



# Metropolitan Development Commission Hearing Examiner (March 14, 2024) Meeting Agenda

## Meeting Details

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

**Date:** Thursday, March 14, 2024

**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. 2024-APP-001 | 1621, 1625 and 1631 West 86th Street**

Washington Township, Council District #2

HD-2

Dinneen – Ward – Shelley, LLC, by Aaron Reynolds

Hospital District-Two Approval to provide for an office building and associated parking.

**\*\*Staff request for a continuance for cause to March 28, 2024**

**2. 2023-ZON-129 | 3050 North Illinois Street**

Center Township, Council District #8

The Children’s Museum of Indianapolis, by Jamilah Mintze

Rezoning of 3.31 acres from the C-S (TOD) district to the C-S (TOD) district to provide for a storage building. Modification of Site Plan related to 2003-ZON/VAR-805 and 2004-APP-041 to provide for an updated site plan to include the proposed storage building.

**\*\*Petitioner request for a continuance for cause to April 11, 2024.**

**3. 2024-ZON-009 | 5252 West 52nd Street**

Pike Township, Council District #6

Bethel United Methodist Church

Rezoning of 0.724 acre from the SU-1 district to the D-4 district to provide for residential uses.

**\*\*Automatic Continuance to April 11, 2024, filed by a Registered Neighborhood Organization.**

**4. 2024-ZON-015 | 2053 Yandes Street**

Center Township, Council District #13

Hollister Properties, LLC, by Kristin Hollister

Rezoning of 0.13 acres from the I-3 district to the D-8 district to provide for residential uses.

**\*\*Automatic Continuance to April 11, 2024, filed by a Remonstrator.**

**5. 2024-CZN-806 / 2024-CVR-806 | 4896 Kentucky Avenue**

Decatur Township, Council District #21  
Taco Bell of America, LLC, by Josh Graber

Rezoning of 0.18 acre from the C-5 district to the C-4 district to provide for a restaurant use.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a drive-through within the front yard of High School Road without the required exclusive bypass lane, (not permitted within front yards along rights-of-way greater than 30 feet wide, exclusive bypass aisle required).

**\*\*Staff request for a continuance for cause to March 28, 2024, with Notice**

## Petitions for Public Hearing

### PETITIONS TO BE EXPEDITED:

**6. 2024-APP-003 | 1550 County Line Road and 8615 Shelby Street**

Perry Township, Council District #23  
HD-2  
Community Health Network & Community Health Network Foundation, Inc., by Timothy H. Button

Hospital District Two Approval to provide for 58,576 sq. foot expansion of the existing Cancer Center and additional parking.

**7. 2024-APP-004 | 1313 South Post Road**

Warren Township, Council District #20  
PK-1  
Indy Parks and Recreation, by Kate Warpool

Park District One approval to provide for a new pavilion, parking and sidewalks.

**8. 2023-ZON-118 | 5181 North High School Road**

Pike Township, Council District #10 (#5 Beginning 2024)  
Abdulateef O. Aregbe

Rezoning of 1.98 acres from the D-A (FW) (FF) and D-6 districts to the D-6 (FW) (FF) district to provide for a residential triplex.

**9. 2024-ZON-011 | 1031 & 1033 Udell Street**

Center Township, Council District #12  
Indy Parks and Recreation, by Kate Warpool

Rezoning of 0.174 acre from the D-5 district to the PK-1 district to provide for park uses.

**10. 2024-ZON-012 | 1170 Kentucky Avenue**

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

Rezoning of 1.38 acres from the C-1 district to the I-3 district to provide for industrial uses.

**11. 2024-ZON-013 | 2018 Yandes Street**

Center Township, Council District #13  
Matthew Peyton

Rezoning of 0.13 acres from the I-3 district to the D-8 district to provide for residential uses.

**12. 2024-ZON-016 | 930 Daly Street**

Center Township, Council District #18  
Joshua Conrad, by Brian J. Tuohy

Rezoning of 1.3 acres from the I-3 district to the C-4 district to provide for an event center and other regional commercial uses

**13. 2024-ZON-017 | 8468 Union Chapel Road**

Washington Township, Council District #2  
Keystone Investment, LLC, by Brian J. Tuohy

Rezoning of 1.82 acres from the C-S district to the C-S district to add multi-family residential to the list of permitted uses.

**14. 2024-ZON-018 | 922 East 17th Street**

Center Township, Council District #13  
DeAnna Jones

Rezoning of 0.09 acre from the I-3 district to the D-8 district to provide for residential uses.

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

**15. 2023-CZN-869 / 2023-CAP-869 | 4105 and 4151 East 96th Street**

Washington Township, Council District #4  
96th Street Developers, LLC, by Joseph D. Calderon

Rezoning of 30.64 acres from the C-S (FW) (FF) district to the C-S (FW) (FF) district to provide for the following uses: Commercial and Building Contractor, Offices, Light Manufacturing, Artisan Manufacturing, Recycling Station, Research and Development, Warehousing, Wholesaling and Distribution (including showroom with retail), Consumer Services, repair of Consumer Goods, Medical or Dental Office, Center or Clinic, Hair and Body Care Salon or Service, Financial and Insurance Services, Eating Establishment or Food Preparation, including brewery, distillery or tap room, Indoor Recreation/Entertainment, Retail, Light and Heavy General, Automobile Fueling Station, Automobile, Motorcycle, and Light Vehicle Service, Sales or Repair, Automobile and Light Vehicle Wash, Hotel or Motel, Food Trucks, Vocational, Technical or Industrial School or Training Facility, Day Care Center or Nursery School and other Accessory Uses.

Modification of Commitments related to 85-Z-128 and 98-Z-76 to terminate all existing commitments related to these two rezoning petitions.

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

**16. 2024-APP-002 | 2035 North Park Avenue**

Center Township, Council District #13  
PK-1  
Indy Parks and Recreation, by Kate Warpool

Park District One approval to provide for park improvements including landmark/gateway structures, walking paths, landscaping and parking.

**17. 2024-ZON-010 | 8235 Bash Street**

Lawrence Township, Council District #4  
Sohum Hotels, Castleton, LLC, by David Kingen

Rezoning of 1.793 acres from the C-3 and C-4 districts to the C-4 district to provide for regional commercial uses.

**Additional Business:**

\*\*The addresses of the proposals listed above are approximate and should be confirmed with the Division of Planning. Copies of the proposals are available for examination prior to the hearing by emailing [planneroncall@indy.gov](mailto:planneroncall@indy.gov). Written objections to a proposal are encouraged to be filed via email at [dmdpubliccomments@indy.gov](mailto:dmdpubliccomments@indy.gov) before the hearing and such objections will be considered. At the hearing, all interested persons will be given an opportunity to be heard in reference to the matters contained in said proposals. The hearing may be continued from time to time as may be found necessary. For accommodations needed by persons with disabilities planning to attend this public hearing, please call the Office of Disability Affairs at (317) 327-5654, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.

STAFF REPORT

Item 1.

Department of Metropolitan Development  
Division of Planning  
Current Planning Section

**Case Number:** 2024-APP-001  
**Address:** 1621, 1625 and 1631 West 86<sup>th</sup> Street (approximate address)  
**Location:** Washington Township, Council District #2  
**Zoning:** HD-2  
**Petitioner:** Dinneen – Ward – Shelley, LLC, by Aaron Reynolds  
**Request:** Hospital District-Two Approval to provide for an office building and associated parking.

The Hearing Examiner acknowledged the automatic continuance filed by a registered neighborhood organization that continued this petition from the February 15, 2024 hearing, to the March 14, 2024 hearing.

Staff is requesting a **continuance from the March 14, 2024 hearing, to the March 28, 2024 hearing** because of issues related to site access from West 86th Street. There are ongoing discussions, but additional time is required to resolve this issue.

kb

\*\*\*\*\*



**METROPOLITAN DEVELOPMENT COMMISSION** **MARCH 14, 2024**  
**HEARING EXAMINER**

**Case Number:** 2023-ZON-129

**Property Address:** 3050 North Illinois Street (Approximate Address)

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

**Petitioner:** The Children’s Museum of Indianapolis, by Jamilah Mintze

**Current Zoning:** C-S

**Request:** Rezoning of 3.31 acres from the C-S (TOD) district to the C-S (TOD) district to provide for a storage building.  
Modification of Site Plan related to 2003-ZON/VAR-805 and 2004-APP-041 to provide for an updated site plan to include the proposed storage building.

**Current Land Use:** Commercial

**Staff Recommendations:** Staff has no recommendation for this request.

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

**PETITION HISTORY**

This petitioner was automatically continued from the February 15, 2024 hearing to the March 14, 2024 hearing.at the request of the petitioner.

The petitioner will be requesting a **continuance for cause from the March 14, 2024 hearing to the April 11, 2024 hearing** to allow additional time for updated plans to be provided and reviewed by staff.

**STAFF RECOMMENDATION**

Staff has no recommendation for this request.

**PETITION OVERVIEW**

This petition is to be continued to the April 11, 2024 hearing.



**METROPOLITAN DEVELOPMENT COMMISSION** **March 14, 2024**  
**HEARING EXAMINER**

**Case Number:** 2024-ZON-009

**Property Address:** 5252 West 52nd Street (Approximate Address)

**Location:** Pike Township, Council District #6

**Petitioner:** Bethel United Methodist Church

**Current Zoning:** SU-1

**Request:** Rezoning of 0.724 acre from the SU-1 district to the D-4 district to provide for residential uses.

**Current Land Use:** Religious Use

**Staff Recommendations:** Staff has no recommendation for this request.

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

**PETITION HISTORY**

A timely automatic continuance request was filed by a registered neighborhood organization, **continuing this petition from the March 14, 2024 hearing to the April 11, 2024 hearing**. This would require acknowledgement from the Hearing Examiner.

**STAFF RECOMMENDATION**

Staff has no recommendation for this request.

**PETITION OVERVIEW**

This petition is to be continued to the April 11, 2024 hearing.



**METROPOLITAN DEVELOPMENT COMMISSION** **March 14, 2024**  
**HEARING EXAMINER**

**Case Number:** 2024-ZON-015

**Property Address:** 2053 Yandes Street (Approximate Address)

**Location:** Center Township, Council District #13

**Petitioner:** Hollister Properties, LLC, by Kristin Hollister

**Current Zoning:** I-3

**Request:** Rezoning of 0.13 acres from the I-3 district to the D-8 district to provide for residential uses.

**Current Land Use:** Vacant

**Staff Recommendations:** Staff has no recommendation for this request.

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

**PETITION HISTORY**

A timely automatic continuance request was filed by a remonstrator, **continuing this petition from the March 14, 2024 hearing to the April 11, 2024 hearing.** This would require acknowledgement from the Hearing Examiner.

**STAFF RECOMMENDATION**

Staff has no recommendation for this request.

**PETITION OVERVIEW**

This petition is to be continued to the April 11, 2024 hearing.

**STAFF REPORT**

Item 5.

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

**Case Number:** 2024-CZN-806 / 2024-CVR-806  
**Address:** 4896 Kentucky Avenue (*Approximate Address*)  
**Location:** Decatur Township, Council District #21  
**Petitioner:** Taco Bell of America, LLC, by Josh Graber  
**Requests:** Rezoning of 0.6735 acre from the C-5 district to the C-4 district to provide for a restaurant use.

**Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a drive-through within the front yard of High School Road without the required exclusive bypass lane, (not permitted within front yards along rights-of-way greater than 30 feet wide, exclusive bypass aisle required).**

Staff is requesting a **continuance, with notice, from the March 14, 2024 hearing, to the March 28, 2024 hearing**, because of an error in the petition information that was submitted for published legal notice. The legal notice that was sent out to surrounding property owners was correct. Additional time will be required to correct the published legal notice.

kb

\*\*\*\*\*





**METROPOLITAN DEVELOPMENT COMMISSION** **MARCH 14, 2024**  
**HEARING EXAMINER**

**Case Number:** 2024-APP-003

**Property Address:** 1550 County Line Road and 8615 Shelby Street

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

**Petitioner:** Community Health Network & Community Health Network Foundation, Inc.

**Current Zoning:** HD-2 (FW)(FF)

**Request:** Hospital district Two Approval to provide for a 58,576-square-foot expansion of the existing Cancer Center and additional parking.

**Current Land Use:** Hospital Campus

**Staff Recommendations:** Approval, subject to commitments.

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

**PETITION HISTORY**

This is the first public hearing on this petition

**STAFF RECOMMENDATION**

Approval, subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

1. Development of the site shall be in substantial compliance with the site plan and elevations file dated February 12, 2024.
2. A tree inventory, tree assessment and preservation plan prepared by a certified arborist shall be submitted for Administrator Approval prior to preliminary plat approval and prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development; b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and e) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.

**PETITION OVERVIEW**

This approximately 33.59-acre site, zoned HD-2 (FW)(FF) is developed with a medical office building and parking currently functioning as cancer center. It is surrounded by multi-family dwellings to the north,



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

zoned D-P; medical offices to the south, zoned HD-2; parking lot to the east, zoned HD-1; and vacant land to the west, zoned HD-2.

## **HOSPITAL DISTRICT TWO APPROVAL**

This request would provide for Hospital District Two Approval to provide for a 58,576-square foot addition to the cancer center building and additional parking.

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.”

The Comprehensive Plan recommends regional special use for the eastern portion of the site where the existing building and proposed expansion would be located. This portion of the site would be consistent with the Plan recommendation. The proposed parking lot located on the western portion of the site has a recommendation of suburban neighborhood typology.



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

Despite the conflict with the Comprehensive Plan related to the suburban neighborhood typology recommendation, staff believes the proposed expansion would be acceptable with minimal impact on surrounding land uses. Staff would note that the floodplain of Buffalo Creek would provide an appropriate buffer to the residential land uses to the west along Shelby Street. Furthermore, the required stream protection corridor would limit development within 50 feet of the top of the creek bank.

The proposed building 58,576 square-foot addition would be an expansion along the west façade of the existing building and would encroach into the existing parking lot. Due to the location of and square footage of the expansion, additional parking would be provided on the western portion of the site, a portion of which fronts on Shelby Street.

Exterior materials of the proposed building expansion would consist of glazing, metal panels and brick to match those materials on the existing building.

The additions would allow for expanded patient and staff services while maintaining the aesthetic value, attractiveness, and compatibility of the hospital complex, as well as surrounding land uses. Staff, therefore, recommends approval of the proposed expansion of the existing building and additional parking.

#### 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.

The western portion of the site (fronting on Shelby Street) is located within the floodway and floodway fringe of Buffalo Creek. Tributary of Fountain Creek is located along the eastern boundary of this site, but it lies within the 500-year floodplain that is unregulated.

#### 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



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

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 (HD-2 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance.

Stream Protection Corridor

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.

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.”

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.”

