



Metropolitan Development Commission Hearing Examiner (May 14, 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, May 14, 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. 2025-ZON-123 | 8500 West 10th Street

Wayne Township, Council District #16
NDZA, by Justin Kingen and David Kingen

Rezoning of 5.96 acres from the C-1 (FW) (FF) district to the D-7 (FW) (FF) district to provide for residential development.

****Staff request for continuance for cause to June 11, 2026**

2. 2026-ZON-016 / 2026-VAR-005 | 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) 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 18 parking spaces, including one accessible parking space and one compact parking space (minimum 19 spaces required), with vehicle maneuvering of three parking spaces within the right-of-way of Southeastern Avenue (not permitted).

****Staff request for continuance for cause to May 28, 2026**

3. 2026-ZON-024 | 5 West Epler Avenue

Perry Township, Council District #22
Leedom & Terrell, LLC, by Jacob Bowman

Rezoning of 0.68 acres from the D-A district to the C-5 district to provide contractor uses.

****Petitioner has withdrawn the Petition**

4. 2026-ZON-030 | 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-3 (FF) district to provide for a multi-tenant retail building.

****Automatic Continuance to June 11, 2026, filed by a Registered Neighborhood Organization**

- 5. 2026-ZON-035 | 7323 South Mooresville Road**
Decatur Township, Council District #21
Redwood Apartment Neighborhoods, by Clark Quinn Law

Rezoning of 21.66 acres from the D-A (FW) (FF) district to the D-6 (FW) (FF) district to provide for residential uses.

****Automatic Continuance to June 11, 2026, filed by a Registered Neighborhood Organization**

- 6. 2026-CVC-803 (2nd Amended) | 1437 – 1533 (odd) Saulcy Street, 1422 – 1528 (even) Astor Street, and 219 Koehne Street**
Center Township, Council District #18
D-8 (RC)
Union Holdings III, LLC, by Michael Rabinowitch

Vacation of the first east-west alley south of Saulcy Street, ranging from eight feet and 12 feet in width, from the east right-of-way line of Koehne Street, being the southeast corner of Lot 51 of Minkner's Wilmoth Place Section 3, as recorded in Plat Book 12, Page 157 in the Office of the Recorder of Marion County, Indiana, 680 feet to the east, to the west right-of-way line of White River Parkway, West Drive,

Vacation of the first north-south alley west of White River Parkway, West Drive, being eight feet wide, from the south right-of-way line of Saulcy Street, 86 feet to the south, to the north right-of-way line of the first east-west alley South of Saulcy Street,

Vacation of the second north-south alley west of White River Parkway, West Drive, being 14 feet wide, 220 feet south, to the north right-of-way line of Astor Street.

****Staff request for continuance for cause**

- 7. 2026-CPL-805 / 2026-CVR-805 | 4200 South East Street**
Perry Township, Council District #23
C-4
Southern Plaza SC, LLC, by Brian J. Tuohy

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for one and one-half drive-through stacking spaces in the front yard along a public right-of-way that exceeds 30 feet in width (not permitted), and without a hard-surfaced walkway from the building's main front entrance to the public right-of-way (hard-surfaced walkway required).

Approval of a Subdivision Plat, to be known as Southern Plaza, dividing 26.84 acres into two lots.

****Automatic Continuance to June 11, 2026, filed by a Registered Neighborhood Organization**

- 8. 2026-CPL-806 / 2026-CVR-806 | 2366 North College Avenue**
Center Township, Council District #8
D-8
Atlas Group, LLC, by John Cross

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a five-unit single-family attached development, consisting of three units with a main floor area of 326 square feet and two units with a main floor area of 341 square feet (minimum main floor area of 660 square feet required).

Approval of a Subdivision Plat to be known as 24th and College Townhomes, dividing 0.19-acre into five lots.

****Petitioner request for continuance for cause to June 11, 2026**

- 9. 2026-CVR-810 / 2026-CPL-810 | 6801 Stanley Road**
Decatur Township, Council District #21
D-3
Claudia and Garcia Aboyetes & Jose M. Chicas, by David Gilman

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for two primary dwellings on two lots with the provision of a septic system for each dwelling (connection to public or semipublic sanitary sewer facilities required), and to both legally establish a detached accessory structure with a 5.3-foot north side yard setback (minimum 6-foot side yard required) and temporarily allow for a residential lot improved with solely an accessory structure (not permitted).

Approval of a Subdivision Plat to be known as Replat of Lot 42 in Quilin Acres Subdivision, subdividing 2.01 acres into two lots.

****Multi-party request for continuance for cause to June 11, 2026**

10. 2026-CZN-813 / 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-5 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).

****Staff request for continuance for cause to June 11, 2026, with Notice**

11. 2026-CVR-815 / 2026-CPL-815 | 305 Fintail Drive

Warren Township, Council District #20
I-3
DCB Indianapolis, LLC, by Mindy Westrick Brown

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for construction of a data center (not permitted), consisting of up to three buildings, up to a total of 420,000 square feet, with no less than 100 parking spaces (minimum 420 parking spaces required).

Approval of a Subdivision Plat to be known as Replat of Block A of Thunderbird Commerce Center, subdividing 32.406 acres into two lots.

****Automatic Continuance to June 11, 2026, filed by Registered Neighborhood Organization.**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

12. 2026-ZON-006 | 701 Shelby Street

Center Township, Council District #18
Patrick Burtch, by Brian Burtch

Rezoning of 0.143-acre from the C-5 district to the D-5 district to provide for residential uses.

13. 2026-ZON-007 | 2107 Columbia Avenue

Center Township, Council District #13
City of Indianapolis, Department of Metropolitan Development, by Antonio Monserrat

Rezoning of 0.119-acre from the I-3 district to the D-8 district to provide for residential development.

14. 2026-ZON-032 | 6640 Hickory Road (aka 9345 Indian Creek Road South)

Franklin Township, Council District #25
Charles J. & Judith Ann Williams, by David Retherford

Rezoning of 5.56 acres from the D-P district to the D-A district to provide for a single-family detached dwelling.

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

15. 2026-APP-007 | 7307 West 38th Street

Pike Township, Council District #5
PK-2
Barry Foster, by Justin Taylor

Park District Two Approval to provide for a 35.574 square-foot front entry pylon sign.

16. 2025-ZON-114 (Second Amended) / 2026-VAR-002 | 4005 East Southport Road

Perry Township, Council District #24
Southport Road Development LLC, by David Gilman

(Second Amended) Rezoning of 3.67 acres from the D-P (FF) (FW) district to the C-S (FF) (FW) district to provide for all C-4 uses, except adult entertainment, and to permit commercial or building contractors, artisan manufacturing (e-commerce), and warehouse, wholesale, and distribution.

A Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a commercial structure with zero feet of street frontage (minimum 50 feet of street frontage required), and for a zero-foot front setback (minimum ten-foot front setback required).

17. 2025-CZN-865 (Amended) / 2025-CVR-865 | 405, 409, and 411 South Shortridge Road

Warren Township, Council District #20
SRMK Realty, LLC, by Justin Kingen

Rezoning of 8.48 acres from C-S to C-S to provide for all I-1 uses, truck and trailer parking, auto-related service or repair, outdoor storage of contractor equipment, vehicles awaiting repair, and recreational vehicles.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 140-foot front yard setback (maximum front yard setback of 85 feet permitted), off-street parking areas within the front yard (not permitted), and a ten-foot-tall chain link fence within the side and rear yards (maximum six-foot-tall fence permitted within the side and rear yards).

PETITIONS FOR PUBLIC HEARING (New Petitions):

18. 2026-ZON-034 | 5400 South Meridian Street

Perry Township, Council District #22
Lucila Noveron Toledo

Rezoning of 0.26-acre from the C-3 district to the C-4 district to provide for commercial uses.

19. 2025-CZN-812 / 2025-CPL-812 / 2025-CVC-812 | 1349 East 54th Street

Washington Township, Council District #7
Indianapolis Public Schools, by Russell McClure

Rezoning of 2.9 acres from the SU-2 (W-5) district to the SU-16 (W-5) district to provide for indoor and outdoor recreational and entertainment uses.

Approval of a Subdivision Plat, to be known as Haverford Subdivision, dividing 8.7 acres into two lots.

Vacation of a portion of Haverford Avenue, being 25 feet to 47.71 feet in width, beginning at the south right-of-way line of 54th Street, south 629.99 feet to a point, with a waiver of the assessment of benefits.

20. 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) 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.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a reduction of the transparency requirement of the front facade 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).

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
David DiMarzio (Alternate)	MDC	01/01/2026 - 12/31/2026

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 HEARING EXAMINER **May 14, 2026**

Case Number: 2025-ZON-123
Property Address: 8500 West 10th Street
Location: Pike Township, Council District #16
Petitioner: RSJ Holdings, LLC, by NDZA, Inc.
Request: Rezoning of 5.96 acres from the C-1 (FW) (FF) district to the D-7 (FW) (FF) district to provide for residential development.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the April 9, 2026 hearing, to the May 14, 2026 hearing, at the request of the petitioner’s representative, to provide additional time for further discussion with staff related to the request.

Staff is requesting a **continuance from the May 14, 2026 hearing, to the June 11, 2026 hearing**, to provide time for the petitioner’s representative to provide documents requested by staff.



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 14, 2026

Case Number: 2026-ZON-016
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.
Current Land Use: Undeveloped
Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

Staff is requesting that this petition be continued for cause, to the May 28, 2026, hearing, in order for it to be heard together with associated petition 2026-VAR-005.



METROPOLITAN DEVELOPMENT COMMISSION HEARING EXAMINER **May 14, 2026**

Case Number: 2026-ZON-024
Property Address: 5 West Epler Avenue
Location: Perry Township, Council District #22
Petitioner: Leedom & Terrell, LLC, by Jacob Bowman
Request: Rezoning of 0.68 acres from the D-A district to the C-5 district to provide contractor uses.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the April 23, 2026 hearing, to the May 14, 2026 hearing, at the request of staff, to provide additional time for discussions with the petitioner’s representative to determine the most appropriate steps to move this request forward.

The petitioner’s representative has agreed to **withdraw** this rezoning request and file a variance of use with the transfer of fees.



**METROPOLITAN DEVELOPMENT COMMISSION
 HEARING EXAMINER** **May 14, 2026**

Case Number: 2026-ZON-030
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-3 (FF) district to provide for a multi-tenant retail building.
Current Land Use: Unoccupied Residential
Staff Reviewer: Michael Weigel, Principal Planner I

PETITION HISTORY

A timely automatic continuance was filed by a registered neighborhood organization, automatically continuing this petition to the June 11, 2026 hearing date of the Hearing Examiner. A full staff report will be made available in advance of that hearing date.



METROPOLITAN DEVELOPMENT COMMISSION HEARING EXAMINER **May 14, 2026**

Case Number: 2026-ZON-035
Property Address: 7323 South Mooresville Road
Location: Decatur Township, Council District #21
Petitioner: Redwood Apartments Neighborhoods, by Clark Quinn Law
Request: Rezoning of 21.66 acres from the D-A (FW)(FF) district to the D-6 (FW)(FF) district to provide for residential uses.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

A timely automatic continuance was filed by a registered neighborhood organization that would **continue this petition from the May 14, 2026 hearing, to the June 11, 2026 hearing.** This would require acknowledgement from the Hearing Examiner.



METROPOLITAN DEVELOPMENT COMMISSION **April 23, 2026**
HEARING EXAMINER

Case Number: 2026-CVR-803 / 2026-CVC-803

Property Address: 1437 – 1533 (odd) Saulcy Street, 1422 – 1528 (even) Astor Street, and 219 Koehne Street

Location: Center Township, Council District #18

Petitioner: Union Holdings III, LLC, by Michael Rabinowitch

Current Zoning: D-8
Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a Large Apartment (not permitted), a building height of 50 feet (maximum 35 feet permitted), a floor area ratio of 1.88 (maximum 0.80 floor area ratio permitted) and a minimum livability space ratio of 0.07 (minimum 0.75 required).

Request:
Vacation of the first east-west alley south of Saulcy Street, ranging from eight feet and 12 feet in width, from the east right-of-way line of Koehne Street, being the southeast corner of Lot 51 of Minkner’s Wilmoth Place Section 3, as recorded in Plat Book 12, Page 157 in the Office of the Recorder of Marion County, Indiana, 680 feet to the east, to the west right-of-way line of White River Parkway, West Drive,
Vacation of the first north-south alley west of White River Parkway, West Drive, being eight feet wide, from the south right-of-way line of Saulcy Street, 86 feet to the south, to the north right-of-way line of the first east-west alley South of Saulcy Street,
Vacation of the second north-south alley west of White River Parkway, West Drive, being 14 feet wide, 220 feet south, to the north right-of-way line of Astor Street, all with a waiver of the assessment of benefits.

Current Land Use: Vacant land / Vacant single-family dwellings

Staff Recommendations: Approval of the variances and the vacations.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the automatic continuance filed by a registered neighborhood organization that continued these petitions from the March 26, 2026 hearing, to the April 23, 2026 hearing.

The Hearing Examiner approved these petitions and forwarded them onto the Metropolitan Development Commission for their hearing on May 20, 2026. The recommendation has been appealed so the hearing on the Assessment of Benefits should be continued and forwarded to the Commission to be considered during the hearing on May 20, 2026.



STAFF RECOMMENDATION

Approval of the variances and the vacations.

PETITION OVERVIEW

This 3.2-acre site, zoned D-8, is comprised of vacant land and vacant dwellings. It is surrounded by single-family dwellings to the north, across Saulcy Street; single-family dwellings to the south, across Astor Street; White River Parkway West Drive right-of-way to the east; and single-family dwellings to the west, across Koehne Street, all zoned D-8.

Regional Center

The Regional Center Secondary Zoning District is designed to enhance the value of existing development and regulate development in the downtown area in which a diverse blend of uses, functions and facilities must coexist.

“All development of land and demolition of structures located within the Regional Center and the North Meridian Street Corridor district shall be subject to the Commission's approval as included within a required Site and Development Plan in accordance with the Ordinance provisions.”

Because this site is located within the Regional Center Secondary Zoning District Overlay, this development will be required to gain Regional Center approval. Documents submitted for this approval shall include all standards and requirements for the site and development plan, uses and structures, as outlined in the Zoning Ordinance Chapter 742, Article II, Section 02.

VARIANCES OF USE AND DEVELOPMENT STANDARDS

Proposed development of the site would provide for a 241-unit multi-family affordable development. The building would be three and four stories tall, with frontage along Saulcy Street, Astor Street, Koehne Street and White River Parkway West Drive. Amenity areas and parking would be internal to the site.

The request would provide for a Variance of Use to allow for a large apartment building defined as having 51+ units. A large apartment building is only permitted in the D-10 district. Staff, however, supports this request because the Neighborhood Plan contemplates a shift of use that could be multi-family development with views of the White River and with an additional benefit of providing affordable housing.

Staff supports the variance of Development Standards for a maximum height of 50 feet when the Ordinance limits height in the D-8 district to 35 feet. Documents note a reduction of height to the west, but staff would encourage consideration of height reductions to the north and south due to the proximity of the existing dwellings. Such height reductions would mitigate the impact of this development on the surrounding neighborhood.



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

Because of the proximity of the greenspace corridor along the White River, staff believes the floor area ratio of 1.88 (Ordinance requires a maximum of 0.80) and the minimum livability space ratio of 0.07 (Ordinance requires a minimum of 0.75) would be acceptable deviations and supportable.

VACATIONS

Because this project would include several parcels between Saulcy Street and Astor Street and Koehne Street and White River Parkway West Drive, vacation of three (3) existing alleys would be necessary for the development to move forward.

Summary

The first vacation would be the vacation of the first east-west alley south of Saulcy Street, ranging from eight feet and 12 feet in width, from the east right-of-way line of Koehne Street, being the southeast corner of Lot 51 of Minkner's Wilmoth Place Section 3,680 feet to the east, to the west right-of-way line of White River Parkway, West Drive,

The second vacation would be the first north-south alley west of White River Parkway West Drive, being eight feet wide, from the south right-of-way line of Saulcy Street, 86 feet to the south, to the north right-of-way line of the first east-west alley South of Saulcy Street,

The third alley vacation would be the second north-south alley west of White River Parkway West Drive, being 14 feet wide, 220 feet south, to the north right-of-way line of Astor Street.

Staff finds that the vacations **would be in the public interest**, and the vacation **should be approved**.

RECOMMENDED VACATION MOTION: That the Hearing Examiner finds that the proposed vacations are in the public interest; that a hearing upon the assessment of benefits be held on May 14, 2026; that the Hearing Examiner confirm and ratify the adoption of Declaratory Resolution 2026-CVC-803, and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

Procedure

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

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

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

GENERAL INFORMATION

Existing Zoning	D-8	
Existing Land Use	Vacant land / Vacant dwellings	
Comprehensive Plan	Village Mixed-Use / 5-8 units/ acre / 8-15 units / acre	
Surrounding Context	Zoning	Land Use
North:	D-8	Single-family dwellings
South:	D-8	Single-family dwellings
East:	D-8	White River Parkway West Drive right-of-way
West:	D-8	Single-family dwellings
Thoroughfare Plan		
Saulcy Street	Local Street	Existing 30-foot right-of-way and proposed 48-foot right-of-way.
Astor Street	Local Street	Existing 30-foot right-of-way and proposed 48-foot right-of-way.
Koehne Street	Local Street	Existing 40-foot right-of-way and proposed 48-foot right-of-way.
White River Parkway West Drive	Primary Arterial	Existing 102-foot right-of-way and proposed 78-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes. Regional Center	
Wellfield Protection Area	No	
Site Plan	January 27, 2026	
Site Plan (Amended)	N/A	
Elevations	January 27, 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	January 27, 2026 and March 20, 2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	January 27, 2026	



COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

Not Applicable to the Site.

Pattern Book / Land Use Plan

Not Applicable to the Site.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

The Near West Neighborhood Land Use Plan (2014) recommends D-8 zoning described as urban single-multi-family development, with a mix of land use recommendations, including Village Mixed-Use, 5-9 units / acre, and 8-15 units /acre.

The southern portion of this site (south of the east / west alley) is located within Critical Area #9 (Location: Southeastern Stringtown)

Historically, this area has been a mix of industries, commercial sites, institutions, and single-family housing. The area has a high number of vacant lots and unoccupied houses. It is ripe for a shift in use. Influences on the area are busy Washington Street to the south, the neighboring Indianapolis Zoo, the adjacent White River, proximity and views to Downtown and IUPUI, and the potential for rapid transit line in the Washington Street Corridor.

Recommendations – Critical Area #9:

- Development in the area between Washington Street and Market Street should be employment oriented. Moving north, new development should transition into mixed-use and multi-family residences.
- New buildings should be respectful of the solidly single-family residential street to the north and east of this Critical Area. Although new structures will likely be tall enough to take advantage of views to the river and downtown, they should not loom over the existing homes on Saulcy, Reisner and Richland Streets.
- Multi-family residential development in the area should take the form of purpose-built, multi-family structures rather than subdividing of single-family homes into numerous units.

Regional Center Design Guidelines (2008) - The purpose of these Guidelines is to set standards that will produce a more thoughtful design response to Regional Center development projects.



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

This document identifies this neighborhood as Neighborhood Residential. The neighborhood Residential typology occurs in neighborhoods with houses that are and medium-density primarily pre-WWII construction or areas of new housing construction developed in a similar pattern. Homes are in single-family, townhome or apartment configurations. Parcels are typically deep with narrow street frontage. Homes have small setbacks and front yards. The environment is pedestrian in nature. Examples of the neighborhood Residential typology are Stringtown and the Valley.

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

None.



Development Statement – January 27, 2026



Union at Astor is a proposed ground up 241-unit multi-family affordable development located at 1437 Saulcy Street, Indianapolis, Indiana (Marion County). The project is bound by N White River Parkway Drive West, Saulcy Street, Koehne Street, and Astor Street. This location will provide much-needed affordable housing on the Near West side of Indianapolis. Union at Astor will utilize income averaging to provide high quality affordable housing options at 50%, 60%, and 70% AMI rents.

The existing site contains multiple single-family homes which have been cited by code enforcement as needing significant repair. This project would demolish those homes in need of repair and provide neighborhood housing as contemplated in the Regional Center guidelines.

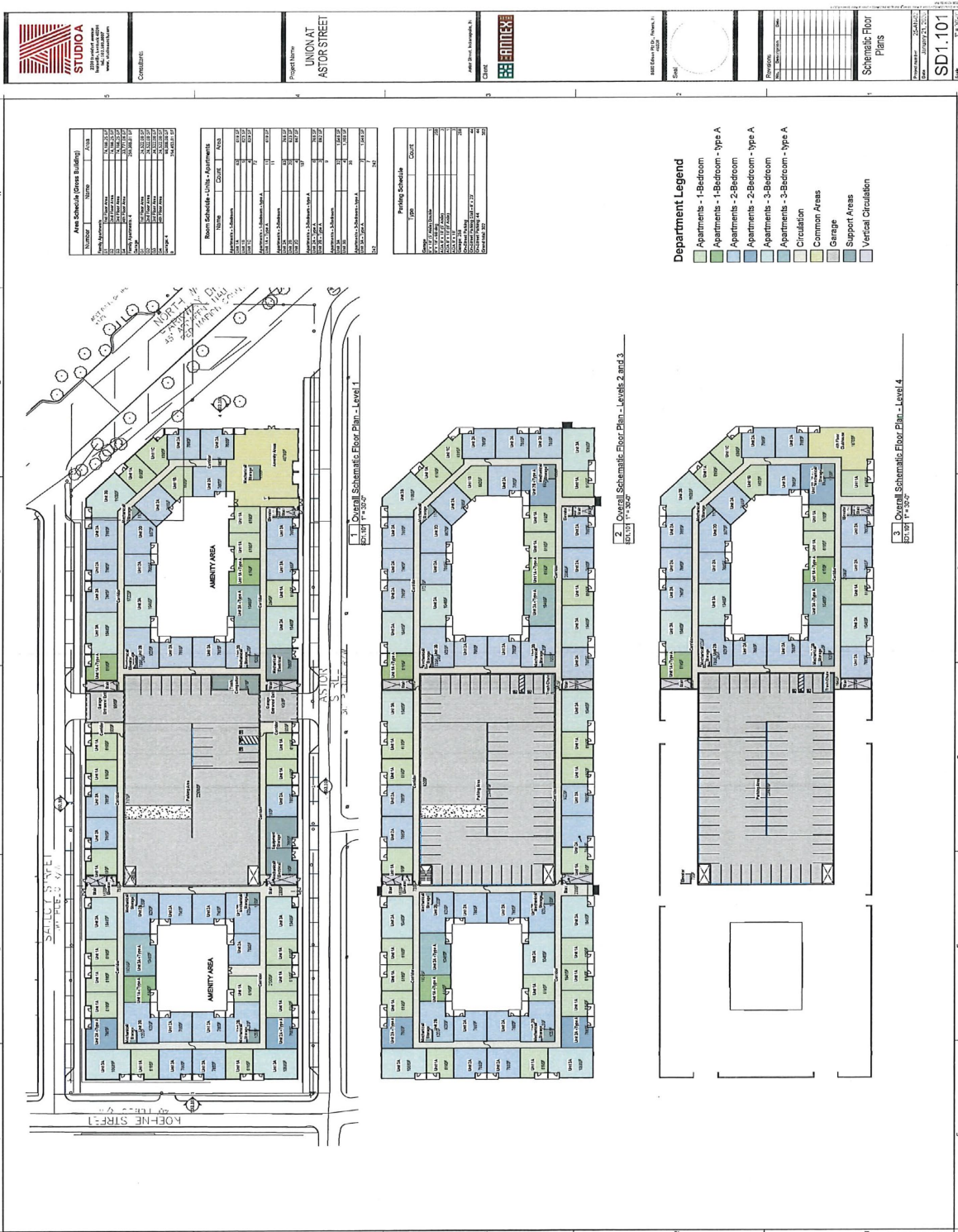
The Regional Center guidelines were utilized in development of the architectural elevations and have incorporated the recommendations with regard to height at 3 stories to the west to better align with the existing single-family homes, use of materials and undulation required at the roof line and with materials to break up long portions of the building. All parking will be within a garage screened with residential units.

