot front setbacks and 0-20-foot side setbacks and the periphery
- A mix of multi-family and single-family housing
- Structured parking at the core and attractive surface parking at the periphery

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Building Massing & Elevations

Indy Moves

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

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

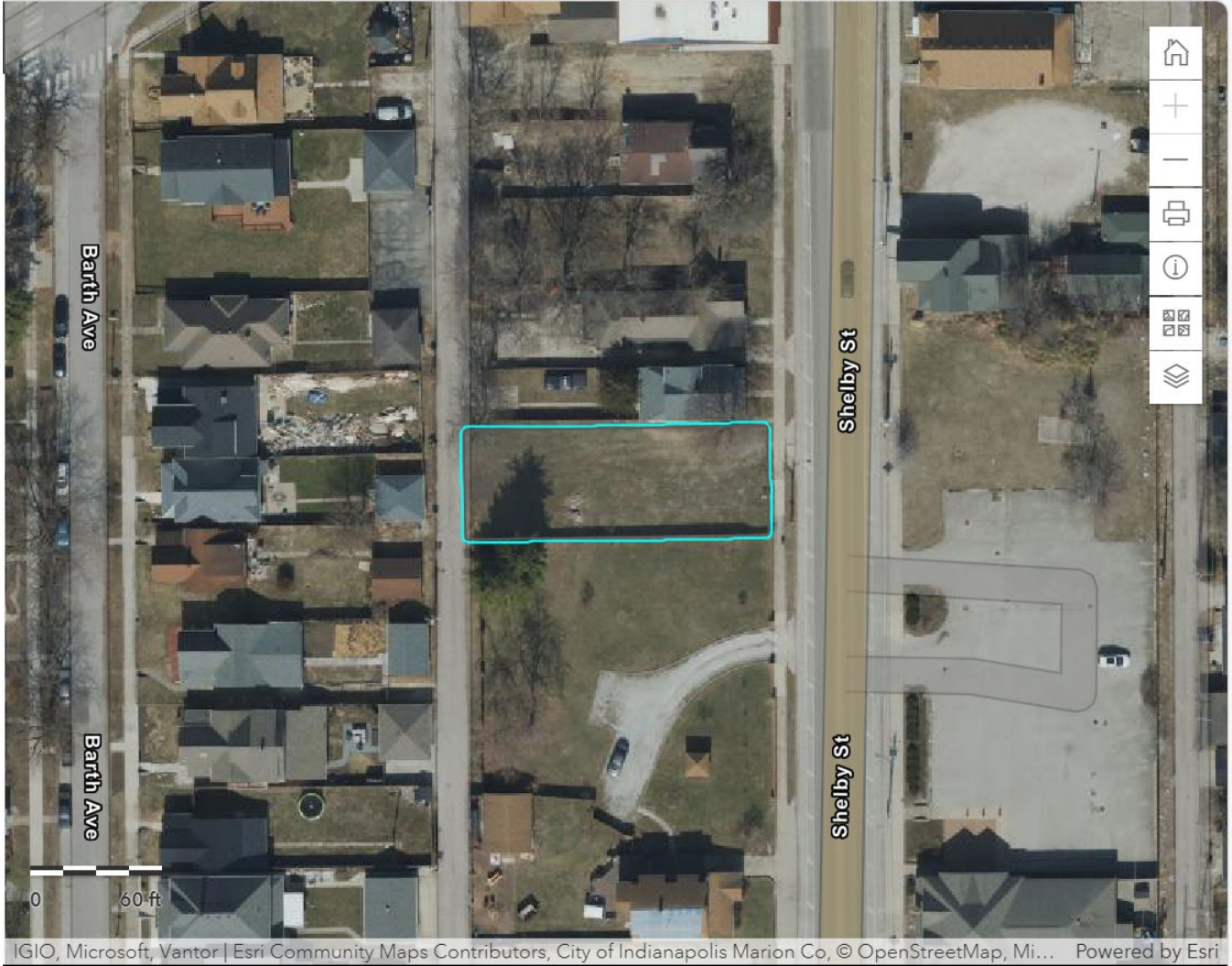
N/A

ZONING HISTORY – VICINITY

2005ZON828; 1821-1849 Shelby Street, Rezoning of 0.88-acre from the C-2 district to the C-3C classification to provide for a meat market, neighborhood commercial and residential uses, **approved**.

2007ZON124; 1737, 1743, 1745, and 1801 Shelby Street, Rezoning of 0.4235-acre, being in the C-2 district, to the SU-1 classification to legally establish and provide for the expansion of religious uses.

EXHIBITS
2026ZON038; Aerial Map



2026ZON038; Photographs



Photo 1: Subject site as seen from Shelby Street

2026ZON038; Photographs (cont'd)



Photo 2: In front of subject site looking north

2026ZON038; Photographs (cont'd)



Photo 3: In front of subject site looking south

2026ZON038; Photographs (cont'd)



Photo 4: Red Line Bus Rapid Transit stop roughly 265 feet from the subject site

2026ZON038; Photographs (cont'd)



Photo 5: View of property from alley looking towards Shelby Street

2026ZON038; Photographs (cont'd)



Photo 6: Alley behind subject property looking south

2026ZON038; Photographs (cont'd)



Photo 7: Alley behind subject property looking north



MDC HEARING EXAMINER

June 25, 2026

Case Number:	2026-ZON-046
Property Address:	3216 East 25 th Street (<i>approximate address</i>)
Location:	Center Township, Council District #8
Petitioner:	Felipe M. Mata, by RG Development (Josh Smith)
Request:	Rezoning of 0.379-acre from the C-3 to the D-5 district to allow for residential uses.
Current Land Use:	Vacant / outdoor storage
Staff Recommendations:	Staff recommends approval of this petition.
Staff Reviewer:	Josh Levesque, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- 3216 East 25th Street is a lot totaling roughly 0.379-acre. Currently zoned C-3, it sits midblock on East 25th Street between Dearborn and LaSalle Streets. The parcel is currently vacant, except for the storage of a few items behind a tall privacy fence. The parcel is sandwiched between a variety store on the west and a commercial building on the east. South across 25th Street (zoned D-5), there appears to be a church and another commercial building. North of this site, across an alley, are single-family homes in the D-5 classification. Aerial images show what appears to have been a small commercial building on this site until between fall of 2021 and sometime in 2022. Before the commercial building was torn down, historical images suggest that it sat vacant for at least 15 years.
- The Ordinance indicates that the purpose of the C-3 district is “for the development of an extensive range of retail sales and personal, professional and business services required to meet the demands of a fully developed residential neighborhood, regardless of its size. Examples of such types of uses include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail and personal and professional service establishments. At this neighborhood scale of retail, a fine-grain of accessibility requisite for all modes of travel must be provided and maintained. It does not make provision, however, for those businesses that draw customers in significant numbers from well beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators, such as theaters”



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- The Ordinance describes how the D-5 district “is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situation in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood and Traditional Neighborhood Typologies of the Land Use Pattern Book.”
- Despite the seemingly commercial history of this parcel, the Comprehensive Plan contemplates this as part of the “Traditional Neighborhood” typology. This reflects a change in the overall landscape in the neighborhood and suggests that residential is a better fit in the current context. 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.”
- While the C-3 district is critical in allowing for commercial nodes and the neighborhood-serving business called out in the Traditional Neighborhood typology, staff will note that this parcel will still be bordered by C-3 parcels on either side and there are C-3 nodes within a quarter-mile both east and west of the subject site. Another difference between this site and other C-3 nodes in the vicinity, is that this site has access via a rear alley. The D-5 district calls for parking access off of rear alleys whenever possible. Future residential development would be required to enter via the alley. With planned frequency improvements from IndyGo, the opportunity to keep access to community-serving commercial on corners and reducing the number of mid-block curb cuts, would reduce the potential for traffic conflicts.
- Based on the land use typology contemplated in the Comprehensive Plan, the residential context of the surrounding area, and the existing commercial nodes within a quarter-mile of the site, staff recommends approval of this petition. Staff will note that the D-5 district does not allow for outdoor storage. If this petition is approved, the petitioner will need to take the necessary steps to remove any commercial vehicles or trailers that may currently be kept on site.

GENERAL INFORMATION

Existing Zoning	C-3
Existing Land Use	Vacant / Outdoor storage
Comprehensive Plan	Traditional Neighborhood



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Surrounding Context	Zoning	Surrounding Context
North:	D-3	North: Residential
South:	D-5	South: Religious Use / Commercial
East:	D-5	East: Residential
West:	D-5 / D-8	West: Residential
Thoroughfare Plan		
East 25 th Street	Secondary Arterial	53-foot existing right-of-way and 56-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	4/17/2026	
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

Pattern Book / Land Use Plan

- The Comprehensive Plan contemplates the Traditional Neighborhood typology for these parcels. This 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



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

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2004-UV3-047; 3212-3222 East 25th Street, Variance of Use of the Commercial Zoning Ordinance to provide for a child day care center, **approved subject to conditions.**

ZONING HISTORY – VICINITY

86-UV1-38; 3214 East 25th Street, Variance of Use of the Commercial Zoning Ordinance to provide for the use of an existing building as a church, **withdrawn.**

86-UV1-101; 2502 North Dearborn Street, Variance of Use of the Commercial Zoning Ordinance to provide for the continued use of an existing building as a church, **approved subject to conditions.**

86-UV2-82; 3225 East 25th Street, Variance of Use of the Dwelling Districts Zoning Ordinance to provide for the use of an existing building as a church, **approved subject to conditions.**

2024-DV1-035; 3301 East 25th Street, Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling with an 11.7-foot rear yard setback (20-foot setback required), **approved.**

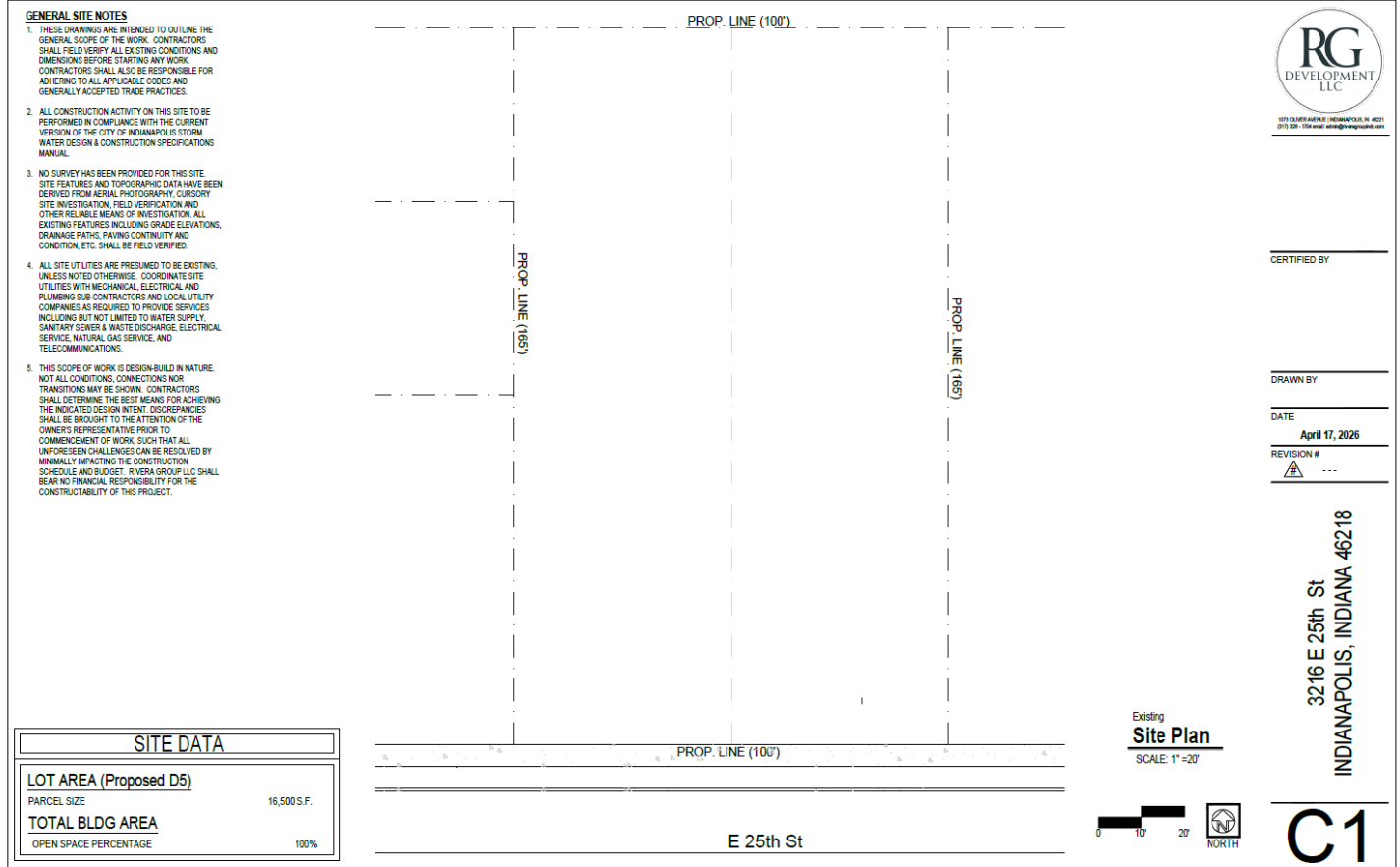
EXHIBITS
2026ZON046; Aerial Map





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2026ZON046; Site Plan



2026ZON046; Photographs



Photo 1: Looking at property from 25th Street

2026ZON046; Photographs (cont'd)



Photo 2: Looking east on 25th Street

2026ZON046; Photographs (cont'd)



Photo 3: View of church southeast of site across 25th Street

2026ZON046; Photographs (cont'd)



Photo 4: View of commercial building across 25th Street to the south.

2026ZON046; Photographs (cont'd)



Photo 5: Looking west on 25th Street

2026ZON046; Photographs (cont'd)



Photo 6: Looking southwest across 25th Street

2026ZON046; Photographs (cont'd)



Photo 7: The alley to the north (behind) the subject site

2026ZON046; Photographs (cont'd)



Photo 8: View of subject site as seen from alley



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

June 25, 2026

Case Number: 2026-CZN-813 (Amended) / 2026-CVR-813

Property Address: 1127 South East Street

Location: Center Township, Council District #18

Petitioner: Josh Smith

Current Zoning: C-5

Rezoning of 0.12-acre from the C-5 district to the D-8 district to provide for a multi-unit dwelling, consisting of two units.

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a multi-unit dwelling, consisting of two units, with encroachment within the clear-sight triangle of Morris Street and East Street (not permitted) and no maximum front setback (19.9 feet maximum permitted).

Current Land Use: Vacant

Staff Recommendations: Approval of the rezoning and variance requests.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued these petitions from the May 14, 2026 hearing, to the June 11, 2026 hearing, and to the June 25, 2026 hearing, at the request of staff to provide additional time to amend the request and send required notice.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning request and the variance request for encroachment within the clear sight triangle of East Morris Street and South East Street. The variance for no maximum front setback should be withdrawn, based on the update site plan, file-dated May 22, 2026.

PETITION OVERVIEW

This 0.12-acre site, zoned C-5, is vacant. It is surrounded by commercial uses to the north, zoned C-5; commercial uses to the south, across East Morris Street, zoned C-5; vacant land to the east, zoned C-5 and commercial uses to the west, across South East Street, zoned C-3.



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REZONING

The request would rezone the site to the D-8 district to provide for residential development. “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.”

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

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

The Comprehensive Plan recommends village mixed-use typology for the site.

Recommended land uses in this typology include detached / attached / small- and large-scale-multi-family housing; assisted living facilities / nursing homes; group homes; bed and breakfast; small-scale offices, retailing, and personal or professional services; small- and large- scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; small-scale parks; artisan manufacturing and food production; structured parking; and community farms / gardens.

As proposed, this request would align with the Plan recommendation of village mixed-use that would provide for two attached single-family dwellings within a multi-unit house.

Variance of Development Standards

The request includes encroachment within the clear sight triangle and no maximum front setback. However, the amended site plan, file-dated May 22, 2026, eliminates the need for the no maximum front setback variance because the front setback is now 15.5 feet, which would comply with the Ordinance and would be more consistent with the front setback of the dwellings to the east of this site. Consequently, this variance should be withdrawn.

Staff generally does not support encroachment within the clear sight triangle due to visibility limitations and safety concerns created by the encroachment. However, after consultation with the Department of Public Works Traffic Engineer that included review of the updated site plan, it was determined that the alignment of the signalized intersection of South East Street and East Morris Street (one-way east) and



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the relatively wide rights-of-way provide ample and appropriate visibility that does not impede the visibility of travelers at this intersection. Consequently, staff believes this variance is supportable.

GENERAL INFORMATION

Existing Zoning	C-5	
Existing Land Use	Vacant land	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	Zoning	Land Use
North:	C-5	Commercial uses
South:	C-5	Commercial uses
East:	C-5	Vacant land
West:	C-3	Commercial uses
Thoroughfare Plan		
South East Street	Primary Arterial	Existing 88-foot right-of-way and proposed 56-foot right-of-way.
East Morris Street	Primary Arterial	Existing 50-foot right-of-way and proposed 56-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	March 18, 2026	
Site Plan (Amended)	May 22, 2026	
Elevations	March 18, 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	March 18, 2026	
Findings of Fact (Amended)	May 22, 2026	
C-S/D-P Statement	N/A	

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,



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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.

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

Conditions for All Housing

- Should be within a one-quarter-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
- Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.