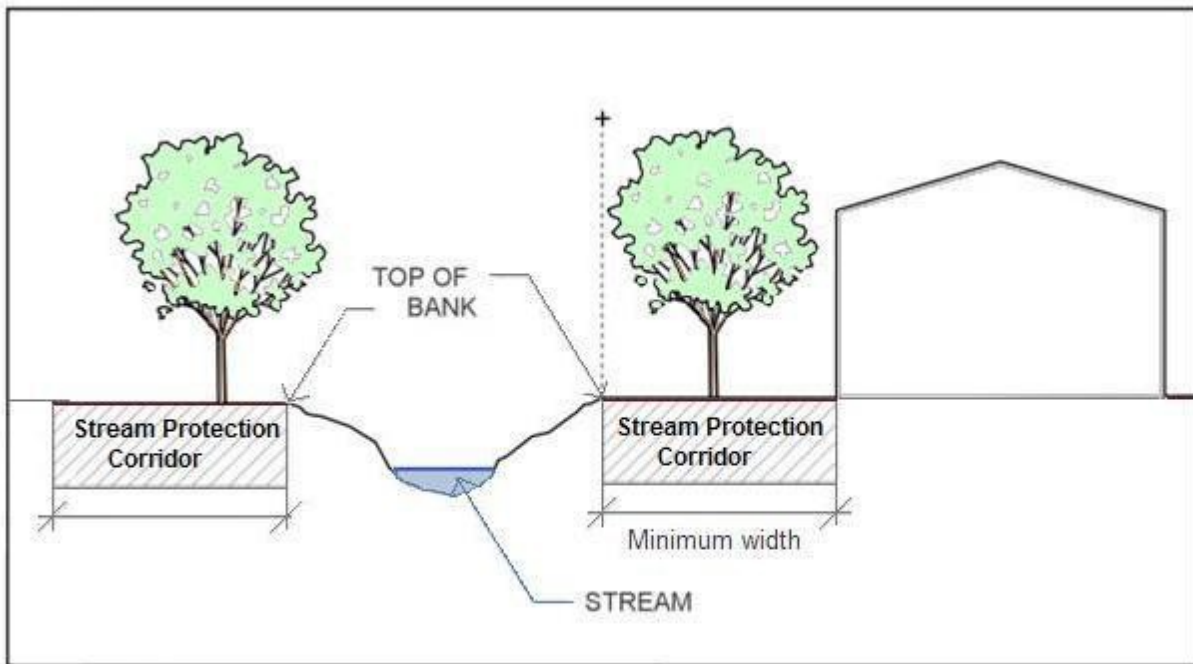
Stream Channel is defined as “part of a watercourse that contains an intermittent or perennial base flow of groundwater origin.”

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.

This portion of Buffalo Creek lies within the Metro Context Area and is located along the western portion of the site. It is designated as a Category Two stream requiring a 50-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**



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

**Tree Preservation / Heritage Tree Conservation**

There are significant amounts of natural vegetation and trees located on the western undeveloped 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 prepared by a certified arborist shall be submitted for Administrator Approval prior to preliminary plat approval and prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development, b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and e) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.

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

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

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

**GENERAL INFORMATION**

<b>Existing Zoning</b>	HD-2	
<b>Existing Land Use</b>	Medical office / parking / undeveloped land	
<b>Comprehensive Plan</b>	Regional special use / suburban neighborhood	
<b>Surrounding Context</b>	<u><b>Zoning</b></u>	<u><b>Land Use</b></u>
North:	D-P	Multi-family dwellings
South:	HD-2	Medical offices
East:	HD-1	Parking lot
West:	HD-2	Vacant land



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

<b>Thoroughfare Plan</b>		
County Line Road	Primary arterial	Existing 115-foot right-of-way and proposed 102-foot right-of-way
Shelby Street	Primary collector	Existing and proposed 90-foot right-of-way
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	Yes	
<b>Overlay</b>	Yes. Environmentally Sensitive Area (ES)	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	February 12, 2024	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	February 12, 2024	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	February 12, 2024	
<b>Findings of Fact</b>	February 12, 2024	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- The Comprehensive Land Use Plan (2018) recommends regional special use for the eastern portion of the site and suburban neighborhood for the western portion of the site.
- Regional Special Use “provides for public-semi-public and private land uses that serve a specific institutional purpose for a significant portion of the county. Examples are large scale, generally stable institutional uses such as cemeteries, hospitals, universities, high school, government complexes, large museums, the Indiana State Fairgrounds, and the Indianapolis Motor Speedway.”
- “The Suburban Neighborhood typology is predominantly made up of single-family housing, but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.”



Department of Metropolitan Development  
Division of Planning  
Current Planning

### Pattern Book / Land Use Plan

- The Pattern Book lays out a land use classification system that guides the orderly development of the county, protects the character of neighborhoods, and serves as a policy guide for development or redevelopment of a site.

There are no guidelines or recommendations related to the regional special use non-typology land use but the following elements relate to the suburban neighborhood typology recommended for the western portion of the site:

*Conditions for All Land Use Types*

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

### 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 describes the purpose, policies and tools:





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

- 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

**2019-APP-001; 1550 East County Line Road**, requested Hospital District Two Approval to provide for building additions and accessory site modifications to an existing cancer center, **approved**.

**2018-APP-019; 1402, 1502 and 1550 East County Line Road**, requested Hospital District One Approval to provide for a 7,000-square foot addition to the main hospital, with modifications to the adjoining parking lot and pedestrian areas, **approved**.

**2017-APP-020; 1550 (1440 – building) East County Line Road** requested Hospital District-Two Approval to provide for a wall sign, **approved**.

**2014-APP-002 / 2014-VAR-002, 1550 (1440-building) East County Line Road**, requested Hospital District Two approval for three freestanding signs and a four wall signs and a variance of development standards of the Sign Regulations to provide for a 4.5-foot-tall sign within 170 feet of a protected district and two freestanding signs exceeding the permitted height and square footage, **approved and granted**.

**2012-APP-016; 1350 East County Line Road**, requested HD-2 approval to provide for the construction of a 57,500-square foot medical office building, **approved**.

## VICINITY

**2012-APP-2012; 1380 East County Line Road (south of site)**, requested Hospital District Two Approval to provide for a 10-foot tall, 46.25-square foot pylon sign, **approved**.

**2010-APP-024; 1380 East County Line Road (abutting site to south)**, requested Hospital District Two Approval to provide for a 16,773-square foot addition to an existing skilled nursing facility and to provide for additional off-street parking, **approved**.

**2007-APP-186; 1402 and 1550 East County Line Road**, requested Hospital district One and Hospital District Two approval to provide for a parking lot expansion with 317 parking spaces and to provide for an approximately 93,500-square foot, temporary gravel construction staging area for a period of 18 months, **approved**.

**2005-APP-837 / 2005-VAR-837; 1402 and 1550 East County Line Road**, requested Hospital district One approval to provide for a freestanding sign along U.S. Highway 31 and building identification signs for the Indiana Surgery Center and a variance of development standards of the Sign Regulations to provide for a 20-foot tall, 200-square foot illuminated pylon sign located five feet from a dwelling district, **approved and granted**.

**2005-APP-075, 1402 and 1550 East County Line Road**, requested Hospital District-One Approval to provide for the expansion of the current parking lot, adding 166 new parking spaces, **approved**.



Department of Metropolitan Development  
Division of Planning  
Current Planning

**2005-ZON-103, 8616 U.S. Highway 31 South**, requested rezoning of 0.58 acre, being the D-A District, to the HD-1 classification to provide for the construction of an access drive from U.S. Highway 31 South to Community Hospital south, **approved**.

**2002-APP-029, 1402 East County Line Road**, requested HD-1 Approval to provide for the construction of a two-story, 28,300-square foot cardiovascular center, **approved**.

**2002-VAR-849, 1402 East County Line Road**, requested a variance of development standards of the Sign Regulations to provide for two, four-foot tall, 16-square foot direction signs, (maximum 2.5 feet in height, six square feet in area permitted) and a .6-foot tall, 1-3-square foot directional sign (maximum 2.5 feet in height permitted), **approved**.

**2001-APP-090, 1402 East County Line Road**, requested HD-1 Approval to provide for the construction of 52-off street parking spaces and eight handicap spaces, and a wet pond, **approved**.

**2001-APP-089, 1550 East County Line Road**, requested HD-1 Approval to provide for the construction of a three-story addition to the existing Indiana Surgery Center, with an ambulatory surgery center, medical office, and 278 off-street parking spaces, **approved**.

**95-AP-42, 1340-1350 East County Line Road**, requested HD-2 Approval for a sign program consisting of two 32-square foot, single-faced ground sign directories and multiple wall signs with individual, non-illuminated, letters for each tenant space within an existing office complex, **approved**.

**95-AP-23, 1380 East County Line Road**, requested HD-2 Approval to provide for the construction of a 1,500-square foot storage building for an existing nursing home, **approved**.

**94-AP-125, 1402 East County Line Road**, requested HD-1 Approval to provide for improvements to the Community Hospital South Campus, including the expansion of the surgical center and related offices, on the first, second, and third floor, moving and expansion of existing parking areas and signs previously approved by petition 90-AP-40, **approved**.

**93-AP-135, 1402 East County Line Road**, requested HD-1 Approval to provide for the construction of a 10,000-square foot emergency services addition and renovation, **approved**.

**93-AP-87, 1550 East County Line Road**, requested HD-1 Approval to provide for two non-illuminated wall signs constructed of plate aluminum, **approved**.

**91-AP184, 1402 East County Line Road**, requested HD-1 Approval to provide for an addition to the fourth and fifth floor, a boiler room addition, and expansion of parking, **approved**.

**90-AP-40, 1402 East County Line Road**, requested HD-1 and HD-2 Approval to provide for a sign program for the hospital, **approved**.



Department of Metropolitan Development  
Division of Planning  
Current Planning

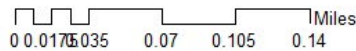
**90-V1-50, 1402 East County Line Road**, requested a variance of development standards of the Sign Regulations to permit a sign program for the hospital with signs in excess of height, number, and size, **approved**.

**2012-APP-2012; 1380 East County Line Road (south of site)**, requested Hospital District Two Approval to provide for a 10-foot tall, 46.25-square foot pylon sign, **approved**.

**2010-APP-024; 1380 East County Line Road (abutting site to south)**, requested Hospital District Two Approval to provide for a 16,773-square foot addition to an existing skilled nursing facility and to provide for additional off-street parking, **approved**.

**87-Z-10; 1350 East County Line Road (includes subject site)**, requested rezoning of 24 acres from HD-1 to HD-2, **approved**.

EXHIBITS





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:

This proposed expansion of the Community Health Network MD Anderson Cancer Center is part of a major hospital campus. Such use is compatible with nearby existing land uses, which are predominantly HD-1 and HD-2, and in conformity with the land uses suggested for such area under the Comprehensive Plan of Marion County, Indiana.

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

The expansion of the Community Health Network MD Anderson Cancer Center and expansion of the surface parking area onto the parcel to the west is the most efficient and economical use of the land. The design and aesthetics of the expanded Community Health Network MD Anderson Cancer Center, in conjunction with the extensive new landscaping plan, will enhance the aesthetic value of the site and the surrounding hospital facilities.

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

Sufficient access to the expanded Community Health Network MD Anderson Cancer Center is provided via the existing access from US31 and E. County Line Road. Proposed expansion of the surface parking area will provide an increase from 288 parking spaces to 497 parking spaces, including 47 ADA compliant parking spaces.

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

The expanded parking area will continue to be easily accessible from Bipin Way, which has access to both US31 and County Line Road, and IndyGo bus service via IndyGo Bus Route 31.

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

The Community Health Network MD Anderson Cancer Center will utilize both the existing retention pond located to the south of the existing building and parking area, as well as a retention pond to the north of the expanded surface parking area.

P:\CurrentPlanning\45 Forms\Current Apps\FOF-Development Plan Approval.doc



Department of Metropolitan Development  
Division of Planning  
Current Planning

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

The proposed use of of the site is consistent with the land uses for overall hospital campus as called for under the Comprehensive Plan and is designed in a manner to blend into the existing hospitial campus.

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:

Pedestrian accessibility already exists within the interior and exterior of the Community Hospital South campus, including connectivity from the main hospital and surgery center buildings to the Community Health Network MD Anderson Cancer Center.

**DECISION**

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

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

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



**Exhibit A**

**Heritage Tree Conservation**

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

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

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















View of site looking northeast



View of site looking northwest



View of site looking east



View from site looking northwest



View from site looking west



View from site looking north



# STAFF REPORT

Item 7.

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

**Case Number:** 2024-APP-004  
**Address:** 1313 South Post Road (approximate address)  
**Location:** Warren Township, Council District #20  
**Zoning:** PK-1  
**Petitioner:** Indy Parks and Recreation, by Kate Warpool  
**Request:** Park District One Approval to provide for a new pavilion, parking and sidewalks.

### RECOMMENDATIONS

Staff **recommends approval** of this request.

### SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

#### **PARK DISTRICT-ONE APPROVAL**

- ◇ This petition would provide for a new pavilion structure which will include common space, restrooms, concessions, office, access road and other improvements at an existing park within the Indy Parks and Recreation System: World Sports Park.
- ◇ The park is zoned PK-1; however, no use, building or structure is permitted for any purpose until a site and development plan for such land, including the proposed use, has been filed with and approved by the Commission in accordance with the Zoning Ordinance.
- ◇ 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;

(Continued)

- 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 Comprehensive Plan recommends large-scale park typology for the site.
- ◇ The site plan indicates the proposed improvements would be within the park boundaries. Staff supports this request.

**FINDINGS OF FACT**

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

---

The land use plan identifies that the property is a large-scale park and part of the suburban neighborhood typology, that the land is currently used as a park, that the land use pattern book recommends parks without additional concerns, the plan improves the condition of the park, and the surrounding neighborhood benefits from the park improvements.

---

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

---

The improvements include a new pavillion with concessions and restrooms as well as a new road, sidewalk, parking and supports recreation functions that currently exist, improving the current state of the park. Additional improvements asnoted on the site plan will be completed.

---

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

---

New sidewalks are included as part of the project along the new drives and connection within park.

---

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

---

existing controls are already included in and adjacent to the existing park;  
and new additional pedestrian and bike paths with necessary controls are planned for future park and/or infrastructure projects.

---

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

the park is serviced by the owner, Indy Parks, and the Department of Public Works, property drainage has been designed by a professional engineer and incorporates appropriate sustainable designs, and does not require additional public utility services such as electricity or water for irrigation.

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

the property is currently a large-scale park and the proposed improvements include a new split-face cmu pavilion with fiber cement board siding accents and a metal roof, that will provide needed amenities to park patrons. Elevations of the pavilion are included in the submission.

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

existing paths are already included in the existing park; and new paths will be included as part of this project.

**GENERAL INFORMATION**

**EXISTING ZONING AND LAND USE**

PK-1

Large-scale Park

**SURROUNDING ZONING AND LAND USE**

North - D-A

Single-family dwellings

South - SU-16 / I-3

Open space / Truck parking

East - D-A

Single-family dwellings

West - I-3

Single-family dwellings / Contractor

**COMPREHENSIVE LAND USE PLAN** The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends large-scale park development.

**THOROUGHFARE PLAN** Post Road is designated in the Marion County Thoroughfare Plan as a local street with an existing 95-foot right-of-way and proposed 119-foot right-of-way.

**CONTEXT AREA** This site is located within the metro context area.

**OVERLAY** There are no overlays for this site.

(Continued)

ZONING HISTORY

**SITE**

**2012-ZON-074, 9200 East Prospect Street**, rezoning of 8.63 acres from D-A to PK-1 to provide for park uses, **granted**.