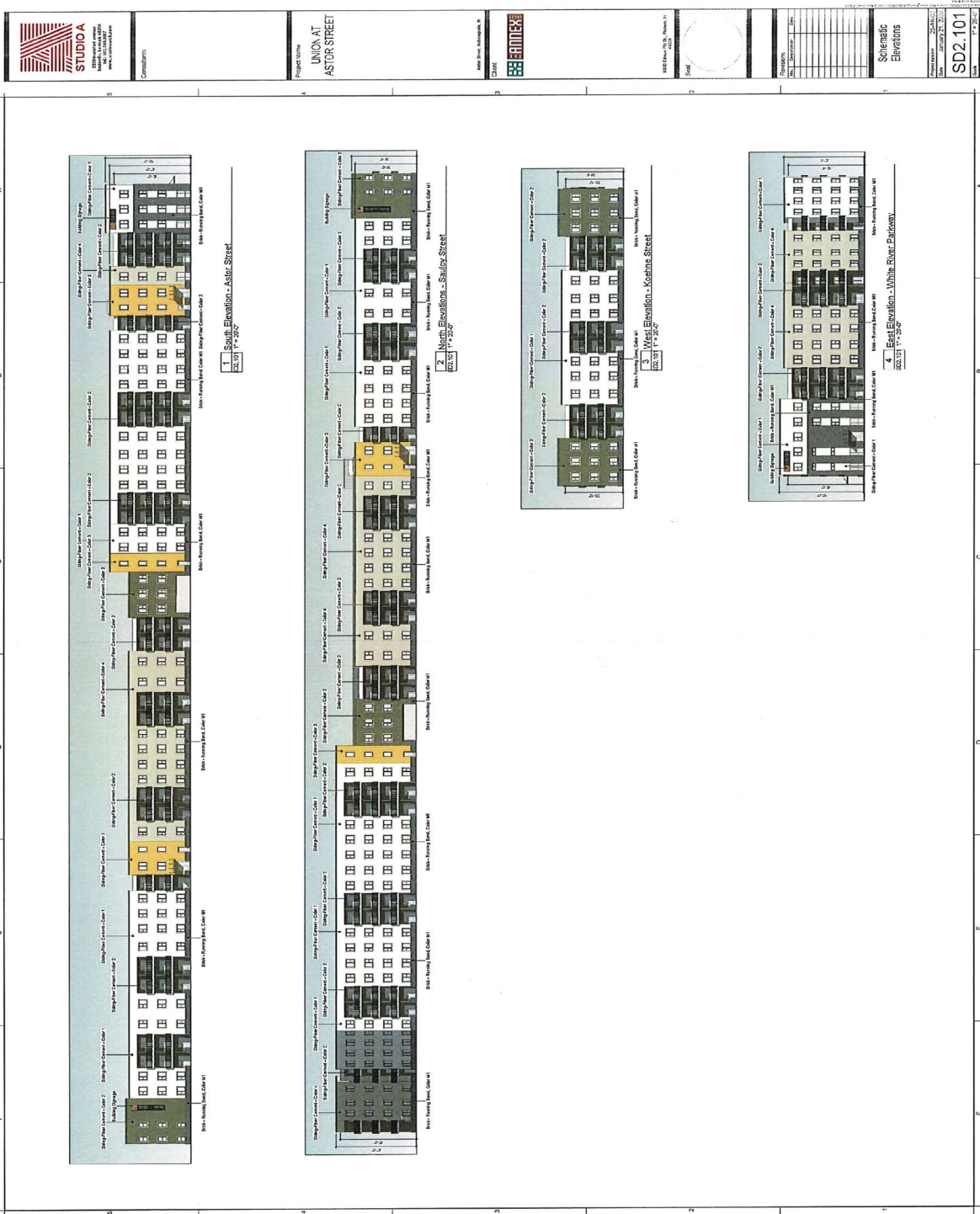
Amenities for residents will include a community room with community TV, fitness room, computer center and on-site management and leasing. A secondary clubhouse is plan on the 4th floor of the building overlooking the White River. Outdoor amenities include a playground, dog park area, outdoor grilling/dining area, and potentially an outdoor fire pit.



The Annex Group® (TAG) is a premier impact housing developer dedicated to creating affordable, workforce, and student communities. We deliver innovative, amenity-rich housing solutions through a diverse portfolio of properties that drive both economic and residential growth in the communities we serve. TAG currently has projects in operation, construction, and development in over 20 states, reaching 13,601 Lives, 7,713 Households, 47 Communities, and Counting. Our firm’s mission is to create an impact on the people who live, work and are involved in our communities.

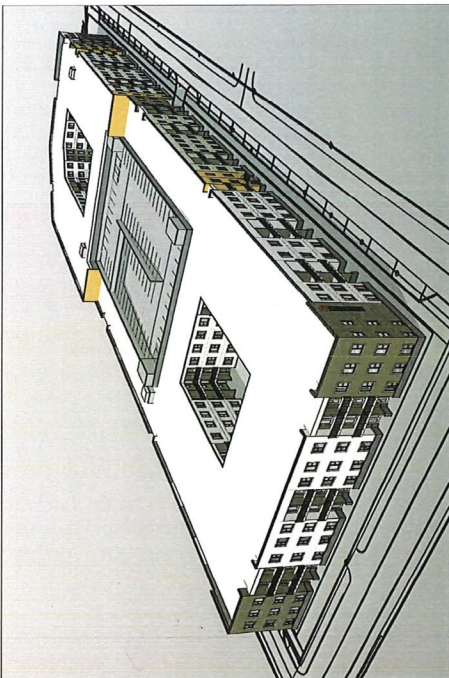
The Annex Group® communities are thoughtfully designed and meticulously executed to provide exceptional living environments. We achieve this through our team of industry-leading experts across development, preconstruction, design, and finance — ensuring each project delivers meaningful value to residents and communities alike. Our specialized development team identifies emerging markets nationwide where housing needs are most critical, then develops targeted strategies to address these gaps effectively.

Union at Astor will be the third low-income housing tax credit project for Annex in the Indianapolis area.

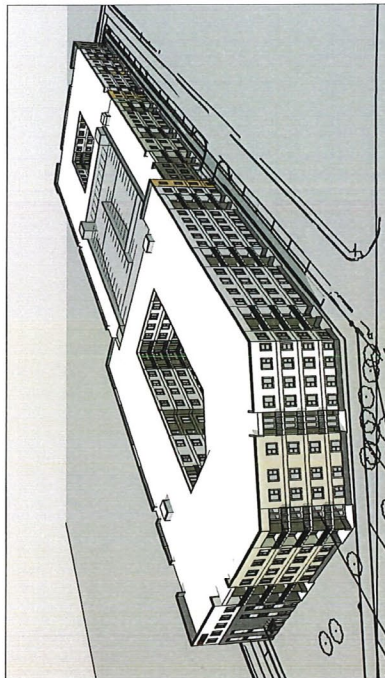




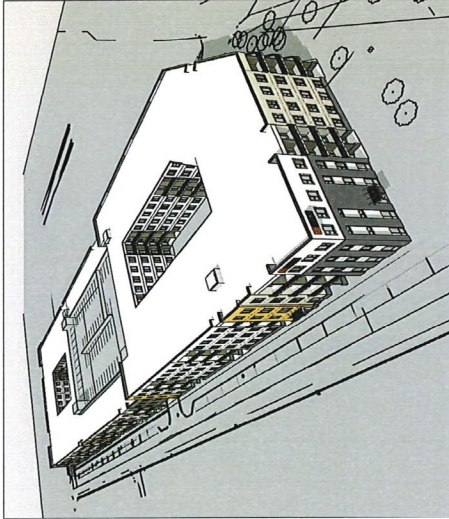
 STUDIO A <small>ARCHITECTURAL FIRM 1000 WEST WASHINGTON AVENUE SUITE 1000 CHICAGO, IL 60606</small>	Project Name: UNION AT ASTOR STREET	Client:  BENTLEY	Date: 02/24/2015 Scale: 1/8" = 1'-0"	Project Number: 15-00000001	Drawing Title: Schematic Elevations - 3D Views	Drawing Number: SD2.102
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1 | Birds Eye 3D View 1
02/24/15



3 | Birds Eye 3D View 3
02/24/15



2 | Birds Eye 3D View 2
02/24/15



Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

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

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE
the site, located within the Regional Center, is conducive to a development that is more dense and exceeds the development standards for small apartments under the D-8 zoning ordinance.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE
the site, located within the Regional Center, is conducive to a development that is more dense and exceeds the development standards for small apartments under the D-8 zoning ordinance.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE
the site, although conducive to multifamily development, is narrowly configured with small contiguous residential lots.

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE
although the site is conducive to multifamily development in accordance with the D-8 zoning classification, the ordinance, as written, does not permit the large apartment standards to be applied to D-8.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE
the Village Mixed Use typology, applicable to most of the site, contemplates multifamily housing like the proposed development which is compatible with the area.

DECISION

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

Adopted this _____ day of _____, 20 ____



Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

(Building Height)

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

the building is designed in a manner that respects adjacent properties by stepping down building height to the west and at the same time provides much needed affordable housing 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 building is designed in a manner that respects adjacent properties by stepping down building height to the west and at the same time provides much needed affordable housing to the community.

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

Limiting height to 35' does not permit appropriate development of the site, given the location of the site within the Regional Center and the need to increase density to provide affordable housing options in Indianapolis.

DECISION

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

Adopted this _____ day of _____, 20 ____



Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:
the requested deviation from the livability space ratio and the floor area ratio is appropriate in this urban context and where the site is located adjacent to the greenspace corridor along the White River.

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 requested deviation from the livability space ratio and the floor area ratio is appropriate in this urban context and where the site is located adjacent to the greenspace corridor along the White River..

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:
the D-8 ordinance requirements for LSR and FAR do not appropriately consider an urban context like the subject site and that the site is adjacent to substantial green space along the White River corridor.

DECISION

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

Adopted this _____ day of _____, 20 ____



Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

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

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

FINDINGS OF FACT

1. THE PROPOSED VACATION IS IN THE PUBLIC INTEREST because:
comprehensive development of an underutilized and decaying site will be facilitated by the proposed development.

DECISION

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

Adopted this _____ day of _____, 20 ____



View of site looking southeast across intersection of Koehne Street and Saulcy Street



View looking east long Saulcy Street



View looking north along Koehne Street



View of site looking south across Saulcy Street



View of site looking south across Saulcy Street



View of site looking south across Saulcy Street



View of site looking south across Saulcy Street



View of proposed north / south alley vacation looking south



View of site looking southeast at last dwelling on Saulcy Street



View of site looking east from alley towards White River Parkway West Drive and unimproved east / west alley proposed for vacation



View looking west at proposed east / west alley vacation



View looking north at proposed north / south alley vacation



View of site looking northwest across Astor Street



View looking west along Astor Street



View of site looking north across Astor Street



View of site looking north across Astor Street



View of site looking north across Astor Street



View of site looking north across Astor Street



View of site looking north across Astor Street



View looking north along Koehne Street from Astor Street



METROPOLITAN DEVELOPMENT COMMISSION **May 14, 2026**
HEARING EXAMINER

Case Number: 2026-CVR-805 / 2026-CPL-805
Address: 4200 South East Street (*Approximate Address*)
Location: Perry Township, Council District #23
Zoning: C-4
Petitioner: Southern Plaza SC, LLC, by Brian J. Tuohy
Requests: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for one and one-half drive-through stacking spaces in the front yard along a public right-of-way that exceeds 30 feet in width (not permitted), and without a hard-surfaced walkway from the building’s main front entrance to the public right-of-way (hard-surfaced walkway required).

Approval of a Subdivision Plat, to be known as Southern Plaza, dividing 26.84 acres into two lots.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

A Registered Neighborhood Organization has filed an Automatic Continuance, **continuing this petition to the June 11, 2026, hearing**, from the May 14, 2026, hearing.

This will require the Hearing Examiner’s acknowledgement.



METROPOLITAN DEVELOPMENT COMMISSION HEARING EXAMINER **May 14, 2026**

Case Number: 2026-CVR-806 / 2026-CPL-806
Property Address: 2366 North College Avenue
Location: Center Township, Council District #8
Petitioner: Atlas Group, LLC, by John Cross
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a five-unit single-family attached development, consisting of three units with a main floor area of 326 square feet and two units with a main floor area of 341 square feet (minimum main floor area of 660 square feet required).
 Approval of a Subdivision Plat to be known as 24th and College Townhomes, dividing 0.19-acre into five lots
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the timely automatic continuance filed by a registered neighborhood organization that continued these petitions from the April 9, 2026 hearing, to the May 14, 2026 hearing.

The petitioner’s representative is requesting a **continuance from the May 14, 2026 hearing, to the July 23, 2026 hearing**, to continue discussions with the neighborhood organization. Staff would not object to the continuance.



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

April 9, 2026

Case Number: 2026-CVR-810 / 2026-CPL-810

Property Address: 6801 Stanley Road (*Approximate Address*)

Location: Decatur Township, Council District #21

Petitioner: Claudia and Garcia Aboyetes & Jose M. Chicas, by David Gilman

Current Zoning: D-3
Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for two primary dwellings on two lots with the provision of a septic system for each dwelling (connection to public or semipublic sanitary sewer facilities required), and to both legally establish a detached accessory structure with a 5.3-foot north side yard setback (minimum 6-foot side yard required) and temporarily allow for a residential lot improved with solely an accessory structure (not permitted).

Request:
Approval of a Subdivision Plat to be known as Replat of Lot 42 in Quilin Acres Subdivision, subdividing 2.01 acres into two lots.

Current Land Use: Residential

Staff Reviewer: Michael Weigel, Principal Planner I

PETITION HISTORY

5/14/26: The petitioner and the Decatur Township Land Use Committee agreed to a joint continuance request to the June 11th hearing date, to allow time for the petitioner’s representative to present to the neighborhood group. A full staff report will be made available in advance of that hearing date.

4/9/26: A timely automatic continuance was filed by a registered neighborhood organization to continue this petition to the May 14th Hearing Examiner date. A full staff report will be made available in advance of that hearing.



METROPOLITAN DEVELOPMENT COMMISSION **May 14, 2026**
HEARING EXAMINER

Case Number: 2026-CZN-813 / 2026-CVR-813

Property Address: 1127 South East Street

Location: Center Township, Council District #18

Petitioner: Josh Smith

Request: Rezoning of 0.12-acre from the C-5 district to the D-5 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).

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

Following discussions with the petitioner, staff is requesting a **continuance of these petitions from the May 14, 2026 hearing, to the June 11, 2026 hearing**, to amend the petition and provide new notice. The petitioner has does not object to the amendment and continuance.



METROPOLITAN DEVELOPMENT COMMISSION **May 14, 2026**
HEARING EXAMINER

Case Number: 2026-CVR-815 / 2026-CPL-815
Property Address: 305 Fintail Drive
Location: Warren Township, Council District #20
Petitioner: DCB Indianapolis, LLC, by Mindy Westrick Brown
Request: Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for construction of a data center (not permitted), consisting of up to three buildings, up to a total of 420,000 square feet, with no less than 100 parking spaces (minimum 420 parking spaces required).
Approval of a Subdivision Plat to be known as Replat of Block A of Thunderbird Commerce Center, subdividing 32.406 acres into two lots.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

A timely automatic continuance was filed by a registered neighborhood organization that would **continue this petition from the May 14, 2026 hearing, to the June 11, 2026 hearing.** This would require acknowledgement from the Hearing Examiner.



METROPOLITAN DEVELOPMENT COMMISSION **May 14, 2026**
HEARING EXAMINER

Case Number: 2026-ZON-006
Address: 701 Shelby Street (*Approximate Address*)
Location: Center Township, Council District #18
Petitioner: Patrick Burtch, by Brian Burtch
Request: Rezoning of 0.143-acre from the C-5 district to the D-5 district to provide for residential uses.

Staff Recommendations: Approval
Current Land Use: Single Family Dwelling
Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was automatically continued at the request of a Registered Neighborhood Organization, from the April 9, 2026, hearing, to the May 14, 2026, hearing,

STAFF RECOMMENDATION

Staff recommends **approval** of the request.

PETITION OVERVIEW

LAND USE

The 0.143-acre site is comprised of a parcel developed with a single-family dwelling.

The site is bordered the north by a commercial bar / tavern, zoned C-5, a non-profit organization to the west across Shelby Street, zoned C-S, an accessory parking lot to the south, zoned C-5, and single-family dwellings to the east with a garage, zoned C-5 and D-5.

REZONING

The request would rezone the property to the D-5 district to allow for residential uses that are not permitted in the existing C-5 district.

The C-5 District is designed to provide areas for those retail sales and service functions whose operations are typically characterized by automobiles, outdoor display, or sales of merchandise; by major repair of motor vehicles; by outdoor commercial amusement and recreational activities; or by activities or operations conducted in buildings or structures not completely enclosed. The types of uses



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found in this district tend to be outdoor functions, brightly lit, noisy, etc. Therefore, to provide a location where such uses can operate in harmony with the vicinity, the C-5 district should be located on select heavy commercial thoroughfares and should avoid locating adjacent to protected districts.

The D-5 District is intended to provide 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.

STAFF ANALYSIS

The request would rezone the property to the D-5 district to allow for residential uses.

Staff is supportive of the request to down zone the property from the C-5 district to the D-8 district since it will continue to be used residentially without evidence of it ever being used commercially.

The rezoning would correct the residential use of the site with the corresponding zoning district.

Lastly, the rezoning of the site would ensure the protection allotted to residential dwellings in protected districts by the Ordinance could be upheld.

GENERAL INFORMATION

Existing Zoning	C-5	
Existing Land Use	Single-Family Dwelling	
Comprehensive Plan Overlay	Community Commercial	
Surrounding Context	Zoning	Surrounding Context
North:	C-5	Tavern / Bar
South:	C-5	Accessory Parking Lot
East:	C-5	Single-family dwelling
West:	C-S	Non-Profit offices
Thoroughfare Plan		
Shelby Street	Primary Arterial	57-foot existing and proposed right-of-way
Fletcher Avenue	Local Street	60-foot existing and proposed right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	N/A	
Wellfield Protection Area	N/A	
Site Plan	January 27, 2026	
Elevations	N/A	
Landscape Plan	N/A	
Commitments	N/A	
Findings of Fact	N/A	
C-S / D-P Statement	N/A	



COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends the Community Commercial typology which 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

Not Applicable to the Site.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

The Infill Housing Guidelines were updated and approved in May 2021, with a stated goal “to help preserve neighborhood pattern and character by providing guiding principles for new construction to coexist within the context of adjacent homes, blocks, and existing neighborhoods. These guidelines provide insight into basic design concepts that shape neighborhoods, including reasons why design elements are important, recommendations for best practices, and references to plans and ordinance regulations that reinforce the importance of these concepts.”

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

Site Configuration

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

Aesthetic Considerations

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



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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)

Not Applicable to the Site.

ZONING HISTORY

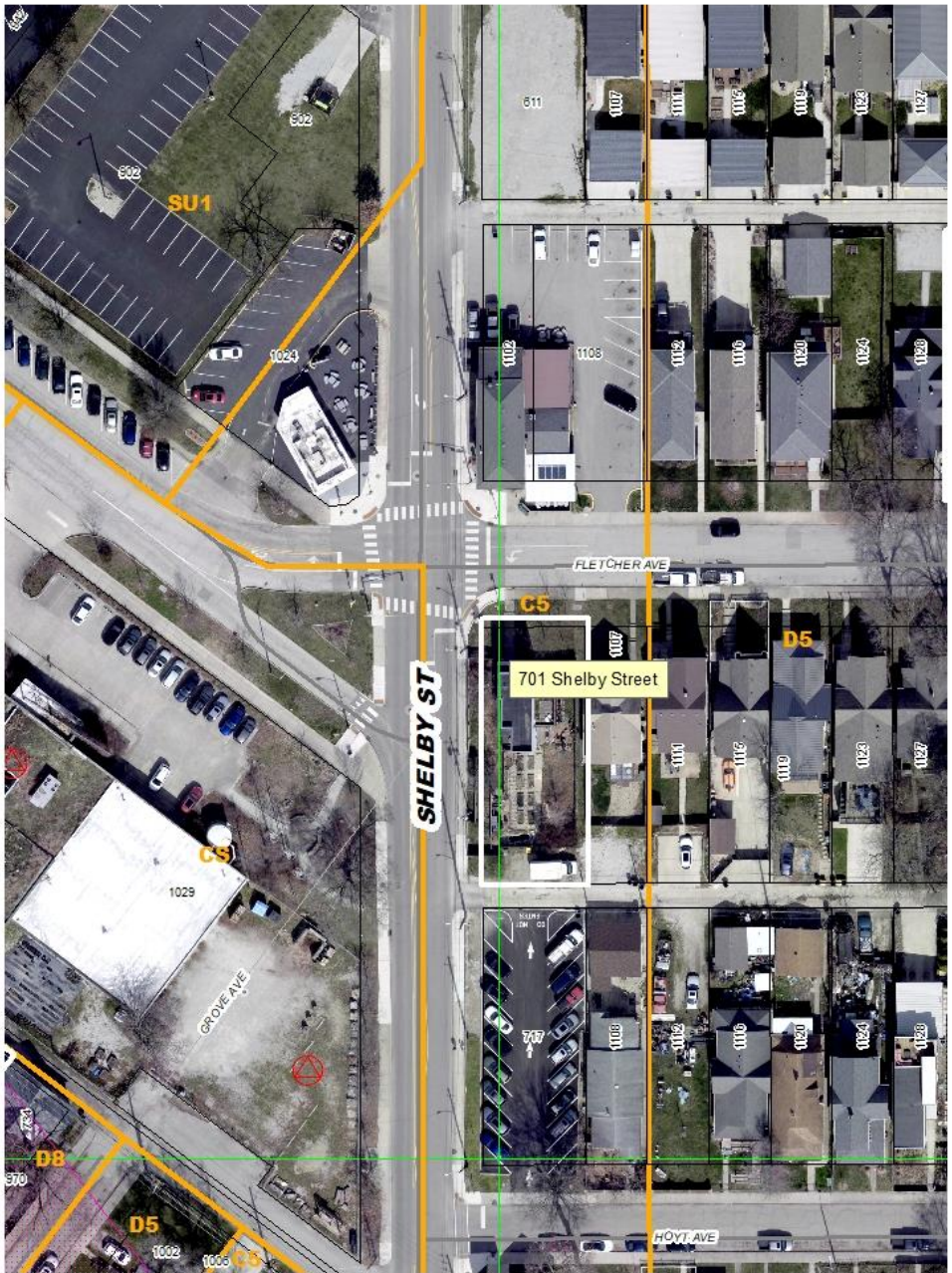
2024-ZON-022; 1102 Pleasant Street (south of site), Rezoning of 0.10 acre from the C-5 (TOD) district to the D-8 (TOD) district to legally establish residential uses, **approved**.