Attached Housing (defined as duplexes, triplexes, quads, townhouses, row houses, stacked flats, and other, similar legally complete dwellings joined by common walls and typically with each unit on its own lot or part of a condominium).

- Recommended without additional conditions.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.



Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

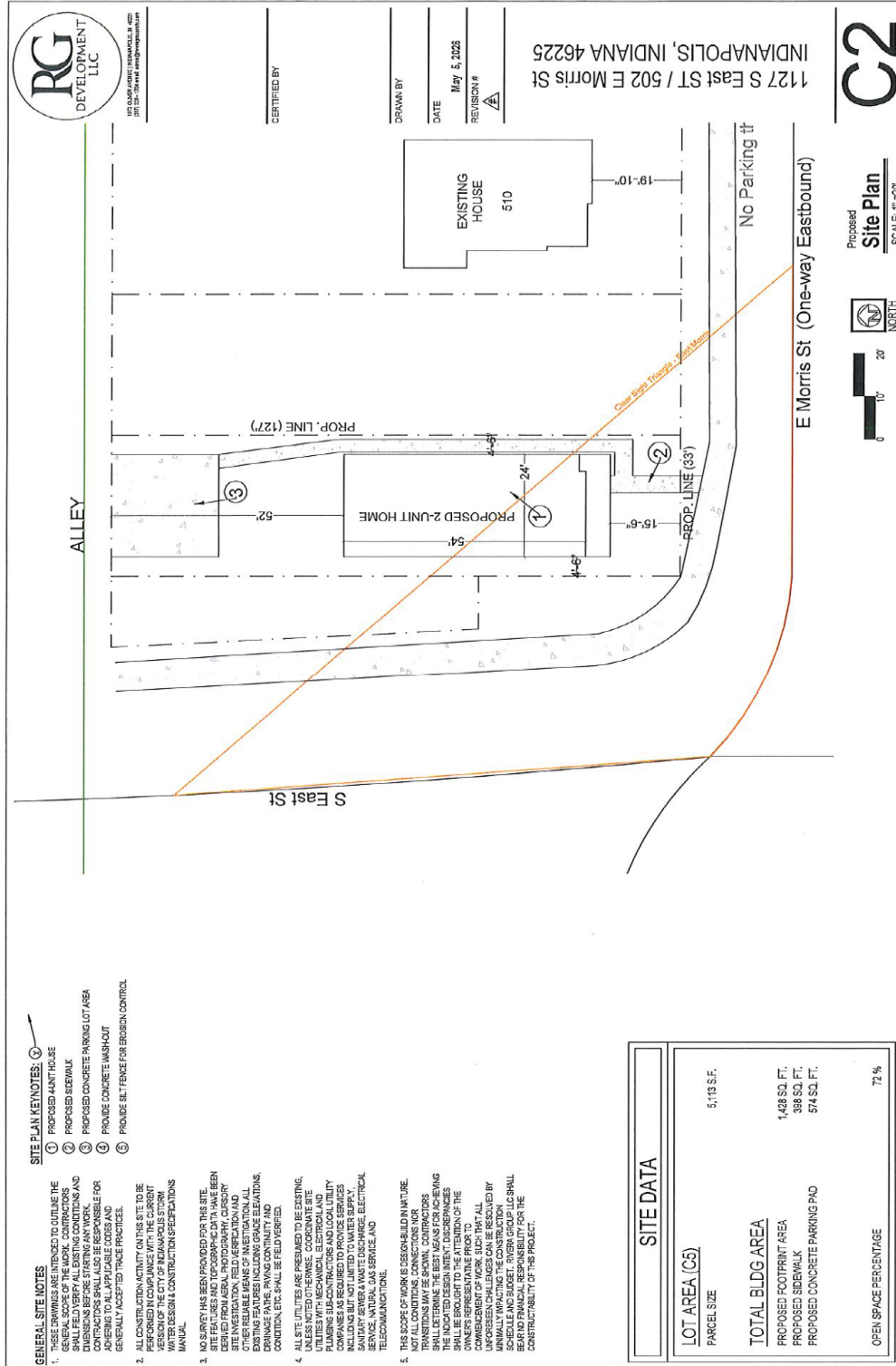
- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways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



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ZONING HISTORY

2017-ZON-016; 1401, 1425, 1441, 1460, 1462, 1464, 1502, 1816 and 1827 South East Street; 828 Beecher Street; 306, 310, 318, 322, 329, 353 and 401 Lincoln Street; 510 East Morris Street; 1538, 1542, 1551 and 1555 South New Jersey Street; 438 Orange Street; 445 and 446 Parkway Avenue, requested rezoning 1.95 acres (comprised of 25 parcels), from the C-1, C-3, C-5 and I-4 districts, to the D-5 classification, approved.



C2

Proposed
Site Plan
 SCALE: 1" = 20'



6 10' 20'



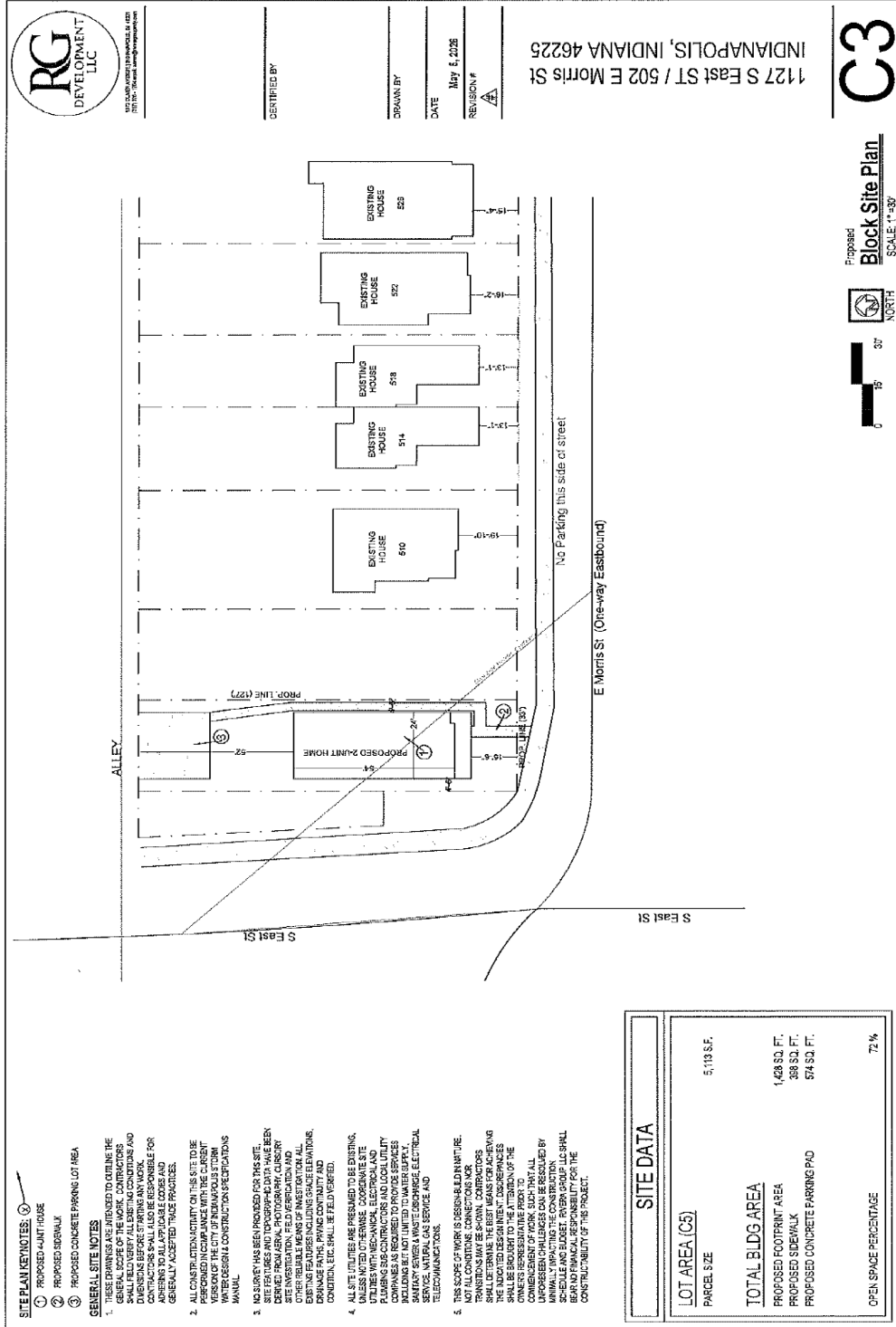
CERTIFIED BY: _____
 DRAWN BY: _____
 DATE: May 5, 2023
 REVISION # _____
 1127 S East St / 502 E Morris St
 INDIANAPOLIS, INDIANA 46225

- SITE PLAN KEYNOTES:**
- ① PROPOSED MAIN HOUSE
 - ② PROPOSED SIDEWALK
 - ③ PROPOSED CONCRETE PARKING LOT AREA
 - ④ PROVIDE CONCRETE WASHOUT
 - ⑤ PROVIDE SET-FENCE FOR EROSION CONTROL

GENERAL SITE NOTES

1. THESE DRAWINGS ARE INTENDED TO OUTLINE THE GENERAL SCOPE OF THE WORK. CONTRACTORS SHALL VERIFY ALL DIMENSIONS BEFORE STARTING ANY WORK. CONTRACTORS SHALL ALSO BE RESPONSIBLE FOR ADHERING TO ALL APPLICABLE CODES AND GENERALLY ACCEPTED TRADE PRACTICES.
2. ALL CONSTRUCTION ACTIVITY ON THIS SITE TO BE PERFORMED IN ACCORDANCE WITH THE CURRENT REVISIONS TO THE INDIANAPOLIS CITY WATER DESIGN & CONSTRUCTION SPECIFICATIONS MANUAL.
3. NO SURVEY HAS BEEN PROVIDED FOR THIS SITE. SITE FEATURES AND TOPOGRAPHIC DATA HAVE BEEN DERIVED FROM AERIAL PHOTOGRAPHY, COSMOS 3D, AND OTHER SOURCES. CONTRACTORS SHALL VERIFY ALL OTHER RELIABLE MEANS OF INVESTIGATION ALL EXISTING FEATURES INCLUDING GRADE ELEVATIONS, DRAINAGE PATTERNS, PAVING CONTINUITY AND CONDITIONS, ETC. SHALL BE FIELD VERIFIED.
4. ALL SITE UTILITIES ARE PRESUMED TO BE EXISTING. CONTRACTORS SHALL VERIFY THE LOCATION AND UTILITIES WITH MECHANICAL, ELECTRICAL AND PLUMBING SUB-CONTRACTORS AND LOCAL UTILITY COMPANIES AS REQUIRED TO PROVIDE SERVICES TO THE PROPOSED CONSTRUCTION. CONTRACTORS SHALL VERIFY SEWER, WASTE DISCHARGE, ELECTRICAL SERVICE, NATURAL GAS SERVICE, AND TELECOMMUNICATIONS.
5. THIS SCOPE OF WORK IS DESIGN-BUILD IN NATURE. NOT ALL CONDITIONS, CONNECTIONS NOR UTILITIES ARE SHOWN. CONTRACTORS SHALL DETERMINE THE BEST MEANS FOR ADDRESSING THE INDICATED DESIGN INTENT. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT IMMEDIATELY UPON DISCOVERY. COMPLETION OF WORK SHALL BE SUCH THAT ALL UNFORSEEN CHALLENGES CAN BE RESOLVED BY THE ARCHITECT. CONTRACTORS SHALL BE RESPONSIBLE FOR BEARING NO FINANCIAL RESPONSIBILITY FOR THE CONSTRUCTABILITY OF THIS PROJECT.

SITE DATA	
LOT AREA (C2)	5,118 S.F.
PARCEL SIZE	
TOTAL BLDG AREA	1,428 SQ. FT.
PROPOSED FOOTPRINT AREA	388 SQ. FT.
PROPOSED SIDEWALK	574 SQ. FT.
PROPOSED CONCRETE PARKING PAD	
OPEN SPACE PERCENTAGE	72 %





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Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

This proposal will allow building a new 2-family home on a currently vacant lot previously occupied by a used car dealership.

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:

By granting this variance, a new home will be built on a vacant lot increasing the value of the surrounding area by eliminating one more vacant parcel.

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

This lot imposes a hardship by nature of its location and the current ordinance standards. Without this variance is not possible to build a home while meeting the maximum front setback and while keeping clear of the zoning clear sight triangle. This variance allows a compromise of both maximum front setback and clear sight triangle standard.

DECISION

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

Adopted this _____ day of _____, 20 ____



View of site looking east across South East Street



View of site looking southeast across intersection of South East Street and East Morris Street



View of site looking northeast across South East Street



View of site looking north across East Morris Street



View of site looking northwest across East Morris Street



View looking west across intersection of South East Street and East Morris Street



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER** **June 25, 2026**

Case Number: 2026-CZN-827 / 2026-CPL-827

Property Address: 2015 Wagner Lane and 3669 Van Buren Street (*Approximate Address*)

Location: Center Township, Council District #19

Petitioner: Habitat for Humanity of Greater Indianapolis, Inc., by Leslie Steinert

Current Zoning: D-6II
Rezoning of 2.27 acres from D-6II to D-5 for residential development.

Request: Approval of a Subdivision Plat to be known as Wagner Lane Estates, Section 2, subdividing 2.27 acres into nine lots.

Current Land Use: Undeveloped

Staff Recommendation: Staff recommends **approval** of the rezoning.
Staff recommends **approval** of the plat, subject to conditions.

Staff Reviewer: Josh Levesque, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition

STAFF RECOMMENDATION

Staff recommends **approval** of the requested rezone.

Staff recommends that the Hearing Examiner **approve** and find that the plat, file-dated April 22, 2026, complies with the standards of the Subdivision regulations, subject to the following conditions:

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



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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

The parcels known as 2015 Wagner Lane and 3669 Van Buren Street are undeveloped parcels approximately 2.27 acres in size. The subject sites are part of a larger area that was rezoned from D-3 to D-6II in 1969 to provide for apartments. Directly to across Wagner to the west, parcels are zoned D-A. Further west they are also zoned D-6II. To the north, the properties are zoned D-3. To the east, the properties are zoned D-3 with properties east beyond Sherman Street zoned as I-4. To the south, properties are zoned D-8 and D-3.

PLAT

Approval of the plat petition would result in the creation of nine separate lots. Lots 1-3 would front on Calhoun Street. Lots 1 and 2 would be approximately 0.16-acre while Lot 3, on the corner of Wagner and Calhoun, would be approximately 0.22-acre. Lots 4-9 would front Wagner Street. Lots 4-8 would have a size of approximately 0.20-acre while Lot 9, at the corner of Wagner and Van Buren, would be 0.22-acre.

No new streets would be created as a part of the plat. Sidewalks are required per 741-306. No sidewalk waiver has been requested, and site plans appear to show the installation of sidewalks. The proposed lots would meet standards of the D-5 zoning district.

Rezoning

Approval of this petition would allow for the construction of nine single family homes; a use currently not permitted in the D-6II district. While this block may have been rezoned in 1969 to support the development of apartments, the existing nature of the block makes single-family homes, and the other residential uses permitted by D-5, more appropriate. Furthermore, the Comprehensive Plan envisions the subject site as part of the "Suburban Neighborhood" typology. This 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



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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.”

Given the context of the surrounding residential units on the block and the petition’s alignment with the Comprehensive Plan, staff recommends approval of this petition.