**96-Z-211, 1313 South Post Road**, rezoning of 40.1 acres from SU-34 to PK-1 to provide for park uses, **granted**.

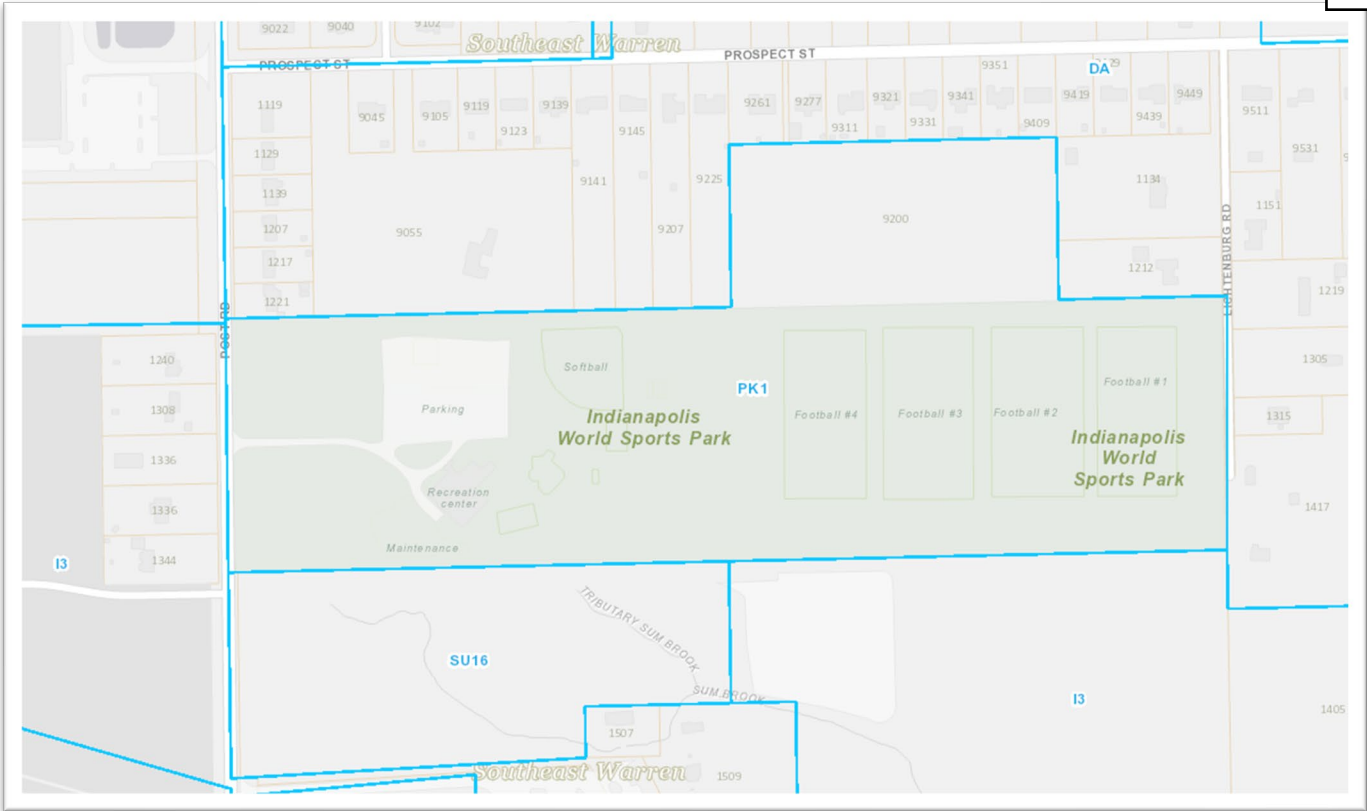
**VICINITY**

**2019-ZON-106, 1405 South Post Road**, rezoning of 15.45 acres from SU-16 to C-1 to provide for office commercial development, **withdrawn**.

**2019-ZON-107, 1405 South Post Road**, rezoning of 30.30 acres from SU-16 to I-3 to provide for industrial development, **granted**.

BB

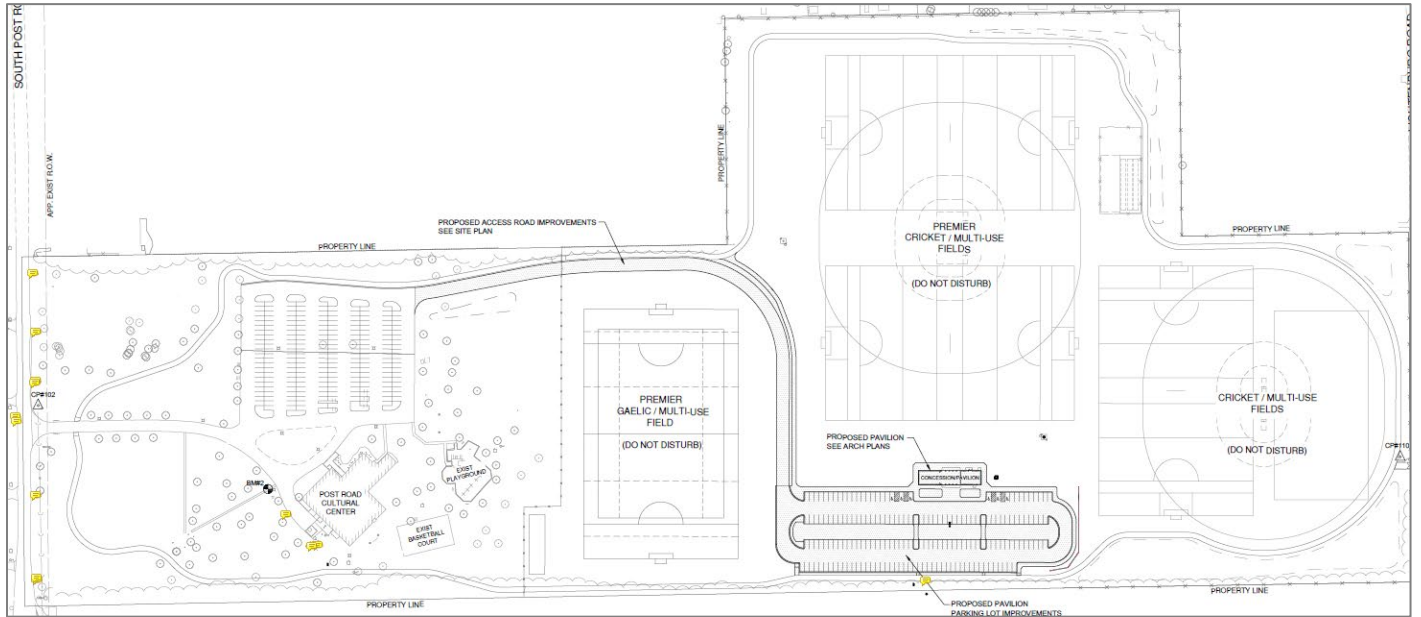
\*\*\*\*\*



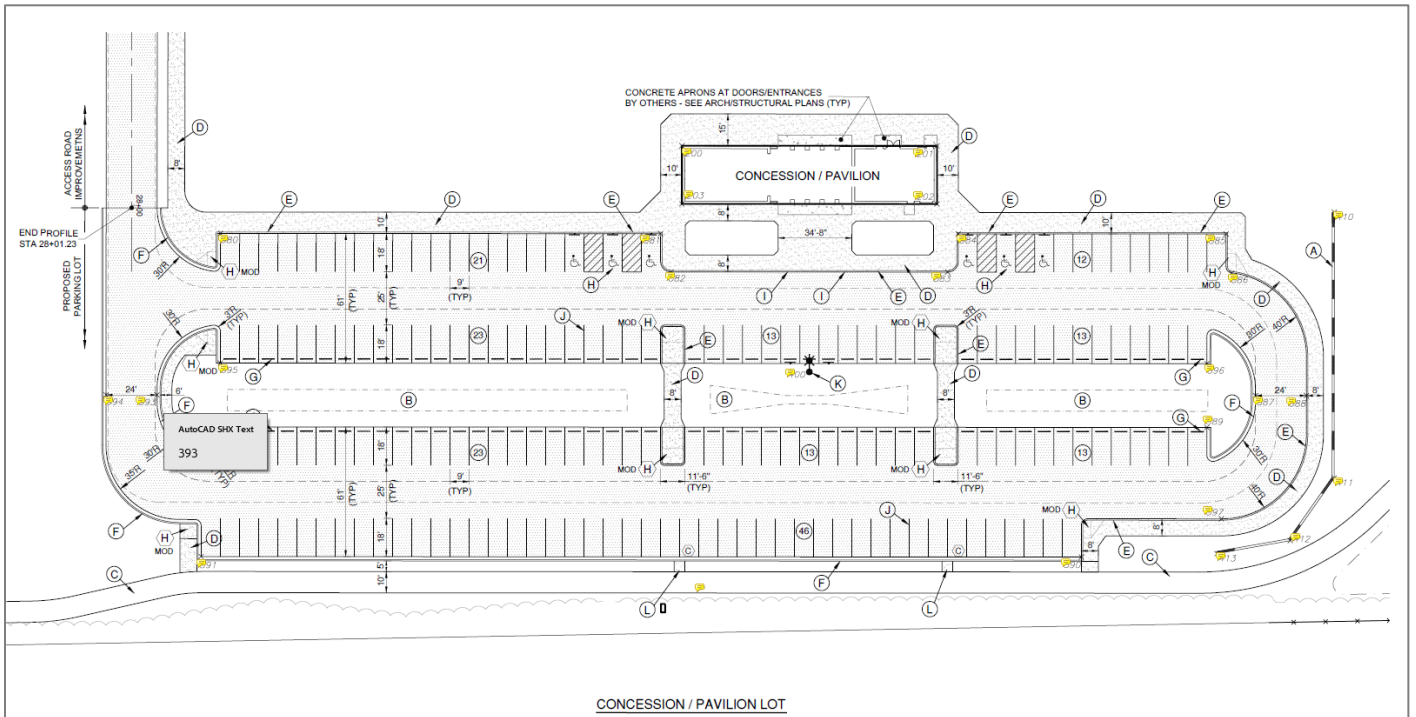
Location Map, World Sports Park



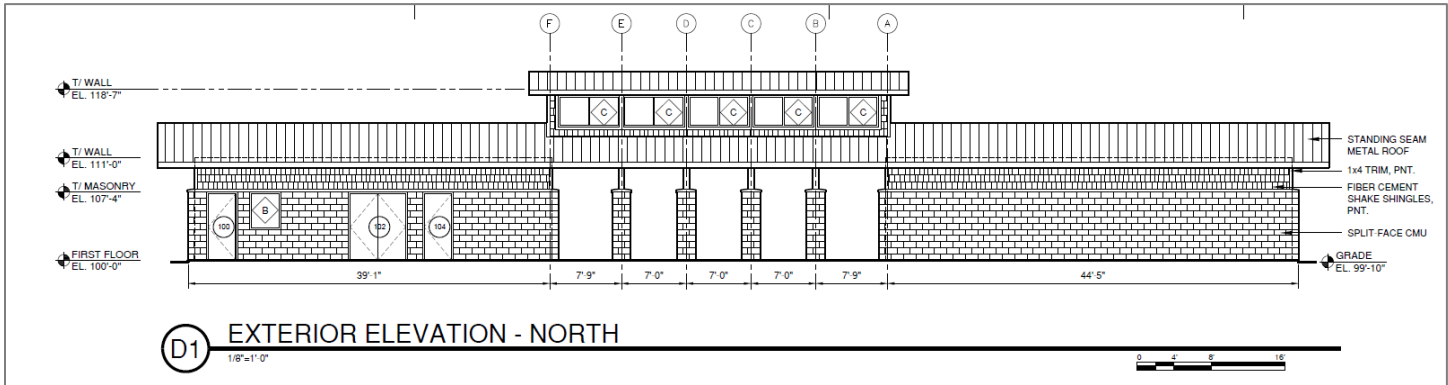
Aerial view, World Sports Park



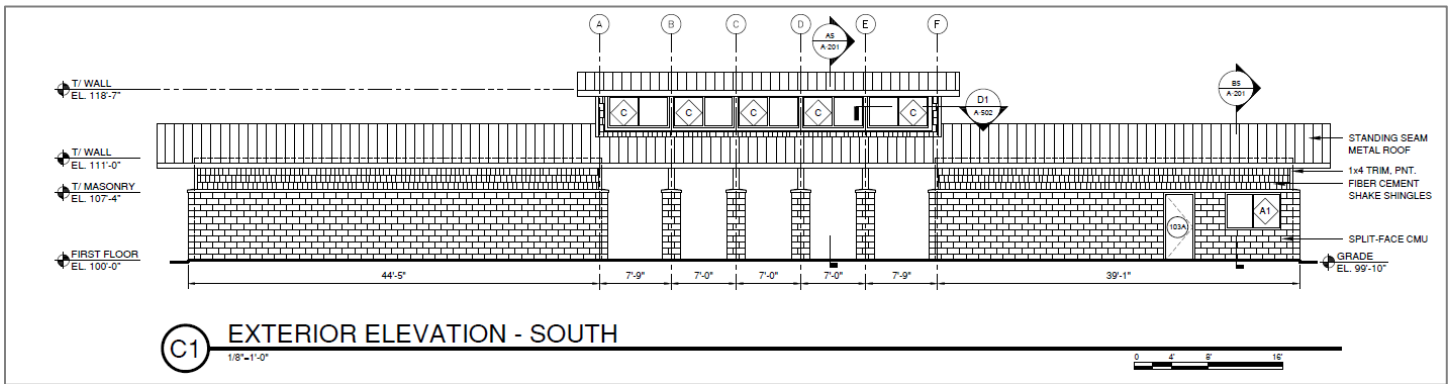
Overall Site Plan, World Sports Park



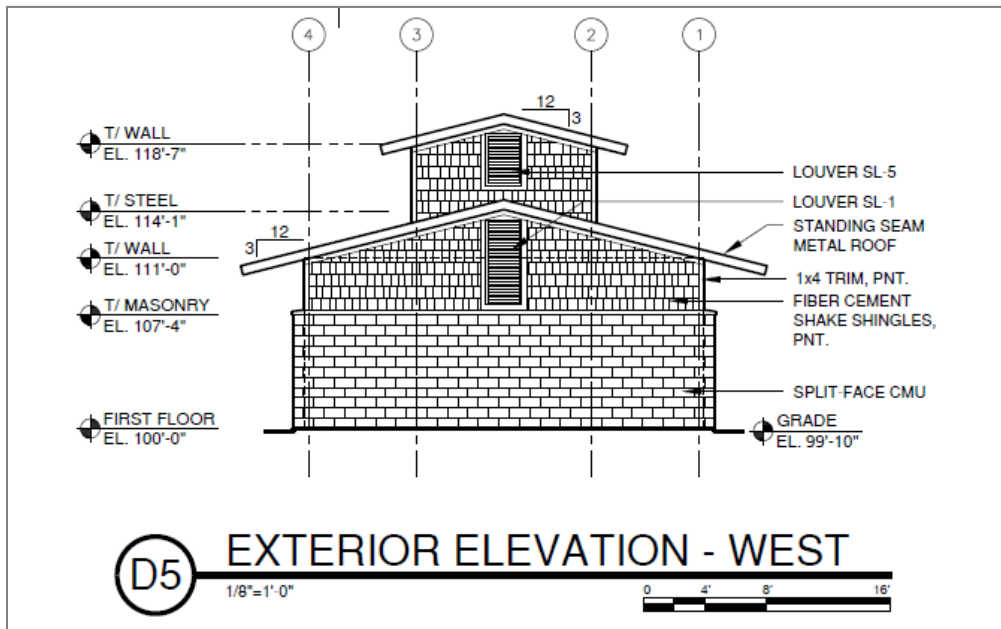
Site Plan (Primary Area of Construction), World Sports Park



Pavilion Elevations, World Sports Park



Pavilion Elevations, World Sports Park



Pavilion Elevations, World Sports Park



**View from west entrance**



**View of access road to be improved**

(Continued)





**View of east section of park**



**Aerial view of parking area**

## STAFF REPORT

Item 8.

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

**Case Number:** 2023-ZON-118  
**Address:** 5181 North High School Road (*Approximate Address*)  
**Location:** Pike Township, Council District #10 (#5 Beginning 2024)  
**Petitioner:** Abdulateef O. Aregbe  
**Request:** Rezoning of 1.98 acres from the D-A (FW) (FF) and D-6 districts to the D-6 (FW) (FF) district to provide for a residential triplex.

#### ADDENDUM FOR MARCH 14, 2024, HEARING EXAMINER

The Hearing Examiner acknowledged the automatic continuance that continued this petition from the February 15, 2024 hearing, to the March 14, 2024 hearing

#### ADDENDUM FOR FEBRUARY 15, 2024, HEARING EXAMINER

The Hearing Examiner continued this petition from the January 11, 2024 hearing, to the February 15, 2024 hearing, to provide additional time for required notice at the request of staff.