2018-UV3-001; 828 Shelby Street (south of site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for two single-family townhomes (not permitted), within the clear sight triangle of the abutting streets, with a three-foot front setback from Shelby Street, a five-foot front setback from Elm Street and a three-foot side setback, **approved**.

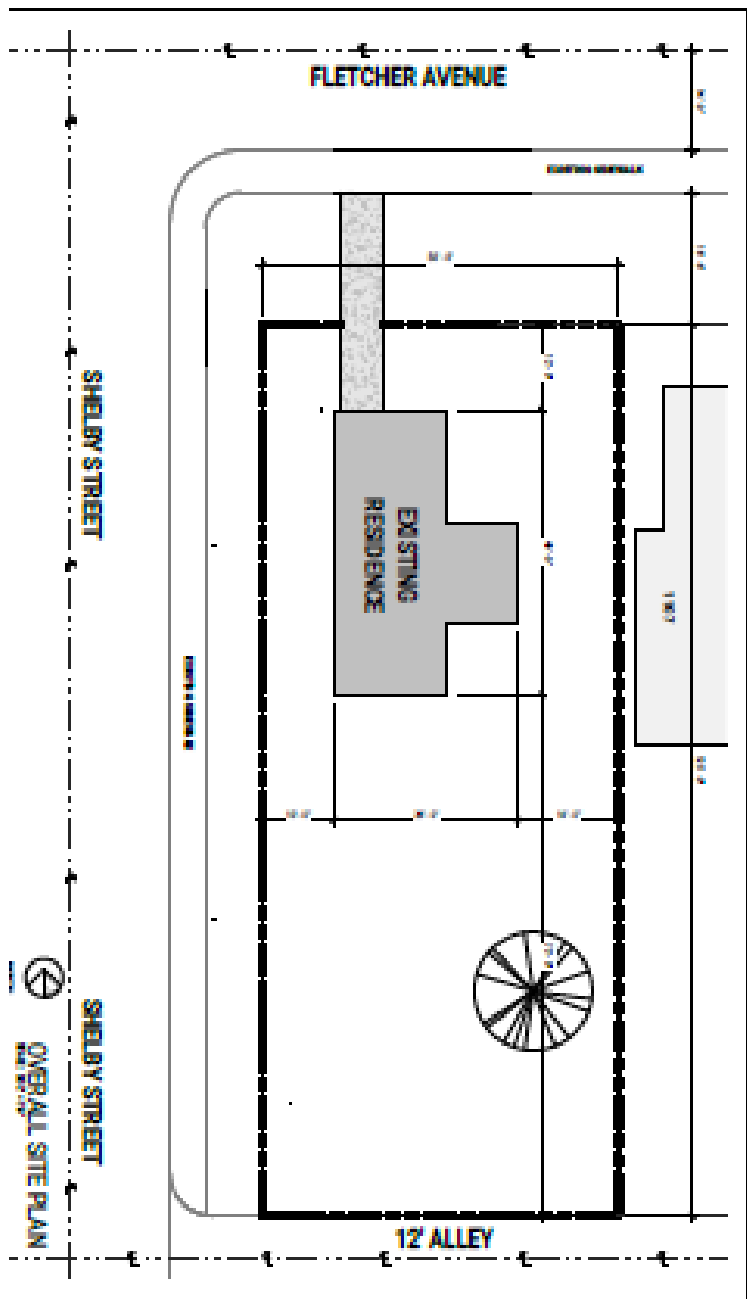
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EXHIBITS

LOCATION MAP



SITE PLAN



PHOTOS



Photo of subject site, looking southeast from Shelby Street frontage.



Photo of subject site, looking south from Fletcher Avenue Street frontage.



Photo of adjacent dwellings to the east, looking southeast.



Photo of adjacent commercial tavern use to the north.



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**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 14, 2026

Case Number:	2026-ZON-007
Address:	2107 Columbia Avenue (Approximate Addresses)
Location:	Center Township, Council District #13
Petitioner:	City of Indianapolis, Department of Metropolitan Development, by Antonio Monserrat
Request:	Rezoning of 0.119-acre from the I-3 district to the D-8 district to provide for residential development.
Staff Recommendations:	Approval
Current Land Use:	Undeveloped
Staff Reviewer:	Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was previously continued from the March 12, 2026, hearing, to the April 9, 2026, hearing, and from the April 9, 2026, hearing, to the May 14, 2026, hearing, to meet the legal notice requirements.

STAFF RECOMMENDATION

Staff recommends **approval** of the request.

PETITION OVERVIEW

LAND USE

The 0.119-acre subject site is an undeveloped parcel located in the Martindale-Brightwood Neighborhood. The site is surrounded by single-family dwellings to the south and east, zoned I-3, an undeveloped lot to the north, zoned D-8, and multifamily dwellings to the west, zoned C-S.

REZONING

The request would rezone the property to the D-8 district to allow for residential uses that are not permitted in the existing I-3 district.

The I-3 district is an intermediate district for industries that present moderate risks to the general public. Wherever practical, this district should be away from protected districts and buffered by intervening lighter industrial districts. Where this district abuts Protected Districts, setbacks are large, and enclosure of activities and storage is required.



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

STAFF ANALYSIS

The request would rezone the property to the D-8 district to allow for residential uses.

Staff is supportive of the rezoning because it would allow for residential development that is compatible with the surrounding area and would align with the Traditional Neighborhood recommendation of the Comprehensive Plan.

GENERAL INFORMATION

Existing Zoning	I-3	
Existing Land Use	Undeveloped	
Comprehensive Plan	Traditional Neighborhood	
Overlay	N/A	
Surrounding Context	Zoning	Surrounding Context
	North: D-3	Undeveloped
	South: D-3	Single-family dwellings
	East: I-3	Single-family dwelling
	West: C-S	Multi-family dwellings
Thoroughfare Plan		
Columbia Avenue	Local Street	48-foot existing right-of-way and 60-foot proposed right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	N/A	
Wellfield Protection Area	N/A	
Site Plan	N/A	
Elevations	N/A	
Landscape Plan	N/A	
Commitments	N/A	
Findings of Fact	N/A	
C-S / D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Infill Housing Guidelines (2021)

Pattern Book / Land Use Plan

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

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.

Conditions for All Housing

- A mix of housing types is encouraged.
- Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
- Primary structures should be no more than one and a half times the height of other adjacent primary structures.
- Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.

Detached Housing (defined as single-family dwellings)

- 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.



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

- Duplexes should be located on corner lots, with entrances located on different sides of the lot.
- It is preferred that townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood-serving retail.
- If the above conditions are not met, individual buildings of attached housing (not part of a complex) may be interspersed with single-family homes but should not make up more than 25% of the primary residential structures on a block.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

The Infill Housing Guidelines (2021) should be considered when developing the site.

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



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

Indy Moves

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

Not Applicable to the Site.

ZONING HISTORY

2025-CZN-858 / 2025-CVR-858: 2111 Columbia Avenue (north of site), Rezoning of 0.13-acre from the I-3 district to the D-8 district to provide for a four-unit small apartment, **approved**.
Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for front-loaded garages (not permitted) with a 25-foot front setback, **granted**.

2021-ZON-058 / 2021-VAR-008; 2127 Columbia Avenue (north of site), Rezoning of 0.13 acre from the I-3 district to the D-8 district, to provide for a single-family dwelling with a detached garage, **approved**.

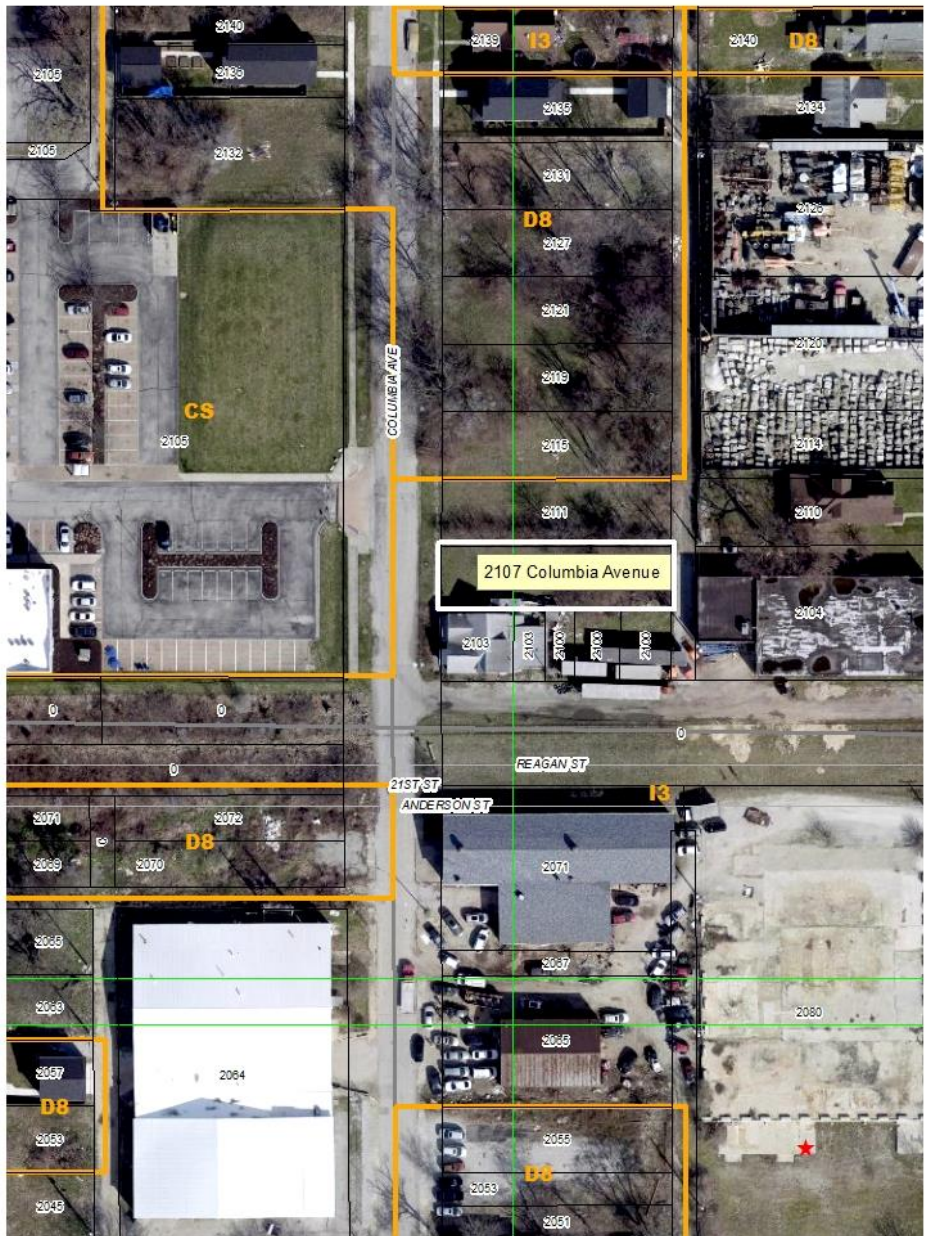
2018-ZON-049; 2111, 2121, 2131, 2132, 2136, 2140, and 2144 Columbia Avenue (north of site), Rezoning of 1.188 acres from the I-3 district to the D-8 classification, **approved**.

2007-ZON-866 / 2007-VAR-866; 1145 East 22nd Street and 2108 Columbia Avenue (west of site), Rezoning of 6.2 acres, from the I-3-U District, to the C-S classification to provide for two development areas: Parcel "A" permits: mixed-use or stand-alone buildings including dwelling units, offices, C-3 uses, I-1, I-2 and specified I-3 uses and schools and Parcel "B" permits: C-3C uses and two-family and multifamily residential uses and a variance of development standards of the Commercial Zoning Ordinance for reduced setbacks and a building taller than permitted, **approved and granted**.

RU

EXHIBITS

LOCATION MAP



PHOTOS



Photo of undeveloped subject site, looking east from Columbia Avenue.



MDC HEARING EXAMINER

May 14, 2026

Case Number:	2026-ZON-032
Property Address:	6640 Hickory Road (aka 9345 Indian Creek Road South) (<i>approximate address</i>)
Location:	Franklin Township, Council District #25
Petitioner:	Charles J. & Judith Ann Williams, by David Retherford
Current Zoning:	I-3
Request:	Rezoning of 5.56 acres from the D-P district to the D-A district to provide for a single-family detached dwelling.
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

- 9345 Hickory Road is an undeveloped tract of land 5.56 acres in size and currently zoned D-P. This parcel is surrounded by DP to the east, DA to the west and south, and DA and PK-1 to the north,
- The petitioner is requesting to rezone 5.56 acres from the D-P classification to the D-A classification.
- A plat petition was filed in 2025 (2025PLT048) dividing 145.117 acres into 228 lots. 9345 Indian Creek Road corresponds to Block A on that plat. It appears that this Block A was parceled out of the larger subdivision with the Assessor's office and is the parcel in question for this petition.
- According to the Ordinance, the "planned unit development (D-P) is established for the following purposes:
 1. To encourage a more creative approach in land and building site planning.
 2. To encourage efficient and [sic], aesthetic and desirable use of open space.
 3. To encourage variety in physical development pattern.
 4. To promote street layout and design that increases connectivity in a neighborhood and improves the directness of routes for vehicles, bicycles, pedestrians, and transit on an open street and multi-modal network providing multiple routes to and from destinations.



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5. To achieve flexibility and incentives for residential, non-residential, and mixed-use developments which will create a wider range of housing types as well as amenities to meet the ever changing needs of the community.
 6. To encourage renewal of alder areas in the metropolitan region where new development and restoration are needed to revitalize areas.
 7. To permit special consideration of property with outstanding features, including but not limited to historical significance, unusual topography, environmentally sensitive areas and landscape amenities.
 8. To provide for a comprehensive review and process of development proposals for developers and the Metropolitan Development Commission by providing for concurrent review of land use, subdivision, public improvements and siting considerations.
 9. To accommodate new site treatments not contemplated in other kinds of districts.
- The D-A district, by contrast, is intended for very low density residential development and, along with agricultural uses, has a secondary provision for “large estate development of single-family dwellings.”
 - The D-P district is larger and/or more complex developments than what is contemplated for a single-family detached dwelling. Rezoning to D-A would allow for development that better fits this parcel and would remove some requirements that are not contextually appropriate for a D-A property. As such, staff recommends approval of this variance.

GENERAL INFORMATION

Existing Zoning	D-P	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
	North:	North: Residential
	South:	South: Residential
	East:	East: Residential / Power station
	West:	West: Residential
Thoroughfare Plan		
Indian Creek Road South	Primary Collector	30-foot existing right-of-way and 80-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	1/28/2026	
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 Marion County Land Use Plan Pattern Book assigns this property the “Suburban Neighborhood” living 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 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.

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

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2017ZON053; 6908 Hickory Road, Rezoning of 4.2 acres from D-A to SU-9, **withdrawn**.

2024ZON115; 6600 Hickory Road, Rezoning of 145 acres from D-A to D-P, **approved**.

2025PLT048; 6600 and 6908 Hickory Road, Approval of a Subdivision Plat, to be known as Bani, Section 1, dividing 145.117 acres into 228 lots, **approved**.

ZONING HISTORY – VICINITY

79-Z-89; 9100 Indian Creek Road (west of site), Rezoning 22.04 acres from the Forest District Zoning Classification to the D-S classification, **approved**.

83-V3-66; 9552 East Southport Road (southeast of site), Variance of development Standards of the Marion County Master Plan Permanent Zoning Ordinance to allow the erection of a detached pole barn in an A-2 zoning district which is not essential to an agricultural enterprise, **approved**.

90-SE1-8; 9205 Indian Creek Road South (southwest of site), Petition for a Manufactured Housing Special Exception to permit the placement of a manufactured home, **approved**.

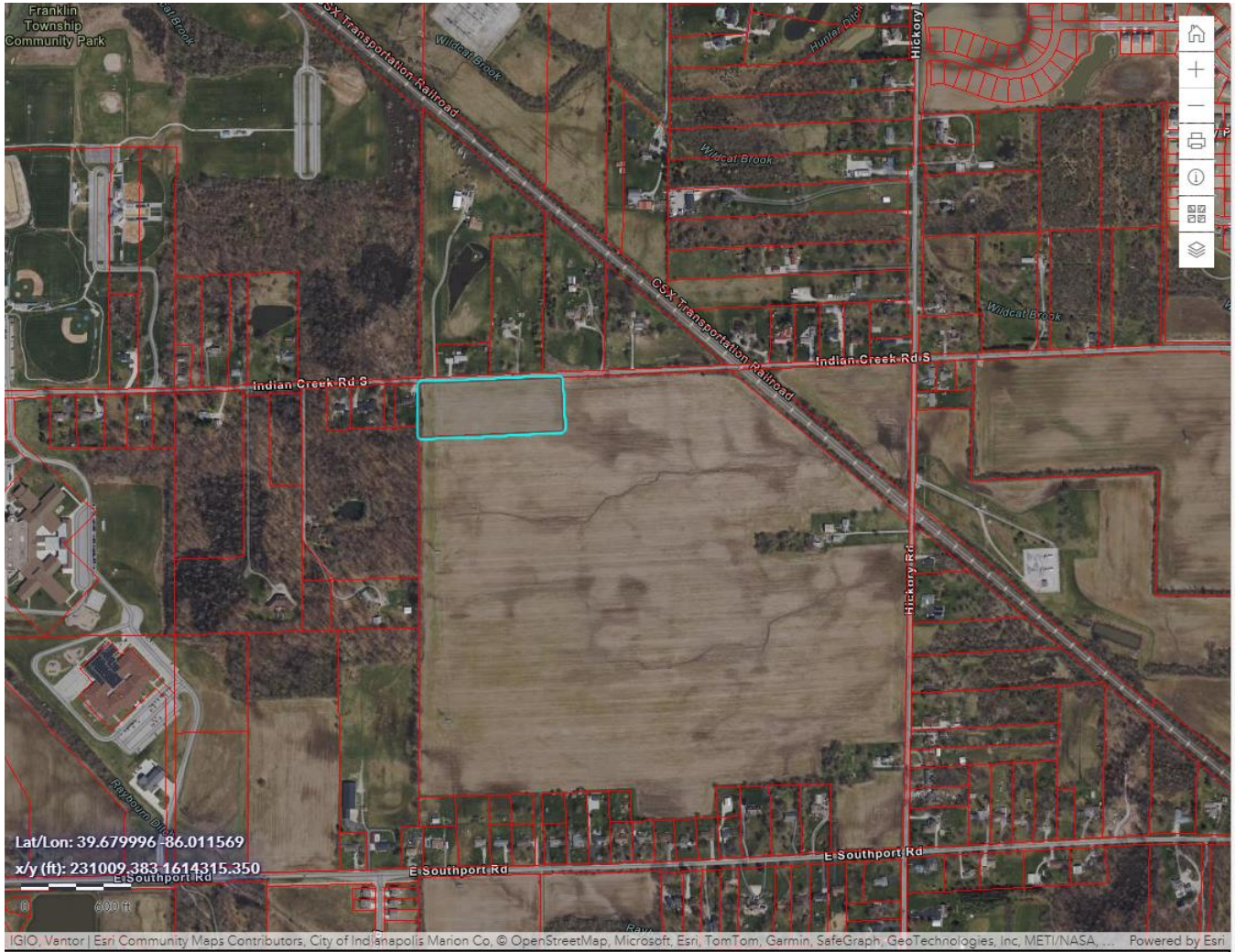
94-Z-133; 6621 Hickory Road (east of site), Rezoning of 8.4 acres from D-A to SU-18, **approved**.

98-V1-86; 6843 Hickory Road (southeast of site), Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for a privacy fence being 8 feet in height in the side yard (maximum of 6 feet permitted), **approved**.

2000-UV3-030; 7001 South Hickory Road (southeast of site), Variance of Use of the Dwelling Districts Zoning Ordinance to provide for the construction of a single-family dwelling on a 2.12 acre lot containing an existing single-family dwelling (one single-family dwelling permitted per lot), **approved**.

2017-ZON-053; 6908 Hickory Road (south of site), Rezoning of 4.2 acres from the D-A district to the SU-9 district to provide for a fire station, **withdrawn**.

EXHIBITS
2026ZON032; Aerial Map



2026ZON032; Photographs



Photo 1: Looking due south from Indian Creek Road South at subject parcel

2026ZON021; Photographs (continued)



Photo 2: Looking S/SW from Indian Creek Road South at subject parcel

2026ZON021; Photographs (continued)



Photo 3: Looking at subject property with single-family housing in far distance



METROPOLITAN DEVELOPMENT COMMISSION **May 14, 2026**
HEARING EXAMINER

Case Number: 2026-APP-007
Property Address: 7307 West 38th Street
Location: Pike Township, Council District #5
Petitioner: Barry Foster, by Justin Taylor
Current Zoning: PK-2
Request: Park District Two approval to provide for a 35.573-square-foot front entry pylon sign.
Current Land Use: Veterinarian Office
Staff Recommendations: Approval
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the April 9, 2026 hearing, to the May 14, 2026 hearing, to provide required notice.

STAFF RECOMMENDATION

Approval.

PETITION OVERVIEW

This 1.92-acre site, zoned PK-2, is developed with a veterinarian treatment center. It is surrounded by multi-family dwellings to the north across West 38th Street, and multi-family dwellings to the south, east and west, all zoned PK-2.

Petition 2003-APP-120 requested approval to legally establish a full-service veterinary clinic, to provide for a dog run and a building addition. Petition 79-AP-8 provided for veterinary center in an existing residence.

PK-2 APPROVAL

This request would provide for Park District Two Approval to allow for the replacement of a front entry pylon sign for a veterinarian treatment center



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

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

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

This request would allow for the installation of a 35.573-square-foot entry sign that would replace an existing sign. The proposed sign would allow for identification of the veterinarian treatment center that would not negatively impact surrounding land uses. It appears that the existing sign would be upgraded and be more visible to those visiting the clinic and would not have any negative impact on traffic safety.

GENERAL INFORMATION

Existing Zoning	PK-2
Existing Land Use	Veterinarian Treatment Center
Comprehensive Plan	Community Commercial



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Surrounding Context	Zoning	Land Use
North:	PK-2	Multi-family dwellings
South:	PK-2	Multi-family dwellings
East:	PK-2	Multi-family dwellings
West:	PK-2	Multi-family dwellings
Thoroughfare Plan		
West 38 th Street	Primary arterial	Existing 140-foot right-of-way and proposed 102-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	January 20, 2026	
Site Plan (Amended)	N/A	
Elevations	January 20, 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	January 20, 2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Community Commercial. “The Community Commercial typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.”