GENERAL INFORMATION

Existing Zoning	D-6II	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North:	D-3 North: Undeveloped
	South:	D-3/D-8 South: Residential
	East:	D-3 East: Residential
	West:	D-3/D-6II West: Residential
Thoroughfare Plan		
Van Buren	Platted Local Street	40-foot existing right-of-way and 48-foot proposed right-of-way
Wagner Lane	Local Street	40-foot existing right-of-way and 48-foot proposed right-of-way
Calhoun Street	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	04/45/2026	
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	



SUBDIVISION PLAT REGULATIONS

741-203 Required Documents for Approval		Evaluation
	<p><i>741.203.A-C – Primary Plat Requirements:</i></p> <ul style="list-style-type: none"> • <i>Plat name, Legal Description, Surveyor Seal, Scale.</i> • <i>Boundary Lines, Existing Street Names, and dimensions.</i> • <i>Layout of Proposed Streets – names, widths, classifications.</i> • <i>Layout of all easements and purpose thereof.</i> • <i>Layout of lots with numbering and dimensions.</i> • <i>Floodway/Floodplain Delineation.</i> • <i>Topographic Map.</i> • <i>Area Map.</i> 	<p>Satisfied</p>
	<p><i>741-203.D – Traffic Control Plan</i></p> <ul style="list-style-type: none"> • <i>Traffic control street signs and devices.</i> • <i>Traffic calming devices.</i> • <i>Bicycle facilities.</i> • <i>Sidewalks and pedestrian facilities.</i> • <i>Transit facilities, such as bus stops pads or shelter.</i> • <i>Street lighting.</i> 	<p>Not required: No new streets proposed</p>
	<p><i>741-203.E– Natural infrastructure plan (major plats containing more than 20 lots)</i></p> <ul style="list-style-type: none"> • <i>Placement of all proposed drainage facilities for the subdivision, indicating type of facility and if the facility is to be designed to be wet or dry</i> • <i>Location of Open Space Areas of the open space common area, indicating size and general improvements</i> • <i>Location of any Stream Protection Corridors in accordance with Section 744-205 (Stream Protection Corridors)</i> 	<p>Not required: Less than 20 lots</p>



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	<p>741-205 – Waivers</p> <ul style="list-style-type: none"> • <i>The granting of the waiver or modification will not be detrimental to the public health, safety, or welfare or injurious to other property</i> • <i>The conditions upon which the request is based are individual to the property for which the relief is sought and are not applicable generally to other property;</i> • <i>Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;</i> • <i>The resulting subdivision fulfills the purpose and intent of these regulations at an equal or higher standard than what would have been possible without the deviation; and</i> • <i>The relief sought shall not in any manner vary from the provisions of the Zoning Ordinance, or official zoning base maps, except as those documents may be amended in the manner prescribed by law.</i> 	<p>None requested</p>
<p>741-300 Design and Installation Standards</p>	<p><i>All proposed plats submitted for Committee approval under the provisions of these regulations shall meet these standards to the satisfaction of the Committee unless waived by the Committee.</i></p>	<p>Evaluation</p>
	<p>741-302.A – Lots:</p> <ul style="list-style-type: none"> • <i>Comply with zoning district and any cluster approval or variance grant.</i> • <i>Lots must have positive drainage away from buildings.</i> • <i>No more than 25% of lot area may be under water.</i> • <i>Side lots lines at right angles to streets or radial to curving street line.</i> • <i>Layout of lots with numbering and dimensions.</i> • <i>Floodway/Floodplain Delineation.</i> • <i>Topographic Map.</i> 	<p>Satisfied</p>



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	<p>741-302.B – Frontage and Access:</p> <ul style="list-style-type: none">• <i>Through lots should be avoided except where necessary for primary arterial separation and topography challenges.</i>• <i>Triple frontage lots are prohibited.</i>• <i>Lots abutting alleys must have vehicular access exclusively from alley.</i>• <i>Lots shall not have direct access to arterial streets.</i>• <i>Non-residential plats shall provide cross-access easements to limits points of access to existing street network to no more than one per 500 feet.</i>	<p>Satisfied</p>
	<p>741-302.C – Blocks:</p> <ul style="list-style-type: none">• <i>Shall not exceed maximum block lengths per Table 741-302.1</i>• <i>If exceeded, it must be demonstrated that:</i><ul style="list-style-type: none">○ <i>There are improved pedestrian easements at intervals of 400 feet or less.</i>○ <i>Adequate traffic calming provisions are made.</i>○ <i>The block length must be exceeded because of physical conditions of the land.</i>	<p>None proposed</p>



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<p>741-303 Streets and Connectivity</p>	<p>All proposed plats shall allocate adequate areas for streets in conformity with the Comprehensive Plan and Official Thoroughfare Plan for Marion County, Indiana, and these regulations.</p>	<p>Evaluation</p>
	<p><i>741-303.A – General:</i></p> <ul style="list-style-type: none"> • Subdivisions shall provide a logical street layout in relation to topographical conditions, public convenience, safety, multi-modal use, and the proposed use of the land to be served by such streets. <i>Triple frontage lots are prohibited.</i> • Streets shall intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than 75 degrees. • Not more than two streets shall intersect at any one point. • Bicycle lanes meeting the Indiana Manual on Uniform Traffic Control Devices (IMUTCD) for location, width, and marking shall be provided along collector streets. • All streets shall be dedicated to the public. Alleys may be private. • Turn lanes or other improvements recommended by the Department of Public Works shall be added to the existing street system to minimize the impact of the connection upon the existing street system. 	<p>Satisfied</p>



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	<p><i>741-303.B – Through Connectivity (Metro Context Area):</i></p> <ul style="list-style-type: none"> • Emergency vehicles must not have to use more than two different local streets (any street other than a primary arterial, a secondary arterial or a collector street) to reach their destination. • Permanently dead-ended streets and alleys, except for cul-de-sac streets, are prohibited. • All existing or platted streets that terminate at the property boundary line of a proposed subdivision shall be continued into the proposed subdivision to provide street connections to adjoining lands and streets within the proposed subdivision. • Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of 125 ft. between their centerlines. • Whenever cul-de-sac streets are created, a 15-foot-wide pedestrian access/public utility easement shall be provided between the cul-de-sac head or street. • Subdivisions with 30 or more lots shall have more than one entrance to the existing street network. 	<p>Not Applicable: Not in Metro Context Area</p>
	<p><i>741-303.D – Cul-de-sacs (Metro Context Area):</i></p> <ul style="list-style-type: none"> • In the Metro Context Area, cul-de-sac lengths shall not exceed 500 feet or serve more than 20 dwelling units. 	<p>Not Applicable: Not in Metro Context Area</p>
<p>741-304-316 Additional Development Items</p>		<p>Evaluation</p>
	<p><i>741.304.A-C – Traffic Control Devices:</i></p> <ul style="list-style-type: none"> • <i>Street name signs, traffic control signs, bike route signs.</i> • <i>Traffic control devices for streets exceeding 900 feet in length.</i> • <i>Bicycle Facilities for subdivisions with a collector street serving more than 100 dwelling units.</i> 	<p>Satisfied</p>
	<p><i>741.305 – Numbering and naming:</i></p> <ul style="list-style-type: none"> • <i>Street numbering per adopted addressing guidelines.</i> • <i>Streets that are extensions or continuations of existing or approved streets must bear the name of such existing street.</i> 	<p>See Condition #5</p>



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	<p>741.306 – Sidewalks:</p> <ul style="list-style-type: none"> • Sidewalks shall be provided along all internal and external streets. 	<p>Satisfied</p>
	<p>741.307-309 – Easements, Utilities, Stream Protection Corridors:</p> <ul style="list-style-type: none"> • Utility easements shall be located along lot lines and shall be a minimum of 10 feet. • All BMPs and drainage facilities must be located within an easement. The easement must accommodate adequate access for maintenance. • Generally, pedestrian easements shall be 15 feet in width and be considered open to the public unless specifically declared otherwise. • All utilities shall be located underground. • All subdivisions must be designed in accordance with the Stream Protection Corridor requirements of Section 744-205. 	<p>Satisfied</p>
	<p>741.310 – Common Areas, Open Space and Public Sites (Compact Context Area):</p> <ul style="list-style-type: none"> • Required for subdivisions with more than 20 dwelling units. • Access easements shall be provided to connect all common areas to a public street right-of-way. The minimum width of such access must be at least 15 feet. • Basic Open Space Requirements: Multi-purpose path, natural landscaping area, entrance landscaping. • Additional Open Space Requirements: Community Garden, dog park, game court, picnic area, playground, pool, etc. Additional component required for every 30 additional dwelling units overall. • Reservation of land for public/semi-public purpose. 	<p>Not Applicable: Threshold for Number of Dwelling Units Not Met</p>
	<p>741-312 – Monuments</p> <ul style="list-style-type: none"> • Permanent reference monuments shall be placed in the subdivision by a Professional Surveyor. Where no existing permanent monuments are found, monuments must be installed no more than 600 feet apart in any straight line and in accordance with the schedule in Table 741-312-1. 	<p>Satisfied</p>



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	<p>741.313 – Flood Control:</p> <ul style="list-style-type: none"> All development shall comply with all provisions of Section 742-203 (Flood Control Zoning District). Floodway and Floodway Fringe zones shall be delineated and labeled on the primary plat and the plat to be recorded. For Zone AE areas, the plat must show the BFE topographic line. For Zone A areas, the plat must show the delineation study with the floodway and floodway fringe lines shown on the FIRM maps. 	<p>Satisfied</p>
	<p>741.316 – Street Lighting:</p> <ul style="list-style-type: none"> All subdivisions must be designed and constructed in accordance with the Street Lighting requirements of Section 744-600 (Street and Exterior Lighting). 	<p>Satisfied</p>

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

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.

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.

ZONING HISTORY

ZONING HISTORY – SITE

69-Z-279, Rezoning of 5.17 acres from the D-3 to the D-6II classification to provide for the construction of apartments, **approved**.

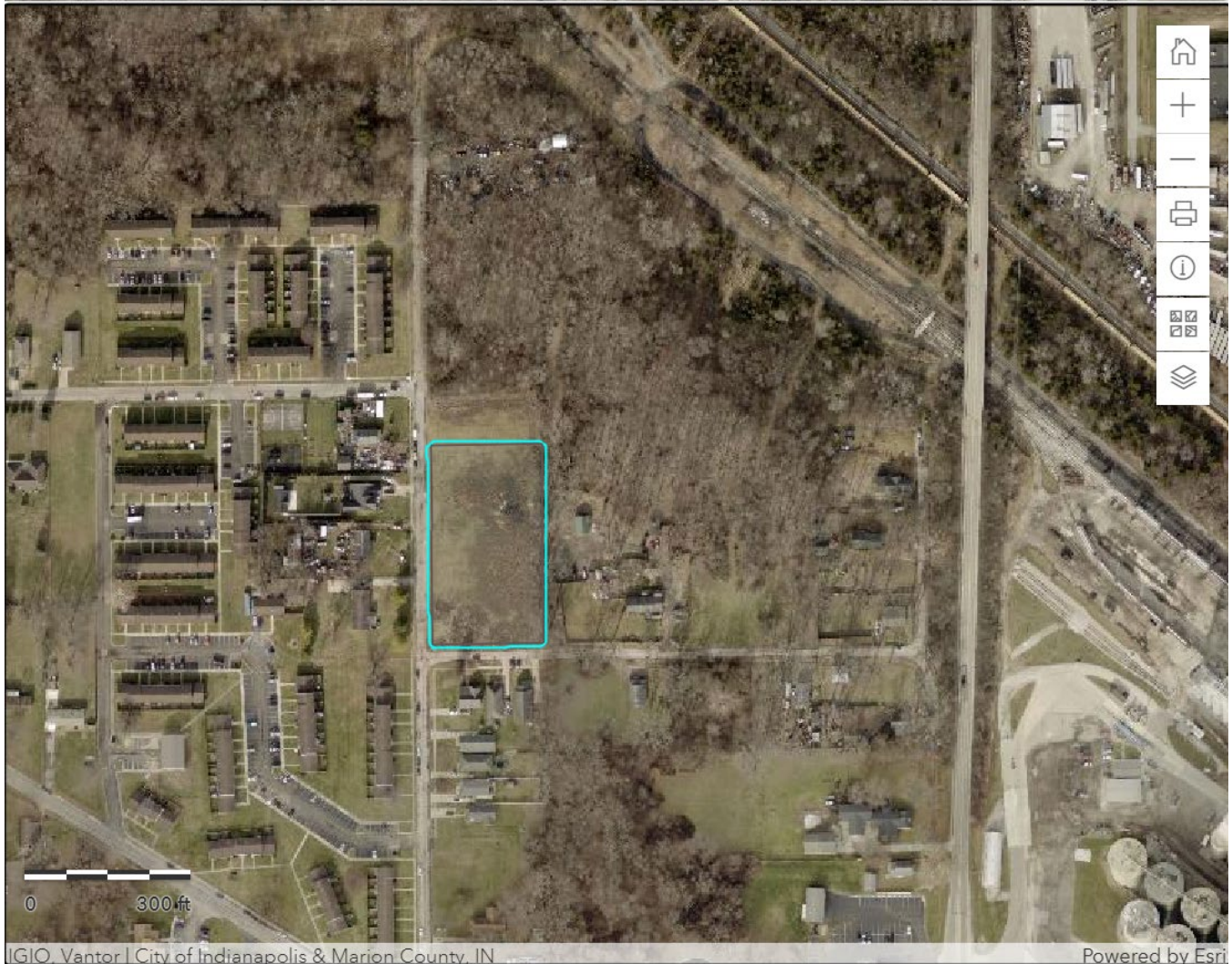
ZONING HISTORY – VICINITY

68-Z-195; 3400 Bethel, 3650 Van Buren, 2040 Wagner, Rezoning of 15.13 acres from the A-1 classification to the D-7 classification to provide for the construction of apartments, **approved**.

2005-ZON-199; 2125 Wagner Lane, Rezoning of 1.51 acres from D-3 to D-8 to provide for residential development, **approved**.

EXHIBITS

2026-CZN-827 / 2026-CPL-827; Aerial Map (2015 Wagner Lane)



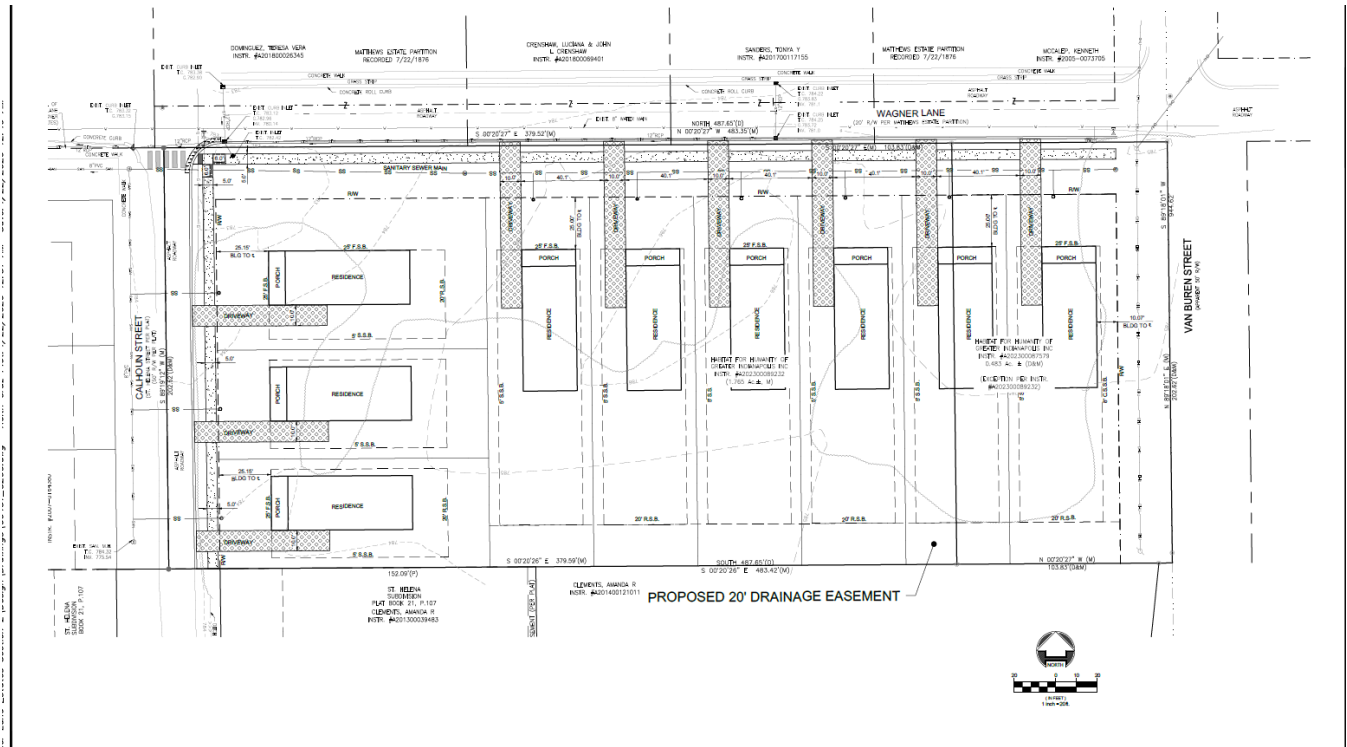
2026-CZN-827 / 2026-CPL-827; Aerial Map (3669 Van Buren Street)





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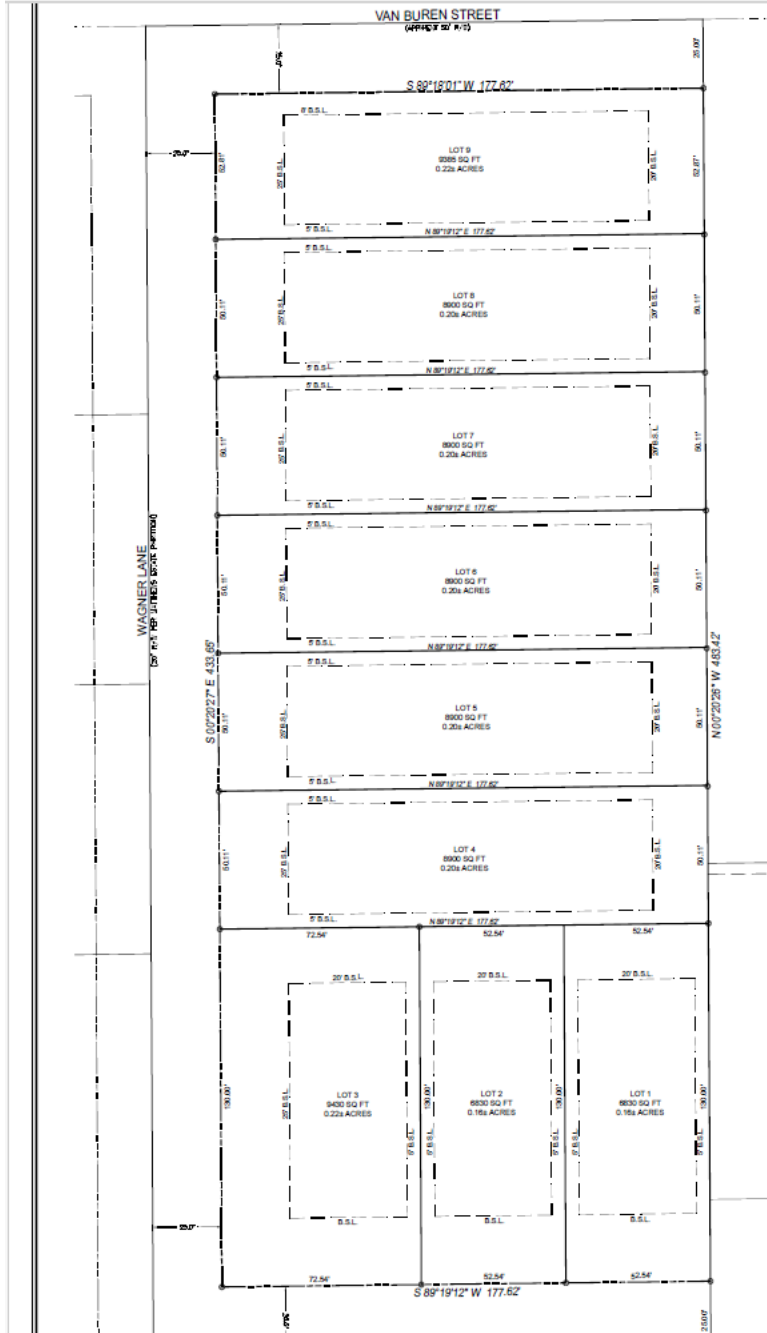
2026-CZN-827 / 2026-CPL-827; Site Plan





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2026-CZN-827 / 2026-CPL-827; Preliminary Plat



LAND DESCRIPTION

Beginning at a point on the North line of the South Half of the Southeast Quarter of Section 17, in Township 13 North, of Range 4 East which is 762 feet West of the East line of said Quarter Section, the point of beginning being also on the center line of Van Buren Street, as now established, running thence South parallel to the East line of said Quarter Section, 677.62 feet, more or less, to the Center line of Calhoun Street, thence South 86°10'00" W 177.82 feet, more or less, to the East line of said Quarter Section, 202.62 feet to a point, thence North parallel to the East line of said Quarter Section, 677.62 feet, more or less, to the East North line of said Quarter Section, thence East on and along said North line, 202.62 feet to the point of beginning, containing 2.27 acres, more or less.