A registered neighborhood organization filed an automatic that would **continue this petition from the February 15, 2024 hearing, to the March 14, 2024 hearing**. This would require acknowledgement from the Hearing Examiner.

#### January 11, 2024

#### RECOMMENDATIONS

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

1. A 40-foot half right-of-way along the North High School Road frontage and 40-foot half right-of-way along West 52nd Street frontage shall be dedicated as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
2. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.
3. The existing dwelling shall remain and shall not be demolished or expanded. Conversion to a residential triplex shall be limited to the interior of the existing dwelling.
4. The existing accessory structure shall not be converted to living space.

(Continued)

**SUMMARY OF ISSUES**

The following issues were considered in formulating the recommendation:

**LAND USE**

- ◇ This 1.98-acre site, zoned D-A (FW) (FF), is developed with a single-family dwelling surrounded by single-family dwellings to the north, across West 52nd Street, zoned D-P; multi-family dwellings to the south zoned D-6 (FW) (FF); a single-family dwelling to the east, zoned D-A (FW) (FF); and a single-family dwelling to the west, across North High School Road, zoned D-2 (FW) (FF).
- ◇ Petition 2005-UV1-007 provided for a transitional residential facility for young males, ages, 18-24, within an existing building; for a two-year period commencing upon the beginning of the operation.

**REZONING**

- ◇ This request would rezone the site from the D-A (FW) (FF) District to the D-6 (FW) (FF) classification to provide for a residential triplex. “The D-6 district provides for medium intensity residential development of a variety of housing types: multifamily dwellings, triplex, fourplex, two-family and single-family attached dwellings. The district is intended for developments in suburban areas well served by major thoroughfares, sanitary sewers, and school and park facilities. In its application, the district need not be directly associated with more intense land uses such as commercial or industrial areas. The development pattern envisioned is one of trees lining curving drives with the ample open space provided for in the district affording a wide variety of on-site recreational facilities. The D-6 district has a typical density of 6 to 9 units per gross acre. This district fulfills the medium density residential recommendation of the Comprehensive General Land Use Plan. Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage and wildlife.”
- ◇ The Comprehensive Plan recommends rural or estate neighborhood typology. “The Rural or Estate Neighborhood typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space.”
- ◇ The Pattern Book lays out a land use classification system that guides the orderly development of the county, protects the character of neighborhoods and serves as a policy guide for development or redevelopment of a site.
- ◇ The Pattern Book recommends detached housing, working farms, group homes, bed and breakfast and wind / solar farms in this typology.

(Continued)

**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.
- ◇ The northern portion of the site is located within the floodway and floodplain of Falcon Creek.

**Department of Public Works**

- ◇ The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 40-foot half right-of-way along North High School Road frontage and a 40-foot half right-of-way along the West 52nd Street frontage. These dedications 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

(Continued)

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.

**Floodway / Floodway Fringe (Falcon Creek)**

- ◇ 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 (D-6 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance.

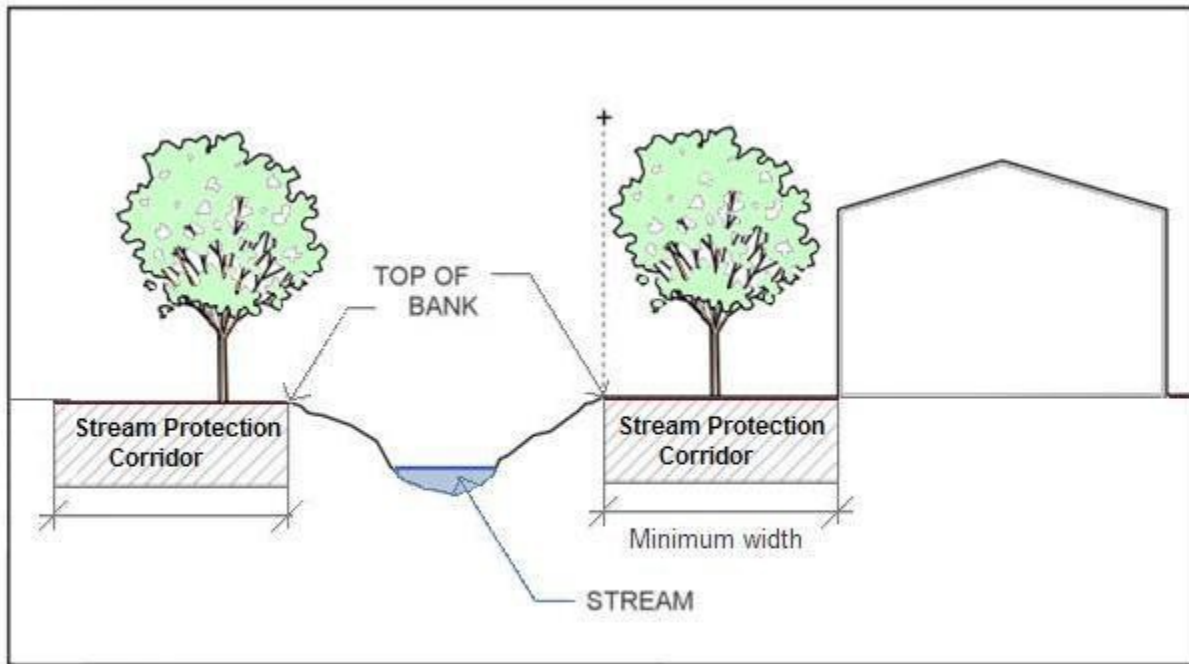
**Stream Protection Corridor**

- ◇ 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.
- ◇ 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.”

(Continued)

- ◇ 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.
- ◇ Falcon Creek lies within the Metro Context Area and is located along the northern portion of the site. It is designated as a Category Two stream requiring a 50-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.

(Continued)



**Stream Protection Corridor**

### Planning Analysis

- ◇ The request would not be consistent with the Comprehensive Plan recommendation of rural or estate neighborhood typology. However, staff understands that the existing dwelling would remain and would be converted into a three-family residential structure (triplex). Because the footprint of the dwelling would not change, the impact on the surrounding residential development would be minimal.
- ◇ This rezoning would result in density of 1.74 units per acre. The abutting development to the south, comprised of one duplex, 12 triplexes and three fourplexes, has a density of 4.5 units per acre. In other words, the resulting increased density of this request would be compatible with residential development in the area.
- ◇ The site is also developed with an approximately 26-foot by 42-foot accessory building. This structure should remain an accessory structure and should not be converted to a dwelling or living quarters.
- ◇ Access to the site is gained from a drive along North High School Road and a drive along West 52nd Street. During the site visit, staff observed that the access on West 52nd Street includes a bridge over Falcon Creek. This bridge is in a state of disrepair, which should be repaired or removed. If removed, the driveway should be closed to mitigate safety concerns.

(Continued)

**GENERAL INFORMATION**

EXISTING ZONING AND LAND USE

D-A (FW) Single-family dwelling  
(FF)

SURROUNDING ZONING AND LAND USE

North - D-P (FW) Single-family dwelling  
(FF)

South - D-6 (FW) Multi-family dwellings  
(FF)

East - D-A (FW) Single-family dwelling  
(FF)

West - D-8 (FW) Single-family dwellings  
(FF)

COMPREHENSIVE PLAN

The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends rural or estate neighborhood typology.  
Marion County Land Use Pattern Book (2019).

THOROUGHFARE PLAN

This portion of North High School Road is designated in the Marion County Thoroughfare Plan as a primary collector, with an existing variable 40-foot and 70-foot right-of-way and a proposed 80-foot right-of-way.

This portion of West 52nd Street is designated in the Marion County Thoroughfare Plan as a primary collector, with an existing variable 48-foot right-of-way and a proposed 80-foot right-of-way.

CONTEXT AREA

This site is located within the metro context area.

OVERLAY

This site is located within the Environmental Sensitive Area

**ZONING HISTORY**

**2005-UV1-007; 5181 North High School Road**, requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for a transitional residential facility for young males, ages 18-24, within an existing 1,950-square foot building, **granted**.

(Continued)



**VICINITY**

**96-257 / 96-DP-26; 5801 West 52nd Street (east of site)**, requested rezoning of 34.5 acres, being in the D-A (FF)(FW) Districts, to the D-P (FF)(FW) classification to provide for single-family residential development at a density of 2.9 units per acers, **approved**.

**96-CP-23Z / 96-DP-7; 5950 West 52nd Street (east of site)**, requested rezoning of 40 acres, being in the D-A and SU-43 Districts, to the DP classification to provide for single-family residential development at a density of 3.97 units per acre, **approved**.

**92-Z-149; 5412 North High School Road (north of site)**, requested rezoning of 0.5739 acre, being in the D-6II District to the SU-2 classification to provide for a school, **approved**.

**90-Z-19; 5401 North High School Road (north of site)**, requested rezoning of 17.6 acres, being in the A-2 District, to the SU-2 classification to provide for a school, **approved**.

**88-Z-84 / 88-CV-11; 4701 North High School Road (south of site)**, requested rezoning of 57.69 acres, being in the A-2 District, to the D-5 classification to provide for single-family residential development and a variance of development standards of the Dwelling Districts Zoning Districts to provide for a zero-foot lot line on one side of the residence with 10-foot side clearance on the other side, **approved and granted**.

**86-Z-209; 5590 North High School Road (north of site)**, requested rezoning of 51.05 acres, being in the D-P District, to the D-6II classification to provide for condominiums, **approved**.

**81-Z-73; 5011 North High School Road (south of site)**, requested rezoning of 11.0 acres from the A-2 District to the D-6 classification to provide for a maximum of 16 four-unit condominium development, **approved**.

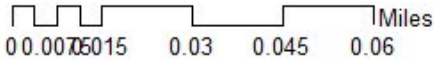
**76-Z-59; 5200 North High School Road (north of site)**, requested rezoning of 18.38 acres, being in the D-P, SU-43 and A-2 Districts, to the SU-18 classification to provide for an electrical substation, **approved**.

kb

\*\*\*\*\*



5181 North High School Road





View looking north along North High School Road



View looking south along North High School Road



View looking east along West 52nd Street



View looking west along West 52nd Street



View of site looking south across West 52nd Street



View of site looking south across West 52nd Street



View of site looking south across West 52nd Street



View from site looking north at intersection of North High School Road and West 52nd Street



View of site looking east



View from site looking southeast

## STAFF REPORT

Item 9.

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

**Case Number:** 2024-ZON-011  
**Address:** 1031 & 1033 Udell Street (*Approximate Address*)  
**Location:** Center Township, Council District #12  
**Petitioner:** Indy Parks and Recreation, by Kate Warpool  
**Request:** Rezoning of 0.174 acre from the D-5 district to the PK-1 district to provide for park uses.

### RECOMMENDATIONS

Staff **recommends approval** of this request.

### SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

#### LAND USE

- ◇ This site has been residential since development in the late 19th century with single family and two-family dwellings. These dwellings remained until the mid to late 1990's when the structures were demolished. Following demolition, the site has remained vacant. Indy Parks purchased the properties in 2018.
- ◇ The 2018 Comprehensive Land Use Plan recommends residential development for the subject site. The site is adjacent to Frank Young Park and is planned for integration into the existing park. The Comprehensive Plan recommends Parks and Open Space for the current Frank Young Park site.

#### ZONING

- ◇ This petition requests a rezoning from the D-5 district to the PK-1 district. The Park District One (PK-1) district allows for Parks, Playgrounds, or Greenways.
- ◇ The site was previously zoned PK-1 until 2006 when it was rezoned to D-5 for residential development. The proposed development was not completed, and the site remains vacant.
- ◇ Given the current zoning of Frank Young Park and the plans for integration of the subject site into the existing park, staff supports the rezoning.

(Continued)



**STAFF REPORT 2024-ZON-011 (Continued)**

**GENERAL INFORMATION**

EXISTING ZONING AND LAND USE

D-5

Park/Open space

SURROUNDING ZONING AND LAND USE

North - D-5

Single-family dwellings

South - D-5

Single-family dwellings

East - PK-1

Frank Young Park

West - D-5

Single-family dwellings

COMPREHENSIVE LAND USE PLAN

The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends urban residential development.

THOROUGHFARE PLAN

Udell Street is designated in the Marion County Thoroughfare Plan as a local street with an existing 60-foot right-of-way and a proposed 48-foot right-of-way. Rader Street is designated in the Marion County Thoroughfare Plan as a local street with an existing 60-foot right-of-way and a proposed 48-foot right-of-way.

CONTEXT AREA

This site is located within the compact context area.

OVERLAY

There are no overlays for this site.

**ZONING HISTORY**

**SITE**

**2023-APP-029, 1017 Udell Street (Frank Young Park),** Park District One approval to provide for playground equipment and other park improvements, **granted.**

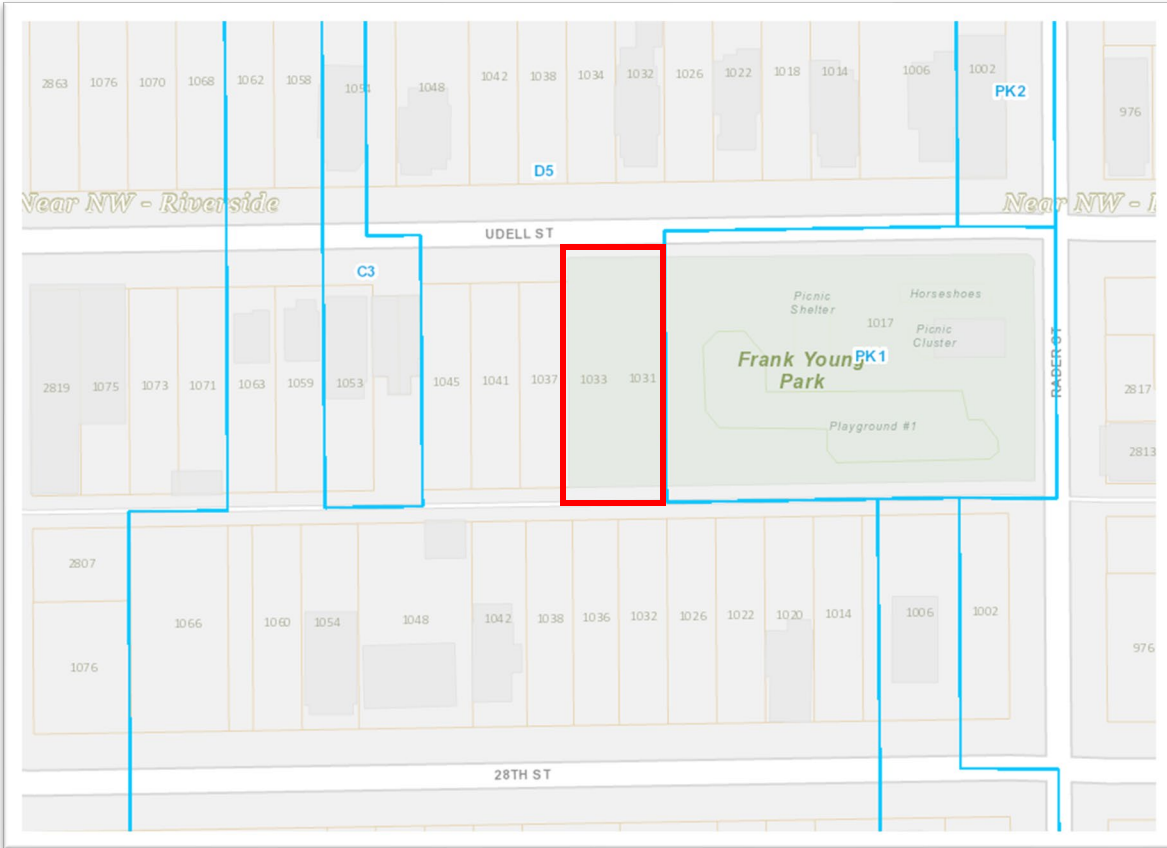
**2005-ZON-207, 1031, 1033, 1058, 1062, and 1159 Udell Street,** rezoning of .43 acres from the C-3 and PK-1 districts to the D-5 district., **granted.**

**VICINITY**

**2005-ZON-207, 1031, 1033, 1058, 1062, and 1159 Udell Street,** rezoning of .43 acres from the C-3 and PK-1 districts to the D-5 district., **granted.**

BB

\*\*\*\*\*



**Location Map, 1031 & 1033 Udell St**



**Aerial view, 1031 & 1033 Udell St**



**Site photo from North**



**Site photo, east along Udell Street**



**METROPOLITAN DEVELOPMENT COMMISSION** **MARCH 14, 2024**  
**HEARING EXAMINER**

**Case Number:** 2024-ZON-012

**Property Address:** 1170 Kentucky Avenue (Approximate Address)

**Location:** Center Township, Council District #18

**Petitioner:** KM23 Property, LLC, by David Kingen

**Current Zoning:** C-1

**Request:** Rezoning of 1.38 acres from the C-1 district to the I-3 district to provide for industrial uses.

**Current Land Use:** Commercial

**Staff Recommendations:** Approval

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

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the request.