Pattern Book / Land Use Plan

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

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



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

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

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



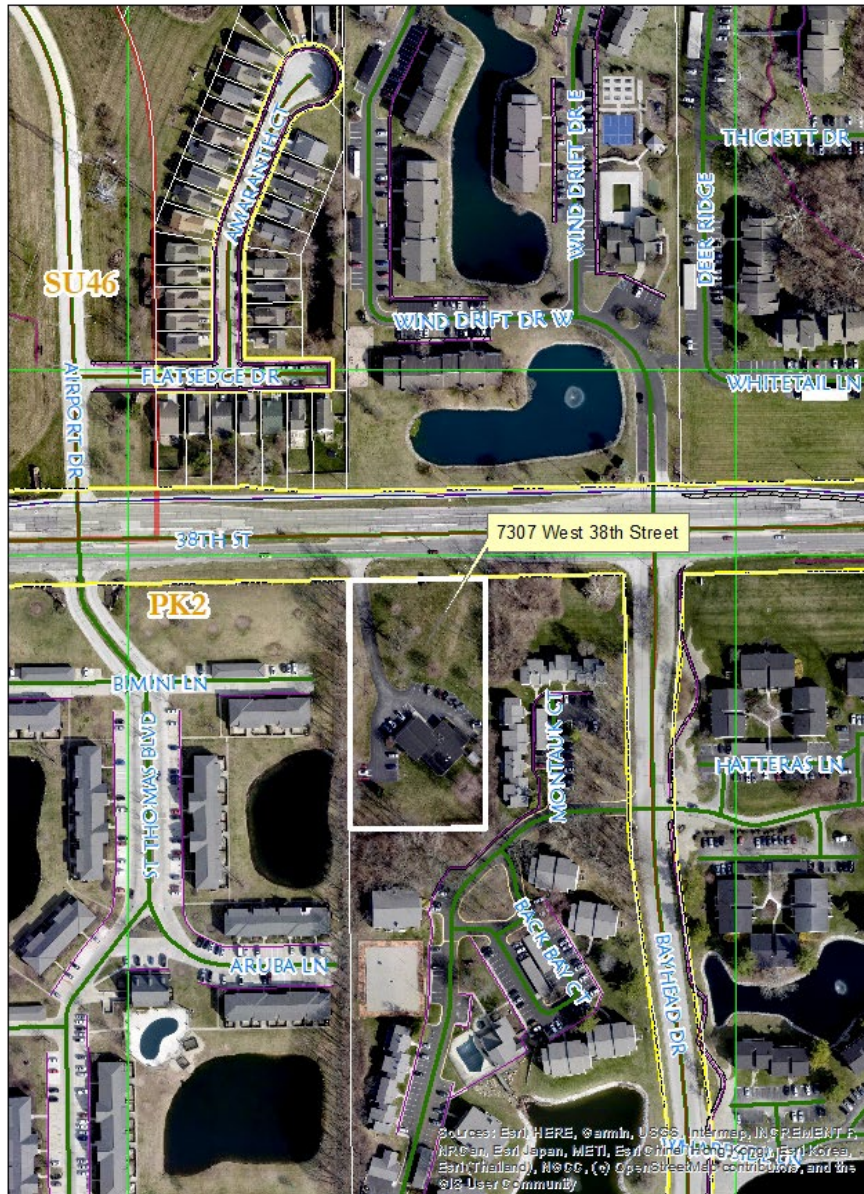
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ZONING HISTORY

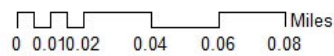
2003-APP-120; 7307 West 38th Street, requested Park District Two to legally establish a full-service veterinary clinic, to modify Commitment Number One of 79-AP-8 related to the prohibition of dog runs, and to provide for a 1.9038-square-foot addition, **approved**.

79-AP-8, 7307 East 38th Street, requested Park District Two approval to allow for the use of an existing residence as a medical veterinarian treatment center, **approved**.

EXHIBITS



7307 West 38th Street



VICINITY MAP

SIGN	SO FT	QTY	TOTAL	AREA	PERMITS
A	30	1	30	--	--

PROJECT NO. 33205

LAYOUT DATES
 02/13/2025 - BS
 02/17/2025 - BS
 02/20/2025 - RS/MP
 04/10/2025 - BS
 05/12/2025 - BS

LOCATION ADDRESS
 Eagle Creek Animal Hospital
 7307 West 38th St
 Indianapolis, IN 46254


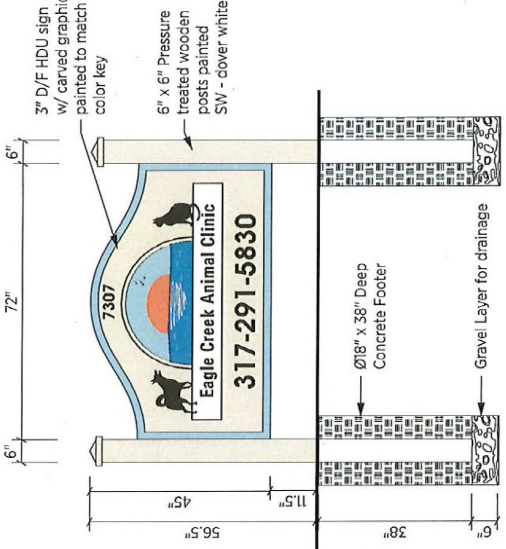



CLIENT
 Mission Veterinary Partners

222 NORTH KENHORST BOULEVARD, READING, PA 19607
 PHONE: 610.478.1332 | FAX: 610.478.1332 | WWW.EGANSIGN.COM
 This design/engineering proposal will remain the exclusive property of Egan-Sign until approved & accepted through purchase by client named directly on drawing and may not be duplicated by other parties or design fees will apply @ \$35 per hour.

EGAN SIGN

Site & Sign Location Plan
 Scale: NTS

SP

<p>Quantity: 1</p>	<p>Square Footage: 30 Sq Ft.</p>	<p>Square Footage Calculation: Code: Not exceed 3% of building side or 240sf whichever is the lesser. 5ft monument, 15ft pylon</p> <p>Calculation:</p> <p>Allowed:</p>	<p>Description: Provide D/F HDU sign per layout and detail.</p> <p>NOTE: Remove existing sign. Clean up landscaping including removal / trimming of bushes and weeds as shown in proposed photo rendering.</p>	<p>Color Key:</p> <ul style="list-style-type: none"> ● PANTONE 2975 C ● PANTONE 461 C ● PANTONE 770 C ● PANTONE 489 C ● PANTONE Process Black-C ○ White ○ SHERWIN WILLIAMS 6385 Dove-White 	<p>PROJECT NO.: 33205</p>	
<p>Existing</p> 				<p>LAYOUT DATES: 02/13/2025 - BS 02/17/2025 - BS 02/20/2025 - RS/VP 04/10/2025 - BS 05/12/2025 - BS</p>	<p>LOCATION ADDRESS: Eagle Creek Animal Hospital 7307 West 38th St. Indianapolis, IN 46254</p>	<p>CLIENT: Mission Veterinary Partners</p> 
<p>Proposed</p> 		<p>HDU Monument Scale: 1/2" = 1'-0"</p>		<p>222 NORTH KENHORST BOULEVARD, READING, PA 19607 PHONE: 844-460-6631 FAX: 610-478-1332 WWW.EGANSIGN.COM</p> <p>This design/engineering proposal will remain the exclusive property of Egan Sign until approved & accepted through purchase by client; named directly on drawing and may not be duplicated by other parties or design fee will apply @ \$95 per hour.</p> 		



Petition Number _____

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

FINDINGS OF FACT

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

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

We are working to improve the aesthetic value and attractiveness of the property. The existing commercial sign, _____ along with the current overgrown landscape, that we are proposing to remove and replace is currently heaving and the sign is deteriorating because of this condition. We are proposing the installation of a lower profile sign that _____ ties the beauty of Eagle Creeks water and sun into the design.

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

We will be replacing the existing commercial sign that has been worn and adversely affected by the existing landscape. _____ We are proposing a lower profile sign, that is no larger than the existing sign, and removing the overgrown landscaping to allow for the sign to not be blocked. The replacement sign will also be fabricated out of material that will weather the moisture and temperatures.

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

Section C is not applicable to our petition for improvement as we are proposing the improvement in the aesthetic of the existing commercial sign. We understand the desire to improve inclusivity and accessibility; however, the proposal is directed to addressing the aesthetic value and attractiveness and compatibility of the land use.

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

Section D is not applicable to our petition for improvement as we are proposing the improvement in the aesthetic of the existing commercial sign. We understand the desire to improve inclusivity and accessibility; however, the proposal is directed to addressing the aesthetic value and attractiveness and compatibility of the land use.

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

We understand the desire to protect and conserve the eco system. The requested commercial sign replacement and relocation will utilize the same electrical draw currently being used. Additionally, the grade will not be affected as we will solely disturb the soil where we are placing new posts and utilize gravel to allow appropriate drainage.

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

The requested commercial sign replacement will take up no additional space as compared to the existing sign.
The new, lower profile sign, will still be visible with the removal of the existing overgrown landscaping. The design highlights the beauty of Eagle Creek with the water and sunset built into the design.

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

Section G is not applicable to our petition for improvement as we are proposing the improvement in the aesthetic of the existing commercial sign. We understand the desire to improve connectivity, inclusivity and accessibility; however, the proposal is directed to addressing the aesthetic value and attractiveness and compatibility of the land use.

DECISION

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

Adopted this _____ day of _____, 20 ____

 Commission President/ Secretary



View looking east along West 38th Street



View looking west along West 38th Street



View of site looking south along entrance drive



View from site looking north



METROPOLITAN DEVELOPMENT COMMISSION **May 14, 2026**
HEARING EXAMINER

Case Number: 2025-ZON-114 (Second Amended) / 2026-VAR-002

Property Address: 4005 East Southport Road

Location: Perry Township, Council District #24

Petitioner: Southport Road Development, LLC, by David Gilman

Current Zoning: D-P (FF)

(Second Amended) Rezoning of 3.67 acres from the D-P (FF) (FW) district to the C-S (FF) (FW) district to provide for all C-4 uses, except adult entertainment, and to permit commercial or building contractors, artisan manufacturing (e-commerce), and warehouse, wholesale, and distribution.

Request:

A Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a commercial structure with zero feet of street frontage (minimum 50 feet of street frontage required), and for a zero-foot front setback (minimum ten-foot front setback required).

Current Land Use: Undeveloped

Staff Recommendations: Denial.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the November 13, 2025 hearing, to the December 18, 2025 hearing, January 15, 2026 hearing, and to the January 29, 2026 hearing at the request of the petitioner to provide time to amend the request.

The Hearing Examiner continued these petitions from the January 29, 2026 hearing, to the February 26, 2026 hearing, to the March 12, 2026 hearing, and to the April 29, 2026 hearing at the request of staff to provide time to meet with staff and discuss the request.

Staff requests a continuance of this petition from the January 29, 2026, hearing to the February 26, 2026, hearing, in order to meet with the petitioner.

Staff requests a continuance of this petition from the March 12, 2026, hearing to the April 9, 2026, hearing. The petitioner has submitted a variance petition that will companion this request.

The Hearing Examiner continued these petitions from the April 9, 2026 hearing to the May 14, 2026 hearing, at the request of the petitioner’s representative.



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The Development Statement (C-S Statement) file dated April 7, 2026, has now been included in the staff report, which provides the history of the site, current site conditions, surrounding land uses, Comprehensive Plan land use recommendation, development standards, and utilities / drainage.

The recent submittals provide additional information, but the proposed use has not changed. Consequently, staff continues to recommend denial of these requests.

STAFF RECOMMENDATION

Denial.

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

1. A tree inventory, tree assessment and preservation plan of all existing trees over 2.5 inches in diameter, shall be prepared by a certified arborist and shall be submitted for Administrator Approval prior to preliminary plat approval and / or prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development; b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) identify all heritage trees, e) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and f) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.
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 3.67-acre site, zoned D-P (FF), is undeveloped and surrounded by commercial uses to the north, zoned D-P (FF); undeveloped / open space to the south, zoned D-P (FW) (FF); commercial uses to the east, zoned C-4 (FW)(FF); and commercial uses (vacant) to the west, zoned D-P (FF).

Petitions 98-Z-129 / 98-DP-18 (FW) (FF) rezoned this site from D-6II, C-2 and C-6 (FW) (FF) districts to the D-P (FW) (FF) district to provide for commercial uses and park uses.

REZONING

The request would rezone the site to the C-S (FW) (FF) district to provide for all C-4 uses, except adult entertainment, and to permit commercial or building contractors, artisan manufacturing (e-commerce), and warehouse, wholesale, and distribution. "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



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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 this typology include large scale offices, small-scale office, 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 Plan recommendation of office commercial.

C-S Statement

No C-S Statement has been submitted. However, Exhibit B provide a list of permitted uses that would include all C-4 uses (except adult entertainment), commercial or building contractors, artisan manufacturing (e-commerce) and warehouse, wholesale, distribution (under 12,000 square feet).

Site Plan / Elevations

The site plan provide for one-story 21,000 square foot building north of the retention pond with parking to the north and west of the building, with approximately 36 parking spaces.

Site access would be via the existing western access drive

Overlays

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

Much of this site is covered floodway / floodway fringe of Little Buck Creek and woodlands are located along the eastern boundary of the site.



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Floodway / Floodway Fringe

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

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

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

Stream Protection Corridor

A stream protection corridor consists of a strip of land, extending along both sides of all streams, with measurements taken from the top of the bank on either side. The width of the corridor is based upon whether the stream is designated as a Category One or Category Two. Category One streams have a corridor width of 60 feet in the compact context area and 100 feet in the metro context area. Category Two streams have a corridor width of 25 feet in the compact context area and 50 feet in the metro context area.

Construction projects over one (1) acre are subject to the requirements of the Environmental Protection Agency (EPA) General Permit and Indiana Department of Environmental Management (IDEM) Construction Stormwater General Permit (CSGP).

The vegetative target for the Stream Protection Corridor is a variety of mature, native riparian tree and shrub species that can provide shade, leaf litter, woody debris, and erosion protection to the stream, along with appropriate plantings necessary for effective stream bank stabilization.

The Stream Protection Corridor is defined as:

“A vegetated area, including trees, shrubs, and herbaceous vegetation, that exists or is established to protect a stream system, lake, or reservoir, and where alteration is strictly limited. Functionally, stream protection corridors provide erosion control, improve water quality (lower sedimentation and contaminant removal) offer flood water storage, provide habitat, and improve aesthetic value.”



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Stream is defined as “a surface watercourse with a well-defined bed and bank, either natural or artificial that confines and conducts continuous or periodic flowing water.”

Stream Bank is defined as “the sloping land that contains the stream channel and the normal flows of the stream.”

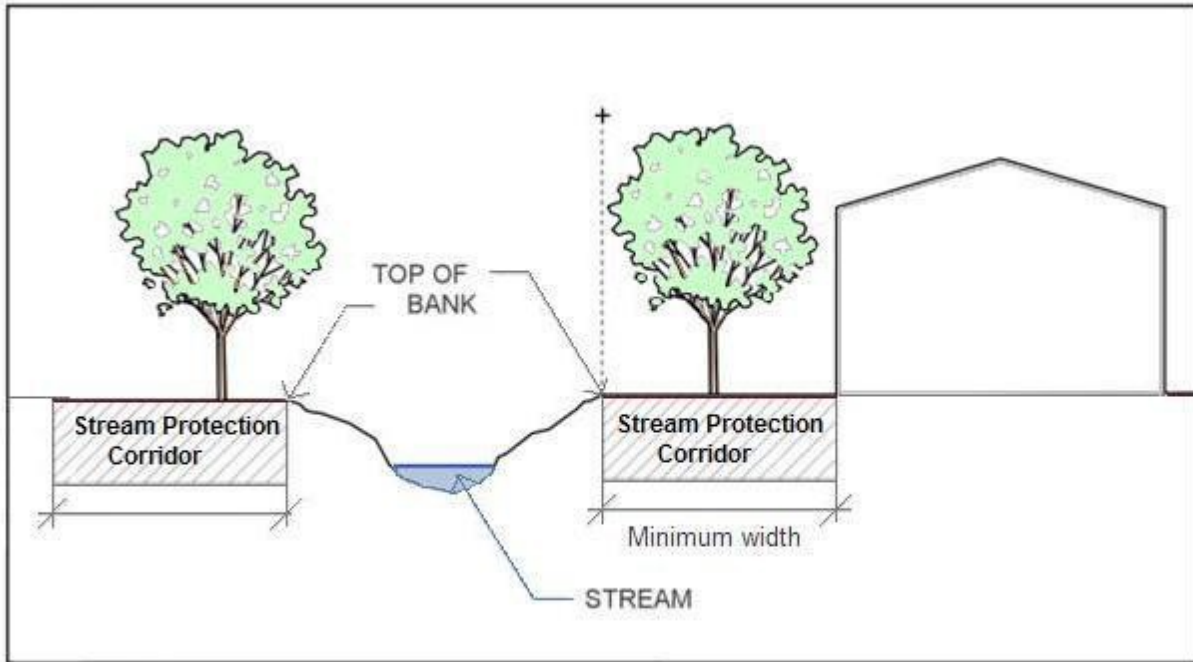
Stream Channel is defined as “part of a watercourse that contains an intermittent or perennial base flow of groundwater origin.”

There are two types of categories of Streams: Category One Streams and Category Two Streams. Category One Stream is defined as: “A perennial stream that flows in a well-defined channel throughout most of the year under normal climatic conditions. Some may dry up during drought periods or due to excessive upstream uses. Aquatic organism such as some fish are normally present and easily found in these streams. The Category One Streams are listed in Table 744-205-2: Category One Streams.”

A Category Two Stream is defined as: “An intermittent stream that flows in a well-defined channel during wet seasons of the year but not necessarily for the entire year. These streams generally exhibit signs of water velocity sufficient to move soil, material, litter, and fine debris. Aquatic organisms, such as fish, are often difficult to find or not present at all in these streams. These streams are identified on the United States Geological Survey (USGS) topographic maps and on the Department of Natural Resources Conservation Service (NRCS) soils maps.”

There are 34 Category One streams listed in the Ordinance. The stream protection corridor is a strip of land on both sides of the stream whose width varies according to whether it is within the Compact or Metro Context Area and whether it is a Category One or Category Two Stream.

Little Buck Creek lies within the Metro Context Area and is located along the northern portion of the site. It is designated as a Category One stream requiring a 100-foot-wide stream protection corridor on both sides of the stream, as measured parallel from the top of the bank. Top of the bank is not defined by the Ordinance, other than by Diagram UU, Stream Protection Corridor Cross-section, as shown below.



Stream Protection Corridor



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Tree Preservation / Heritage Tree Conservation

There are significant amounts of natural vegetation and trees located on the northern portion of the site. Due to their inherent ecological, aesthetic, and buffering qualities, the maximum number of these existing trees should be preserved on the site.

All development shall be in a manner that causes the least amount of disruption to the trees.

A tree inventory, tree assessment and preservation plan of all existing trees over 2.5 inches in diameter, shall be prepared by a certified arborist and shall be submitted for Administrator Approval prior to preliminary plat approval and / or prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development, b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) identify all heritage trees, e) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and f) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.

If any of the trees are heritage trees that would be impacted, then the Ordinance requires that the Administrator, Urban Forester or Director of Public Works determine whether the tree(s) would be preserved or removed and replaced.

The Ordinance defines "heritage tree" as a tree over 18 inches Diameter at Breast Height (DBH) and one of the Heritage tree species. Heritage tree species include: Sugar Maple (*Acer saccharum*), Shagbark Hickory (*Carya ovata*), Hackberry (*Celtis occidentalis*), Yellowwood (*Cladrastus kentukea*), American Beech (*Fagus grandifolia*), Kentucky Coffeetree (*Gymnocladus dioica*), Walnut or Butternut (*Juglans*), Tulip Poplar (*Liriodendron tulipifera*), Sweet Gum (*Liquidambar styraciflua*), Black Gum (*Nyssa sylvatica*), American Sycamore (*Platanus occidentalis*), Eastern Cottonwood (*Populus deltoides*), American Elm (*Ulmus americana*), Red Elm (*Ulmus rubra*) and any oak species (*Quercus*, all spp.)

The Ordinance also provides for replacement of heritage trees if a heritage tree is removed or dies within three years of the Improvement Location Permit (ILP) issuance date. See Exhibit A. Table 744-503-3: Replacement Trees.

Environmental Public Nuisances

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

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



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Environmental public nuisance means:

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

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

VARIANCE OF DEVELOPMENT STANDARDS

As proposed, the request would provide for a zero-foot street of frontage and zero-foot front setback. The Ordinance requires a minimum of 50 feet of frontage and a minimum 10-foot front setback.

Staff believes both requests indicate that this proposed development cannot be accommodated on this site and would result in a negative impact on surrounding land uses. One of the purposes of the street frontage is for visibility and easy access and the setback provides an appropriate buffer from adjacent land uses. The inability to provide these requirements is a strong indication that the proposed development is not appropriate and would have a detrimental impact on surrounding land uses.

Planning Analysis

As proposed this request would not align with the Comprehensive Plan recommendation of office commercial.

Site access would be from two drives along East Southport Road that could present safety issues and conflicts with the existing commercial uses related to truck traffic entering and leaving the site along this primary arterial.

Staff is also concerned that outdoor storage would become an issue because no information has been submitted that would describe this function related to commercial and building contractors.



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No information has been submitted related to signage. Because this site is located to the south and behind existing commercial uses, staff is concerned with how this proposed developed and the proposed uses would be identified.

The overlays of this site (floodplain / woodlands) along with the stream protection corridor presents challenges and concerns related to what staff views as industrial and intense commercial uses and the impact on those environmental features as well as surrounding land uses.

Based on the constraints of this site, staff believes the proposed use would be wholly inappropriate and too intense for this site.

GENERAL INFORMATION

Existing Zoning	D-P (FW) (FF)	
Existing Land Use	Undeveloped	
Comprehensive Plan	Office Commercial	
Surrounding Context	Zoning	Land Use
North:	D-P (FF)	Commercial uses
South:	D-P (FW) (FF)	Undeveloped / open space
East:	C-4 (FW) (FF)	Commercial uses
West:	D-P (FF)	Commercial uses (vacant)
Thoroughfare Plan		
East Southport Road	Primary arterial	Existing 95-foot right-of-way and proposed 102-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes. Little Buck Creek	
Overlay	Yes. Floodplain / Woodlands	
Wellfield Protection Area	No	
Site Plan	September 30, 2025	
Site Plan (Amended)	March 8, 2026	
Elevations	September 30, 2025	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	March 8, 2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	April 7, 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.



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Indy Moves

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

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

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

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



ZONING HISTORY

98-Z-129 / 98-CP-18; 3901 East Southport Road, requested rezoning of 16.39 acres from the D-6II, C-2 and C-6 ((FW) (FF) to the DP (FW)(FF) to provide for commercial uses and park uses, **approved**.

VICINITY

98-Z-65 / 98-DP-11; 7120 South Sherman Drive East (east of site), requested rezoning of 28.41 acres, being in the D-A district, to the D-P classification to provide for a mixed residential community of condominiums, **approved**.