Except that part as described on Warranty Deed recorded February 28, 1967 as Instrument No. 678104 being more particularly described as follows, to-wit:

Part of the South Half of the Southeast Quarter of Section 17, Township 13 North, Range 4 East, Marion County, Indiana, more particularly described as follows, to-wit:

Commencing at the Northeast corner of the aforementioned Half-Quarter Section, running thence West, on and along the North line thereof, a distance of 762.00 feet to the point of beginning, of the real estate described herein, containing thence along the same line, and line also being the centerline of Van Buren Street, a distance of 202.62 feet to the centerline of Wagner Road, running thence South, parallel to the East line of the aforementioned Half-Quarter Section and along the centerline of Wagner Road, a distance of 103.81 feet, running thence East, parallel to the North line of the aforementioned Half-Quarter Section, a distance of 202.62 feet, running thence North, parallel to the East line of the aforementioned Half-Quarter Section, a distance of 103.81 feet to the point of beginning, containing in all 0.453 acres.

ALSO INCLUDING:

Part of the South Half of the Southeast Quarter of Section 17, Township 13 North, Range 4 East, Marion County, Indiana, more particularly described as follows, to-wit:

Commencing at the Northeast corner of the aforementioned Half-Quarter Section, running thence West, on and along the North line thereof, a distance of 762.00 feet to the point of beginning, of the real estate described herein, containing thence along the same line, and line also being the centerline of Van Buren Street, a distance of 202.62 feet to the centerline of Wagner Road, running thence South, parallel to the East line of the aforementioned Half-Quarter Section and along the centerline of Wagner Road, a distance of 103.81 feet, running thence East, parallel to the North line of the aforementioned Half-Quarter Section, a distance of 202.62 feet, running thence North, parallel to the East line of the aforementioned Half-Quarter Section, a distance of 103.81 feet to the point of beginning, containing in all 0.453 acres.

Section 01. Enforcement Covenant
Metropolitan Development Commission: The Metropolitan Development Commission, its successors and assigns shall have no right, power or authority to enforce any covenants, restrictions or other limitations contained herein other than those covenants, restrictions or limitations that expressly run in favor of the Metropolitan Development Commission, provided that nothing herein shall be construed to prevent the Metropolitan Development Commission from enforcing any provisions of the article, or any conditions attached to approval of this plat by the Plat Commission.

Section 02. Sight Distance Covenant
Sight observation: No fence, wall, hedge or shrub planting that obstructs right line of vision between 2.5 feet and 9 feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 23 feet from the intersection of each street right-of-way line, or in the case of a non-parallel property corner, from the intersection of the street right-of-way lines established. The same sight line limitations shall apply to any lot within 11 feet from the intersection of a street right-of-way line with the edge of the driveway pavement or alley line. No tree shall be permitted to remain within such distance of such intersection unless the foliage is maintained at a sufficient height to prevent obstruction of the right line of vision.

Section 03. Storm Drainage Covenant
It shall be the responsibility of the owner of any lot or parcel of land within the area of this plat to comply at all times with the provisions of the drainage plan as approved for this plat by the City of Indianapolis and the requirements of all drainage permits issued for the plat.

Section 04. Sanitary Sewer Covenant
It shall be the responsibility of the owner of any lot or parcel of land within the area of this plat to comply at all times with the provisions of the sanitary sewer construction approved by the municipality and the requirements of all sanitary sewer construction permits issued for this plat. Owner further covenants that no building, structure, tree or other obstruction shall be erected, maintained, or allowed to continue on the portion of the owner's real estate in which the easement is granted without express written permission, that is then duly recorded, and shall run with the real estate. The municipality and its agents shall have the right to ingress and egress, for temporary periods only, over the owner's real estate adjoining such easement and right-of-way, when necessary to construct, repair or maintain sanitary sewer facilities. *18

The plat is hereby subject to:
Subject to the Standards and Specifications of the Citizens Energy Group, Gasification Section
Subject to the Standards and Specifications of the Department of Public Works, Drainage Section
Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.

SURVEYOR'S CERTIFICATE

This subdivision consists of 9 lots, numbered 1 through 9 all inclusive, all as shown on the within plat. The size of each lot and each of the streets and alleys are shown in figures showing feet and decimal parts thereof.

This plat is based on a survey prepared by Hahn Surveying Group, Inc. as Job No. 25-2010, dated March 27, 2024 and recorded as Instrument No. _____ in the Office of the Recorder of Marion County, Indiana.

Witness my signature the 22nd day of April 2026.

Chad L. Brown
Chad L. Brown, Registered Land Surveyor No. 452120002
State of Indiana



This instrument was prepared by Chad L. Brown. I affirm under the penalties for perjury, that I have taken reasonable care to reflect each Social Security Number in this document, unless required by law. - Chad L. Brown

2026-CZN-827 / 2026-CPL-827; Photographs



Photo 1: View of subject site from Wagner Lane

2026-CVR-827 / 2026-CPL-827; Photographs (continued)



Photo 2: View of subject site as seen from Wagner with houses fronting Calhoun in background

2026-CVR-827 / 2026-CPL-827; Photographs (continued)



Photo 3: Wagner Street looking south

2026-CVR-827 / 2026-CPL-827; Photographs (continued)



Photo 4: Wagner Street looking north

2026-CVR-827 / 2026-CPL-827; Photographs (continued)



Photo 5: From subject site looking west across Wagner Street at D-A-zoned residences



METROPOLITAN DEVELOPMENT COMMISSION **June 25, 2026**
HEARING EXAMINER

Case Number: 2026-CZN-828 / 2026-CVR-828

Property Address: 1170 Kentucky Avenue

Location: Center Township, Council District #18

Petitioner: KM23 Property, LLC, by Justin Kingen

Current Zoning: C-1 (FF)

Request: Rezoning of 1.569 acres, from the C-1 (FF) district to the C-4 (FF) district to provide for commercial uses.
Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for a commercial and building contractor.

Current Land Use: Commercial uses

Staff Recommendations: Approval of the rezoning request and special exception.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing for these petitions.

STAFF RECOMMENDATION

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

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

Operations on this site shall be in accordance with the Plan of Operation, dated April 21, 2026..

PETITION OVERVIEW

This 1.569-acre site, zoned C-1 (FF), is developed with a vacant commercial building and associated parking lot. It is surrounded by commercial uses to the north, zoned C-1 (FF); parking lot / outdoor storage to the south, zoned I-3 (FF); commercial uses to the east, across Kentucky Avenue, zoned C-7 (FF); and industrial uses to the west, zoned I-3 (FF).



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REZONING

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

The Comprehensive Plan recommends community commercial typology for the site.

Recommended land uses in this typology include small- and large- scale offices, retailing, and personal or professional services; small- and large- scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; and small-scale parks.

As proposed, this request would not generally align with the Plan recommendation. However, the community commercial typology is contemplated to be consistent with the C-3 (neighborhood commercial) or the C-4 (community-regional) zoning districts, depending upon the location and the surrounding land uses.

Because this site is surrounded by heavy commercial and industrial uses, staff believes that a C-4 would be supportable.

Staff would note that the abutting property to the south (Parcel #1017456 - approximately 1.57 acres) is under the same ownership as this site and zoned I-3. This site is currently used for outdoor storage and parking.

Plan of Operation – See Exhibit A

The Plan of Operation states that the use of the site would be for a commercial contractor that specializes in building contracting including, but not limited to concrete, carpentry / millwork, earthwork and construction management.

There would be a maximum of 40 employees on site at any given time.

Hours of operation would be Monday through Friday from 6:00 a.m. to 6:00 p.m., with emergency projects as required.

The existing building (approximately 11,283 square-feet) and parking lot with approximately 57 parking spaces would serve as the headquarters for the business. Building renovation and site upgrades are anticipated.



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Floodway / Floodway Fringe – White River

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 (C-4 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance and all other applicable City Ordinances.

The entire site is located within the unregulated 500-year floodplain of White River to the east of the 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



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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.

SPECIAL EXCEPTION

The Ordinance requires the grant of a special exception in the C-4 district for a commercial and building contractor.

A Special Exception may be granted following public hearing of the petition and only upon the Board's determination that:

1. The proposed use meets the definition of that use in Chapter 740, Article II.
2. The proposed use will not injure or adversely affect the adjacent area or property values in that area.
3. The grant will not materially and substantially interfere with the lawful use and enjoyment of adjoining property.
4. The proposed use will be compatible with the character of the district, land use authorized therein and the Comprehensive Plan for Marion County.
5. The proposed use conforms to the development standards in Chapter 744 applicable to the zoning district in which it is located.
6. The proposed use conforms to all provisions of the Zoning Ordinance, including the performance standards in Chapter 740 and the development standards in Chapter 744 applicable to the zoning district in which it is located.
7. The proposed use conforms to all of the use-specific standards in Chapter 743 for that use, including any Special Exception standards for that use.

The Board may impose reasonable restrictions or conditions in connection with the grant of any Special Exception, including restrictions and conditions that are more restrictive than the applicable development standards, to ensure compliance with the standards above. All such conditions shall be imposed by the Board to ensure compliance with standards above. Such conditions may include any reasonable site, development, operational and performance standards, requirements and restrictions. The grant of the Special Exception may be for a limited period of time, as specified by the Board.

The grant of such Special Exception shall be conditioned upon conformance all provisions of the Zoning Ordinance, including the performance standards in Chapter 740 and the development standards in Chapter 744 applicable to the zoning district in which it is located, except as specifically modified by the grant of the Special Exception.



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As proposed and described in the petition submittal documents, the use would meet the definition of a commercial and building contractor and would not adversely affect adjacent properties or interfere with the surrounding land uses, that consist of heavy commercial and industrial uses. Consequently, the proposed use would be compatible with the existing character of the surrounding land uses in the area.

For these reasons staff supports Special Exception request.

GENERAL INFORMATION

Existing Zoning	C-1 (FF)	
Existing Land Use	Commercial uses (vacant)	
Comprehensive Plan	Community Commercial	
Surrounding Context	Zoning	Land Use
	North: C-1	Commercial uses (vacant)
	South: I-3	Paved parking
	East: C-7	Commercial uses
	West: I-3	Industrial uses
Thoroughfare Plan		
Kentucky Avenue	Primary Arterial	Existing 140-foot right-of-way and proposed 88-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	Yes – 500-year unregulated floodplain of White River	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	April 22, 2026	
Site Plan (Amended)	N/A	
Elevations	April 22, 2026	
Elevations (Amended)	N/A	
Landscape Plan	April 22, 2026	
Findings of Fact	May 1, 2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	Plan of Operation, dated April 21, 2026	

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,



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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:

- *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:



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- 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-ZON-012; 1170 Kentucky Avenue, requested rezoning of 1.38 acres from the C-1 district to the I-3 district to provide for industrial uses, **withdrawn**.

99-NC-44; 1170-1180 Kentucky Avenue, requested a Certificate of Legal Non-Conforming Use for development standards to include side yard and rear yard setbacks of zero feet, **approved**.

99-V1-134; 1170 Kentucky Avenue, a variance of development standards of the Commercial Zoning Ordinance to legally establish an existing building, and to provide for a 5,700 square foot, two-story addition, having a zero rear yard setback (minimum 10 feet required), **granted**.

93-AP-118; 1170 Kentucky Avenue; requested Regional Center Approval to remove all INB identification signs from site and install one (1) 3-foot by 3-foot single-faced wall sign with 18-inch nonilluminated letters on the south elevation; install (1) 24-inch by 24-inch single-faced wall sign at the south elevation entry; and, install two (2) 5-foot by 5-foot single-faced walls, on each, on the east and west elevations, respectively. The two existing directional signs will remain and be refaced with the "NBD Bank" logo, **approved**.

81-V3-136; 1170 Kentucky Avenue, requested a variance of Sign Regulations Ordinance, 71-AO-4, as amended, to provide for new standardized signage replacing existing signage, **granted**.

76-UV3-54; 1170 Kentucky Avenue, requested a variance of use of the Industrial Zoning Ordinance to provide for a bank drive through and canopy, and a parking lot, **granted**.

72-Z-102; 1170 Kentucky Avenue, requested rezoning of 1.45 acres from I-3-U to C-1 to provide for a branch bank and service center, **approved**.

EXHIBITS

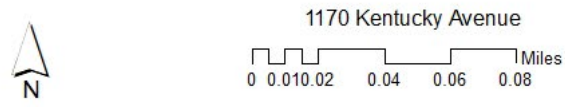


EXHIBIT A

1170 Kentucky Avenue – Plan of Operation

- Use:
 - Commercial Contractor - Schuck Corporation
 - Specializes in building contracting including, but not limited to: concrete; carpentry & millwork; earthwork; and construction management.

- Staff:
 - Maximum of 40 employees on site at any given time

- Hours of Operation:
 - Monday through Friday: 6AM-6PM
 - Emergency projects as necessary

- Building:
 - Existing 11,283-square foot industrial building
 - Surface parking lot

- Clients & Customers:
 - Use open to the general public, typically by appointment

- Safety & Security Measures:
 - The existing building has security cameras, an alarm system, and lighting elements.

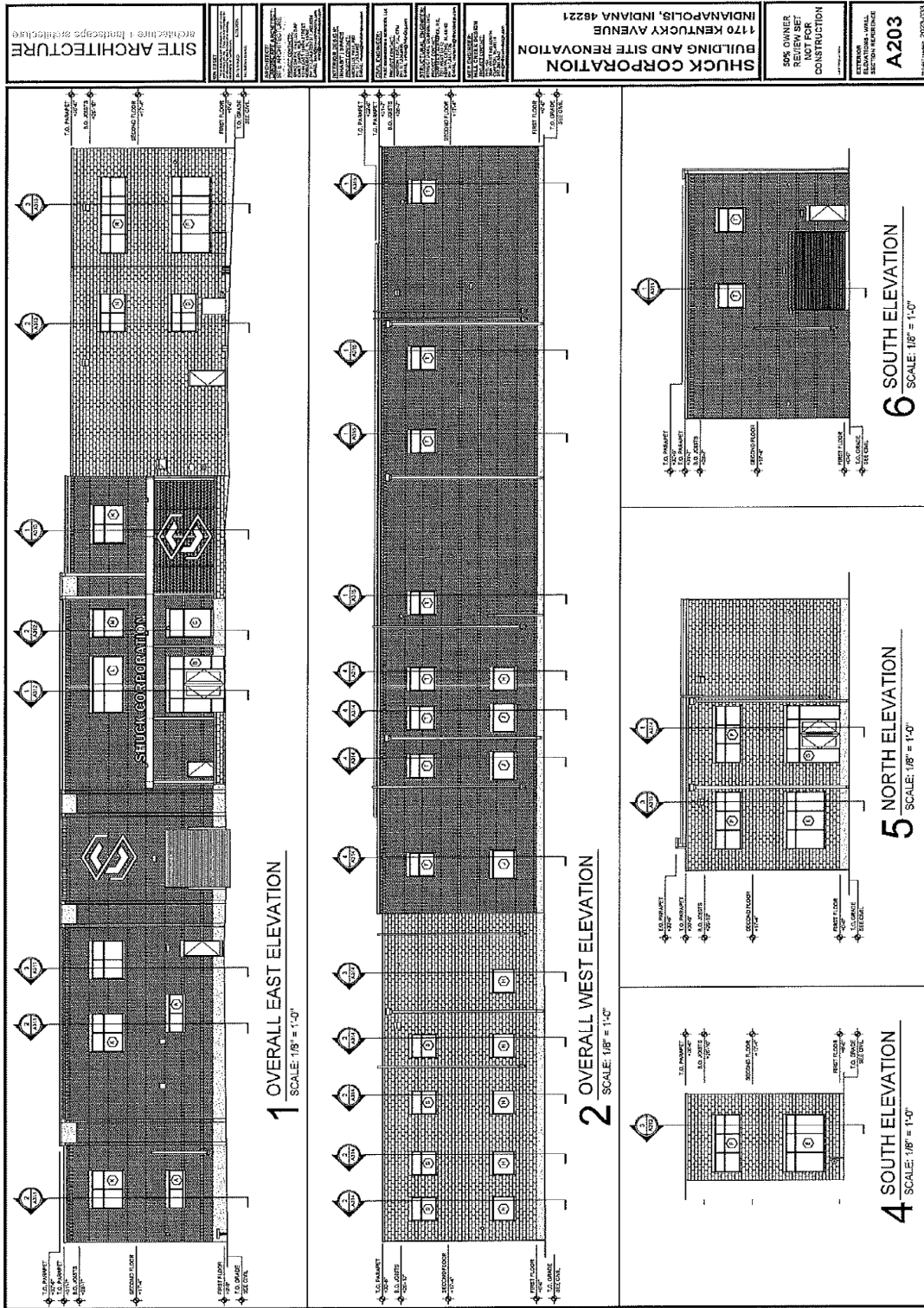
- Materials Used:
 - Materials to include general typical construction materials such as lumbar, concrete, nails, drywall, sheetrock etc.