**PETITION OVERVIEW**

**LAND USE**

The 1.38-acre subject site is in the West Indianapolis neighborhood and is part of the Davis' Nordyke subdivision. The site is developed with a vacant commercial building and associated parking lot.

The site abuts I-3 industrial properties on three sides and is across from heavy commercial properties, zoned C-7, to the east.

**REZONING**

The C-1 District is designed to perform two functions: act as a buffer between uses, and provide for a freestanding area that office uses, compatible office-type uses, such as medical and dental facilities, education services, and certain public and semipublic uses may be developed with the assurance that retail and other heavier commercial uses with incompatible characteristics will not impede or disrupt. Since the buildings for office, office-type and public and semipublic uses are typically much less commercial in appearance, landscaped more fully and architecturally more harmonious with residential



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

structures, this district can serve as a buffer between protected districts and more intense commercial or industrial areas/districts - if designed accordingly. This district, with its offices and other buffer type uses, may also be used along certain thoroughfares where a gradual and reasonable transition from existing residential use should occur.

The 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.

**STAFF ANALYSIS**

The grant of the request would allow for the commercial site to be rezoned to I-3 for industrial use. The petitioner noted that the subject site would be combined with the parcel to the south at 1176 Kentucky Avenue that is currently zoned I-3.

The site was originally zoned I-3-U in 1972 and was changed to the C-1 district through rezone petition 72-Z-102. Staff is supportive of the rezoning to the I-3 district because it would allow for continued industrial uses in an area that is bordered by a predominately industrially zoned block, with the subject site being an outlier.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	C-1	
<b>Existing Land Use</b>	Commercial	
<b>Comprehensive Plan</b>	Community Commercial	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
	North:	I-3 Industrial
	South:	C-7 Undeveloped
	East:	C-7 Enter Land Use
	West:	I-3 Industrial
<b>Thoroughfare Plan</b>		
Kentucky Avenue	Primary Arterial	104-foot existing right-of-way and 88-foot proposed right-of-way.
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	N/A	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	



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

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

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

**Pattern Book / Land Use Plan**

- The Marion County Land Use Plan Pattern Book (2019) recommends traditional neighborhood development for the subject site.
- The Community Commercial typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.
- Although the Comprehensive Plan does not contemplate industrial uses in this typology, the context of the adjacent industrial properties is conducive for industrial use of the site as well.

**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

### SUBJECT SITE ZONING HISTORY

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

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

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

**81-V3-136; 1170 Kentucky Avenue** (subject site), Variance of Sign Regulations Ordinance, 71-AO-4, as amended, to provide for new standardized signage replacing existing signage, as per filed, **granted.**

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

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

**EXHIBITS**

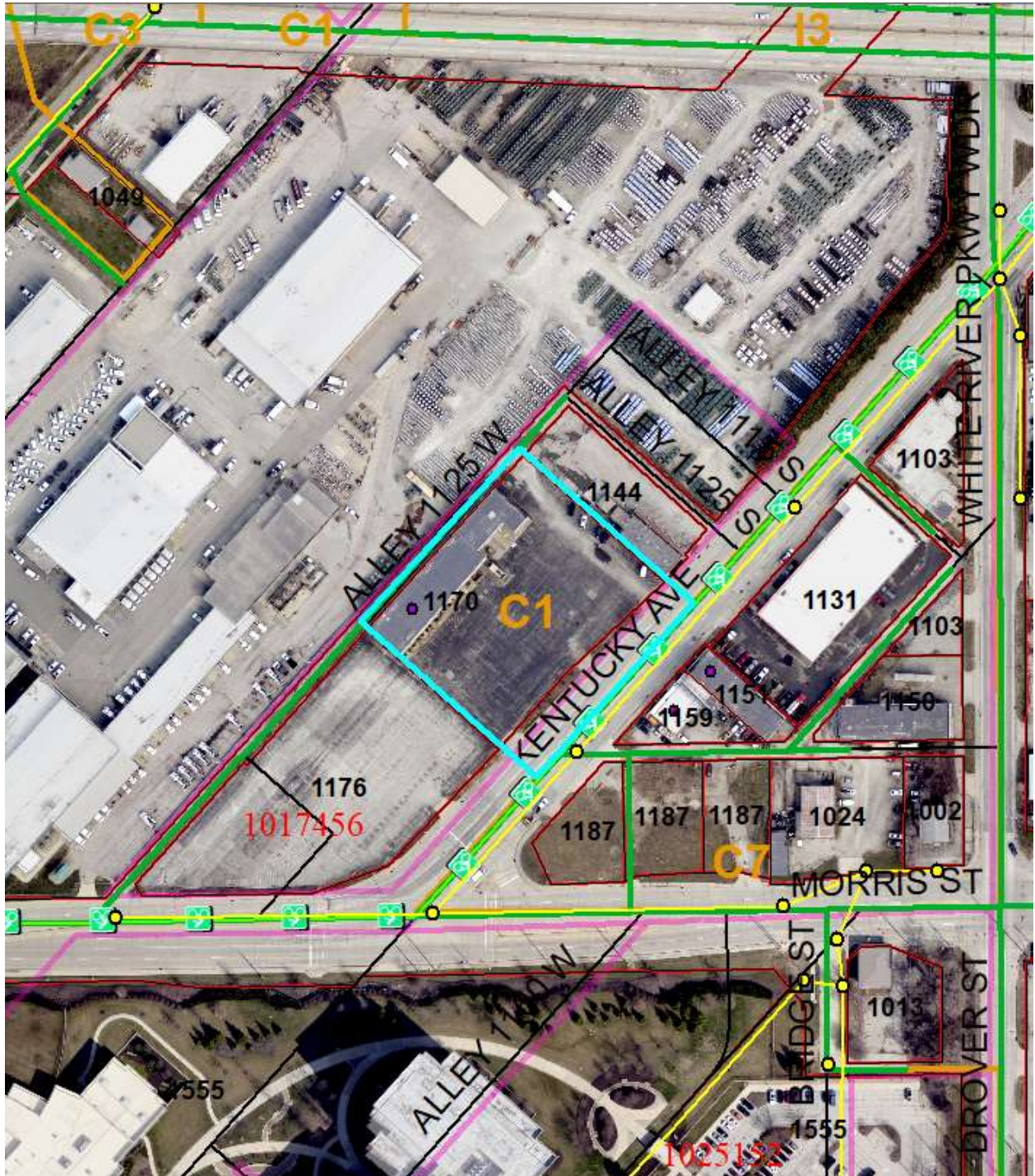






Photo of the subject site looking north along the Kentucky Avenue Street frontage.



Photo of the subject site looking west at the existing building.



Photo of the subject site looking south along the Kentucky Avenue street frontage.



Photo of the existing building looking south from the property to the north.



Photo of the industrial property north of the subject site.

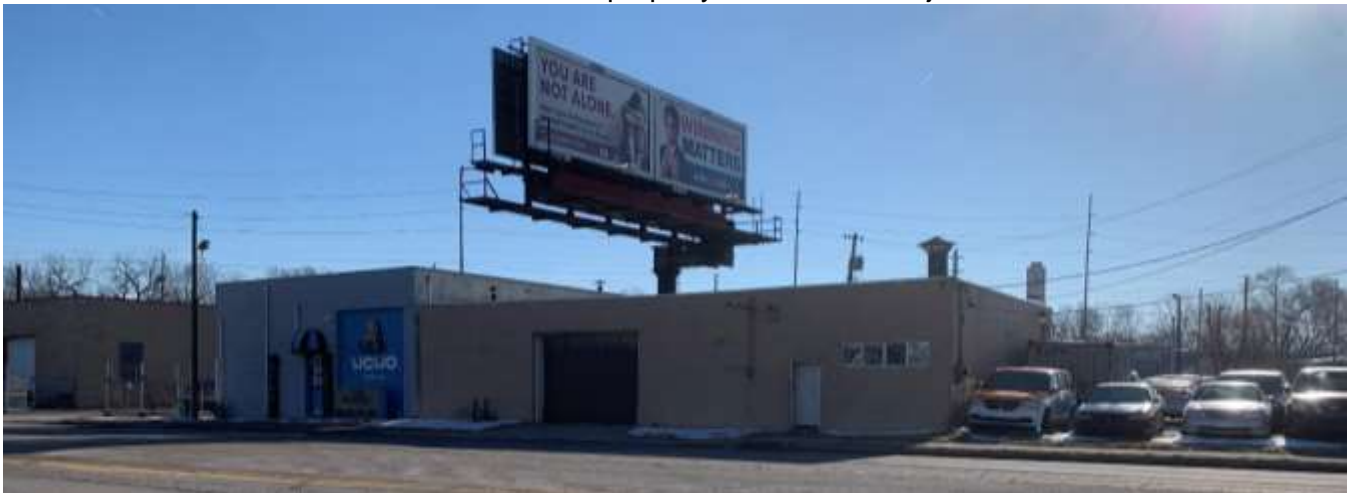


Photo of the commercial businesses east of the site across Kentucky Avenue.



Photo of the undeveloped lot southeast of the site.



**METROPOLITAN DEVELOPMENT COMMISSION** **March 14, 2024**  
**HEARING EXAMINER**

**Case Number:** 2024-ZON-013  
**Property Address:** 2018 Yandes Street (Approximate Address)  
**Location:** Center Township, Council District #13  
**Petitioner:** Matthew Peyton  
**Current Zoning:** I-3  
**Request:** Rezoning of 0.13 acres from the I-3 district to the D-8 district to provide for residential uses.  
**Current Land Use:** Undeveloped  
**Staff Recommendations:** Approval  
**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the request.

**PETITION OVERVIEW**

**LAND USE**

The 0.13-acre subject site is an undeveloped industrial lot located in the Martindale- Brightwood Neighborhood and is part of the S A Fletcher Jr .North East subdivision. It is surrounded by single-family dwellings west, north, and east, zoned D-8, and an undeveloped lot to the south, zoned D-8.

**REZONING**

This petition would rezone this site from the I-3 district to the D-8 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.



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

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

Staff is supportive of the rezoning to the D-8 district because it would allow for residential development to occur in line with the context of the surrounding area and historical residential use of the site per an 1898 Sanborn Map. The dwelling district would also align with the traditional neighborhood recommendation of the Comprehensive Plan.

### GENERAL INFORMATION

<b>Existing Zoning</b>	I-3	
<b>Existing Land Use</b>	Undeveloped	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
	North:	D-8 Residential (Single-family dwelling)
	South:	D-8 Undeveloped
	East:	D-8 Residential (Single-family dwelling)
	West:	D-8 Residential (Single-family dwelling)
<b>Thoroughfare Plan</b>		
Yandes Street	Local Street	61-foot existing right-of-way and a 48-foot proposed right-of-way.
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	February 1, 2024	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

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

### Pattern Book / Land Use Plan

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

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

- **7. Materials Used Should Reflect the Context of the Neighborhood:** Introducing new materials that are not used in the existing context should be done in a way where those materials are not the dominant material and make up less than 30% of the overall façade design.
- **8. Consider Unique Neighborhood Features:** In addition to the architectural features mentioned above, consider other common features like chimneys, dormers, gables, and 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

### SUBJECT SITE ZONING HISTORY

**2018-UV1-030; 2018 Yandes Street** (subject site), Variance of use and development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for primary and accessory residential uses, including a single-family dwelling and detached garage, with deficient front and rear transitional setbacks and north side setback (30-foot front and rear transitional setbacks and 10-foot side setback required), **granted**.

### ZONING HISTORY – VICINITY

**2024-CZN-803; 2051 Columbia Avenue** (northeast of site), Rezoning of 0.26 acres from the I-3 district to the D-8 district to provide for two, two-unit row homes, **pending**.

**2024-CVR-803; 2051 Columbia Avenue** (northeast of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for three-foot side setbacks (five feet required), **pending**.

**2023-CZN-848 / 2023-CPL-848; 2069 Yandes Street** (northeast of site), Rezoning of 0.42 acre from the I-3 district to the D-8 district and Approval of a Subdivision Plat to be known as Starks Minor Subdivision, dividing 0.42 acre into four lots, **approved**.

**2022-CZN-835; 2069 Yandes Street** (northeast of site), Rezoning of 0.42 acre from the I-3 district to the D-8 district, **withdrawn**.

**2022-ZON-005; 2024 Columbia Avenue** (northeast of site), Rezoning of 0.129 acre from the I-3 district to the D-8 district to allow for the construction of a single-family house, **approved**.

**2021-CZN-819 / 2021-CVR-819; 2008 Yandes Street** (south of site), Rezoning of 0.6 acre from the I-3 to the D-8 classification and Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling with a 8-foot front setback (18 feet required), **approved**.

**2021-CZN-816 / 2021-CVR-816; 2035, 2039, 2043 and 2047 Columbia Avenue** (northeast of site), Rezoning of 0.47 acre from the I-3 district to the D-8 district and a variance of development standards to provide for a deficient front setback, **approved**.

**2021-ZON-104; 2060 Yandes Street** (north of site) Rezoning of 3.6 acres from the I-3 district to the D-P district to provide for 54 total units consisting of 50 single-family attached dwellings and four single-family detached dwellings for a density of 15 units per acre, **approved**.

**2021-ZON-063; 2057 Yandes Street** (northeast of site), Rezoning of 0.13 acre from the I-3 district to the D-8 district, **approved**.