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

84-Z-110; 4001 East Southport Road, requested rezoning of 3.9 acres, being in the A-2 district, to the D-3 classification to provide for residential development **approved**.

71-Z-97C; 3731 East Southport Road, requested rezoning of 3.9 acres, being in the A-2 district, to the C-3 classification to provide for residential development, **approved**.

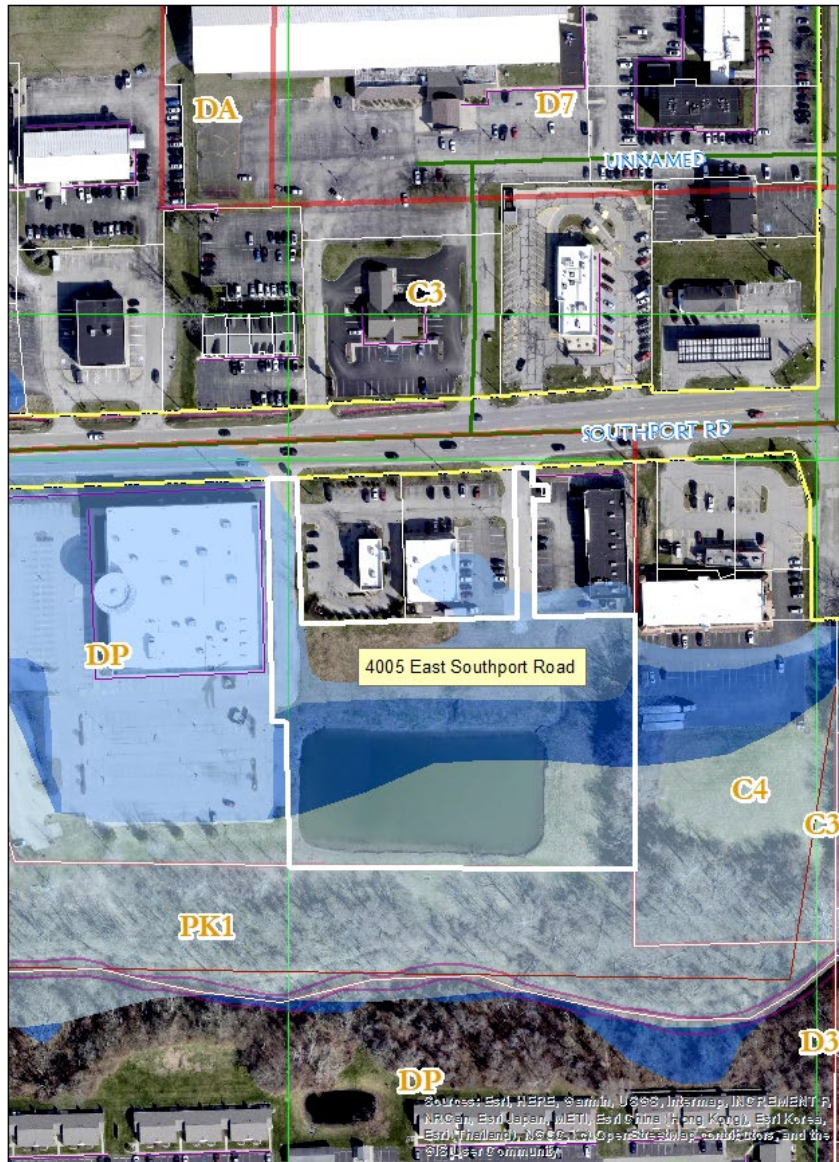
71-Z-97D; 4001 East Southport Road, requested rezoning of 9.7 acres, being in the A-2 district, to the C-2 classification to provide for commercial development, **approved**.

71-Z-97E; 3851 East Southport Road, requested rezoning of 9.3 acres, being in the A-2 district, to the D-6II classification to provide for multi-family residential development, **approved**.

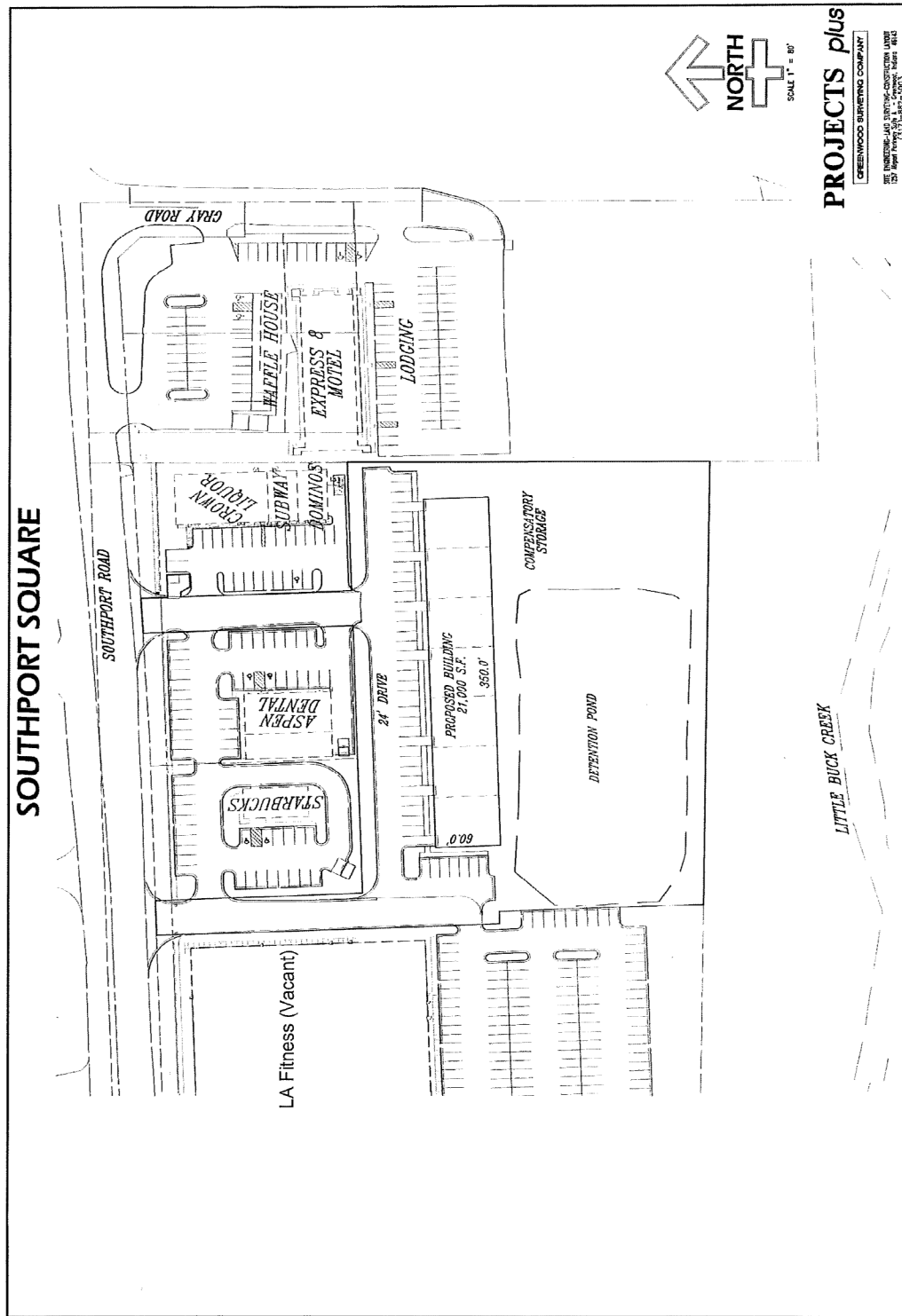
71-Z-19; 7300-7500 blocks of South Sherman Drive, requested rezoning of 29.7 acres, being in the A-2 district, to the D-3 classification to provide for residential development, **approved**.

71-Z-198; 7200-7500 blocks of South Sherman Drive, requested rezoning of 57.55 acres, being in the A-2 district, to the D-3 classification to provide for residential development, **approved**.

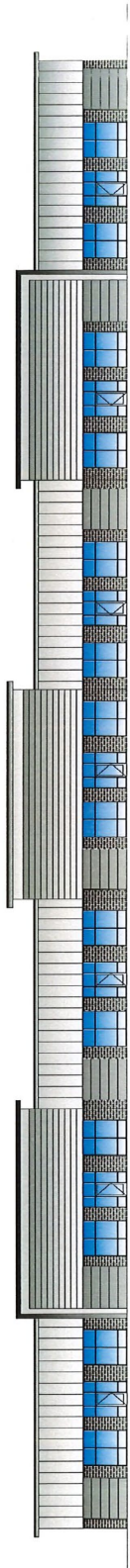
EXHIBITS



4005 East Southport Road
00.000 0.015 0.03 0.045 0.06 Miles



PROJECTS plus
 GREENWOOD SURVEYING COMPANY
 150 Maple Hill Road, Suite 100
 St. Louis, MO 63103
 Tel: 314-487-5000
 Fax: 314-487-5001



3901 E Southport Road
Proposed Flex Space
21,000 SQFT



DEVELOPMENT STATEMENT

4005 E Southport Road
2025-ZON-114 (Amended)
Proposed Commercial Special (CS)
Previous Cases (North Parcel Only)
 3901 E Southport Road
 98-Z-129 (98-DP-18)
 2007-APP-022
January 28, 2026

Introduction and Background

The development proposed under Case 98-Z-129 (98-DP-18), designated as the North Parcel on Exhibit "A," encompasses 10.116 acres, of which only 3.674 acres remain undeveloped.

The proposed Outlot development represents the final phase of an integrated center, utilizing the existing curb cuts along Southport Road. Permitted uses under the Development Plan are limited to C4 classifications (excluding adult entertainment), with this proposed addition of select I-1 light industrial uses as outlined in Exhibit "B." The center has otherwise been fully developed and sold as Outlots, making this petition the last opportunity to complete the North Parcel's development.

The titled owners have already demonstrated their commitment to community benefit by donating approximately six (6) acres of the North Parcel-wildlife habitat and woodland-to the Parks Department for PK-1 classification and the expansion of Gray Park.

Importantly, this rezoning petition introduces no changes that would affect Gray Park or the South Parcel, as previously referenced in Case 98-Z-65 (98-DP-11) and Case 98-Z-129 (98-DP-18). The request simply enables compatible, limited light industrial uses to ensure the successful development of the final Outlot while maintaining consistency with prior approvals and protecting adjacent parkland.

The Site and Existing Site Details

The Site, identified as the undeveloped portion of the North Parcel on Exhibit "A," comprises 3.674 acres. It is located north of approximately six (6) acres donated to the Parks Department for the expansion of Gray Park, west of the existing motel site, south of three (3) developed Outlots along East Southport Road, and east of a vacant fitness center.



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The Site currently contains three (3) commercial buildings accommodating both single-tenant and multi-tenant uses. The developed Outlots, together with this remaining undeveloped Outlot, are subject to the site plan shown in Exhibit "C".

Surrounding Zoning and Use

To the East

Immediately East is a motel (DP), and a restaurant (C4) and further east is a residential subdivision (PUD).

To the South

The South Parcel is largely undeveloped, consisting of land donated to the Parks Department for the expansion of Gray Park (PK1), as well as areas within the floodway and flood fringe of Little Buck Creek.

To the West

Immediately to the west lies a vacant Life Fitness Center (DP). There is speculation that this property will be repurposed as an event center.

To the North

To the North are three (3) developed Outlots for single and multi-use tenants (DP).

Present Zoning of the Subject Outlot

The subject Outlot is currently zoned DP, permitting C4 uses. Despite being actively marketed for commercial use, it has remained undeveloped for more than 27 years, making it the only Outlot in this condition. This rezoning request seeks to expand the range of allowable uses to encourage long-overdue development of the site. Importantly, only a limited set of light industrial uses—outlined in Exhibit "B"—are proposed.

The petitioners bring a proven history of successful projects that integrate commercial and light industrial uses. This balanced mix has consistently demonstrated compatibility, with little to no adverse impact on daily operations, parking availability, customer activity, or traffic flow. Approving this request will not only unlock the potential of a long-dormant property but also ensure its development aligns with established patterns of compatible, sustainable growth.



The Comprehensive Land Use Plan

The Comprehensive Land Use Plan designates the subject property for Office Commercial use, which is inconsistent with the existing C4 Community Commercial zoning to the North and West. Directly south of the parcel lies land donated by the petitioner to the Parks Department for the expansion of Gray Park.

Development Standards

The development standards were previously modified under 2007-APP-022, modifying the C4 development standards along the West and South boundary lines. The subject Outlot of this petition (4005 E. Southport Road) shall continue to benefit from that approval, which exempts setback, use, and landscaping requirements along the west and south property lines adjoining Gray Park.

As part of this petition, the final landscape plan will incorporate the designated landscape areas along the south and west property lines of the North Parcel, as shown on the attached Site Plan. In addition, supplemental landscape materials will be installed on the Park property adjacent to the lower parking area. This plan will be subject to Parks Department approval and will utilize native plantings to ensure ecological compatibility and long-term sustainability.

This rezoning request also permits limited light industrial uses, including seven (7) overhead doors and thirty-six (36) parking spaces, as depicted in Exhibit "C". These improvements will facilitate functional site development while maintaining compatibility with surrounding uses and enhancing the visual buffer to Gray Park.

A separate companion variance will be included with the rezoning petition to maintain the private access easement to Southport Road without the required public street frontage and front yard setback.

Utilities and Drainage

The site has all public and private utilities readily available.



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The existing stormwater retention basin and compensatory storage area have previously been designed and constructed to meet the requirements of the stormwater management ordinance.



EXHIBIT "B"

4005 East Southport Road
Permitted C4 and I-1 Use List
2025-ZON-114 (Amended)

1. All C-4 Uses, Except Adult Entertainment
2. Commercial or Building Contractors
3. Artisan Manufacturing (e-commerce)
4. Warehouse, Wholesale, Distribution (Under 12,000 sqft)



Department of Metropolitan Development
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Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

The access easement serving the outlot functions as part of an integrated commercial center and is constructed as an asphalt drive designed for safe and efficient vehicular circulation. Its width, pavement structure, and internal circulation pattern support predictable traffic movements and ensure that vehicles can enter, exit, and maneuver without conflict. Because this easement provides a direct, well

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:

All the adjacent parcels have developed under the same access arrangement without any negative impact on their use, marketability, or value. The continued development and stable condition of these surrounding properties demonstrates that the absence of direct street frontage on this outlot has not created any adverse effect on adjacent property values.

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

The outlot was originally approved by the Metropolitan Development Commission in this configuration, with the intent that it function as part of an integrated commercial center rather than as a standalone parcel. As a result, the site was designed and constructed with a shared entrance and a common internal access drive that provides circulation throughout the development. Because the parcel relies on this established access system and does not have the ability to obtain independent street frontage, it cannot be developed in compliance with current standards without the benefit of a variance.

DECISION

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

Adopted this _____ day of _____, 20 ____



EXHIBIT A

Heritage Tree Conservation

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

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

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



View looking east along East Southport Road



View looking west along East Southport Road



View of site looking southwest



View of site looking northeast



View of site looking south



View of site looking southwest



View of site looking west



View of site looking east



View of site looking southeast



View from site looking north along western access drive



View looking south along western access drive



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 14, 2026

Case Number: 2025-CZN-865 (Amended) / 2025-CVR-865

Property Address: 4054, 409, and 411 South Shortridge Road

Location: Warren Township, Council District #20

Petitioner: SRMK Realty, LLC, by Justin Kingen

Current Zoning: C-S

Rezoning of 8.48 acres from C-S to C-S to provide for all I-1 uses, truck and trailer parking, auto-related service or repair, outdoor storage of contractor equipment, vehicles awaiting repair, and recreational vehicles.

Request:

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 140-foot front yard setback (maximum front yard setback of 85 feet permitted), off-street parking areas within the front yard (not permitted), and a ten-foot-tall chain link fence within the side and rear yards (maximum six-foot-tall fence permitted within the side and rear yards)..

Current Land Use: Commercial uses

Staff

Recommendations: Denial of the rezoning and variance requests.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued these petitions from the February 26, 2026 hearing, to the March 26, 2026 hearing, at the petitioner's representative request, to provide additional time for continued discussions with the neighborhood organization and staff.

The Hearing Examiner continued these petitions from the March 26, 2026 hearing, to the April 23, 2026 hearing, and to the May 14, 2026 hearing, at the request of staff and the petitioner's representative, to provide time for discussions related to the requests.

STAFF RECOMMENDATION

Staff recommends denial of the rezoning and the variances. 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:



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1. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.
2. A 30-foot half right-of-way shall be dedicated along the frontage of South Shortridge 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 / or prior to the issuance of an Improvement Location Permit (ILP).

PETITION OVERVIEW

This 2.16-acre site, zoned C-S, is comprised of three parcels developed with commercial uses. It is surrounded by a mobile home community to the north, zoned D-11; commercial uses to the south, zoned C-7; railroad right-of-way to the east, zoned D-A; and industrial uses to the west, across South Shortridge Road, zoned I-3.

Petition 2018-ZON-068 rezoned this site to the C-S district to provide for all C-1 uses; I-1 uses; warehouse; commercial and building contractor; truck and trailer parking; and heavy truck, heavy equipment and vehicle sales, repair and service.

REZONING

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

The Comprehensive Plan recommends suburban neighborhood and office commercial typologies for the site.

Recommended land uses in the suburban neighborhood 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.



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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.

Site Plan

The site plan, dated May 7, 2026, includes both the existing development and proposed development with an existing one-story structure and four accessory buildings that serve existing businesses. Access is located along South Shortridge Road on the northern parcel.

Outdoor parking is generally located along the perimeter of the site along the northern boundary and eastern boundary. Outdoor storage is located along the southern boundary related to a commercial contractor.

Proposed buildings include a shelter for covered outdoor storage, an addition to the existing one-story building and an accessory building.

The entire boundary of the site is fenced with fence heights between six-feet-tall and 10-feet-tall. An electric fence is located inside the perimeter fence along all boundaries.

With the exception of a concrete surface at the access drive, the remainder of the site is covered with asphalt millings and / or unpaved.

Development Statement (C-S Statement)

The Development Statement, dated May 7, 2026, identifies permitted uses as I-1 uses, four categories of vehicle-related operations, and outdoor storage.

The Statement lists all existing and proposed buildings, along with the square footage, with a total of 191 parking spaces and five bicycle spaces.

Signage would consist of the existing free-standing sign, a pylon sign and a wall sign.

The Statement notes that the perimeter fence would provide screening and buffering and that existing tree line and natural vegetation along the southern and eastern boundaries would be preserved to the extent possible.

Plan of Operation

The Plan of Operation, file dated May 7, 2026, lists 10 items that include hours of operation, site access, outdoor storage / screening, fencing / security, surface materials, site maintenance, auto repair / truck operation, site upkeep and when amendments to the Plan of Operations would require the filing of a petition.



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Current Planning**

Department of Public Works

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

Staff would note that a proposed greenway is proposed along this area of South Shortridge Road.

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

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



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Division of Planning
Current Planning**

Staff recommended denial of the 2018 rezoning primarily to support the Comprehensive Plan recommendations and minimize the impact of the proposed uses on the surrounding land uses.

Staff believes this rezoning request that eliminates the sales of heavy truck and heavy equipment provides some relief from the permitted uses on surrounding land uses. Furthermore, the Development Statement and Plan of Operation provides more details related to future development, the permitted uses and outdoor operations.

The Development Statement provides for three signs that include an existing freestanding sign, an existing wall sign and a proposed pylon sign. Staff believes that the proposed sign would not be appropriate and would, in fact, require a variance, which staff would not support.

Staff recommended denial of the previous request and the submitted amendments are not substantial enough for staff to now recommend approval.

VARIANCES OF DEVELOPMENT STANDARDS

There are three variances requested that relate to the front yard setback, parking in the front yard and a ten-foot-tall chain link fence in the side and rear yards.

The Ordinance requires a maximum front yard setback of 85 feet. If granted, this request would allow for a 140-foot front yard setback. The closest building to the right-of-way along South Shortridge Road is 54 feet, with the parking lots being approximately 74 feet from the right-of-way. Consequently, staff does not see a need for this variance.

Parking in the front yard is not permitted and it appears that the site has developed over the years without the appropriate permits.

Staff also believes the 10-foot-tall fence creates a compound appearance that could be mitigated by lowering the height to the required six feet. Furthermore, the electric fence located around the perimeter of the site and behind the chain link fence provides security that would not be compromised by lowering the 10-foot-tall fence to six feet. In other words, staff believes there is no practical difficulty in the use of the land that would require a 10-foot-tall fence in addition to an electrical fence.

GENERAL INFORMATION

Existing Zoning	C-S	
Existing Land Use	Industrial / commercial use	
Comprehensive Plan	Suburban Neighborhood / Office Commercial	
Surrounding Context	Zoning	Land Use
North:	D-11	Mobile home community
South:	C-7	Commercial uses
East:	D-2	Railroad right-of-way
West:	I-3	Industrial uses

Thoroughfare Plan		
South Shortridge Road	Local Street	Existing 30-60-foot right-of-way and proposed 60-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	December 30, 2025	
Site Plan (Amended)	April 15, 2026 / May 7, 2026	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	January 2, 2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	December 30, 2025 / April 15, 2026 / May 7, 2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Suburban Neighborhood (northern parcel) and Office Commercial typologies (southern two parcels).

“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.”

“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 – Suburban Neighborhood Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.
- Hydrological patterns should be preserved wherever possible.
- Curvilinear streets should be used with discretion and should maintain the same general direction.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged

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.



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Indy Moves

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

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

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

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

ZONING HISTORY

2018-ZON-068;405, 409, and 411 South Shortridge Road, requested rezoning of 8.77 acres from the D-11 and C-7 district to the C-S classification to provide for C-1 uses; I-1 uses; warehouse; commercial and building contractor; truck and trailer parking; and heavy truck, heavy equipment and vehicles sales, repair and service, **approved**.

2005-ZON-155; 409 South Shortridge Road, requested rezoning of two acres from the D-11 District to the I-2-S classification to provide for industrial uses, **withdrawn**.

98-Z-100 / 98-CV-18; 411 South Shortridge Road, requested a rezoning of 2.93 acres from D-A to C-ID to provide for an auctioneering service and accessory, incidental uses, **approved**.

91-Z-90 / 91-CV-4; 405 South Shortridge Road, requested rezoning of two acres, being in the D-A District to the D-11 classification to provide for the expansion of a mobile dwelling park, with the rear perimeter yard reduced from 50 feet to 20 feet and the minimum distance between buildings reduced from 25 feet to 22 feet, **approved**.

89-Z-144 / 89-CV-21; 405 South Shortridge Road, requested rezoning of 5.545 acres, being in the A-2 District to the D-11 classification to provide for a mobile dwelling park, with reduced perimeter yards and the minimum distance between buildings reduced from 25 feet to 22 feet., **approved**.

88-Z-232/ 88-CV-32; 405 South Shortridge Road, requested rezoning of 18.213 acres, being in the A-2 District, to the D-11 classification to provide for a mobile dwelling park, with reduced perimeter yards and the minimum distance between building reduced form 15 feet to 22 feet, **approved**.