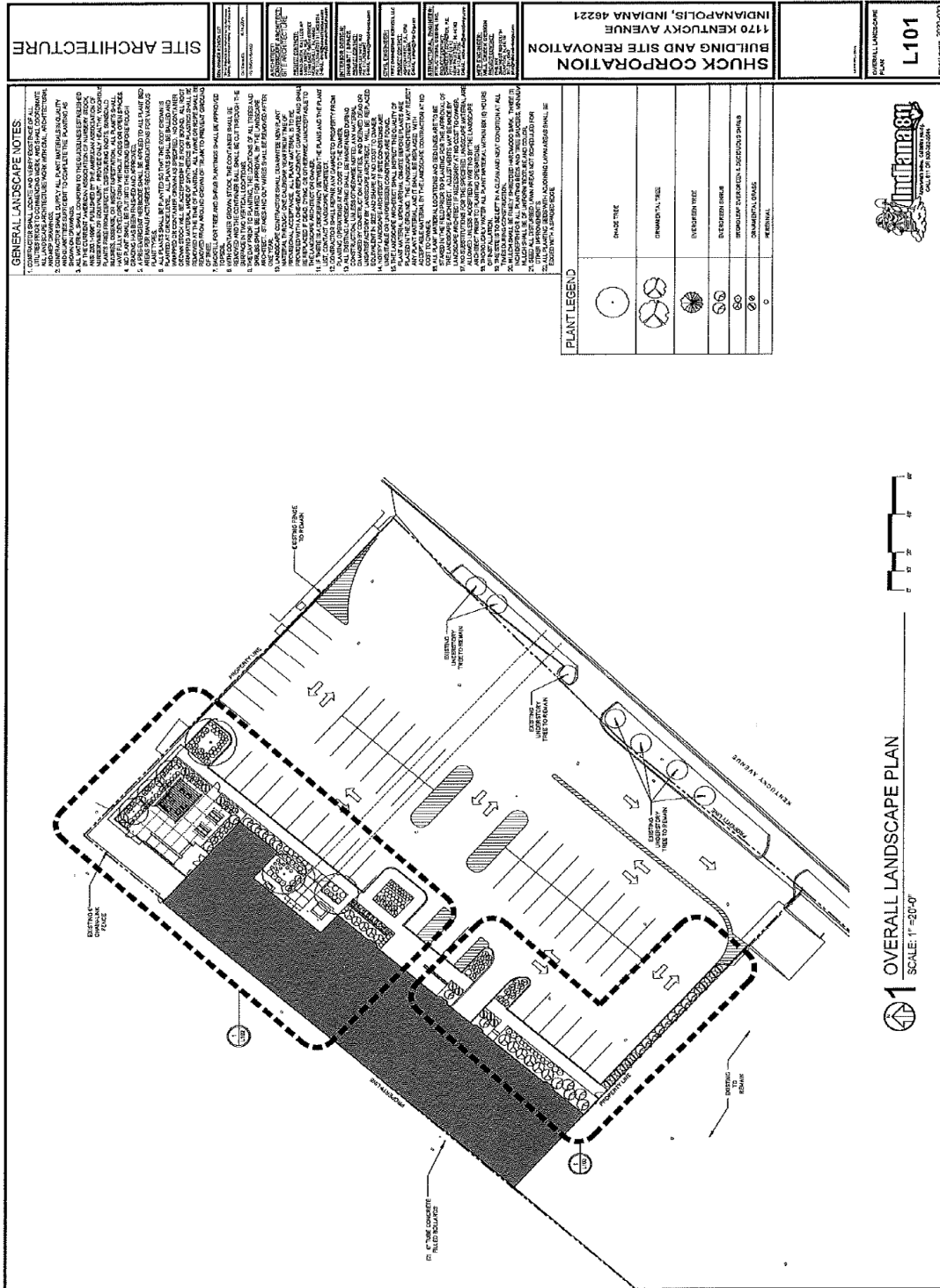
4.21.2026

- Shipping, Receiving & Storage:
 - Deliveries will be made via box-truck and use existing service areas.

- Waste:
 - Commercial dumpsters will be sited and screened in accordance with the requirements of the zoning ordinance

- Parking:
 - There are 57 parking spaces (54 regular spaces, 3 ADA)







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Petition Number _____

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

PETITION FOR SPECIAL EXCEPTION
FINDINGS OF FACT

1. The proposed use meets the definition of that use in Chapter 740, Article II because
The current owner and operator at the subject site is a professional building contractor within the constr.
and is actively engaged in providing services, materials and labor from the remote subject site to other s
work orders and contractual agreements.

2. The proposed use will not injure or adversely affect the adjacent area or property values in that
area because
The bulk of the immediate area is zoned I 3, C 7 and I 4, all of which permit the proposed use as well as
that may be characterized by more impactful externalities.

3. The grant will not materially and substantially interfere with the lawful use and enjoyment of
adjoining property because
The immediate areas are improved with either industrial or campus style developments, all of which prov
yards. The proposed improvements would not represent a deviation from this well developed industrial a
aesthetic.

4. The proposed use will be compatible with the character of the district, land use authorized therein
and the Comprehensive Plan for Marion County because
The land use recommendation of community commercial would not be harmed or negatively impacted a
for the continued operation of a long standing business and not represent an overall change of use or int
to rezone to the C 4 District would be supported by this plan designation.

5. The proposed use conforms to the development standards in Chapter 744 applicable to the
zoning district in which it is located because
The proposed site plan is in conformity with all of the development standards.



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6. The proposed use conforms to all provisions of the Zoning Ordinance, including the performance standards in Chapter 740 and the development standards in Chapter 744 applicable to the zoning district in which it is located because
None of the performance standards are being sought relief from, and the use would otherwise be in conformance with applicable use specific standards.

7. The proposed use conforms to all of the use-specific standards in Chapter 743 for that use, including any Special Exception standards for that use because
The proposed use meets all other applicable use specific standards, including the requirement to fulfill the

DECISION

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

Adopted this _____ day of _____, 20 ____



View looking east along West Morris Street



View looking east across intersection of West Morris Street and Kentucky Avenue



View of site looking southeast from adjacent property to the north



View of site looking east from north / south alley along the western boundary



View of site looking east from north / south alley along the western boundary



View of site looking east from north / south alley along the western boundary



View of site looking east from north / south alley along the western boundary



View of site looking west across Kentucky Avenue



View of site looking west across Kentucky Avenue



View of site looking west across Kentucky Avenue



View of site and adjacent property to the north looking northwest across Kentucky Avenue



View from site south along Kentucky Avenue



View from site looking northwest



View from site looking north



View from site looking northeast across Kentucky Avenue



View from site looking east across Kentucky Avenue



View from site looking southeast along Kentucky Avenue



METROPOLITAN DEVELOPMENT COMMISSION **June 25, 2026**
HEARING EXAMINER

Case Number: 2026-CZN-816 / 2026-CVR-816
Property Address: 4511 Allisonville Road
Location: Washington Township, Council District #8
Petitioner: Broad Ripple Construction, LLC, by Joseph D. Calderon
Current Zoning: MU-1 (FF) (W-1)
Rezoning of 0.21-acre from MU-1 (FF) (W-1) to C-S (FF) (W-1) to provide for a contractor’s office, offices, light manufacturing, artisan manufacturing, research and development, consumer services and repair of consumer goods, vocational, technical, or industrial school, medical or dental offices, hair and body salon, financial and insurance offices, and a day care.
Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a reduction of the transparency requirement of the front façade between three feet and eight feet of the wall surface, within 50 feet of a primary entrance (minimum 40% transparency required), and to provide for a six-foot tall fence within the front yard (maximum height of 3.5 feet permitted).
Current Land Use: Parking lot.
Staff Recommendations: Denial of both requests.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner, on her own motion, continued these petitions from the May 14, 2026 hearing, to the May 28, 2026 hearing, to provide time for the petitioner’s representative to submit additional information related to the exterior building materials, fencing and proposed uses.

On May 21, 2026, a rendering of the building was submitted. No other information has been submitted and included in this report, but staff understands additional information would be submitted prior to the hearing. Staff will provide comments as appropriate at the hearing.

The Hearing Examiner continued these petitions from the May 28, 2026 hearing, to the June 25, 2026 hearing, at the request of the petitioner’s representative to provide time to clarify the dedication of the right-of-way along Allisonville Road and review the impact the dedication would have on development of the site.



STAFF RECOMMENDATION

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

1. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.
2. A 63-foot half right-of-way shall be dedicated along the frontage of Allisonville Road, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
3. A landscape plan shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).

PETITION OVERVIEW

This 0.26-acre site, zoned MU-2 (FF) (W-1), is developed with a parking lot. It is surrounded by a commercial office to the north, zoned MU-1 (W-1); a commercial office to the south, zoned C-S (FF) (W-1); a commercial office to the east, zoned C-S (FF) (W-1); and single- and multi-family dwellings to the west, across Allisonville Road, zoned D-7 (W-1).

REZONING

The request would rezone the site to the C-S district to provide for a commercial contractor. "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 office commercial typology for the site.

Recommended land uses in the office commercial typology include large-scale offices, small-scale offices, retailing, and personal or professional services; small-scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; and small-scale parks.

As proposed, this request would not be consistent with the Comprehensive Plan recommendation.



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Site Plan – March 23, 2026

The site plan and elevations depict a 2,400-square-foot building. Except for the front façade, the building would have solid walls without any openings. Five parking spaces would be provided between the building and Allisonville Road. Sidewalks would be required but are not shown on the site plan.

C-S Statement - March 23, 2026

The C-S Statement identifies eleven primary uses and nine accessory uses that would be permitted on this site.

Development of the site, including landscaping, would be consistent with the provisions of the C-S district and the Ordinance. Because the landscaping plan has not been fully developed, it would be submitted for Administrator Approval.

The sign program would be either a monument or ground sign, wall signs and signs that would be permitted in accordance with the Sign Regulations.

The Statement indicates that the site plan would generally be developed in accordance with the conceptual site plan.

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.



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“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 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.

Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 63-foot half right-of-way along Allisonville Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.

Environmental Public Nuisances

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

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

Environmental public nuisance means:

1. Vegetation on private or governmental property that is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and that has attained a height of twelve (12) inches or more;
2. Vegetation, trees or woody growth on private property that, due to its proximity to any governmental property, right-of-way or easement, interferes with the public safety or lawful use of the governmental property, right-of-way or easement or that has been allowed to become a health or safety hazard;



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3. A drainage or stormwater management facility as defined in Chapter 561 of this Code on private or governmental property, which facility has not been maintained as required by that chapter; or
4. Property that has accumulated litter or waste products, unless specifically authorized under existing laws and regulations, or that has otherwise been allowed to become a health or safety hazard.

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

Planning Analysis

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

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

Staff believes that development of this site for a building contractor does not align with any of the above purposes that the Ordinance outlines for the C-S district. If approved this request would allow for a minimum of 20 primary and accessory uses, some of which would be industrial uses and many of which would not be compatible with the surrounding land uses.

Staff believes the proposed development of this site, along with the requested variances would result in an industrial use within an industrial compound surrounded by commercial office and residential uses.

VARIANCES OF DEVELOPMENT STANDARDS

This request would provide for two variances of development standards related to building transparency and a six-foot tall fence.

The Ordinance requires a minimum of 40% transparency on the front façade between three feet and eight feet of the wall surface. The front façade would have an overhead door with a narrow horizontal line of windows located approximately in the center of overhead door. There would be two pedestrian doors and a small window between these two doors. It is not clear from the documents whether the doors would be solid or provide some transparency.



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The second variance would allow for six-foot-tall fence with an electric gate. The Ordinance limits the height of fences in the front yard to 3.5 feet. The documents do not provide a clear location of the fence. Presumably, the fence would be installed around the perimeter of the site to provide security as noted in the Findings of Fact.

Staff believes these variances and the building architecture would introduce an industrial use and appearance that would negatively impact and be detrimental to the surrounding land uses and the existing character of this area.

GENERAL INFORMATION

Existing Zoning	MU-1 (FF) (W-1)	
Existing Land Use	Parking lot	
Comprehensive Plan	Office Commercial	
Surrounding Context	Zoning	Land Use
North:	MU-1 (W-1)	Commercial office
South:	C-S (FF) (W-1)	Commercial office
East:	C-S (FF) (W-1)	Commercial office
West:	D-7 (W-1)	Multi-family dwellings
Thoroughfare Plan		
Allisonville Road	Secondary Arterial	Existing 84-foot right-of-way and proposed 126-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes – Fall Creek	
Overlay	No	
Wellfield Protection Area	Yes – Fall Creek (W-1)	
Site Plan	March 23, 2026	
Site Plan (Amended)	N/A	
Elevations	March 23, 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	March 23, 2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	March 23, 2026	



COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types – Office Commercial Typology

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

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-ZON-100; 4509 and 4585 Allisonville Road and 2828 E 45th Street (north of site), requested of 7.40 acres from the MU-1 (FF) district to the C-S (FF) district to provide for the following permitted uses: Vocational, Technical or Industrial School or Training Facility; Office: Business, Professional or Government; Financial & Insurance Services; and Club or Lodge, **approved**.

2021-ZON-044; 2943 East 46th Street (northeast of site), requested rezoning of 0.28 acre from the MU-1 (W-1) (W-5) district to the C-3 (W-1) (W-5) district, **approved**.

2018-ZON-133 / 2018-VAR-005; 2511 East 46th Street (west of site), requested rezoning of 8.5 acres from the C-3 (W-1) and C-5 (W-1) districts to the D-7 (W-1) classification to provide for approximately 135 multi-family units within existing and new buildings and Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a multi-family building with decks and balconies with a 13-foot perimeter yard and to legally establish the perimeter yards of the existing buildings and to permit the minimum livability space ratio to be less than 0.95 (20-foot perimeter yards and minimum livability space ratio of 0.95 required), **approved and granted**.

2000-ZON-868 / 2000-VAR-868; 2902 East 46th Street (north of site), requested rezoning of 8.59 acres from the C-4 District to the C-S classification to provide for neighborhood retail uses and warehousing and a variance of development standards of the Commercial Zoning Ordinance to provide for a portion of an interior access drive to be seven feet from the north side transitional property line, **approved and granted**.

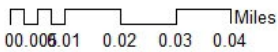
90-Z-87; 2611 East 46th Street (north of site), requested rezoning of 0.5 acre, being in the D-5 District, to the C-3 classification to conform zoning with the Keystone Avenue Corridor Study, **approved**.