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

**2021-ZON-059; 2020 Columbia Avenue** (east of site), Rezoning of 0.13 acre from the I-3 district to the D-8 district, **approved.**

**2021-ZON-028; 2018, 2024 and 2032 Yandes Street** (north and south of site), Rezoning of 0.39 acre from the I-3 district to the D-8 district, **approved.**

**2020-CZN-835 / 2020-CVR-835; 2005 and 2011 Columbia Avenue; 1314 East 20th Street** (southeast of site), Rezoning of 0.29 acre from the I-3 district to the D-8 classification and Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of three single-family dwellings, with one single-family dwelling within the clear sight triangle of the abutting streets, with three-foot side setbacks and 47% open space (four-foot side setback and 55% open space), **approved and granted.**

**2020-CZN-829 / 2020-CVR-829: 2030 Yandes Street** (north of site), Rezoning of 0.13 acre from the I-3 district to the D-8 district and a variance of development standards to provide for deficient space between dwellings and deficient open space, **approved.**

**2020-ZON-076; 2019 and 2023 Yandes Street** (east of site), Rezoning of 0.26 acre from the I-3 district to the D-8 district, **approved.**

**2020-ZON-038; 2028 Columbia Avenue** (northeast of site), Rezoning of 0.1 acre from the I-3 district to the D-8 classification, **approved.**

**2019-HOV-020; 2015 Columbia Avenue** (southeast of site), Variance of use to provide for a single-family dwelling in an industrial district, and variances of development standards to provide for deficient setbacks, **approved.**

**2019-ZON-030; 2010 Yandes Street** (south of site), Rezoning of 0.13 acre from the I-3 District to the D-8 classification, **approved.**

**2019-ZON-029; 2007 Columbia Avenue** (southeast of site), Rezoning of 0.1 acre from the I-3 district to the D-8 district, **approved.**

**2019-ZON-028; 2032, 2038, and 2042 Columbia Avenue** (northeast of site), Rezoning of 0.39 acre from the I-3 district to the D-8 classification, **approved.**

**2017-ZON-030; 2001-2044 Alvord Street** (west of site), Rezoning of 2.57 acres, from the I-3 district to the D-8 classification, **approved.**

**2001-LNU-024; 2016 Columbia Avenue** (southeast of site), Certificate of Legal Non-Conforming Use of a single-family dwelling in the I-3-U district, **approved.**

**97-UV3-34; 2002 Alvord Street** (southwest of site), Variance of use of the Industrial Zoning Ordinance to provide for the repair of passenger automobiles and trucks, **denied.**



Department of Metropolitan Development  
Division of Planning  
Current Planning

**95-UV3-1; 2002 Alvord Street** (southwest of site), Variance of use of the Industrial Zoning Ordinance to provide for an automobile and truck repair operation (not permitted), **granted for one year.**

**93-UV3-31; 2016 Columbia Avenue** (southeast of site), Variance of use to provide for an addition to a single-family dwelling in an industrial district, **approved.**

**92-Z-133; 2001 Yandes Street** (south of site), Rezoning of 2.640 acres from I-3-U District to the SU-1 classification to provide for a church, **approved.**

**85-UV3-14; 2022 Columbia Avenue** (east of site), Variance of use to provide for a single-family dwelling in an industrial district and a variance of development standards to provide for deficient setbacks, **approved.**

**82-V3-13; 2002-2012 Alvord Street** (southwest of site), Variance of development standards to permit the outside storage of a trash container at the northwest corner of the subject property, **granted.**

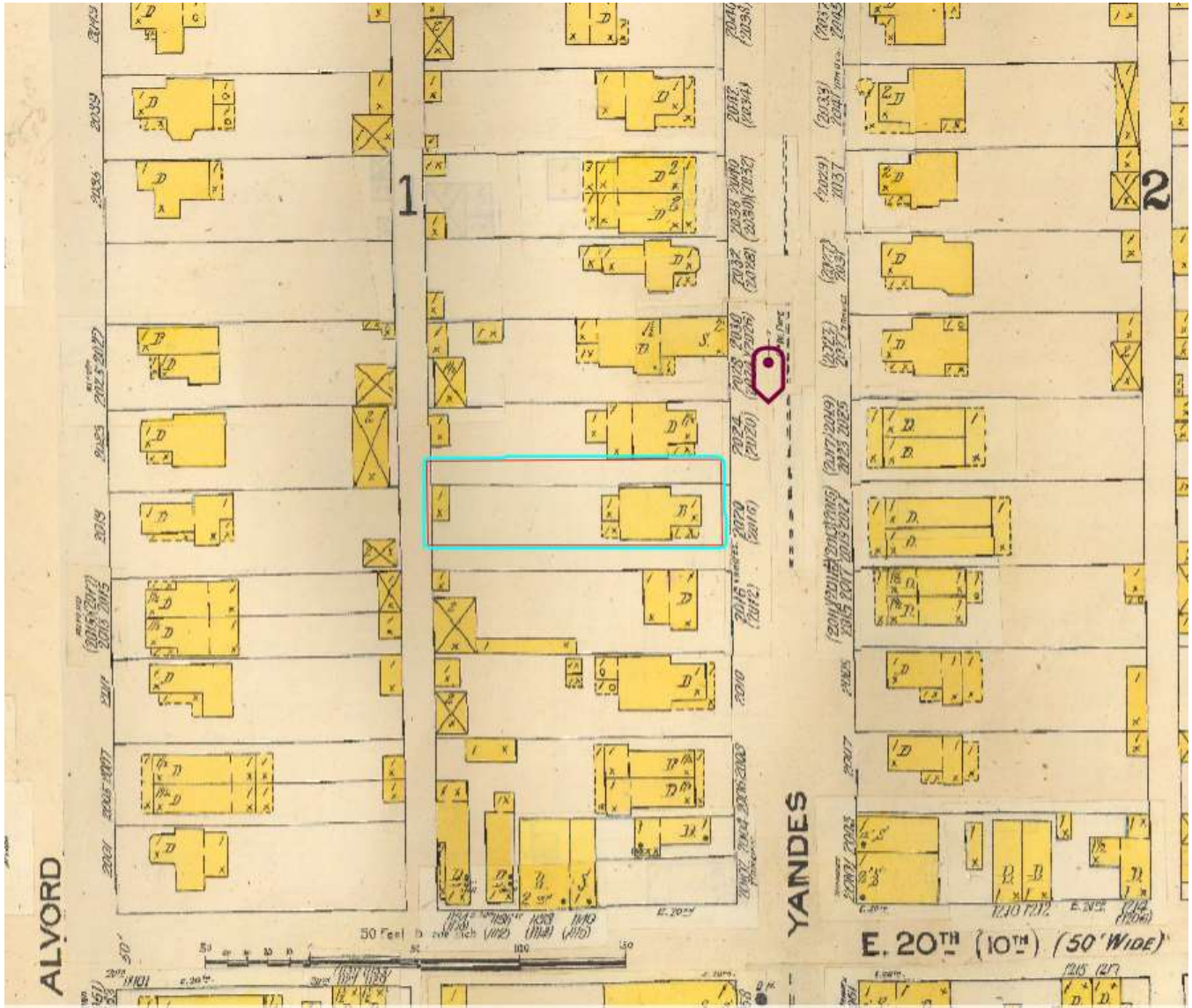
**58-V-429; 2017-2019 Alvord Street** (southwest of site) Variance of use to permit erection of a church, **approved.**

**EXHIBITS**





Department of Metropolitan Development  
Division of Planning  
Current Planning



1898 Sanborn Map

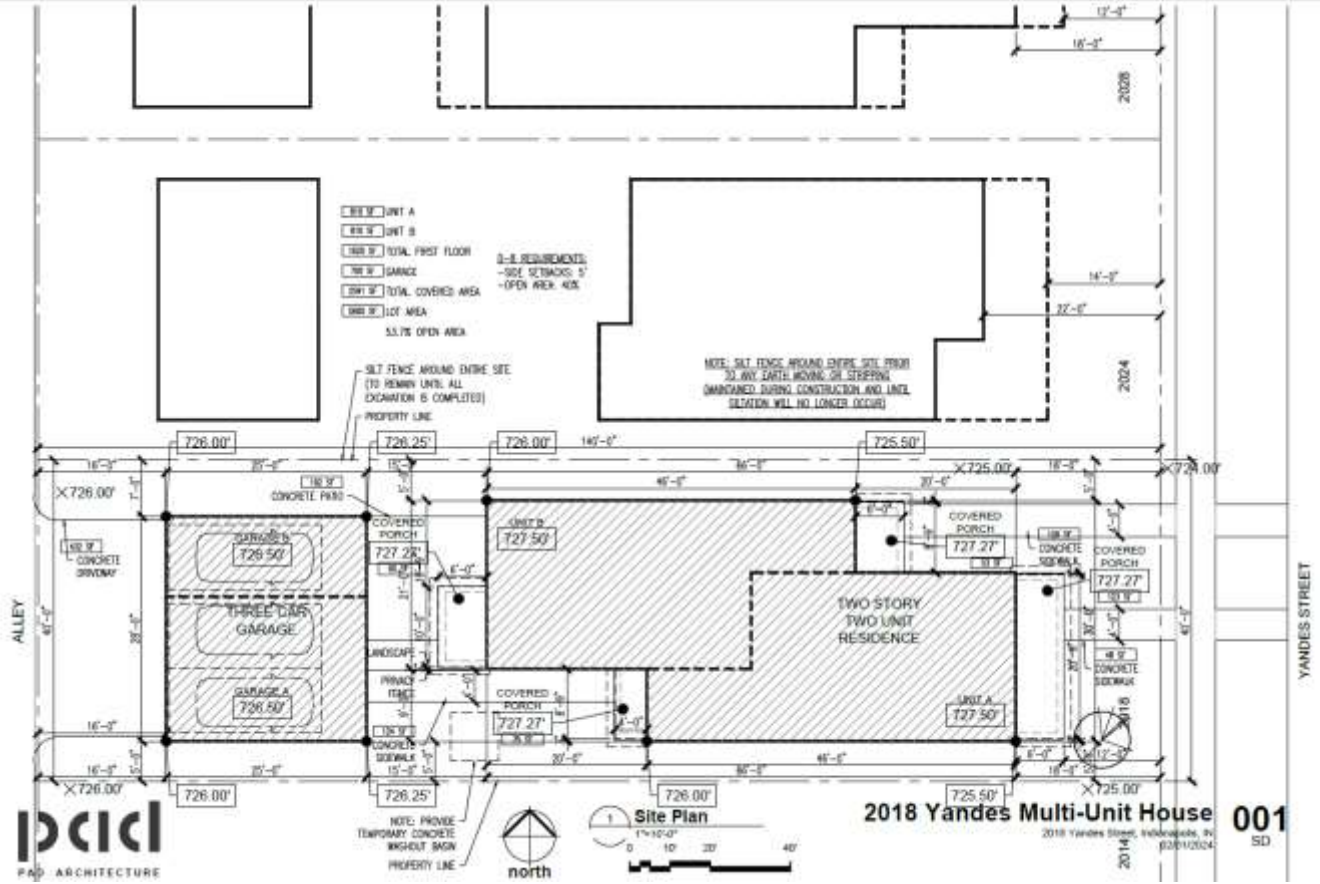




Photo of the subject site looking west from Yandes Street.



Photo of the sidewalk that would need to be repaired.



Photo of the subject site looking east from the alley.



Photo looking south on the alley west of the site.





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



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



**METROPOLITAN DEVELOPMENT COMMISSION** **March 14, 2024**  
**HEARING EXAMINER**

**Case Number:** 2024-ZON-016  
**Property Address:** 930 Daly Street  
**Location:** Center Township, Council District #18  
**Petitioner:** Joshua Conrad, by Brian J Tuohy  
**Current Zoning:** I-3 (TOD)  
**Request:** Rezoning of 1.3 acres from the I-3 (TOD) district to the C-4 (TOD) classification to provide for an event center and other regional commercial uses.  
**Current Land Use:** Commercial use / parking lot (vacant)  
**Staff Recommendations:** Approval, subject to commitments.  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

This is the first hearing for this petition

**STAFF RECOMMENDATION**

Approval, subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

1. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.
2. The existing building exterior will be preserved to the extent possible.

**PETITION OVERVIEW**

This site zoned I-3 (TOD) is developed with a historic two-story masonry building and associated parking. It is surrounded with commercial uses to the north, zoned C-3 (TOD); industrial uses to the south across Daly Street, zoned I-3 (TOD); industrial uses to the east, across Shelby Street, zoned I-3 (TOD); and I-65 Interstate ramp right-of-way, zoned I-3 (TOD).



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

Petitions 2013-UV3-024 and 2012-UV1-024, permitted the use of the subject site as a brewery and tasting room (eastern portion of the building) along with offices and a call center and offices (western portion of the building).

As proposed this request would be consistent with the Comprehensive Plan recommendation of urban mixed-use typology that would serve both the surrounding neighborhood as well as a larger segment of the community, with appropriate access to thoroughfares.

The proposed use as an event would be located within the easternmost portion of the existing structure and occupy approximately 6,000 square feet, with a call center and offices located in the remainder of the building. See Exhibit A.

The parking lot fronting Shelby Street would provide between 15-20 parking spaces and the parking lot along the I-65 right-of-way provides approximately 47 parking spaces that would be available after typical business hours. On-street parking would also be available along Daly Street.

It is understood that the site, as currently developed, and the existing structure would remain, with interior remodeling / renovation for the proposed event center. Staff believes the existing building should be preserved because of the historic character and value this provides to the area.

#### 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



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

- 4. Property that has accumulated litter or waste products, unless specifically authorized under existing laws and regulations, or that has otherwise been allowed to become a health or safety hazard.

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

**GENERAL INFORMATION**

<b>Existing Zoning</b>	I-3 (TOD)	
<b>Existing Land Use</b>	Commercial use / parking lot (vacant)	
<b>Comprehensive Plan</b>	Urban Mixed-use	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
	North: C-4 (TOD)	Commercial uses
	South: I-3 (TOD)	Industrial uses
	East: I-3 (TOD)	Industrial uses
	West: I-3 (TOD)	I-65 Interstate ramp
<b>Thoroughfare Plan</b>		
Daly Street	Local Street	Existing 60-foot right-of-way proposed 48-foot right-of-way
Shelby Street	Primary Arterial	Existing 58-foot right-of way and proposed 56-foot right-of-way
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	Yes – Transit-Oriented Development	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	N/A	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	

**COMPREHENSIVE PLAN ANALYSIS**

### Comprehensive Plan

- The Comprehensive Plan recommends Urban Mixed-Use typology. “The Urban Mixed-Use typology provides dense, pedestrian-oriented development with a wide range of businesses, services, and institutions that serve both adjacent neighborhoods and the broader Indianapolis community. Buildings are four to eight stories in height with entrances and large windows facing the street. Where possible, sidewalks and other pedestrian spaces should be activated as places to gather or otherwise spend time, such as sidewalk cafes and plazas. Public spaces may also be programmable for community events. Off-street parking should be behind buildings or in garages. Where block lengths are longer than 500 feet, public pedestrian paths should be provided as cut through’s. This typology has a residential density of at least 25 to 75 units per acre.
- “The C-4 District (Community Regional) is designed to provide for the development of major business groupings and regional-size shopping centers to serve a population ranging from a community or neighborhoods to a major segment of the total metropolitan area. These centers may feature a number of large traffic generators such as home improvement stores, department stores, and theatres. Even the smallest of such freestanding uses in this district, as well as commercial centers, require excellent access from major thoroughfares. While these centers are usually characterized by indoor operations, certain permitted uses may have limited outdoor activities, as specified.”

- Overlays

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

### Pattern Book / Land Use Plan

- The Pattern Book lays out a land use classification system that guides the orderly development of the county, protects the character of neighborhoods, and serves as a policy guide for development or redevelopment of a site.

*Conditions for All Land Use Types*

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.
- Mixed-Use structures are preferred for all land uses except Public Administration, Associations, and Region-Serving Institutions/Infrastructure, Entertainment, and Small-Scale Parks.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.

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

*Small-Scale Schools, Places of Worship, Neighborhood- Serving Institutions/Infrastructure, and Other Places of Assembly (defined as schools, places of worship, and other places of assembly that are generally less than five acres in size.)*

- If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
- Mixed-use structures are preferred.
- Schools should not be within 1000 feet of a highway, freeway, or expressway.”