86-UV1-1; 411 South Shortridge Road, requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for the construction of a storage and maintenance building for an existing electric company and for the continued operation of an automobile and small engine repair facility, **granted**.

84-UV1-40; 411 South Shortridge Road, requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for the rental and repair of commercial search light, electrical contracting, fabrication, maintenance and sales of radio towers, automobile repair service, and the outside storage of related equipment and materials, **granted**.

83-UV2-119; 405 Shortridge Road, requested a variance of the use of the (A-2) Marion County Master Plan Permanent Zoning Ordinance to allow automobile service with storage with a sign, **denied**.

81-Z-72; 405 South Shortridge Road, requested rezoning of 9.58 acres being in an A-2 District, to the C-5 classification, to provide for a car lot, **denied**.

69-V-48; 411 South Shortridge Road, requested a variance of use to provide for retail sales and storage of electrical products and equipment, **granted**.



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63-V-48; 411 South Shortridge Avenue, requested a variance of use to provide for the retail sales and storage of electrical products and equipment with an office in the existing residence, **granted**.

61-V-98; 431 South Shortridge Road, requested variance of use to provide for a union hall, offices, and community center with children's play area and off-street parking, **granted**.

VICINITY

2022-CVR-868 / 2022-CVR-868; 431 South Shortridge Road (south of site); requested rezoning of 2.74 acres from the D-A district to the C-S district to provide for an event center and C-1 uses with exceptions and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a zero-foot east yard, and without the required front-yard landscaping, **approved and granted**.

2007-ZON-071; 415 South Shortridge Road (south of site), requested rezoning of 2.74 acres from the C-1 District to the C-ID classification to provide for commercial-industrial uses, **approved**.

2005-DV1-029; 7441 Chinook Circle (north of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a mobile home park with distances between dwelling units varying from 9.5 feet to 30.5 feet and to allow for the ongoing placement of mobile homes with a minimum of 9.5 feet distance between dwelling units (minimum 25-foot separation between dwelling units required), and two dwellings with front yard setbacks of 4.9 feet and 7.3 feet respectively (minimum ten-foot front building setback required), **granted**.

2000-SE1-003; 404 Peachtree Lane (north of site), requested a special exception of the Dwelling Districts Zoning Ordinance to provide for a manufactured home, **granted**.

99-V1-101; 458 South Peachtree Lane (north of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for construction of a 20-foot tall (maximum 17 feet permitted), 1,376-square foot detached garage, creating 1,378 square feet of detached accessory structures, or 119% of the size of the main floor area of the primary residence (maximum 860 square feet or 75% of the size of the main floor area of the primary residence permitted), with total accessory uses being 1,876 square feet, or 164% of the size of the floor area of the primary residence (maximum 1,147 square feet of 99% of the size of the main floor area of the primary residence permitted), **granted**.

98-SE1-9/98-V1-89; 7375 Alice Avenue (north of site), requested a special exception of the Dwelling Districts Zoning Ordinance to provide for the placement of a manufactured dwelling with the dimensions of 72 by 26 feet, and requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the manufactured dwelling, utilizing private septic system (attachment to public or semi-public sanitary sewer facilities required), **granted**.

98-V3-88; 302 South Peachtree Lane (north of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a single-family dwelling



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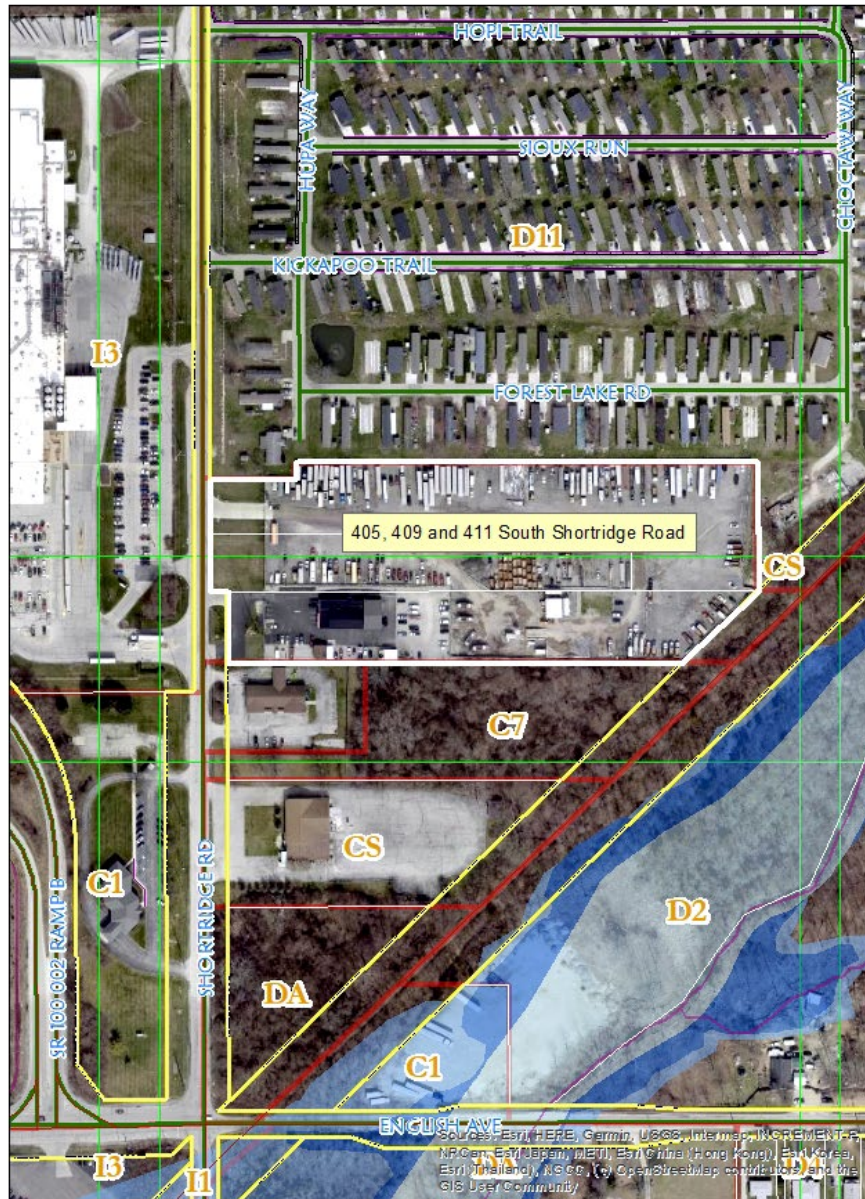
without connecting to public water and sewer facilities (attachment to public or semipublic water and sewer facilities required), **granted**.

94-UV1-108; 129 South Shortridge Road (north of site), requested a variance of use of the Commercial Zoning Ordinance and the Dwelling Districts Zoning Ordinance to provide for the construction of a 6,784-square foot building to be used as an engineering and design office, including the assembly of prototypes (not permitted), **denied**.

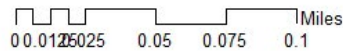
86-UV1-4; 431 South Shortridge Road (north of site), requested a variance of use of the Permanent Zoning Ordinance to provide for an addition to an existing union hall and offices, **granted**.

86-Z-78; 415 South Shortridge Road (south of site), requested rezoning of four acres, being in the A-1 Districts to the C-1 classification to provide for the construction of an office building, **approved**.

EXHIBITS



405, 409 and 411 Shortridge Road





Development Statement 2018

Development Statement:

Petitioner seeks approval for Development Plan and Site Plan to allow:

Uses:

Metropolitan Development

JUN 29 2018

Division of Planning

- C-1 Uses
- I-1 Uses
- Warehouse
- Commercial and Building contractor; including landscape facility (no outdoor storage)
- Truck and Trailer parking
- Heavy Truck/ Heavy Equipment and vehicle sales, service and repair

Buildings:

- Retain existing primary commercial/ industrial building with approximately five thousand square feet and two small accessory storage buildings as depicted on the site plan and a new small accessory building not to exceed two hundred square feet on the existing 409 So. Shortridge Road property to serve as an electrical storage/ guard station facility

Parking:

- Twenty four (24) on-site parking spaces provided; with one (1) being ADA parking spaces.
- Provide five (5) bike spaces to south of the 411 So. Shortridge Road building

Signs:

- Retention of existing free standing sign and existing (3) wall signs on west façade of the 411 So. Shortridge Road.
- One (1) new non illuminated ground sign, being a size not to exceed fifty (50) square feet for new user
- Signage shall comply with the Sign Regulations

Screening and buffering:

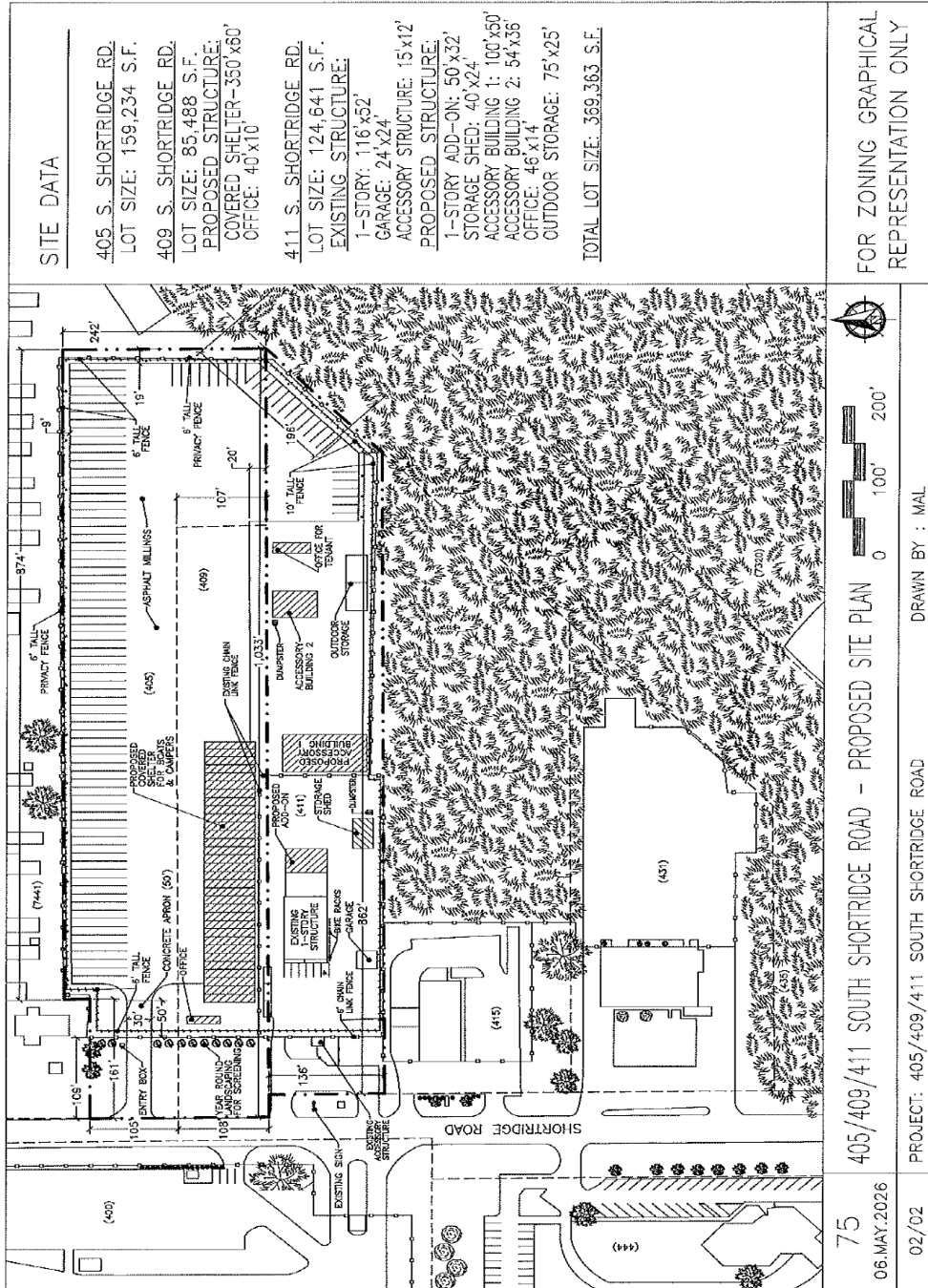
- Maintain existing tree line and foliage depicted on the proposed site plan to the north, northeast and east.
- Additional landscaping per site plan on file

Trash and Refuse

- Dumpster shall be enclosed to the east of the 411 S. Shortridge Road building.

6/20/18

SITE PLAN - MAY 7, 2026



SITE DATA

405 S. SHORTRIDGE RD.
 LOT SIZE: 159,234 S.F.

409 S. SHORTRIDGE RD.
 LOT SIZE: 85,488 S.F.

PROPOSED STRUCTURE:
 COVERED SHELTER-350'x60'
 OFFICE: 40'x10'

411 S. SHORTRIDGE RD.
 LOT SIZE: 124,641 S.F.

EXISTING STRUCTURE:
 1-STORY: 116'x52'
 GARAGE: 24'x24'

PROPOSED STRUCTURE:
 ACCESSORY STRUCTURE: 15'x12'
 1-STORY ADD-ON: 50'x32'
 STORAGE SHED: 40'x24'

ACCESSORY BUILDING 1: 100'x50'
 ACCESSORY BUILDING 2: 54'x35'
 OFFICE: 46'x14'

OUTDOOR STORAGE: 75'x25'

TOTAL LOT SIZE: 369,363 S.F.

FOR ZONING GRAPHICAL
 REPRESENTATION ONLY

75
 06.MAY.2026

02/02

PROJECT: 405/409/411 SOUTH SHORTRIDGE ROAD

405/409/411 SOUTH SHORTRIDGE ROAD - PROPOSED SITE PLAN

0 100' 200'

DRAWN BY : MAL



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 requested variances relate to the placement of an existing building, the location of parking, and the height of perimeter fencing on a developed commercial site. The proposed conditions will not introduce new or more intense uses to the site and will not increase traffic, noise, or other impacts beyond those historically associated with the property. The fencing improvements enhance site security and help screen commercial operations from adjacent residential areas. Granting the requested variances will maintain orderly development while protecting the health, safety, and welfare of the surrounding 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 surrounding area contains a mix of commercial, industrial, and residential uses, and the subject site has long functioned as a commercial property. The variances will not alter the permitted use of the property nor introduce incompatible development. The increased fence heights provide visual buffering and limit potential impacts to nearby residential properties. The existing building setback and parking configuration have been in place for an extended period without demonstrated adverse effects on adjacent properties or property values.

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

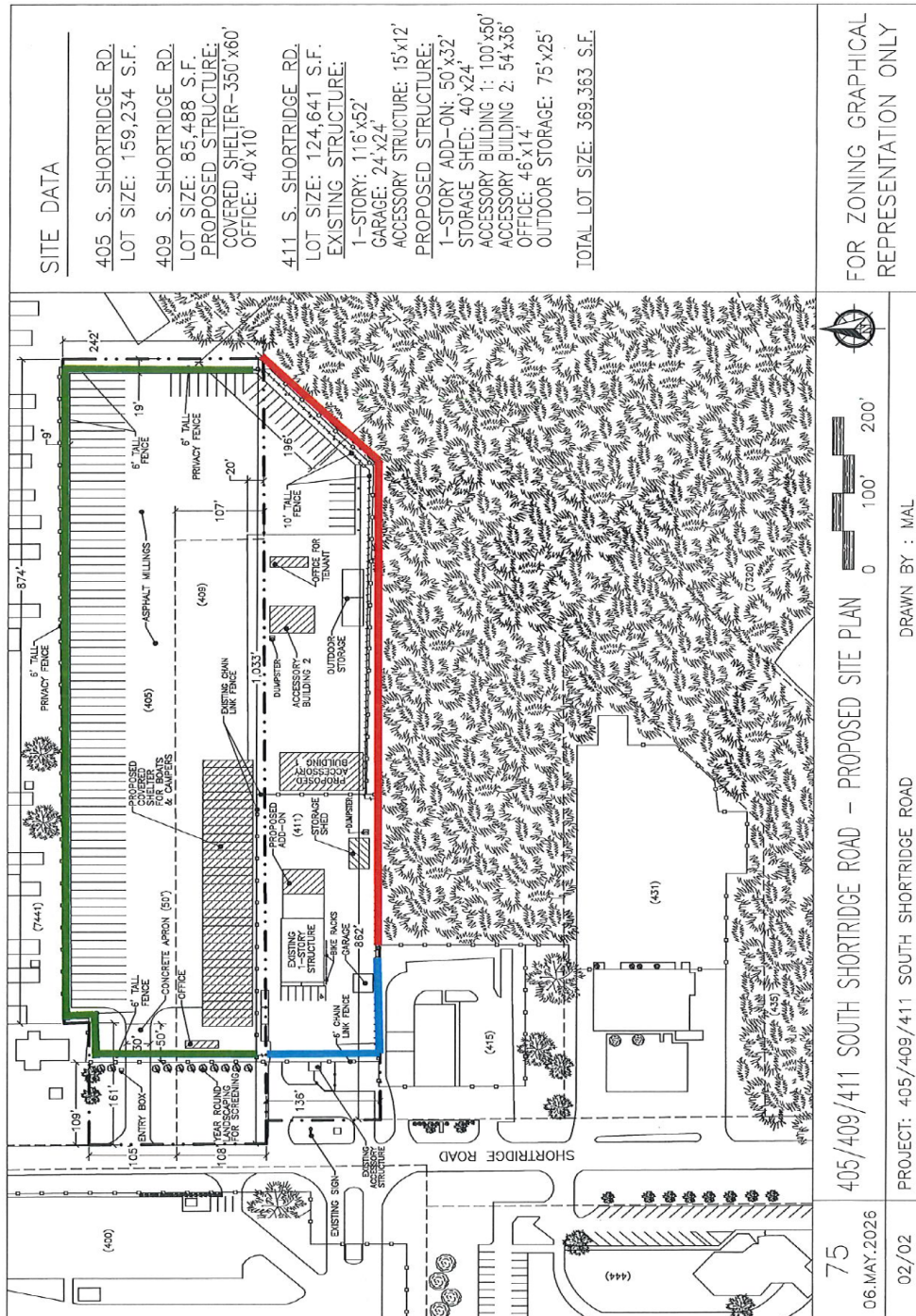
The subject site is a large, previously developed property with an existing building located significantly farther from the right-of-way than permitted under current standards. Strict compliance with the maximum front setback and parking placement standards would require demolition or substantial reconfiguration of the site, which is impractical given the existing improvements and operational needs. Additionally, compliance with fence height limitations would prevent the property owner from providing adequate security and buffering appropriate for the site's size, configuration, and adjacency to residential districts.

DECISION

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

Adopted this _____ day of _____, 20 ____

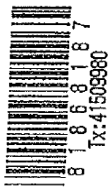
SITE PLAN - 10-FOOT-TALL FENCE LOCATION - MAY 7, 2026





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Division of Planning
Current Planning

COMMITMENTS 2018



A201800106381

10/17/2018 03:33 PM
KATHERINE SWEENEY BELL
MARION COUNTY IN RECORDER
FEE: \$ 35.00
PAGES: 10
By: CJ

STATEMENT OF COMMITMENTS

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

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

Legal Description: 405, 409 & 411 South Shortridge Road

See Attached Legal Description

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 D & E"

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 # 2018-ZON-068 by the City-County Council changing the zoning classification of the real estate from a D-11 & C-7 zoning classification to a C-S zoning classification; or
- (b) the adoption of approval petition # _____ by the Metropolitan Development Commission;

MDC's Exhibit B -- page 1 of 5

Metropolitan Development
SEP 17 2018
Division of Planning

(110)



Department of Metropolitan Development
Division of Planning
Current Planning

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

These COMMITMENTS may be enforced jointly or severally by:

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

The undersigned hereby authorizes the Division of Planning of the Department of Metropolitan Development to record this Commitment in the office of the Recorder of Marion County, Indiana, upon final approval of petition # 2018-ZON-068

IN WITNESS WHEREOF, owner has executed this instrument this 17th day of SEPTEMBER, 20 18.

Signature: Frank Wolf
 Printed: Frank Wolf
 Title / Organization: Owner
 Name: _____

Signature: _____
 Printed: _____
 Title / Organization: _____
 Name: _____

STATE OF INDIANA)
) SS:
 COUNTY OF MARION)

Metropolitan Development
 SEP 17 2018
 Division of Planning



Department of Metropolitan Development
 Division of Planning
 Current Planning

Before me, a Notary Public in and for said County and State, personally appeared FRANK WOLF, OWNER owner(s) (title / organization name) 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 17th day of SEPTEMBER, 20 18

Notary Public JK

Printed Name of Notary Public _____
 My Commission expires: _____
 My County of residence: _____



I affirm under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document unless required by law. – Justin Kingen

This instrument was prepared by Justin Kingen

Metropolitan Development
 SEP 17 2018
 Division of Planning



Department of Metropolitan Development
Division of Planning
Current Planning

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

These COMMITMENTS may be enforced jointly or severally by:

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

The undersigned hereby authorizes the Division of Planning of the Department of Metropolitan Development to record this Commitment in the office of the Recorder of Marion County, Indiana, upon final approval of petition # 2018-ZON-068.

IN WITNESS WHEREOF, owner has executed this instrument this 14th day of September, 2018.

Signature: [Signature]
 Printed: MICHAEL KITTERMAN
 Title /
 Organization
 Name: Sec/Tres SRMK Realty

Signature: [Signature]
 Printed: Sean Rizzi
 Title /
 Organization
 Name: Pres. SRMK Realty

STATE OF INDIANA)
) SS:
 COUNTY OF MARION)

Metropolitan Development
 SEP 17 2018
 Division of Planning



Department of Metropolitan Development
Division of Planning
Current Planning

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

These COMMITMENTS may be enforced jointly or severally by:

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

The undersigned hereby authorizes the Division of Planning of the Department of Metropolitan Development to record this Commitment in the office of the Recorder of Marion County, Indiana, upon final approval of petition # 2018-ZON-068.

IN WITNESS WHEREOF, owner has executed this instrument this 14th day of September, 2018.

Signature: [Signature]
 Printed: MICHELLE K. HERRMAN
 Title /
 Organization
 Name: Sec/Tres SRMK Realty

Signature: [Signature]
 Printed: Sean Rizzi
 Title /
 Organization
 Name: Pres. SRMK Realty

STATE OF INDIANA)
) SS:
 COUNTY OF MARION)

Metropolitan Development
 SEP 17 2018
 Division of Planning



Department of Metropolitan Development
Division of Planning
Current Planning

ATTACHMENT "D":

Petitioner commits to the following:

1. The entrance to the trailer parking area shall be developed in such a fashion so as to leave room for two trucks with trailers to be in a waiting area outside of the entry gate and yet not projecting into the public right of way of So. Shortridge Road
2. A web site shall be developed by the petitioners to so instruct clients, or users of the trailer parking area to gain access preferably to the site using So. Shortridge Road from the north via East Washington Street.
3. A tree assessment by a certified arborist shall be filed for Administrator's Approval prior to any site preparation or disturbance of the site. Such assessment shall determine the species of trees, their condition and a risk assessment of all trees over 18 inches in diameter that would be impacted by development. In accordance with the Ordinance; if any of the trees are heritage trees that would be impacted, they would be preserved or removed and replaced.
4. The hours of operation for the truck and trailer parking on this site shall be restricted to only between 8 am and 6 pm, Monday through Saturday.
5. All exterior lighting shall be shielded so as to prohibit light spillage onto adjoining residential properties.