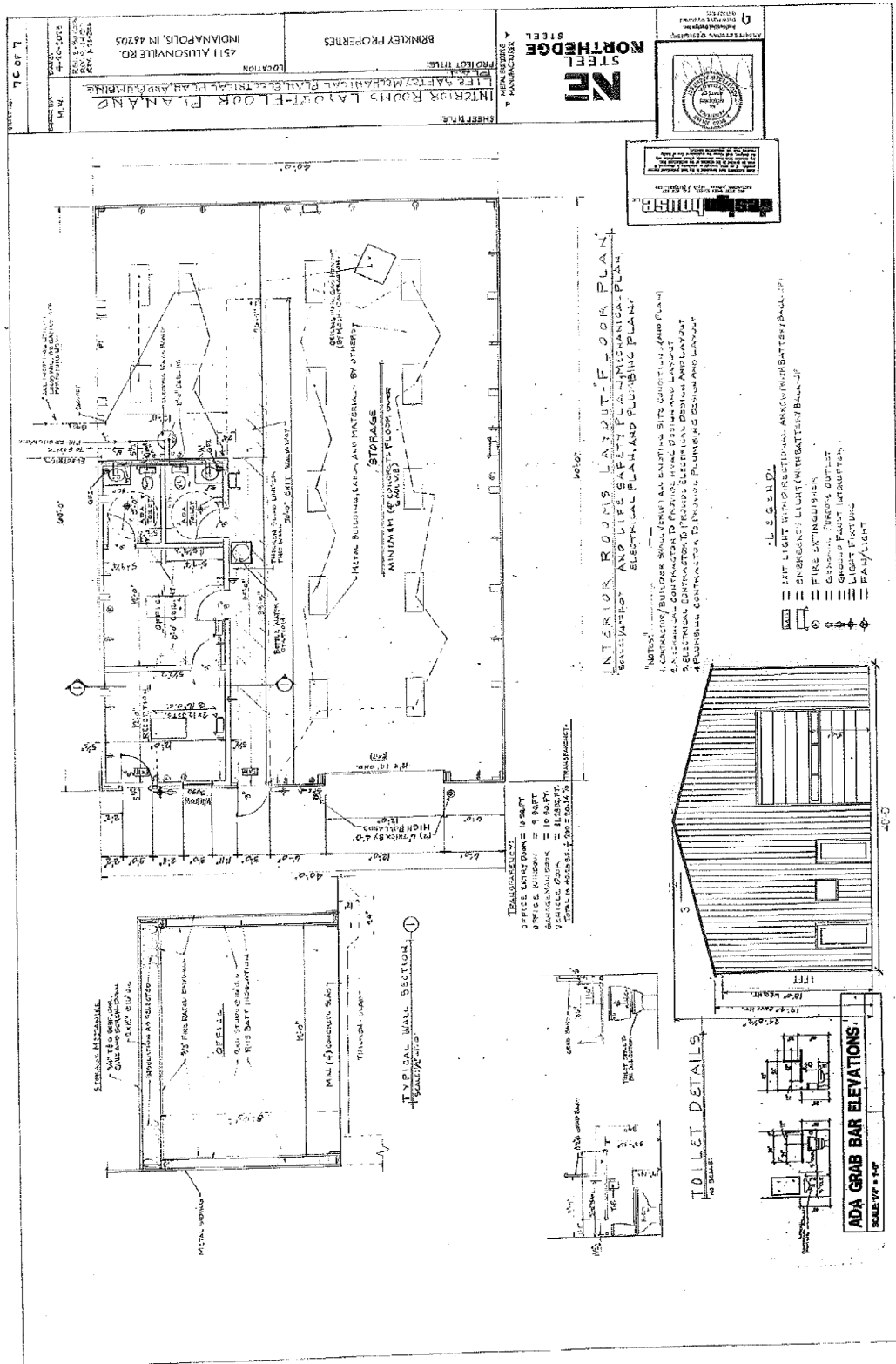
88-Z-268; 4456 Allisonville Road (west of site), requested rezoning of 0.66 acre, being in the C-3 district, to the C-5 classification to provide the continued operation of a night club, **withdrawn**.

EXHIBITS



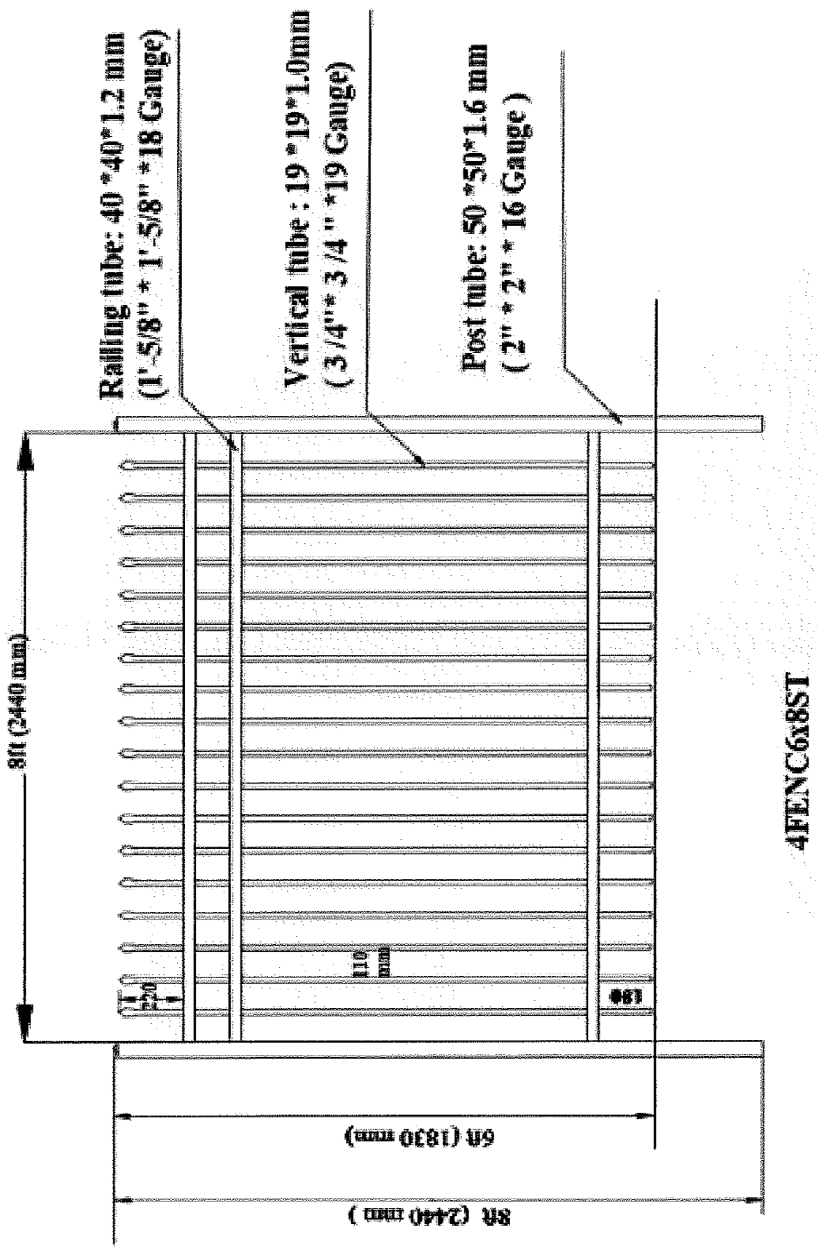
4511 Allisonville Road





Building Rendering – May 21, 2026







C-S Development Statement

Introduction: Petitioner, Broad Ripple Construction, LLC, seeks to rezone approximately 0.21 acres of property commonly known as 4511 Allisonville Road (the “Subject Property”) as shown on the Concept Plan attached as Exhibit “A” in order to facilitate redevelopment of the Subject Property, initially for light industrial use as a contractor’s office.

Zoning: The Subject Property is currently zoned MU-1, a residential/commercial reuse district. Petitioner proposes to rezone the Subject Property from MU-1 to C-S to allow Petitioner to construct and occupy the Subject Property as a contractor’s office, as well as facilitate potential future commercial and industrial uses.

Proposed Permitted Primary Use shall be as follows, as described in the City of Indianapolis Consolidated Zoning/Subdivision Ordinance in effect as of January 8, 2025 (the “Zoning Ordinance”):

- a) Commercial and Building Contractor
- b) Offices (Business, Professional or Government)
- c) Light Manufacturing, Artisan Manufacturing
- d) All Research and Development
- e) Flex type office/industrial use
- f) Consumer Services, repair of Consumer Goods
- g) Vocational, technical or industrial school or training facility
- h) Medical or Dental Office, Center, or Clinic
- i) Hair and Body Care Salon or Service
- j) Financial and Insurance Services
- k) Day Care Center, Nursery School

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

- 1) Wireless Communication Facilities
- 2) Game Courts
- 3) Outdoor Storage (limited to a maximum of twenty-five percent (25%) of total square footage of building)
- 4) Outdoor Display and Sales, Temporary
- 5) Outdoor Seating or Patio



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- 6) Renewable Energy Facility, Solar, Geothermal or Wind
- 7) Satellite Dish Antenna
- 8) Sign(s)
- 9) Temporary Construction Yard, Office, or Equipment Storage

Development Standards:

Petitioner hereby incorporates the Lot and Building Dimensions for properties in the C-S zoning district set forth in Chapter 744; Art. II, Section 01.C, Table 744-201-3 of the Zoning Ordinance.

Landscaping plans are not yet fully developed. Prior to obtaining an improvement location permit for a new building, a detailed landscaping plan, consistent with that required for commercial uses set forth in Ch. 744, Art. V of the Zoning Ordinance, shall be submitted for Administrator’s Approval. Off-street parking shall conform to the requirements set forth in Ch. 744, Art. IV of the Zoning Ordinance.

Signs:

The following sign types shall be permitted:

- 1) One (1) Monument (Business identification) Sign not to exceed eight (8) feet in height
- 2) One (1) Ground (Business identification) Sign, in lieu of a Monument Sign
- 3) Wall Signs, Awning, Canopy and Window Signs
- 4) Incidental, Temporary, and Other Signs as would otherwise be permitted in a commercial zoning district

Development:

The project may be developed as generally shown on the conceptual site plan submitted with the C-S Rezoning Petition and this C-S Development Statement (the “Concept Plan”).

51211613.1



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Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

- 1) the proposed fence in the front yard and side will be a continuation of the existing fence on the south and east sides and will not encroach into the clear sign triangle, and will promote safety and security; and
- 2) the transparency requirement is not needed for a non-retail type business, and will promote safety and security.

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:

Neither the proposed fence nor building, without the required transparency, will interfere with access to or from any adjacent property.

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

The Zoning Ordinance focuses on aesthetics versus security with respect to the fence limitations and the transparency requirements.

DECISION

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

Adopted this _____ day of _____, 20 ____



View looking south along Allisonville Road



View looking north along Allisonville Road



View of site looking southwest



View of site looking east



View of site looking southwest along Allisonville Road



View from site looking west across Allisonville Road



METROPOLITAN DEVELOPMENT COMMISSION **June 25, 2026**
HEARING EXAMINER

Case Number: 2026-CZN-820 / 2026-CVR-820
Property Address: 4710, 4716, 4724, 4738, 4742 and 4910 Bluff Road
Location: Perry Township, Council District #22
Petitioner: Alt Construction, LLC, by Brian J. Tuohy
Current Zoning: DA (FF)

Rezoning of 27.26 acres from the D-A (FF) district to the I-2 (FF) district to provide for light industrial uses, including warehousing, wholesaling and distribution.

Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a loading area between the front lot line along Bluff Road and the front line of the building (not permitted), and to provide for 39 parking spaces (minimum of 260 spaces required)

Current Land Use: Single-family dwellings / agricultural uses

Staff Recommendations: Denial

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the automatic continuance that was filed by the petitioner’s representative that continued these petitions from the May 28, 2026 hearing, to the June 25, 2026 hearing.

STAFF RECOMMENDATION

Staff recommends denial of the rezoning and variance requests. If the requests are approved, staff would request that approval be subject to the following commitments being reduced to writing on the Commission's Exhibit "B" form at least three days prior to the MDC hearing:

1. A 59.5-foot half right-of-way shall be dedicated for the future expansion of West Thompson Road right-of-way and a 45-foot half right-of-way along Bluff Road, per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
2. 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 27.26-acre site, zoned D-A (FF), is comprised of six parcels developed with single-family dwellings and agricultural uses. It is surrounded by commercial uses to the north, zoned C-7; single-family and two family dwellings to the south, zoned D-P (FF); single-family dwellings to the east, across Bluff Road zoned D-A; and railroad right-of-way / industrial uses / commercial uses to the west, zoned C-7 (FF) and I-3 (FF), respectively.

REZONING

The request would rezone the site to the I-2 district to provide for light industrial uses, including warehousing, wholesaling and distribution. “The I-2 district is for those industries that present minimal risk and typically do not create objectionable characteristics (such as dirt, noise, glare, heat, odor, etc.) that extend beyond the lot lines. Outdoor operations and storage are completely screened if adjacent to protected districts and are limited throughout the district to a percentage of the total operation. Wherever possible, this district is located between a protected district and a heavier industrial area to serve as a buffer. For application to the older industrial districts within the central city, standards specifically accommodate the use of shallow industrial lots.”

The Comprehensive Plan recommends suburban neighborhood typology for the site.

Recommended land uses in this typology include detached / attached / multi-family housing; assisted living facilities / nursing homes; group homes; bed and breakfast; small-scale offices, retailing, and personal or professional services; small- and large- scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; small-scale parks; and community farms / gardens.

Industrial uses are not included as a recommended land use in the suburban neighborhood typology. Furthermore, The Pattern Book removes industrial typologies “as a recommended land use where they would be adjacent to a living or mixed-use typology.”

Floodway / Floodway Fringe – Hau Eisen Ditch

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.



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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 (I-2 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance and all other applicable City Ordinances.

Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 59.5-foot half right-of-way for the future extension of West Thompson Road and a 45-foot half right-of-way along Bluff Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.

Environmental Public Nuisances

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

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

Environmental public nuisance means:

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

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



Planning Analysis

Historically, the railroad corridor adjacent to this site has been viewed and has served as a strong boundary between industrial and heavy commercial uses to the west and residential uses to the east of the railroad corridor. Once that boundary would be disrupted, staff believes industrial uses would continue to intrude into the long established agricultural corridor and the residential neighborhoods.

Allowing any type of industrial use on this site would negatively impact and be detrimental to the existing land uses generally consisting of low density residential and agricultural uses. Encroachment of even light industrial uses would disrupt the existing quality of life and general welfare of the community in this area.

Staff is also concerned with the lack of appropriate access to this site. As proposed, access would be gained from West Thompson Road, which has not been improved to the level of supporting both number of daily trips and vehicle weight of traffic that would be generated by the proposed industrial uses.

For these reasons, staff strongly recommends denial of the rezoning request.

VARIANCES OF DEVELOPMENT STANDARDS

There are two variance requests that would permit a loading area in the front yard and allow a reduction of required parking.

As proposed a loading area would be permitted between the front lot line along Bluff Road and the front line of the building, which would not be permitted. Staff believes that this would be a self-imposed practical difficulty because the site is primarily undeveloped with few limitations that would require development standards variances. Consequently, staff would not support this variance.

The second variance request would provide 39 parking spaces when the Ordinance requires a minimum of 260 parking spaces. No documentation has been submitted that would support the reduction of parking or reason for only 39 parking spaces. If the reduction is the result of the use, staff believes this would also be a self-imposed practical difficulty that would not be supportable.

GENERAL INFORMATION

Existing Zoning	D-A (FF)	
Existing Land Use	Single-family dwellings / agricultural uses	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
North:	C-7	Commercial uses
South:	D-P (FF)	Single- and two-family dwellings
East:	D-A	Single-family dwellings
West:	I-3	Industrial uses



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Thoroughfare Plan		
Bluff Road	Primary Arterial	Existing 50-foot right-of-way and proposed 90-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes – Haueisen Ditch floodplain	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	April 10, 2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	April 10, 2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	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 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.”

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 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.

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.



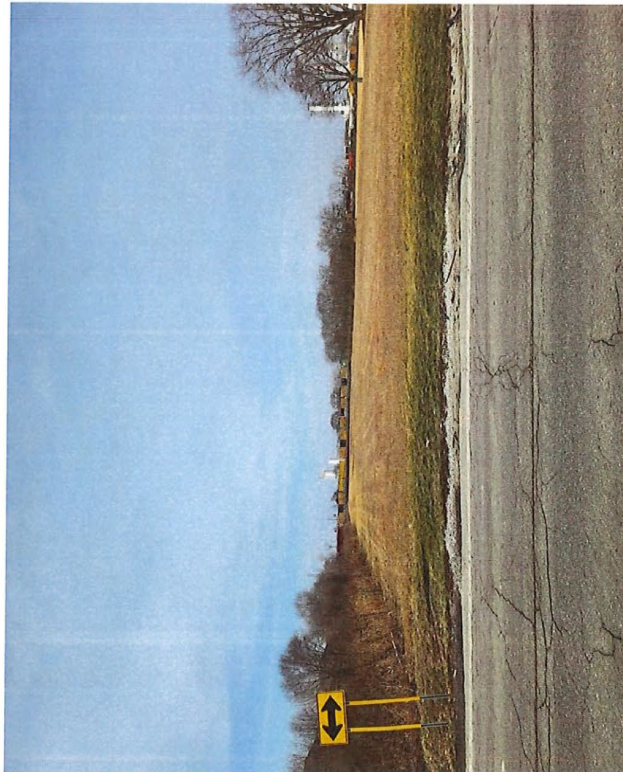
Department of Metropolitan Development
Division of Planning
Current Planning

ZONING HISTORY

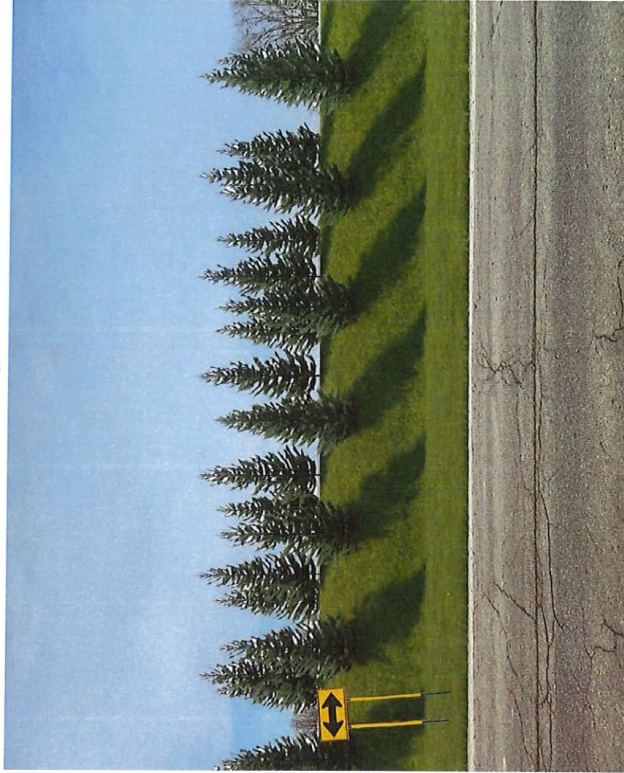
2003-ZON-079 / 2003-DP-011; 5102 Bluff Road (south of site), requested rezoning of 16.77 acres, being in the D-6 (FF) (FW) (W-5) district to the D-P (FF) (FW) (W-5) district to provide for residential development at a density of 4.05 units per acre, **approved**.