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

- The Transit-Oriented Development (TOD) overlay is intended for areas within walking distance of a transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.
- This site lies within two proposed transit stops identified in the Blue Line Transit-Oriented Development Strategic Plan (2018) with a Central Business District typology and a District Center typology.
- This site is located within a ¼ mile walk of the proposed transit station located at the intersection of U.S. 40 (Washington Street) and Southeastern Avenue / Shelby Street with a Central Business District typology and within a ½ mile walk of the proposed transit station located at the intersection of U.S. 40 (Washington Street) and Arsenal Avenue with a District Center typology.
- Central Business District stations are located in the Regional Center with the region’s highest density and largest concentration of employment. Development opportunities include dense infill and redevelopment, office, mixed-use, cultural, and civic institutions, and a focus on enhanced placemaking.
- Characteristics of the Central Business District typology are:
  - The densest core of the city with the tallest buildings
  - Mix of office, entertainment, civic retail, active public place and residential
  - Minimum of 5 stories throughout with no front or side setbacks



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

- Structure parking only with active first floor
- District Center stations are located at the center of regionally significant districts with several blocks of retail or office at their core. Development opportunities include infill and redevelopment, dense residential, employment near transit stations, neighborhood retail and a focus on walkability and placemaking.
- Characteristics of the District Center typology are:
  - A dense mixed-use hub for multiple neighborhoods with tall buildings
  - Minimum of 3 stories at core with no front or side setbacks
  - Multi-family housing with a minimum of 5 units
  - Structured parking only with active first floor

#### **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 describes 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

**2013-UV3-024; 930 Daly Street**, requested a variance of use and development standards of the Industrial Zoning Ordinance to provide for an office and call center, with 32 parking spaces, **granted**.

**2012-UV1-024; 930 Daly Street**, requested a variance of use and development standards of the Industrial Zoning Ordinance to provide for a tasting room and the retail sales of beer associated with a brewery, an ADA ramp with a zero-foot setback from Daly Street and an approximately 90-foot setback from the centerline of Shelby Street and a trash enclosure with a one-foot front setback from Daly Street, and with an approximately 75-foot front setback from the centerline of Shelby Street, being in front of the established building line along Shelby Street, **granted**.

**2008-HOV-040; 930 Daly Street**, requested a variance of Development Standards to provide for insufficient landscaping along Daly Street, a zero-foot parking setback, and to legally establish building with a zero-foot setback from Daly Street and zero-foot north setback, **granted**.

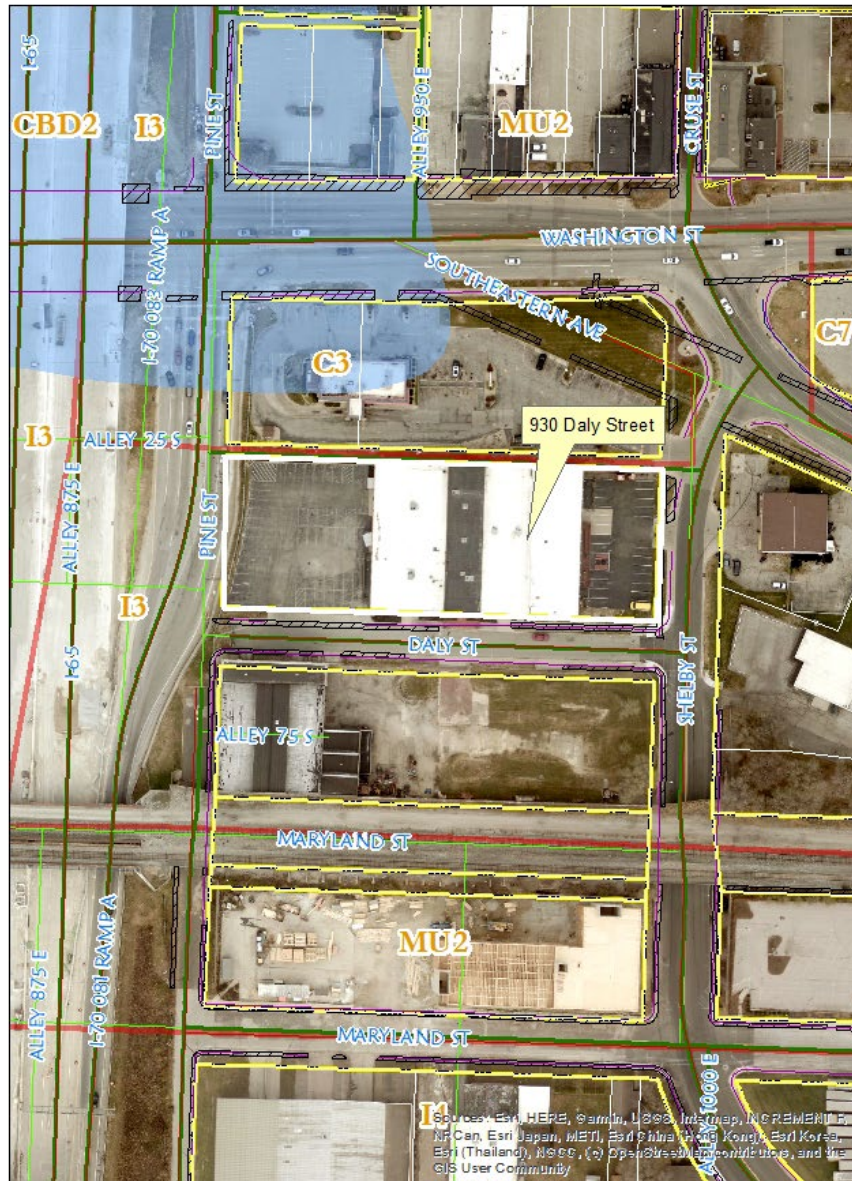
### Vicinity

**2008-DV3-042; 921 East Washington Street (north of site)**, requested a variance of Development Standards to legally establish a trash enclosure in front of an established front building line, **granted**.

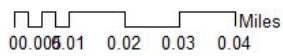
**97-Z-114; 1031 East Washington Street (east of site)**, rezoning from I-3U district to the C-5 classification to provide for a two-story commercial structure, **granted**.



**EXHIBITS**



930 Daly Street



Esri, HERE, DeLorme, Mapbox, Microsoft, Swire, UNICOM, U.S. Government, Vigeland, VLS, Waze, and others. All rights reserved. © 2018 Esri. All other marks are the property of their respective owners. Esri, Esri Japan, METI, Esri India, Esri Korea, Esri (Thailand), NSSC, (2) Department of Economic and Social Affairs, and the GIS User Community



**EXHIBIT A**

**Proposal Description**  
930 Daly Street (“Site”)

Petitioner respectfully requests to rezone the site from the I-3 District to the C-4 District to allow for commercial uses on the Site. Petitioner proposes to operate an ~~approximately 6,000 sf event center for weddings, reunions, meetings and similar~~ activities to be located in the eastern portion of the existing building on the Site. Petitioner proposes that events will be limited to approximately 200 people or less. The eastern portion of the Site was previously used as a brewery and restaurant.

An existing logistics business, which operates Monday – Friday from 9 am to 5 pm will remain in the western portion of the building. The proposed event center and existing logistics business will share the existing off-street parking spaces on the Site. Additionally, there are several on-street parking spaces available adjacent to the Site on Daly Street.



View looking east along Daly Street



View of western portion of site looking north across Daly Street



View of eastern portion of site looking north across Daly Street



View looking north along Shelby Street



View looking south along Shelby Street



View of site looking west across Shelby Street



View of site looking southwest across Shelby Street



View from site looking south



View from site looking east across Shelby Street



View from site looking northeast towards East Washington Street



View from site looking north towards East Washington Street





**METROPOLITAN DEVELOPMENT COMMISSION** **MARCH 14, 2024**  
**HEARING EXAMINER**

**Case Number:** 2024-ZON-017

**Property Address:** 8468 Union Chapel Road

**Location:** Washington Township, Council District #2

**Petitioner:** Keystone Investment, LLC, by Brian J. Tuohy

**Current Zoning:** C-S

**Request:** Rezoning of 1.82 acres from the C-S district to the C-S district to add multi-family residential to the list of permitted uses.

**Current Land Use:** Commercial use (extended stay hotel)

**Staff Recommendations:** Approval, subject to the following commitment.

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

**PETITION HISTORY**

This is the first hearing of this petition.

**STAFF RECOMMENDATION**

Approval, subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

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

**PETITION OVERVIEW**

This 1.82-acre site, zoned C-S, is developed with an extended stay hotel. It is surrounded by commercial uses to the north, east (across Union Chapel Road) and west, zoned C-4 and multi-family dwellings to the south, zoned D-6II.

Petition 98-Z-140 rezoned the site to the C-S district to provide for an extended stay hotel that was constructed in 1999.



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

“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. 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.

Development site plans should incorporate and promote environmental considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage, and wildlife.”

The C-S Statement, file-dated February 2, 2024, states that the two three-story existing buildings would be converted into approximately 56 studio units, four one-bedroom units, and 22 two-bedroom units. See Exhibit A.

There would be approximately 82 dwelling units and 82 existing parking spaces.

The commitments related to the 1998 rezoning (Instrument No. 1998-0129380) would remain in effect. Thereby supporting and maintaining stability of the surrounding land uses.

As proposed, staff supports this request. The existing buildings would remain and the additional use that would be permitted would be similar to the use originally permitted by the 1998 rezoning. Consequently, the surrounding land uses would not be negatively impacted by this minor change.

#### 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;



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

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 receptables for proper disposal of trash and other waste.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	C-S	
<b>Existing Land Use</b>	Extended Stay Hotel	
<b>Comprehensive Plan</b>	Community Commercial	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
	North:	C-4 Commercial uses
	South:	D-6II Multi-family
	East:	C-4 Commercial uses
	West:	C-4 Commercial uses
<b>Thoroughfare Plan</b>		
Union Chapel Road	Local Street	Existing 68-foot right-of-way, proposed 60-foot right-of-way
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	Yes – 500-year unregulated floodway fringe	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	February 9, 2024	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	February 9, 2024	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- The Comprehensive Land Use Plan (2018) recommends Community Commercial typology. “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 Pattern Book and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.
- The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:
- *Conditions for All Land Use Types*
  - ▪ All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
  - ▪ All development should include sidewalks along the street frontage.

### 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)



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

- 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 describes 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-140; 8448 Union Chapel Road**, requested rezoning of 1.8 acres from the C-1 district to the C-S classification to provide for the construction of an extended stay hotel, **approved**.

**96-VAC-9; 8449-8498 Union Chapel Road**, requested vacation of a portion of Union Chapel Road, approximately being 40 feet in width for a length of 184.42 feet and 55 feet in width of a length of 407.48 feet, immediately south of 82nd Street, and a portion of the southern half of 82nd Street right-of-way, **approved**.

**85-Z-84; 8490 Union Chapel Road**, requested rezoning of 1.8 acres, being in the A-2 district, to the C-1 classification to provide for commercial development, **approved**.

## VICINITY

**95-Z-210; 8487 Union chapel Road (north of site)**; requested rezoning of 19.285 acres, being in the D-A district to the C-4 classification to provide for retail commercial development, **approved**.

**93-Z-151; 8701 River Road (north of site)**, requested rezoning of 85 acres, being in the D-A and SU-23 (GSB) districts, to the C-S classification to provide for offices, **approved**.

**83-Z-84; 8551 Bazaar Drive (north of site)**, requested rezoning of 5.42 acres, being the D-4 and A-2 districts, to the C-4 classification to provide for commercial development **approved**.

**83-Z-220; 8471 and 8481 Union chapel Road (south of site)**, requested rezoning of 2.71 acres, being in the A-2 district, to the C-6II classification to provide for attached single-family residences, **denied**.

**81-Z-48; 3851 East 82nd Street, (north of site)**, requested rezoning of 12 acres, being the D-3 district, to the C-2 classification to provide for offices, **approved**.

**79-Z-183; 8150 Dean Road (east of site)**, requested rezoning of 178 acres, being in the D-3 district, to the D-7 classification to provide for residential development, **approved**.

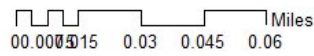
**78-Z-73; 3401 East 86th Street (east of site)**, requested rezoning of 13.51 acres, being in the A-2 district, to the C-4 classification to provide for commercial development, **approved**.

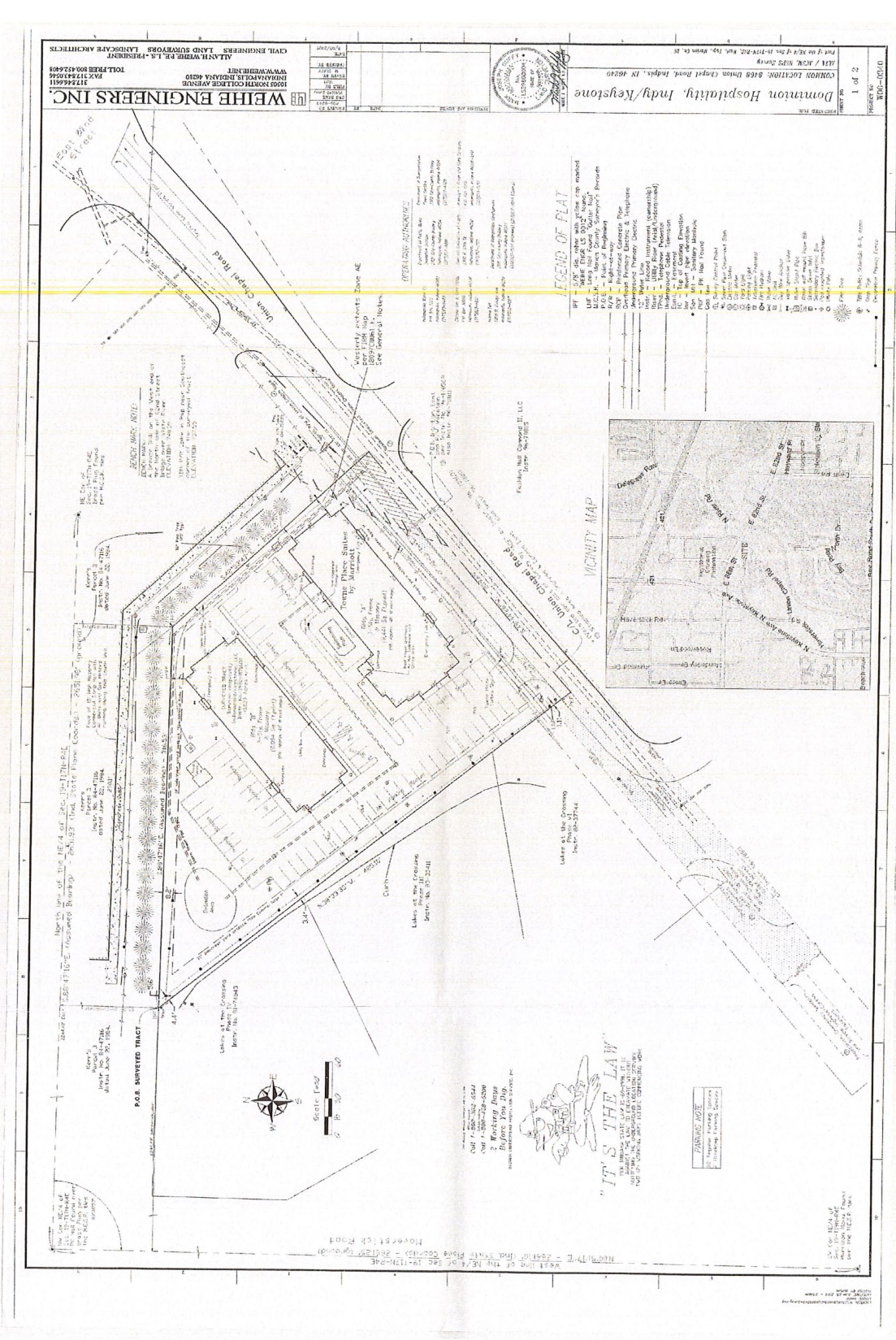
**70-Z-65; 8300 and 8400 Union Chapel Road (south of site)**, requested rezoning of 28.1 acres, being in the A-2 district to the D-6II classification to provide for townhouses, **approved**.