Metropolitan Development

SEP 17 2018

Division of Planning

8/27/18



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

Attachment "E"

Petitioner commits to exclude the following:

1. Off premise (billboards) signs
2. Electronic Variable Message Signs

Metropolitan Development
SEP 17 2018
Division of Planning

8/2/18



DEVELOPMENT STATEMENT 2025-CVR-865 – MAY 7, 2026

405, 409, & 411 South Shortridge Road Development Statement:

Petitioner requests approval of a rezoning to the C-S (Commercial Special) district and approval of this Development Statement, which shall govern all permitted uses and development on the Real Estate.

I. Permitted Uses

The following uses shall be permitted on the Real Estate. Any use not expressly listed below shall be prohibited.

A. I-1 Uses

B. Vehicle-Relation Operations

1. Truck and Trailer parking
2. Truck or Heavy Vehicle Repair
3. Automobile, Motorcycle, and Light Vehicle Service or Repair
4. Automobile, Motorcycle, and Light Vehicle Sales or Rental

C. Outdoor Storage (As Regulated)

Outdoor storage shall be permitted **only within the secured fenced areas** shown on the Site Plan.

Permitted outdoor storage includes:

1. Construction Contractor equipment & materials
2. Vehicle staging associated with auto repair
3. Recreational Vehicles (RVs), campers, and tow-behind units

Outdoor storage shall be secured and maintained consistent with the requirements in the Plan of Operation and fencing commitments.

II. Buildings

405 South Shortridge Road

- None

409 South Shortridge Road

- Office (400 SF)
- Covered Shelter for Vehicles (Proposed)

411 South Shortridge Road

- Commercial Structure - Auto-Repair Shop & Office (6,000 SF)
- Accessory Structure - Garage (576 SF)
- Accessory Structure – Storage Shed (960 SF)
- Commercial Structure – Office (700 SF)
- Commercial Structure (Proposed) – 1,728 Add-on to existing Auto-Repair Shop & Office
- Commercial Structure (Proposed) – Additional Office/Storage (5,000 SF)



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III. Parking

1. A minimum of twenty-four (24) parking spaces shall be provided, including one (1) ADA-accessible space on 411 South Shortridge Road.
2. One hundred and sixty-six (166) parking spaces shall be provided on 405 and 409 South Shortridge Road.
3. A minimum of five (5) bicycle parking spaces shall be provided near the 411 building.

IV. Signs

1. Existing free-standing and wall signage may remain.
2. One additional non-illuminated ground sign not exceeding 50 square feet shall be permitted.
3. All signage shall comply with applicable Sign Regulations.

V. Screening & Buffering

An existing 6' foot tall metal, privacy fence shall provide screening & buffering around the perimeter of the 405 & 409 South Shortridge Road parcels.

An existing 10' foot tall, chain-link fence shall provide screening & buffering around the side and rear yards of the 411 South Shortridge Road parcel. The existing 10' chain-link fence will be removed in the front yard of 411 and replaced with a new, 6' chain-link fence.

The existing tree line and natural vegetation along the south & east property boundaries shall be preserved to the extent practicable.

VI. Trash & Refuse

All trash shall be stored in an enclosed dumpster area located east of the 411 building.

VII. Compliance with Plan of Operation

All uses shall operate in accordance with the **Plan of Operation** approved with this petition.

Any substantial deviation from that Plan shall require administrative approval or an amendment, as determined by the Department of Metropolitan Development.

4.15.26



PROPOSED COMMITMENTS

405, 409 & 411 South Shortridge Road – Commitments (2025-CZN/CVR-865)

Commitment 1 – Access / Circulation

Vehicular access to the site shall be provided from South Shortridge Road, and site circulation shall be designed to minimize impacts to adjacent residential streets.

Commitment 2 – Website / Wayfinding

A website shall be maintained by the petitioner to instruct clients and users of the site regarding preferred access routes to the property, including access via South Shortridge Road from the north via East Washington Street, to minimize impacts on surrounding residential streets.

Commitment 3 – Tree Mitigation (Revised)

The prior commitment requiring the submittal of a tree assessment by a certified arborist prior to site preparation or disturbance is hereby removed and replaced with the following:

The petitioner shall plant twenty-four (24) trees within Warren Township as mitigation for previously removed heritage trees.

The species, size, and planting locations of the trees shall be determined in coordination with the Department of Metropolitan Development and the Warren Township Development Association (WTDA).

Tree planting locations may be on-site or off-site within Warren Township, subject to approval by the Planning Administrator.

The trees shall be planted within a timeframe approved by the Planning Administrator following final rezoning approval.

Commitment 4 – Hours of Operation (Revised)

The hours of operation for truck and trailer parking on the site shall be restricted to 8:00 a.m. to 9:00 p.m., Monday through Saturday.

Commitment 5 – Exterior Lighting

All exterior lighting shall be fully shielded and designed to prevent light spillover onto adjacent residential properties.

Commitment 6 – Landscaping Installation

All landscaping depicted on the Site Plan filed with petitions 2025-CZN-865 and 2025-CVR-865 shall be installed by October 1, 2026, including the twenty-four (24) mitigation trees referenced in Commitment 3.



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Commitment 7 – Fence Modifications

All fence modifications shown on the Site Plan filed in connection with petitions 2025-CZN-865 and 2025-CVR-865 shall be completed on or before October 1, 2026, and shall comply with the fence regulations set forth in the Consolidated Zoning and Subdivision Ordinance.

4.15.26

PLAN OF OPERATION – MAY 7, 2026

405, 409, & 411 South Shortridge Road - Plan of Operation

1. Hours of Operation

The property of 411 South Shortridge Road will operate during the following hours:

- Monday through Friday: 8:00 a.m. to 6:00 p.m.
- Saturday, Sunday, and major holidays: Closed

The properties of 405 and 409 South Shortridge Road will operate during the following hours:

- Monday through Saturday: 8:00 a.m. to 9:00 p.m.

All truck movements, operational equipment prep, and outdoor activity will occur only during the listed hours. Occasional job emergencies may happen outside of these hours.

2. Site Access and Vehicle Circulation

All access will occur from the existing drive entrance. Trucks and service vehicles will enter and exit on-site without staging or idling on public streets. All inbound and outbound movements will comply with the posted hours and be managed to minimize impacts on adjacent properties.

3. Outdoor Storage and Screening

Outdoor storage will take place only within the secured, fenced portions of the property. Stored materials, equipment, commercial vehicles, and recreational vehicles will remain behind the perimeter fencing and will not extend into required yards, rights-of-way, or neighboring parcels. The existing fencing provides screening of stored items, and the site will be maintained in an orderly and contained manner at all times.

4. Fencing and Security

The property will utilize the existing six-foot perimeter fencing and 10-foot fence on the side yards and rear yards of all 3 parcels (405, 409, & 411 South Shortridge Road). Electric security system will be maintained along portions of the property, to protect storage equipment and automobiles. Access gates will remain locked outside of business hours. Exterior lighting will be shielded and directed downward to prevent glare onto adjoining properties.

5. Surface Material and Site Maintenance

Asphalt millings/asphalt are used as the primary surface material within the fenced areas. The millings will be regularly maintained to control dust, prevent displacement, and preserve proper drainage. The site will be kept free of trash, debris, and loose



materials. Drainage patterns will remain consistent with the existing approved site conditions.

6. Auto Repair Operations

Auto repair activities will occur inside the main building. Services will include general automotive repair, maintenance, diagnostics, and related work typical of a commercial auto repair business. All repair work, tools, and equipment will be contained indoors. Customer vehicles awaiting service will be stored behind the fenced area or inside the building.

7. Emissions and Environmental Practices

The property will comply with local environmental regulations for fluid disposal, hazardous materials handling, and emissions. Spill-response materials will be maintained on site at all times, and routine inspections will be conducted to ensure compliance.

8. Truck Operation and Management

Truck arrivals and departures will be scheduled within operating hours and managed to avoid congestion or conflicts with local traffic. Trucks will be staged inside the fenced yard and will not idle or queue on public streets. Deliveries, pickups, and material loading will occur within the secure fenced area.

9. Property Upkeep and Operational Monitoring

The property will be inspected regularly to ensure compliance with this Plan of Operation. Maintenance responsibilities include surfacing upkeep, fence repairs, drainage monitoring, landscaping care (where applicable), and general housekeeping. Any operational adjustments will be made proactively to preserve compliance and minimize impacts on surrounding properties.

10. Amendments

Any future changes to hours of operation, outdoor storage quantities, fencing, surfacing, or operational activities will require an amendment to this Plan of Operation and/or a modification of commitments, as determined by the Department of Metropolitan Development.

11.24.25



View looking north along South Shortridge Road



View looking south along South Shortridge Road



View of site looking north along South Shortridge Road



View of site looking south along South Shortridge Road



View from site looking west across South Shortridge Road



View of site looking east across South Shortridge Road



View of site looking east across South Shortridge Road



View of site looking southeast across South Shortridge Road



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**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 14, 2026

Case Number:	2026-ZON-034
Property Address:	5400 South Meridian Street (<i>approximate address</i>)
Location:	Perry Township, Council District #22
Petitioner:	Lucila Noveron Toledo
Current Zoning:	C-3
Request:	Rezoning of 0.26-acre from the C-3 district to the C-4 district to provide for commercial uses.
Current Land Use:	Commercial
Staff Recommendations:	Staff recommends denial of this petition.
Staff Reviewer:	Michael Weigel, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

LAND USE

The 0.21-acre site is comprised of a parcel developed with a commercial structure and with frontage along Meridian Street to the east. Aerial photography indicates that for the past six (6) years, the property has had storage of vehicles within the paved front yard of the site. The site is surrounded by a religious use zoned C-3 to the north, residential uses to the west zoned C-3, a cemetery use to the east zoned SU-10, and a parking lot and commercial uses (bar, flooring store, and contractor) to the south zoned both C-3 and D-A.

REZONING

The request would rezone the property from the C-3 district to the C-4 district to allow for commercial uses. The application provided by the did not specify a specific commercial use for the site, but staff would note an open violation at the site related to an automobile service and repair use operating at the subject site (full violation text for VIO25-004315 is below). The rezoning request would solely be for parcel 5034096, and would not include the parcel containing parking areas to the south between the subject property and Epler Avenue.



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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 C-4 (Community-Regional) zoning 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 theaters. Even the smallest of such freestanding uses in this district, as well as commercial centers, require excellent access from major thoroughfares. While these centers are usually characterized by indoor operations, certain permitted uses may have limited outdoor activities, as specified.

STAFF ANALYSIS

The Pattern Book of the Marion County Land Use Book recommends this property and the parcel to the south to the Community Commercial typology (would map closest onto the C-3 zoning district within the Zoning Ordinance). Additionally, the land to the west is recommended for Rural and Estate Neighborhood uses and the parcel containing the religious use to the north is recommended for Office Commercial uses. None of these typologies contemplate outdoor storage related to vehicles, and even if this would not be the contemplated use staff feels that maintaining the existing C-3 district as a buffer for more sensitive land uses (residential and religious uses) would be most appropriate.

The violation case associated with 5400 S Meridian cited this property for the operation of a vehicle repair use with accessory outdoor storage (among other zoning non-conformities, and several vehicles were parked within the paved front yard of the site at the time of staff's visit. Although auto repair uses would be allowed within C-4, staff would note that the *outdoor storage* of vehicles awaiting repair would only be allowed within the C-5 zoning district. If this rezoning resulted in the establishment of an auto repair use at the site, repairs could only be conducted within the existing structure which would be complicated by the small size of the existing building on the site (applicant indicated that no additions or expansions were planned). Outdoor storage of vehicles wouldn't be allowed in C-3 or C-4, and would be two zoning districts of intensity above what is contemplated by the Comprehensive Plan.

Staff would content that the current C-3 zoning of the site would be most appropriate for the site per the Plan recommendation and surrounding land use context. Given that a C-4 zoning district would result in additional intensity near residential, church, and cemetery areas and might be in service of a use with a high risk of outdoor storage and additional negative externality, staff recommends denial of the requested rezoning.



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GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Commercial	
Comprehensive Plan	Community Commercial	
Surrounding Context	Zoning	Surrounding Context
	North: C-3	North: Religious Use
	South: C-3	South: Commercial Parking
	East: SU-10	East: Cemetery
	West: C-3	West: Residential
Thoroughfare Plan		
Meridian Street	Local Street	50-foot existing right-of-way and 50-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	03/17/2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Community Commercial typology provides for low-intensity commercial and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.
 - Heavy Commercial land uses and land uses involving extensive outdoor storage or vehicles are not contemplated for the Community Commercial typology.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.



Infill Housing Guidelines

- Not Applicable to the Site.

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

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

N/A

ZONING HISTORY – VICINITY

2026ZON024 ; 5 West Epler Avenue (southwest of site), Rezoning of 0.68 acres from the D-A district to the C-5 district to provide contractor uses, **pending**.

2012DV1034 ; 5506 South Meridian Street (south of site), Variance of development standards of the Commercial Zoning Ordinance to provide for a 1,434-square foot deck for outdoor seating (not permitted) with 28 parking spaces (minimum 31 parking spaces required) and to legally establish a tavern with a five-foot separation from a protected district (minimum 100-foot separation required) and parking with a zero-foot setback from West Epler Avenue and South Meridian Street (minimum 10-foot front landscape strips required), **approved**.

2012UV1004 ; 5 West Epler Avenue (southwest of site), Variance of use of the Dwelling Districts Zoning Ordinance to provide for a 7,200-square foot building to permit the expansion of an existing boiler and welding company (not permitted), with off-street parking and additional driveways from Meridian Street and Epler Avenue, **approved**.

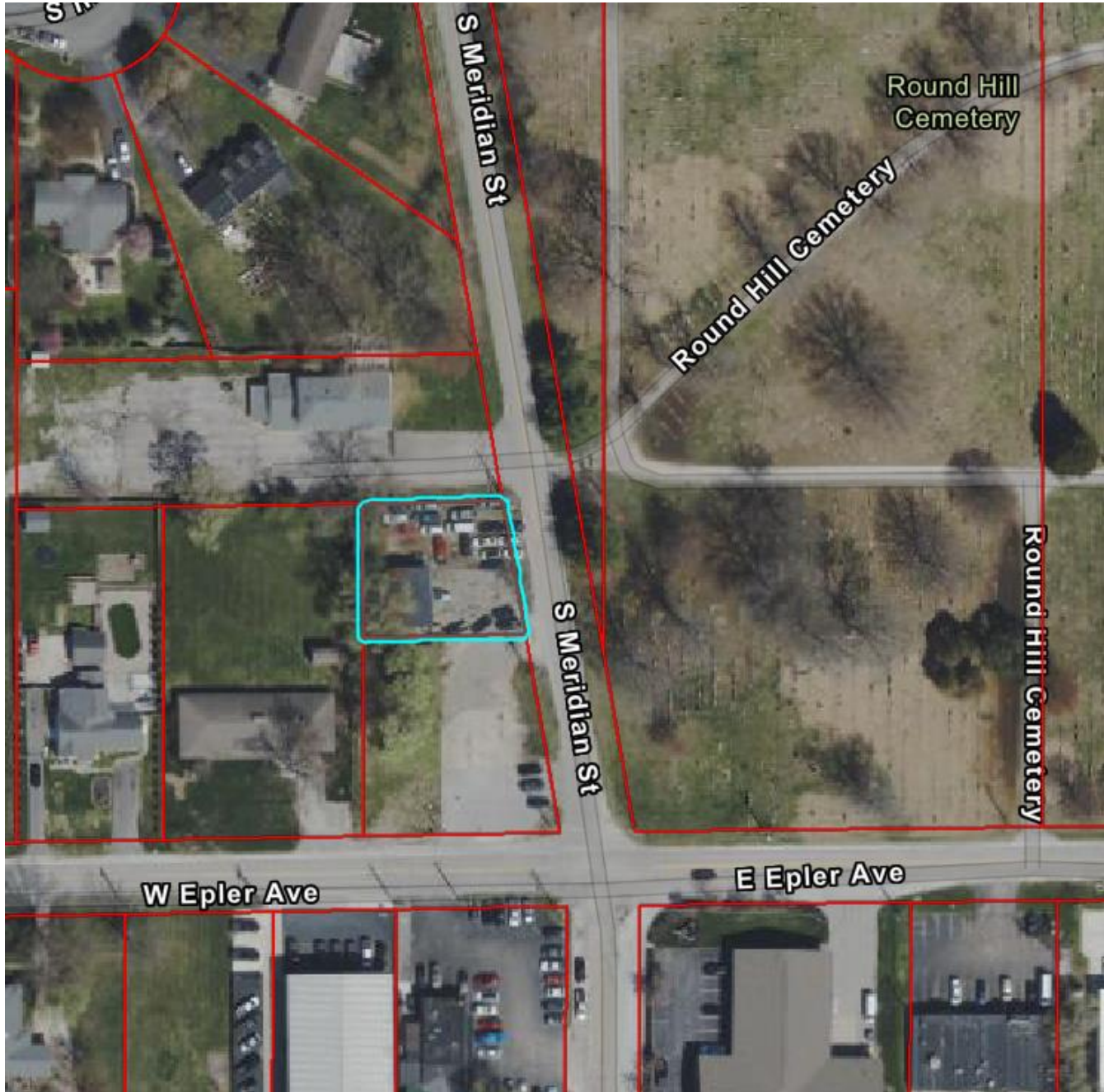
2000UV2005 ; 5 West Epler Avenue (southwest of site), Variance of use and development standards of the Dwelling Districts Zoning Ordinance to provide for a 3,835 square foot addition to an existing boiler and welding company (not permitted) on a 0.55-acre lot, with 90 feet of street frontage (125 feet required), open space of 70.5% (85% required), a side setback of 3.2 feet and an aggregate side setback of 18.2 feet (30 feet minimum and 75 feet aggregate required) and a main floor area of zero feet (1,200 square feet required for primary single-family dwelling), **approved**.

90-V3-94 ; 5505 South Meridian Street (southwest of site), Variance of development standards of the Commercial Zoning Ordinance to permit the construction of an addition to an existing carpet store with 20 parking spaces (35 parking spaces required), **approved**.

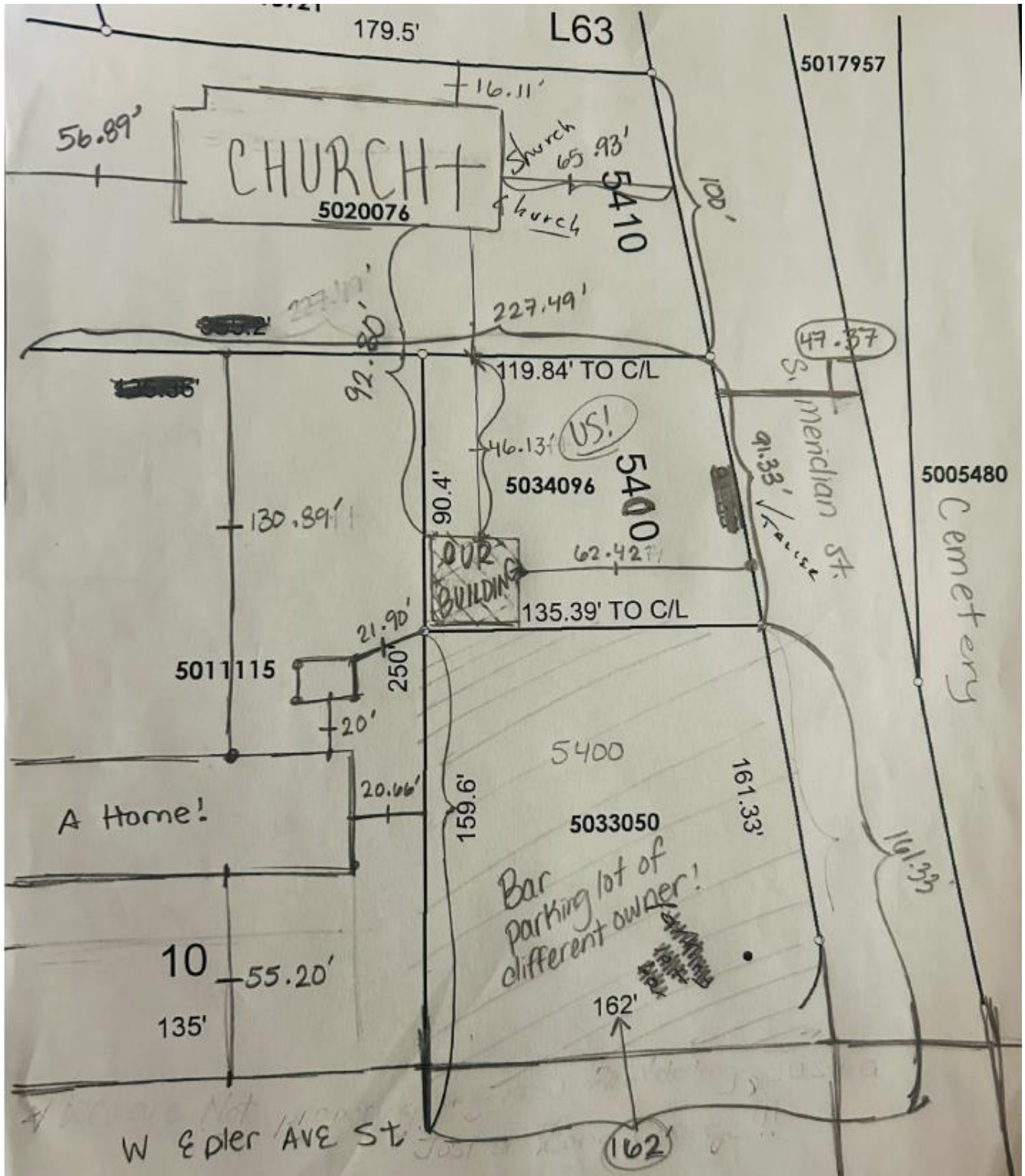
89-V2-47 ; 24 West Epler Drive (southwest of site), Variance of use of the Commercial Zoning Ordinance to provide for an in-ground swimming pool, accessory to a single-family residence in a commercial (C-3) zoning district, **approved**.

EXHIBITS

2026ZON034 ; Aerial Map



2026ZON034 ; Site Plan





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2026ZON034 ; Notice of Violation (VIO25-004315)

Section 740 -1005.A.1. Civil Zoning Violation

Specific Violation: The location, erection, or maintenance of any sign not specifically permitted by the Zoning Ordinance; (744-903.B. - Failure to obtain a sign permit for the display of a wall sign).

Section 740 -1005.A.3. Civil Zoning Violation

Specific Violation: The outdoor storage of junk, trash, or debris in any zoning district, the provisions of which do not specifically permit such a use; (Cardboard, plywood, buckets, plastic scraps, and other miscellaneous items throughout the property).