2000-ZON-161; 5102 Bluff Road (south of site), requested rezoning of 18.6 acres from the D-A (FW) (FF) (W-5) to the D-6 (FW)(FF) (W-5) to provide for multi-family residential uses, **approved**.

Current Streetscape from Bluff Road



Proposed Streetscape from Bluff Road





Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

The west side of the site borders a railroad. In between the proposed loading areas and Bluff Road, petitioner proposes to install an approximately 10' tall landscape berm along Bluff Road and a stormwater management pond at the southeastern portion of the site. Such landscaping berm and pond will provide a significant buffer screen between the loading areas and Bluff Road. Additionally, the loading areas are over 300 feet from Bluff Road. Adequate separation and screening will exist between the loading areas and Bluff Road and the location of the loading areas will not be injurious to the general welfare of the community. Additionally, because of rail service to the site, the number of parking spaces is adequate for the proposed warehousing, wholesaling and distribution use and increasing the number of parking spaces will increase pavement on the site for parking that is unnecessary and will be unused.

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

The proposed long distance between the loading areas and Bluff Road along with the proposed approx. 10' tall landscape berm/buffer and pond at the southeast corner of the site provide ample separation and buffering between Bluff Road and the loading areas. The proposed parking is adequate for the proposed use of the site and reduces the need of an abundance of pavement on the site for unused parking spaces. The variance will allow substantial capital investment into a site which is bordered by a railroad. The proposed improvements to the site will significantly increase the assessed value of the site.

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

The site is bordered by a railroad on the west side of the site. To allow for potential businesses to utilize the railroad, the truck loading areas need to be located on the opposite side of the proposed building, which is the east side of the building. Additionally, requiring an increase to the number of parking spaces will require an abundance of unnecessary pavement on the site. The strict application of the terms of the zoning ordinance will prevent the development and use of the site with improvements that benefit from and are consistent with the site's location along a railroad.

DECISION

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

Adopted this _____ day of _____, 20 _____



View looking south along Bluff Road



View looking north along Bluff Road



View looking northeast across Bluff Road



View looking east across Bluff Road



View looking southeast across Bluff Road



View from site looking west



View from site look east



View from site looking northwest



View from site looking north



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

June 25, 2026

Case Number: 2026-CAP-824 / 2026-CVR-824
Property Address: 4107 East Washington Street
Location: Center Township, Council District #13
Petitioner: Shepherd Community, Inc., by Mindy Westrick Brown
Current Zoning: SU-7 (TOD)

Request: Modification of Commitments related to 2005-ZON-123, to provide for modifying Commitment 4 of Attachment 'C', to permit construction of a community center expansion, with the site plan filed with this petition (development of the site required to be generally compliant with the site plan, file-dated August 9, 2005), and to provide for terminating Commitment 10 of Attachment 'C' requiring existing freestanding sign and sign pole removal within 60 days of the issuance of an Improvement Location Permit .

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a proposed community center expansion without meeting the Mixed-Use and Commercial Design Standards, including private frontage type design standards, frontage design standards, building placement and form standards, building scale and design standards, and block and lot open space standards.

Current Land Use: Community Service Campus
Staff Recommendations: Approval of the modification request and variances of development standards.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing for these petitions.

STAFF RECOMMENDATION

Staff recommends approval of the modification and all the requested variances.

PETITION OVERVIEW

This 5.432-acre site, zoned SU-7 (TOD), is developed with a church, community building, accessory buildings and parking. It is surrounded by a vacant commercial building to the north, zoned C-4 (TOD); railroad right-of-way to the south, zoned D-5 (TOD); single-family dwellings to the east, zoned D-5 (TOD); and single-family dwellings and industrial uses to the west, zoned D-5 (TOD) and I-4 (TOD), respectively.



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Petition 2005-ZON-123 rezoned this site to the SU-7 district to provide for a community service campus.

MODIFICATION

The request would modify commitments related to 2005-ZON-123, to provide for an amended site plan related to community center expansion and future development of the site. Commitment Number 4 required development of the site to be generally compliant with the site plan, file-dated August 9, 2005.

The request would also terminate Commitment 10 of Attachment 'C' that required removal of the existing freestanding sign and sign pole.

Staff would agree that the modification responds to the changing needs of the population that the petitioner serves. Plans approved over 20 years ago were appropriate at that time but should be updated to provide services that are now critical to the community that may not have been anticipated or contemplated at that time of the 2005 rezoning.

Development Statement – April 24, 2026

The Development Statement identifies four areas of development that would include church expansion, a gymnasium (expansion of the Community Center), new garages and renovation of the former commercial building (The Porch).

The Statement further explains the need for the modification, requested variances and parking needs.

Overlays

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

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

This site is located within a ¼ mile walk of a proposed transit stop located at the intersection of East Washington Street and Sherman Drive, with a Community Center typology.

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



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Characteristics of the Community Center typology are:

- A dense mixed-use neighborhood center
- Minimum of two stories at core
- No front or side setbacks at core; 1-10-foot front setbacks / 0-10-foot side setbacks at periphery
- Multi-family housing with a minimum of three units
- Structured parking at the core and attractive surface parking at the periphery

VARIANCES OF DEVELOPMENT STANDARDS

The request would provide for expansion of the community center without meeting the Mixed-Use and Commercial Design Standards, including private frontage type design standards, frontage design standards, building placement and form standards, building scale and design standards, and block and lot open space standard.

Because this site is located within the transit-oriented development overlay, associated design standards are applicable. However, due to the configuration of the site with the narrow access drive (approximately 58 feet wide) along the frontage of East Washington Street, development of the site that complies with the design standards presents a practical difficulty. Consequently, staff supports all of the required variances and believes the deviations from the Ordinance would be acceptable because the services to the community would be expanded to meet current needs.

GENERAL INFORMATION

Existing Zoning	SU-7 (TOD)	
Existing Land Use	Community Service Campus	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North:	C-4 Vacant commercial building
	South:	D-5 Railroad right-of-way
	East:	D-5 Single-family dwellings
	West:	D-5 / I-3 Single-family dwellings / industrial uses
Thoroughfare Plan		
East Washington Street	Primary Arterial	Existing 80-foot right-of-way and proposed 78-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes – Transit-Oriented Development	
Wellfield Protection Area	No	
Site Plan	April 24, 2026	
Site Plan (Amended)	N/A	
Elevations	April 24, 2026	



Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	April 24, 2026
Findings of Fact (Amended)	N/A
C-S/D-P Statement	April 24, 2026

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:

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.

Large-Scale Schools, Places of Worship, Community-Serving Institution / Infrastructure, and Other Places of Assembly (defined as schools, places of worship, and other places of assembly that are generally more than five acres in size. Particularly large centers of education such as township high schools and universities would not be included in this definition and are considered to be regional special uses).

- Only recommended as adaptive reuse.
- Only recommended if the use contributes to the economic viability of the district / if the use generates a customer base for commercial uses.



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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

Red Line / Blue Line / Purple Line TOD Strategic Plan

Blue Line Transit Oriented Development Strategic Plan (2018).

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

2005-ZON-123, 4701 East Washington Street, requested rezoning of 5.4 acres from the SU-34, D-5 and I-4-U districts to the SU-7 classification to provide for a community center and religious uses, **approved**.

VICINITY

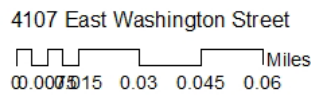
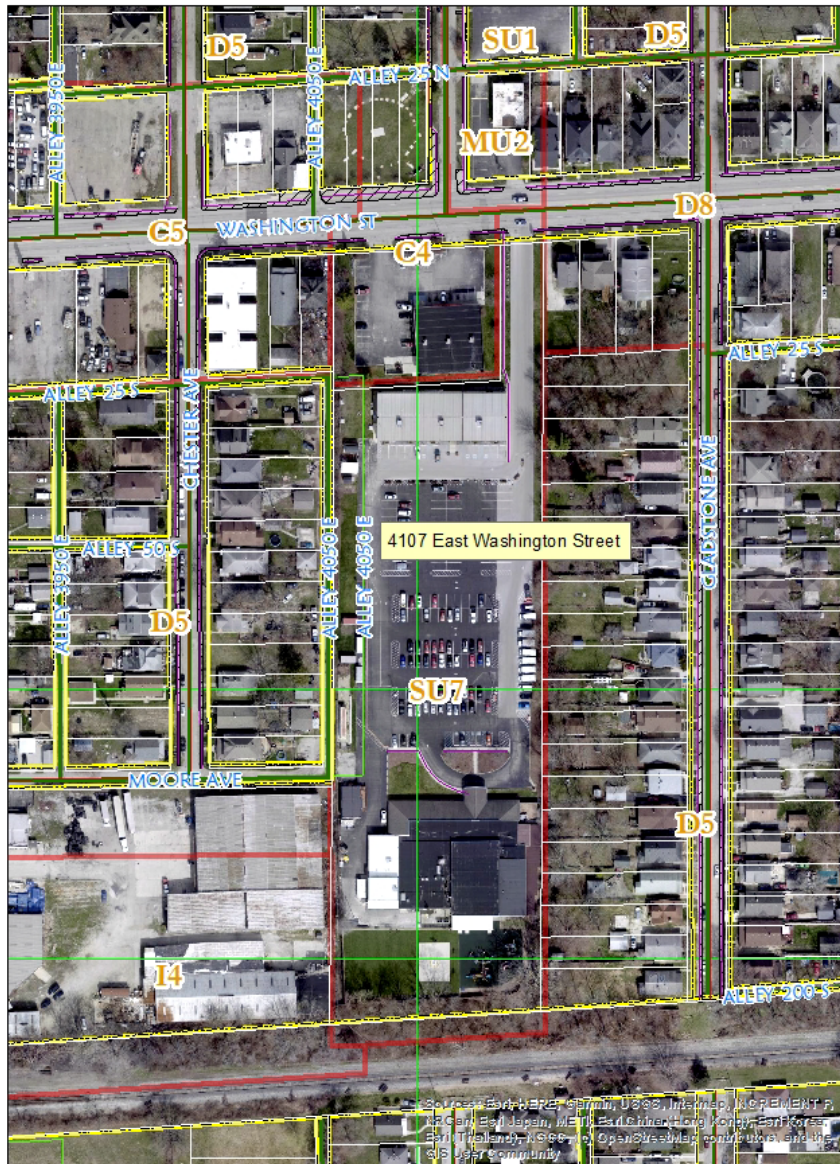
2000-UV3-016; 4109 East Washington Street (east of subject site), requests a variance of use of the Special Districts Zoning Ordinance to provide for a religious use, with associated accessory adult education and daycare activities, within an existing commercial building (not permitted), **granted**.

96-HOV-110; 4107 East Washington Street (subject site), requested a variance of the Sign Regulations to provide for an illuminated four by eight sign addition to an existing pole sign, **granted**.

98-Z-211; 4105 East Washington Street, requests a rezoning of 0.82-acre from D-8 to C-4, to provide for an automotive parts store, **approved**.

97-Z-42; 19-29 North Grant Avenue, requests a rezoning of 0.7-acre from D-5 to SU-1, to provide for a church and other religious uses, **approved**.

EXHIBITS





Department of Metropolitan Development
Division of Planning
Current Planning

Development Statement – April 24, 2026

Development Statement for Shepherd Community Center

- Church Addition which is for the Pantry and Dorms. The Permit Drawings have been completed except for Civil. These have not been submitted for permits.
- Gym Addition which is the Wellness Center addition to the existing Community Center building. The Construction Documents are completed with the exception of the final Civil changes and the engineering for the pre-engineered metal building structure. It is scheduled to begin construction in 2027.
- Garages Construction which is in the northwest corner of the property, south of the Church Addition. The Permit Drawings have been completed except for Civil. These have not been submitted for permits.
- Porch Renovation which is the renovation of the former auto parts store at 4105 E. Washington Street. This is a separate property and is not a part of the SU-7 zoning. The building renovation for the Porch is underway currently, and we will follow with a second phase there that is the sitework to make the driveway connection as shown on the site plan. The site work design has not been completed but the preliminary plan is attached.

Modification. The rezoning petition that established this site with SU-7 zoning (2005-ZON-123) was subject to a commitment that the “development of the site shall be generally consistent with the conceptual site plan, floor plans and elevations plan, file-dated August 9, 2005”. To allow for the proposed addition, a modification petition would need to be filed and approved to update that commitment for the newly proposed site plan, as the gym and garages were not shown on the site plan, and the church addition was shown but in a different configuration.

Variance. Church addition, Gym addition, and Garage construction for an SU-7 zoned Charitable, philanthropic, and not-for-profit institution, existing flag lot property, which is physically unable to meet the requirements of Sec. 744-700 Design Standards for Mixed-use and Commercial Design Standards. Variance needed from Sec. 744-702: Mixed-use and Commercial Design Standards in total, including Table 744-702-3: Private Frontage Design Standards.

Parking. Parking count is based on the existing church, community center and the proposed gym addition. There is a 30% reduction permitted due to the proximity of the site to an improved shelter bus stop. So, the actual required parking is $171 \times 0.70 = 119$ parking spaces. With the church addition, the parking is based on number of sanctuary seats, so as the church seating does not change, then there is no change in the required parking. We currently have 128 parking spaces shown on the overall site plan, so parking is not an issue for the gym project.

General Note. From a permitting standpoint, we plan to submit for the Gym Addition separately from the Church Addition and Garages Construction. The Porch Renovation is a separate property, zoned C-4, so it is being submitted separately as well. HOWEVER, for the Zoning Modification, we have shown the whole site on the site plan for context, including the Porch Renovation property, even though that property is not subject to the current, or future, SU-7 Zoning Commitments. As the two adjacent properties are under common ownership and common use, a future driveway connection and multiple sidewalk connections between the properties are proposed.



Department of Metropolitan Development
Division of Planning
Current Planning

2005 Commitments

2005-200-123
MDC

STATEMENT OF COMMITMENTS

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

In accordance with LC. 36-7-4-613 or LC. 36-7-4-614, 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 Attachment "B".)

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. See Attachment "C" for additional commitments.

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

COMMITMENTS contained in this instrument shall be effective upon:

- (a) the adoption of rezoning petition # 2005-ZON-123 by the City-County Council changing the zoning classification of the real estate from the SU-34, D-3 and IAU zoning classification to a SU-7 zoning classification; or

10/17/05 02:43PM MARIA BERTIN MARION CITY RECORDER SAN 17.00 PAGES: 5

Inst # 2005-0172129

MDC's Exhibit B - page 1

SEP 20 2005



Department of Metropolitan Development
Division of Planning
Current Planning

(b) the adoption of approval petition # N/A by the Metropolitan Development Commission;

and shall continue in effect for as long as the above-described parcel of real estate remains zoned to the SU-7 zoning classification or until such other time as may be specified herein.

These COMMITMENTS may be enforced jointly or severally by:

- 1. The Metropolitan Development Commission;
2. Owners of all parcels of ground adjoining the real estate to a depth of two (2) ownerships, but not exceeding six-hundred-sixty (660) feet from the perimeter of the real estate, and all owners of real estate within the area included in the petition who were not petitioners for the rezoning or approval.
3. Any person who is aggrieved by a violation of either of the Commitments contained in Commitment #1 (Open Occupancy and Equal Employment Opportunity Commitments); and
4. N/A

The undersigned hereby authorizes the Division of Planning of the Department of Metropolitan Development to record this Commitment in the office of the Recorder of Marion County, Indiana, upon final approval of petition # 2005-ZON-123.

IN WITNESS WHEREOF, owner has executed this instrument this 20th day of September, 2005.

HORNER INVESTMENTS, LLC

Signature: Alan Horner
Printed: ALAN HORNER

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Alan Horner behalf of the owner(s) of the real estate, who acknowledged the execution of the foregoing instrument and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 20th day of September, 2005
Barbara L. Bender
Notary Public
Printed Name of Notary Public: BARBARA L. BENDER
My Commission expires: 2-7-2007
My County of residence: Marion

BARBARA L. BENDER
NOTARY PUBLIC STATE OF INDIANA
MARION COUNTY
MY COMMISSION EXP. FEB. 7, 2007

This instrument was prepared by R.J. McConnell, Bose McKinney & Evans LLP, 600 E. 96th Street, Suite 300, Indianapolis, IN 46240

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Department of Metropolitan Development
Division of Planning
Current Planning

MDC's Exhibit B -- page 2

ATTACHMENT "A"

OPEN OCCUPANCY AND EQUAL EMPLOYMENT OPPORTUNITY COMMITMENT

- (a.) The owner commits that he shall not discriminate against any person on the basis of race, color, religion, ancestry, national origin, handicap or sex in the sale, rental, lease or sublease, including negotiations for the sale, rental, lease or sublease, of the real estate or any portion thereof, including, but not limited to:
 - (1) any building, structure, apartment, single room or suite of rooms or other portion of a building, occupied as or designed or intended for occupancy as living quarters by one or more families or a single individual;
 - (2) any building, structure or portion thereof, or any improved or unimproved land utilized or designed or intended for utilization, for business, commercial, industrial or agricultural purposes;
 - (3) any vacant or unimproved land offered for sale or lease for any purpose whatsoever.
- (b.) The owner commits that in the development, sale, rental or other disposition of the real estate or any portion thereof, neither he nor any person engaged by him to develop, sell, rent or otherwise dispose of the real estate, or portion thereof shall discriminate against any employee or applicant for employment, employed or to be employed in the development, sale, rental or other disposition of the real estate, or portion thereof with respect to hire, tenure, conditions or privileges of employment because of race, color, religion, ancestry, national origin, handicap or sex.

EXEMPT PERSONS AND EXEMPT ACTIVITIES

An exempt person shall mean the following:

- 1. With respect to commitments (a) and (b) above:
 - (a) any not-for-profit corporation or association organized exclusively for fraternal or religious purposes;
 - (b) any school, educational, charitable or religious institution owned or conducted by, or affiliated with, a church or religious institution;
 - (c) any exclusively social club, corporation or association that is not organized for profit and is not in fact open to the general public;

provided that no such entity shall be exempt with respect to a housing facility owned and operated by it if such a housing facility is open to the general public;
- 2. With respect to commitment b, a person who employs fewer than six (6) employees within Marion County.

An exempt activity with respect only to commitment (a) shall mean the renting of rooms in a boarding house or rooming house or single-family residential unit; provided, however, the owner of the building unit actually maintains and occupies a unit or room in the building as his residence, and, at the time of the rental the owner intends to continue to so occupy the unit or room therein for an indefinite period subsequent to the rental.



Department of Metropolitan Development
 Division of Planning
 Current Planning

Attachment B

Parcel I:

Part of the Southwest Quarter of Section 4 and part of the Northwest Quarter of Section 8, both in Township 15 North, Range 4 East of the Second Principal Meridian, Marion County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of Haywood's Boulevard Addition as shown on the Plat thereof recorded in Plat Book 17, page 147 in the Office of the Recorder of Marion County, Indiana; thence South 00 degrees 00 minutes 00 seconds West (assumed bearing) 448.05 feet with the West line of said Haywood's Boulevard Addition to the POINT OF BEGINNING of the property herein described; thence continuing South 00 degrees 00 minutes 00 seconds West 544.43 feet with said West line to the North line of the Pittsburgh, Cincinnati and St. Louis Railroad; thence South 85 degrees 19 minutes 08 seconds West 275.45 feet with the North line of said railroad to the Southeast corner of a tract of land described in a deed recorded as Instrument No. 68-55390 in said Recorder's Office; thence North 00 degrees 17 minutes 07 seconds West 308.14 feet with the East line of said tract to the South line of the re-subdivision of Finks Addition as shown on the Plat thereof recorded in Plat Book 14, page 82 in said Recorder's Office; thence North 89 degrees 16 minutes 23 seconds East 2.00 feet with said South line to the Southeast corner of said re-subdivision; thence North 00 degrees 04 minutes 47 seconds East 253.95 feet with the East line of said re-subdivision; thence North 80 degrees 00 minutes 00 seconds East 274.08 feet to the Point of Beginning.

Together with an Easement for Ingress and Egress on and over the following:

Beginning at the Northwest corner of Haywood's Boulevard Addition as shown on the Plat thereof recorded in Plat Book 17, page 147 in the Office of the Recorder of Marion County, Indiana; thence South 00 degrees 00 minutes 00 seconds West (assumed bearing) 448.05 feet with the West line of said Haywood's Boulevard Addition; thence South 80 degrees 00 minutes 00 seconds West 45.00 feet; thence North 00 degrees 00 minutes 00 seconds East 445.38 feet parallel with the West line of said Haywood's Boulevard Addition to the South line of East Washington street; thence North 85 degrees 34 minutes 48 seconds East 45.08 feet with said South line to the point of beginning.

Parcel II:

Part of the Southwest Quarter of Section 4, Township 15 North, Range 4 East of the Second Principal Meridian, Marion County, Indiana, more particularly described as follows:

BEGINNING at the Northwest corner of Haywood's Boulevard Addition as shown on the Plat thereof recorded in Plat Book 17, page 147 in the Office of the Recorder of Marion County, Indiana; thence South 00 degrees 00 minutes 00 seconds West (assumed bearing) 448.08 feet with the West line of said Haywood's Boulevard Addition; thence South 90 degrees 00 minutes 00 seconds West 274.08 feet to the East line of the re-subdivision of Finks Addition as shown on the Plat thereof recorded in Plat Book 14, page 82 in said Recorder's Office; thence North 00 degrees 04 minutes 47 seconds West 258.71 feet with the East line of said re-subdivision to the Southwest corner of a 0.82 of an acre tract of land as described in a deed recorded as Instrument No. 1894-0050188 in said Recorder's Office; thence North 85 degrees 34 minutes 48 seconds East 216.00 feet with the South line of said tract to the Southeast corner thereof; thence North 00 degrees 04 minutes 47 seconds West 175.00 feet with the East line of said tract to the South line of East Washington Street; thence North 85 degrees 34 minutes 48 seconds East 68.95 feet with said South line to the Point of Beginning.

Together with and Easement for Ingress and Egress on and over the following:

Beginning at the Northwest corner of Haywood's Boulevard Addition as shown on the Plat thereof recorded in Plat Book 17, page 147 in the Office of the Recorder of Marion County, Indiana; thence South 00 degrees 00 minutes 00 seconds West (assumed bearing) 448.08 feet with the West line of said Haywood's Boulevard Addition; thence South 90 degrees 00 minutes 00 seconds West 45.00 feet; thence North 00 degrees 00 minutes 00 seconds East 448.38 feet parallel with the West line of said Haywood's Boulevard Addition to the South line of East Washington street; thence North 85 degrees 34 minutes 48 seconds East 45.08 feet with said South line to the point of beginning.

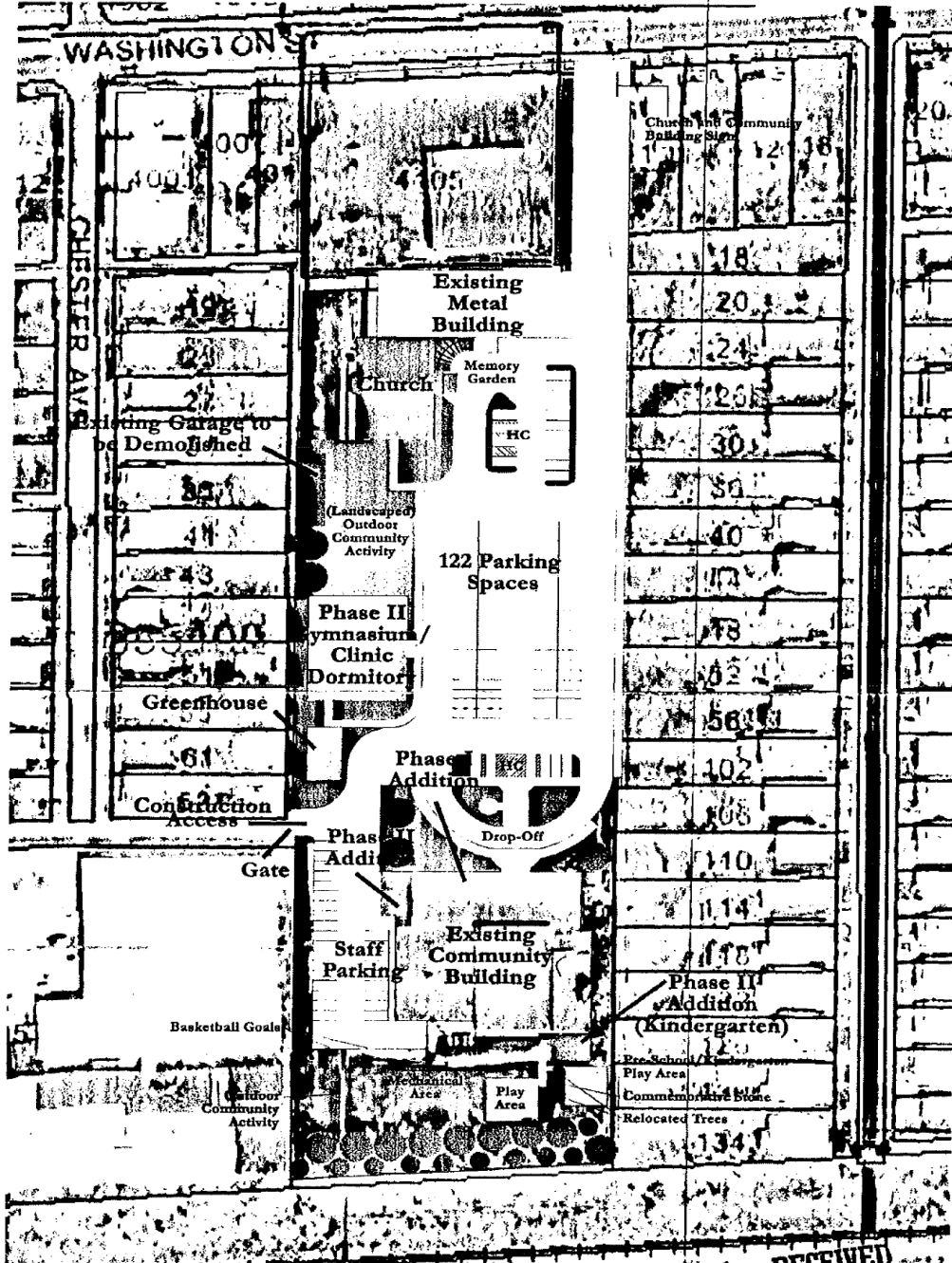


Department of Metropolitan Development
Division of Planning
Current Planning

Attachment "C"

1. A landscape plan shall be submitted for Administrator's Approval, prior to the issuance of an Improvement Location Permit, which provides for effective screening of automobile headlights in the parking lot.
2. All trash containers shall be enclosed in accordance with commercial standards.
3. A four-foot wide sidewalk shall be provided from Washington Street.
4. The development of this site shall be generally consistent with the conceptual site plan, floor plans and elevation plan, file-dated August 9, 2006.
5. All of the required site improvements indicated in Commitments 1-3 shall be completed in conjunction with any Phase I improvements and prior to the issuance of an Improvement Location Permit for any Phase II improvements.
6. The proposed dormitories shall only be used for volunteer work groups, staff members or summer interns.
7. No homeless shelter shall be permitted at this site.
8. The greenhouse shall not be used as a commercial retail operation.
9. The medical clinic shall not include a drug treatment facility or methadone clinic.
10. The existing freestanding sign and sign pole shall be removed within 80 days of the issuance of an Improvement Location Permit.

Site Plan – August 9, 2005



REC'D

RECEIVED
AUG 09 2005



Preliminary AUG
METROPOLITAN DEVELOPMENT

RECEIVED
METROPOLITAN DEVELOPMENT
MASTER PLAN

SCANNED

Gymnasium Expansion

HALSTEAD architects

1000 N. WASHINGTON STREET
INDIANAPOLIS, IN 46201

INDIANAPOLIS
STATE OF INDIANA

GYMNASIUM ADDITION

SHEPHERD COMMUNITY CENTER
4107 EAST WASHINGTON STREET
INDIANAPOLIS, IN 46201

BUILDING CODE REVIEW

1. GENERAL NOTES: THIS REVIEW IS BASED ON THE SUBMITTED DRAWINGS AND SPECIFICATIONS. THE REVIEWER DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED OR THE COMPLETION OF THE PROJECT. THE REVIEWER IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY OCCUR DURING THE CONSTRUCTION OF THE PROJECT.

2. GENERAL NOTES: THIS REVIEW IS BASED ON THE SUBMITTED DRAWINGS AND SPECIFICATIONS. THE REVIEWER DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED OR THE COMPLETION OF THE PROJECT. THE REVIEWER IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY OCCUR DURING THE CONSTRUCTION OF THE PROJECT.

BUILDING DATA

OWNER: SHEPHERD COMMUNITY CENTER
PROJECT NO.: 14887
DATE: 10/20/17

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	10/20/17
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LIFE SAFETY LEGEND

1. EXIT DOOR

2. EXIT WINDOW

3. EXIT STAIR

4. EXIT RAMP

5. EXIT PLATFORM

6. EXIT CORRIDOR

7. EXIT HALLWAY

8. EXIT LOBBY

9. EXIT RECEPTION

10. EXIT OFFICE

11. EXIT CONFERENCE

12. EXIT MEETING

13. EXIT STORAGE

14. EXIT RESTROOM

15. EXIT BREAK ROOM

16. EXIT KITCHEN

17. EXIT DINING

18. EXIT BAR

19. EXIT CAFE

20. EXIT STORE

21. EXIT GYMNASIUM

22. EXIT COURT

23. EXIT FIELD

24. EXIT TRACK

25. EXIT PAVILION

26. EXIT STADIUM

27. EXIT ARENA

28. EXIT THEATRE

29. EXIT CONCERT

30. EXIT EXHIBIT

31. EXIT MUSEUM

32. EXIT GALLERY

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97. EXIT LIBRARY

98. EXIT ARCHIVE

99. EXIT MUSEUM

100. EXIT GALLERY

OCCUPANT LOAD SUMMARY

1. GYMNASIUM: 1000

2. COURT: 500

3. FIELD: 1000

4. TRACK: 500

5. PAVILION: 1000

6. STADIUM: 1000

7. ARENA: 1000

8. THEATRE: 1000

9. CONCERT: 1000

10. EXHIBIT: 1000

11. MUSEUM: 1000

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97. LIBRARY: 1000

98. ARCHIVE: 1000

99. MUSEUM: 1000

100. GALLERY: 1000

SECOND FLOOR LIFE SAFETY PLAN
SCALE: 1" = 20'-0"

LIFE SAFETY PLAN

SCALE: 1" = 20'-0"

PROFESSIONAL LIFE SAFETY PLAN

SCALE: 1" = 20'-0"

BUILDING CODE REVIEW

1. GENERAL NOTES: THIS REVIEW IS BASED ON THE SUBMITTED DRAWINGS AND SPECIFICATIONS. THE REVIEWER DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED OR THE COMPLETION OF THE PROJECT. THE REVIEWER IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY OCCUR DURING THE CONSTRUCTION OF THE PROJECT.

2. GENERAL NOTES: THIS REVIEW IS BASED ON THE SUBMITTED DRAWINGS AND SPECIFICATIONS. THE REVIEWER DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED OR THE COMPLETION OF THE PROJECT. THE REVIEWER IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY OCCUR DURING THE CONSTRUCTION OF THE PROJECT.

BUILDING DATA

OWNER: SHEPHERD COMMUNITY CENTER
PROJECT NO.: 14887
DATE: 10/20/17

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	10/20/17
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HALSTEAD Architects

1000 N. WASHINGTON STREET
 INDIANAPOLIS, IN 46201
 TEL: 317.444.1111
 WWW.HALSTEADARCHITECTS.COM

GYMNASIUM ADDITION
 SHEPHERD COMMUNITY CENTER
 4107 EAST WASHINGTON STREET
 INDIANAPOLIS, IN 46201

A5.1

DATE: PERMIT SET - 04/2023
 DRAWING NO.: 2023-001
 PROJECT NUMBER: 2023-001
 SHEET: 05/05

4 NORTH ELEVATION
 SCALE: 1/8" = 1'-0"

3 EAST ELEVATION
 SCALE: 1/8" = 1'-0"

2 SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"

1 WEST ELEVATION
 SCALE: 1/8" = 1'-0"

GENERAL BUILDING ELEVATIONS

DATE: PERMIT SET - 04/2023

NO.	DESCRIPTION	DATE

PROJECT NUMBER: 2023-001
 SHEET: 05/05

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 Indianapolis, IN 46204
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 Email: info@halsteadarchitects.com

INDIANAPOLIS, IN 46201
SHEPHERD GARAGE
 SHEPHERD COMMUNITY CENTER

A5.1

PROJECT NUMBER: 2552
 DATE: 07/20/2015

3 EAST ELEVATION
 SCALE: 1/8" = 1'-0"

4 WEST ELEVATION
 SCALE: 1/8" = 1'-0"

1 WEST ELEVATION
 SCALE: 1/8" = 1'-0"

2 WEST ELEVATION
 SCALE: 1/8" = 1'-0"

5 ROOF PLAN
 SCALE: 3/32" = 1'-0"

6 NORTH ELEVATION
 SCALE: 1/8" = 1'-0"



Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

Buildings on the site are set back from the public right of way in such a way that they are not able to be easily seen from the public right of way nor from surrounding adjacent properties. Therefore any zoning ordinance requirements regarding design standards will neither be beneficial to the community nor injurious to the community if a variance is granted.

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:

Buildings on the site are set back from the public right of way in such a way that they are not able to be easily seen from the public right of way nor from surrounding adjacent properties. Therefore any zoning ordinance requirements regarding design standards will neither be beneficial to the area adjacent to the property nor negatively affect the area in a substantial adverse manner if a variance is granted.

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

There is no way to meet the zoning ordinance requirements for design standards as the property is an existing flag lot property that has already been developed for use as a charitable, philanthropic, and not-for profit institution. The developed flag lot is physically unable to meet the design standards requirements meant for new construction of mixed-use and commercial projects or new construction in the Transit Oriented Secondary District. The lot is only approximately 60 feet wide where it connects with the public right of way, and that width is taken up by an already existing access driveway and sidewalk, so the design objectives, private frontage types design standards, frontage design, building placement & form, building scale & design, and block & lot open space requirements are unable to be met.

DECISION

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

Adopted this _____ day of _____, 20 ____



View of site looking south across parking lot



View of site looking south across parking lot



View of site looking east across parking lot



View of site looking east across parking lot



View of Community Center looking south



View of Community Center looking southeast



View looking south along western area of site



View of southern portion of site looking east towards proposed Community Center expansion (gymnasium)



View of site looking north



View of site looking north along eastern portion of the site



View looking east at proposed location of Community Center expansion (gymnasium)



View of southern portion of site looking southeast



View of church looking north across parking lot



View of church looking northwest



View from access drive looking west at commercial building (the Porch)