Section 740 -1005.A.4. Civil Zoning Violation

Specific Violation: The outdoor storage of inoperable vehicles in any zoning district, the provisions of which do not specifically permit such a use; (Any motor vehicle, racing vehicle, recreational vehicle, trailer, camper, boat, airplane, bus, truck, or similar vehicle, that cannot be driven, towed or hauled on a city street without being subject to the issuance of a traffic citation by reason of its operating condition or the lack of a valid license plate, or flat tires; or that is otherwise partially dismantled or mechanically inoperable...Multiple vehicles no plates).

Section 740 -1005.A.4. Civil Zoning Violation

Specific Violation: The outdoor storage of vehicle parts in any zoning district, the provisions of which do not specifically permit such a use; (Truck bed, door, hood, and other miscellaneous vehicle parts throughout the property).

Section 740 -1005.A.5. Civil Zoning Violation

Specific Violation: The parking or storage of a commercial vehicle in any zoning district, when the provisions of which do not specifically permit such a use; (Vehicle, regardless of weight, used or designed to be used as commercial tree-trimming equipment).

Section 740 -1005.A.7. Civil Zoning Violation

Specific Violation: The conduct of any activity in a zoning district, not specifically enumerated as a permitted primary or accessory use in that zoning district; (Table 743-1: - Automobile, Motorcycle, and Light Vehicle Service or Repair is not a permitted use in a C-3 zoning district...Noveron Auto Repair LLC).

Section 740 -1005.A.7. Civil Zoning Violation

Specific Violation: The conduct of any activity in a zoning district, not specifically enumerated as a permitted primary or accessory use in that zoning district; (Table 743-1: - Outdoor storage and operations is not a permitted accessory use in a C-3 zoning district...inoperable vehicles awaiting repair).

2026ZON034 ; Photographs



Photo 1: Subject Site Viewed from East



Photo 2: Subject Site Viewed from East (May 2025)

2026ZON034 ; Photographs (continued)



Photo 3: Adjacent Parking Lot to South of Subject Site



Photo 4: Adjacent Property to South of Epler Avenue

2026ZON034 ; Photographs (continued)



Photo 5: Adjacent Property to Southeast



Photo 6: Adjacent Property to East

2026ZON034 ; Photographs (continued)



Photo 7: Adjacent Property to North



Photo 8: Adjacent Property to West/Southwest



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**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 14, 2026

Case Number: 2025-CZN-812 / 2025-CPL-812 / 2025-CVC-812

Property Address: 1349 East 54th Street

Location: Washington Township, Council District #7

Petitioner: Indianapolis Public Schools, by Russell McClure

Current Zoning: SU-2 (W-5)

Rezoning of 2.9 acres from the SU-2 (W-5) district to the SU-16 (W-5) district to provide for indoor and outdoor recreational and entertainment uses.

Request: Approval of a Subdivision Plat, to be known as Haverford Subdivision, dividing 8.7 acres into two lots.

Vacation of a portion of Haverford Avenue, being 25 feet to 47.71 feet in width, beginning at the south right-of-way line of 54th Street, south 629.99 feet, with a waiver of the assessment of benefits.

Current Land Use: Educational uses / Sports Fields

Staff Recommendations: Approval of the rezoning, plat and vacation.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing for these petitions.

STAFF RECOMMENDATION

Staff recommends that the Hearing Examiner approve and find that the plat, file dated February 14, 2025, complies with the standards of the Subdivision regulations, subject to the following conditions:

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



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7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
11. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.
12. That the plat shall be recorded within two (2) years after the date of conditional approval by the Hearing Examiner.

Staff recommends approval of the rezoning and the vacation requests.

PETITION OVERVIEW

This 8.7-acre site, zoned SU-2 (W-5), is developed with educational uses and sports fields. It is surrounded by single-family dwellings to the north, across East 54th Street, zoned D-4 (W-5); multi-family dwellings to the south, zoned D-8 (W-5); single-family dwellings to the east, zoned D-5 (W-5); and religious uses and a sports field to the west, zoned D-5 (W-5).

Petition 2009-ZON-097 rezoned this site to the SU-2 district.

REZONING

The request would rezone 2.9 acres of the site to the SU-16 (Indoor and outdoor recreation and entertainment) district.

“No building, structure, premises or part thereof shall be constructed, erected converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this article and until the proposed Site and Development Plan and landscape plan have been filed with and approved on behalf of the Commission by the Administrator.”

All land use within the Special Use districts shall be limited to the use or uses as identified in the Ordinance.

The Comprehensive Plan recommends suburban neighborhood.

Recommended land uses in the suburban neighborhood 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.



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As proposed, this request would be consistent with the Comprehensive Plan recommendation.

Wellfield Protection Secondary Zoning

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

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

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

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

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

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



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Planning Analysis

As proposed, the rezoning request would be consistent with the Comprehensive Plan recommendation of suburban neighborhood typology. This typology allows uses beyond residential uses that include small parks.

Staff believes the proposed use would be considered to be an activity that would typically be available in a park. Furthermore, the sports fields have been used by a Little League organization with little impact on surrounding land uses.

PLAT

This request would provide for approval of a Subdivision Plat, to be known as Haverford Subdivision, dividing 8.7 acres into two lots.

Site Plan

The site is developed with educational uses and sports fields. The educational uses (5.19 acres) would be located on Lot 1 and the sports fields (2.90 acres) would be located on Lot 2, with the vacation being 0.58 acres.

Streets

East 54th Street abuts the northern boundary of this site, with Haverford Avenue continuing south along the western boundary of the site to provide access and parking for the education uses, religious uses and sports fields.

Sidewalks

Sidewalks exist along East 54th Street so no new sidewalks would be required.

Waivers

None.

VACATION

This request would vacate a portion of Haverford Avenue, being 25 feet to 47.71 feet in width, beginning at the south right-of-way line of 54th Street, south 629.99 feet to the southern boundary of the site.

Summary

The vacation would vacate Haverford Avenue and would continue to provide access to the educational uses, religious uses and sports fields that abut this proposed vacation.



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Staff finds that the vacation **would be in the public interest**, and the vacation **should be approved**, with the waiver of benefits.

RECOMMENDED VACATION MOTION: That the Hearing Examiner finds that the proposed vacation is in the public interest, that a hearing upon the assessment of benefits be waived; that the Hearing Examiner confirm and ratify the adoption of Declaratory Resolution 2025-CVC-812, and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

Procedure

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

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

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

GENERAL INFORMATION

Existing Zoning	SU-2 (W-5)	
Existing Land Use	Educational uses / Sports fields	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
	North: D-4 (W-5)	Single-family dwellings
	South: D-8 (W-5)	Multi-family dwellings
	East: D-5 (W-5)	Single-family dwellings
	West: D-5 (W-5)	Religious uses / Sports field
Thoroughfare Plan		
East 54 th Street	Primary Collector	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	Yes – Fall Creek W-5	



Site Plan	February 14, 2025
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	February 14, 2025
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 Neighborhood Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.
- Hydrological patterns should be preserved wherever possible.
- Curvilinear streets should be used with discretion and should maintain the same general direction.



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- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.

Small-Scale Parks (defined as public or private parks that are generally under 10 acres in size).

- With the exception of minimally improved natural areas or golf courses, parks should be integrated as focal points and should not have more than 25% of their perimeter comprised of adjoining rear or side yards.
- Should be situated along streets on which the front door of housing units is located.
- If a component of a master-planned development, continuous pedestrian infrastructure (sidewalk, greenway, or off-street path) between the proposed site and any residential uses within the development should be provided.

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

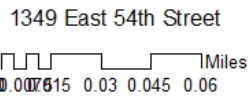
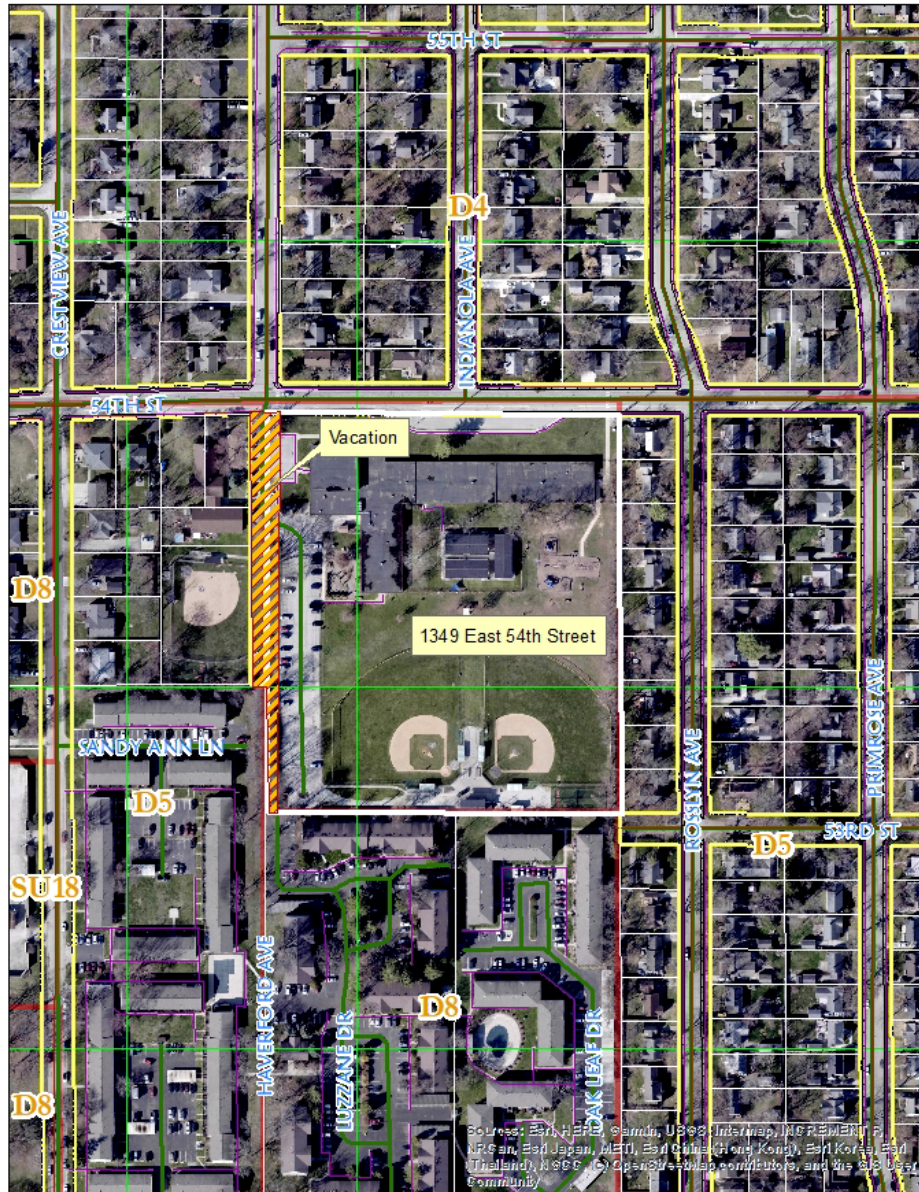
2009-ZON-097; 1349 East 54th Street, requested rezoning of 8.415 acres, being in the D-5 district, to the SU-1 classification to provide for school uses, **approved**.

VICINITY

72-VAC-42; requested vacation of the east one-half of Haverford Avenue from the centerline of East 52nd Street to a point 645.42 feet north, **approved**.

65-Z-144 1470 East 52nd Street (south of site), requested rezoning of 8.8 acres being in the U-1, H1 and A-2 districts to the D-8 classification to provide for the construction of an apartment project, **approved**.

EXHIBITS





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Site Plan

Site plan for IPS 55, Section 7, Township 18 North, Range 4 East, Center Township, Indiana. Includes a detailed site plan with lot numbers (LOT 1-18), a legend for symbols (e.g., utility lines, easements), and a north arrow. The plan shows a large central building footprint, parking areas, and surrounding streets like 20th Street and 21st Street. A scale of 1" = 100' is provided.

LEGAL DESCRIPTION
PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 18 NORTH, RANGE 4 EAST, CENTER TOWNSHIP, MARION COUNTY, INDIANA.

OWNER'S CERTIFICATION
OWNERS OF THE LOT IN THIS INSTRUMENT SHALL TAKE TITLE TO SAID LOT SUBJECT TO THE PROVISIONS OF THE DECLARATION OF THE RECORDS OF MARION COUNTY, INDIANA, AS AMENDED AND TO THE EXHIBITS, COVENANTS, AND RESTRICTIONS THEREON.

DEED THIS... DAY OF... 200...
BY: [Signature]

STATE OF...
COUNTY OF...
PERSONS BY AND AS NATURAL PERSONS, THE... DAY OF... 200...

BY COUNTY OF RESIDENCE IN...
MY COMMISSION EXPIRES...
SIGNATURE...
PRINTED NAME...

NOTARIAL PUBLIC
JOSEPH T. HAIN
MARION COUNTY, INDIANA

THIS INSTRUMENT PREPARED BY JOSEPH T. HAIN
IN WITNESS WHEREOF, I HAVE HEREBY SET MY HAND AND SEAL AT... INDIANA, THIS... DAY OF... 200...

ENDORSEMENT COVENANTS
THE SELLER SHALL WARRANT TO THE BUYER THAT THE SELLER HAS THE RIGHT TO CONVEY THE PROPERTY DESCRIBED IN THIS INSTRUMENT.

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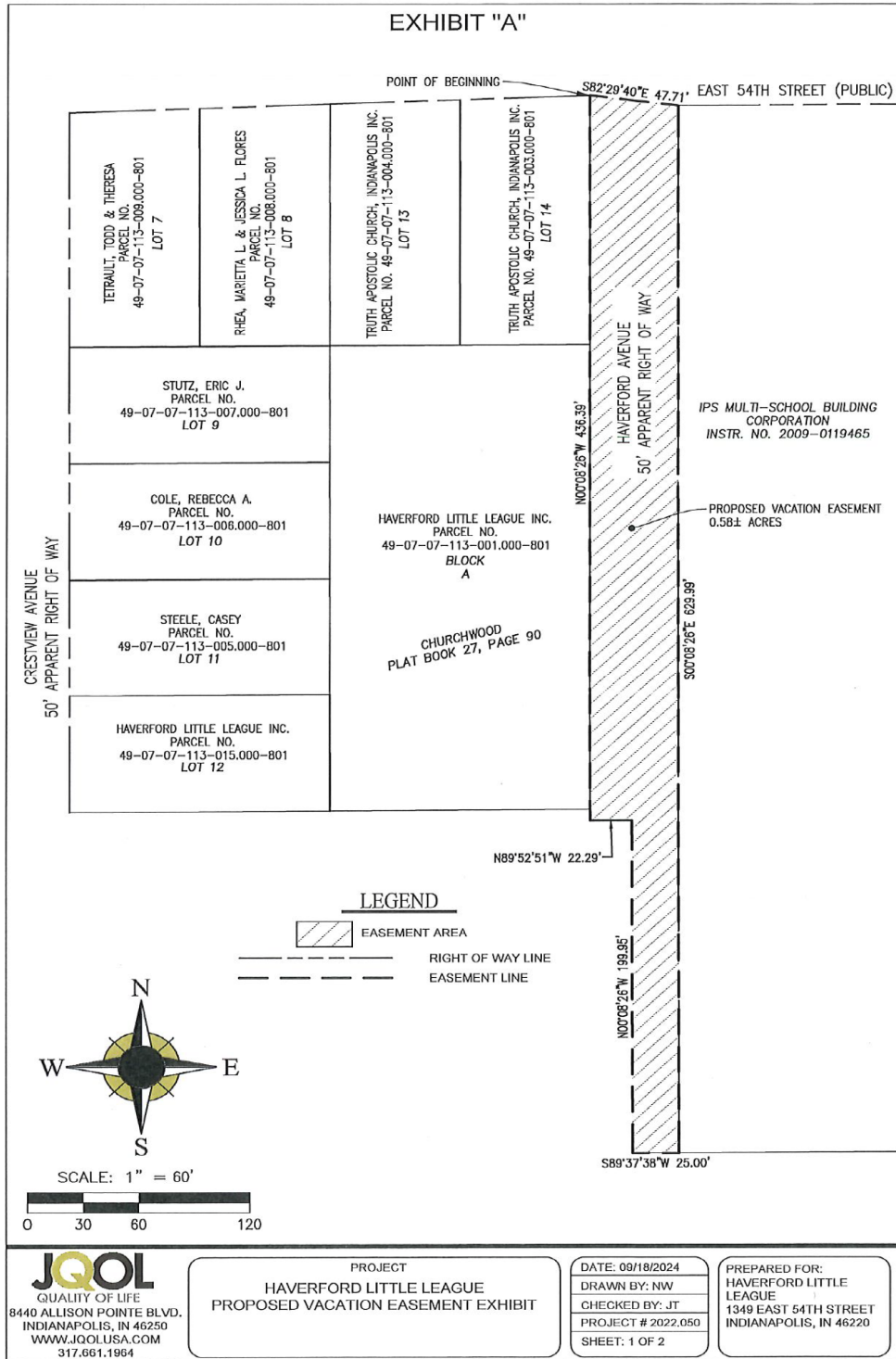
Proposed Plat

HAVERFORD SUBDIVISION
SECTION 11, TOWNSHIP 4 NORTH, RANGE 4 EAST, CENTER TOWNSHIP, MARION COUNTY, INDIANA
LEGAL DESCRIPTION
OWNER'S CERTIFICATION
OWNER'S CONTRACT
PLAT INFORMATION
PLAT NUMBER: 1
DATE OF PLAT: 01/12/2011
PLAT AREA: 1.00 AC.



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Proposed Vacation





Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

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

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

FINDINGS OF FACT

1. THE PROPOSED VACATION IS IN THE PUBLIC INTEREST because:
Portions of the RoW are unimproved and have not been used for access. Portions that are improved have been used for access to indianpolis Public Schools and the Haverford Little League properties exclusively. This vacation will not have any effect on access to IPS or Haverford Little League properties. Also, our records show that the RoW has been maintained exclusively by IPS.

DECISION

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

Adopted this _____ day of _____, 20 ____



B

View looking east along East 54th Street



View looking west along East 54th Street



View looking south across intersection of East 54th Street and Haverford Avenue



View looking north along northern portion of Haverford Avenue



View looking south along northern portion of Haverford Avenue



View looking north along southern portion of Haverford Avenue



View looking south along southern portion of Haverford Avenue



View of site looking southeast across intersection of East 54th Street and Haverford Avenue



View of site looking southeast across Haverford Avenue



View of site looking east across Haverford Avenue



View of site (sports fields) looking east across Haverford Avenue



View of site (sports fields) looking east across Haverford Avenue



View of southern portion of site looking northeast across Haverford Avenue

METROPOLITAN DEVELOPMENT COMMISSION **May 14, 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

This is the first hearing for these petitions.

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 / receptables provided for the proper disposal of trash and other waste.



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2. A 63-foot half right-of-way shall be dedicated along the frontage of Shelbyville 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.

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.

“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.”



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



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

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.

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.”



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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.”



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

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



ZONING HISTORY

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**.

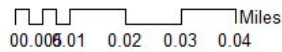
88-Z-268; 4456 Allisonville Road (west of site), requested rezoning of 0.66 acre, being in the C-3 district, to the C-5 classification to provide the continued operation of a night club, **withdrawn**.

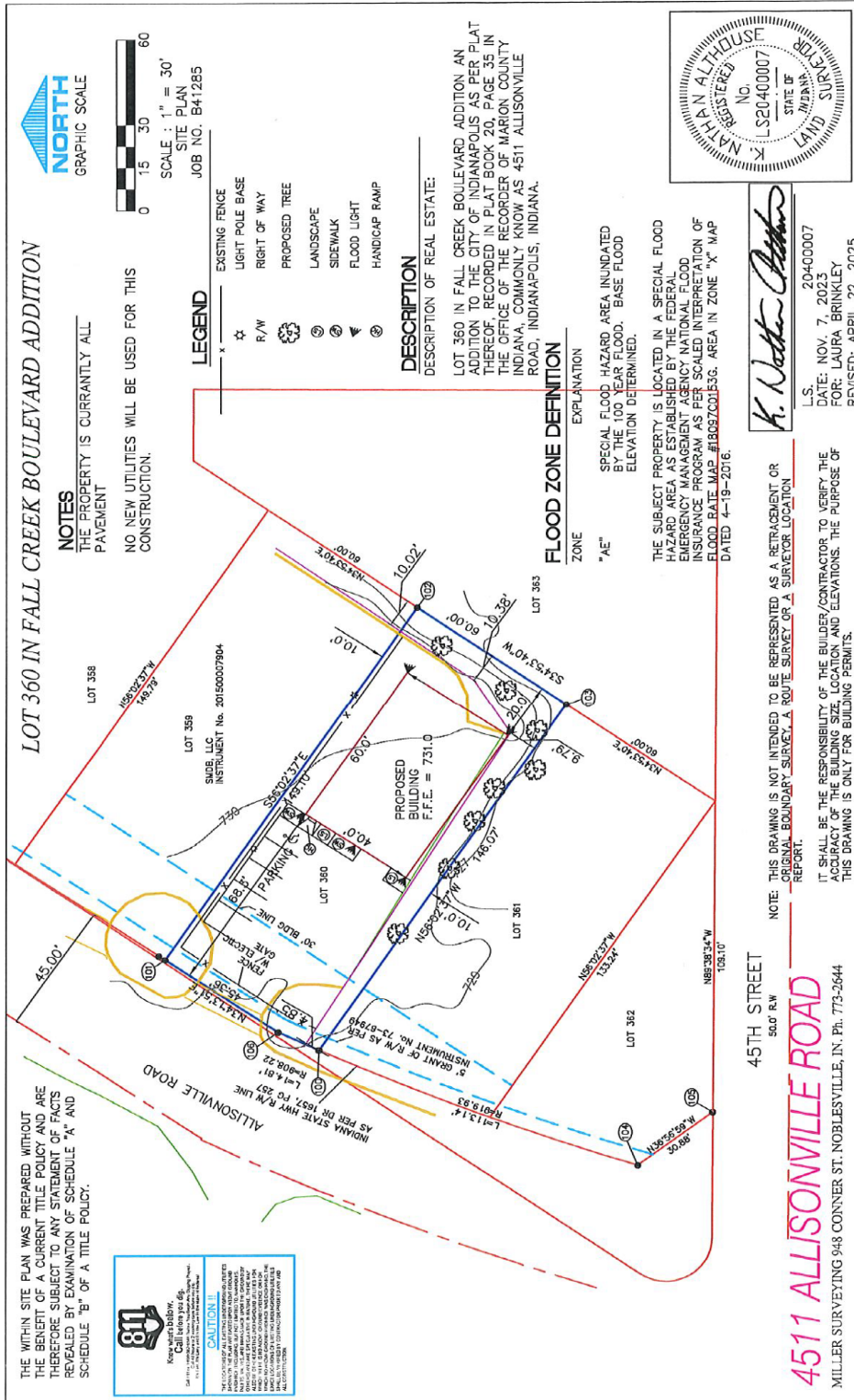
EXHIBITS



Sources: Esri, HERE, Garmin, USGS, Imagmap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NOAA, Swisstopo, Mapbox contributors, and the GIS User Community.

4511 Allisonville Road







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



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:

- 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