**EXHIBITS**



8468 Union Chapel Road









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

**EXHIBIT A**

**Proposal Description / 2024 C-S Statement**  
8468 Union Chapel Road (“Site”)

Petitioner respectfully requests that the Site be rezoned from the C-S District to the C-S District to add residential multi-family dwelling uses as a permitted use on the site. Petitioner proposes to renovate and convert the two existing extended stay hotel buildings into approximately 56 studio, approximately 4 one-bedroom and approximately 22 two-bedroom apartments.

The Statement of Commitments dated July 9, 1998 and recorded as Instrument #1998-0129380 in the office of the Marion County Recorder shall remain in effect.



View looking north along Union Chapel Road



View looking south along Union Chapel Road



View of site looking west across parking lot located east of site



View of site looking northwest across parking lot located east of site



View of site looking northwest across parking lot located east of site



View of site looking northwest



View from site looking southwest



View from site looking north



View from site looking east at access drive along the southern boundary



View of site looking north at parking between the two buildings



**METROPOLITAN DEVELOPMENT COMMISSION** **March 14, 2024**  
**HEARING EXAMINER**

**Case Number:** 2024-ZON-018  
**Property Address:** 922 East 17th Street (approximate address)  
**Location:** Center Township, Council District #13  
**Petitioner:** DeAnna Jones  
**Current Zoning:** I-3  
**Request:** Rezoning of 0.09 acre from the I-3 district to the D-8 district to provide for residential uses.  
**Current Land Use:** Undeveloped  
**Staff Recommendations:** Approval  
**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the request.

**PETITION OVERVIEW**

**LAND USE**

The 0.09-acre subject site is an undeveloped industrial lot. It is surrounded by a single-family dwelling to the east, zoned D-8, undeveloped lots north and south, zoned I-3, and a multi-family dwelling to the west, zoned D-8.

**REZONING**

This petition would rezone this site from the I-3 district to the D-8 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.



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

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**

Staff is supportive of the rezoning to the D-8 district because it would allow for residential development to occur in line with the context of the surrounding area and historical residential use of the site per a 11915 Sanborn Map. The dwelling district would also align with the traditional neighborhood recommendation of the Comprehensive Plan.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	I-3	
<b>Existing Land Use</b>	Undeveloped	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<u><b>Zoning</b></u>	<u><b>Land Use</b></u>
North:	I-3	Undeveloped
South:	I-3	Undeveloped
East:	D-8	Residential (Single-family dwelling)
West:	D-8	Multi-family dwelling
<b>Thoroughfare Plan</b>		
17 <sup>th</sup> Street	Local Street	50-foot existing right-of-way with 48-foot proposed right-of-way.
Bundy Place	Local Street	21-foot existing right-of-way with 48-foot proposed right-of-way.
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	N/A	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	



**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

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

**Pattern Book / Land Use Plan**

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



Department of Metropolitan Development  
Division of Planning  
Current Planning

- 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

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



Department of Metropolitan Development  
Division of Planning  
Current Planning

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

#### Indy Moves

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

- The Thoroughfare Plan recommends a 48-foot proposed right-of-way along Bundy Place where only approximately 21 feet exist.
- Although Bundy Place is designated as a local street, DPW will not be requesting a right-of-way dedication along Bundy Place since it is used as an alley at this location.



## ZONING HISTORY

### ZONING HISTORY – VICINITY

**2021-ZON-132; 1644 Cornell Avenue** (south of site), Rezoning of 0.33 acre from the I-3 district to the D-8 district to provide for a single-family dwelling, **approved**.

**2019-UV1-004; 1714 Cornell Avenue** (northeast of site), Variance of use and development standards of the Consolidated Zoning and Subdivision ordinance to provide for primary and secondary single-family residential uses, including, but not limited to a single-family dwelling with a detached garage, with an eight-foot front setback, three-foot side and side transitional setback and five-foot rear and rear transitional setback (30-foot front setback, 10-foot side and rear setback and 40-foot side and rear transitional yard), **approved**.

**2018-UV1-009; 1648 Cornell Avenue** (south of site), Variance of use and development standards of the Consolidated Zoning and Subdivision ordinance to provide for the construction of a single-family dwelling, with a 14-foot front setback and a four-foot south side yard and eight-foot north side yard, and a 720-square foot secondary dwelling, with a three-foot north side yard, a four-foot south side yard and a 15-foot rear transitional yard, **granted**.

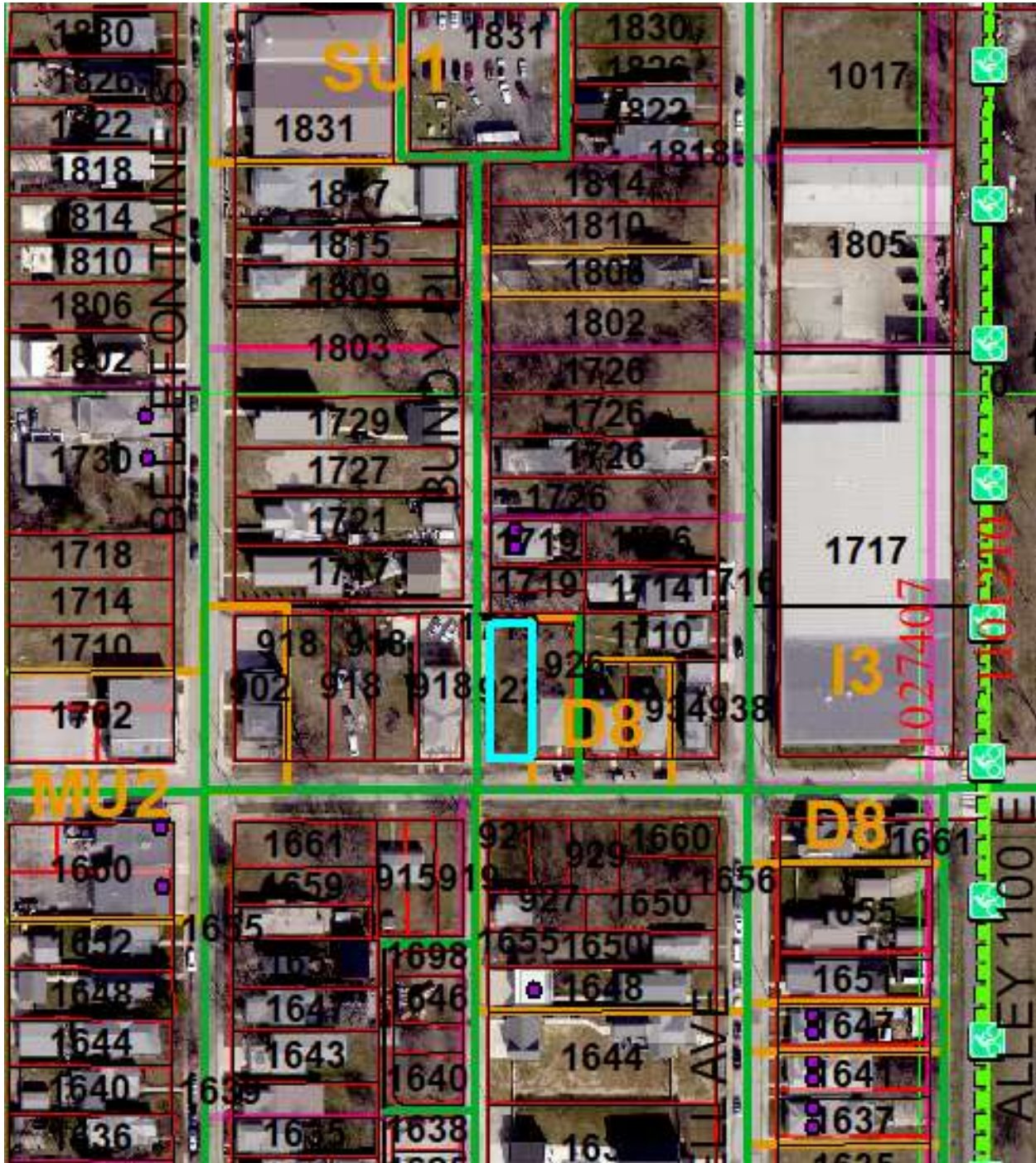
**2017-CZN/CVR-808; 926, 930, and 934 East 17<sup>th</sup> Street** (east of site), Rezoning of one 2.3 acres from the I-3 district to the D-8 classification and Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for single-family development without parking (one parking space required), **approved**.

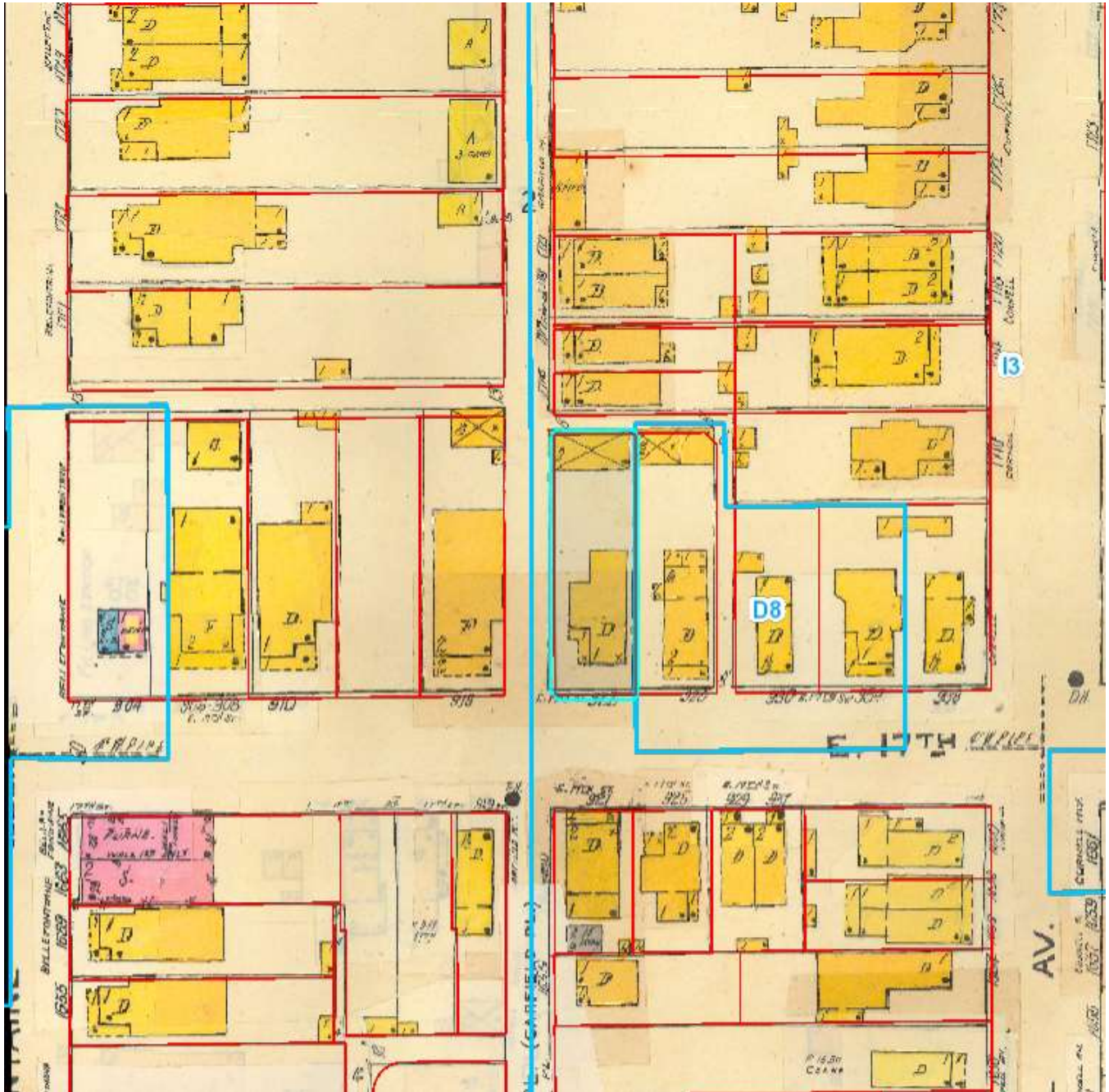
**2016-ZON-035; 1660, 1702, and 1706 Bellefontaine Street** (west of site), Rezoning of 0.95 acre from the D-8 District to the MU-2 classification, **approved**.

**2006-ZON-027; 1635 Cornell Avenue** (south of site), Rezoning of 0.306 acre from the I-3-U District to the D-8 classification to provide for residential development, **approved**.

**2000-UV1-005; 902 East 17<sup>th</sup> Street** (west of site), Variance of use of the Dwelling Districts Zoning Ordinance to legally establish a variety store, with community services (not permitted), **denied**.

**EXHIBITS**





1915 Sanborn Map



Photo of the subject site looking north.



Photo of the subject site looking southeast.



Photo of the alley north of the site.



Photo of the street frontage along 17<sup>th</sup> Street.





Photo of the dwellings west of the site across Bundy Place.



Photo of the dwellings east of the site.



Photo of the undeveloped lots south of the site.



Department of Metropolitan Development  
Division of Planning  
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

March 14, 2024

**Case Number:** 2023-CZN-869 / 2023-CAP-869  
**Property Address:** 4105 and 4151 East 96th Street (Approximate Addresses)  
**Location:** Washington Township, Council District #4  
**Petitioner:** 96th Street Developers, LLC, by Joseph D. Calderon  
**Current Zoning:** C-S (FW) (FF)

**Request:** Rezoning of 30.64 acres from the C-S (FW) (FF) district to the C-S (FW) (FF) district to provide for the following uses: Commercial and Building Contractor, Offices, Light Manufacturing, Artisan Manufacturing, Recycling Station, Research and Development, Warehousing, Wholesaling and Distribution (including showroom with retail), Consumer Services, repair of Consumer Goods, Medical or Dental Office, Center or Clinic, Hair and Body Care Salon or Service, Financial and Insurance Services, Eating Establishment or Food Preparation, including brewery, distillery or tap room, Indoor Recreation/Entertainment, Retail, Light and Heavy General, Automobile Fueling Station, Automobile, Motorcycle, and Light Vehicle Service, Sales or Repair, Automobile and Light Vehicle Wash, Hotel or Motel, Food Trucks, Vocational, Technical or Industrial School or Training Facility, Day Care Center or Nursery School and other Accessory Uses.

Modification of Commitments related to 85-Z-128 and 98-Z-76 to terminate all existing commitments related to these two rezoning petitions.

**Current Land Use:** Commercial and Industrial

**Staff Recommendations:** Denial

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

**PETITION HISTORY**

This petition was automatically continued from the January 25, 2024 hearing, to the February 29, 2024 hearing at the request of a registered neighborhood organization.

This petition was continued for cause from the February 29, 2024 hearing to the March 14, 2024 hearing at the request of the petitioner.

**STAFF RECOMMENDATION**

Staff recommends **denial** of the rezoning.



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

Staff **would recommend approval** if the Automobile, Motorcycle, and Light Vehicle Service, Sales, or Repair uses were removed from the request and an updated C-S statement were submitted noting this change.

The petitioner eliminated Automobile Fueling Station, Automobile and Light Vehicle Wash, Food Trucks and Recycling Station uses in the amended C-S Statement, therefore, these uses would need to be **withdrawn from the request**.

Staff determined that the Modification request was not necessary since this C-S district is essentially a new C-S request that would not be related to the previous rezoning petitions 85-Z-128 and 98-Z-76. The **modification petition can be withdrawn**.

## PETITION OVERVIEW

### LAND USE

Historic aerial photography indicates that the subject site was used agriculturally until the mid-1980s when the first phase of the main building on site was constructed. The remainder of the main building was constructed in 1999/2000. The restaurant building was constructed in 2005/2006.

The 2018 Comprehensive Land Use Plan recommends Office Commercial for the site. This typology envisions all scales of office development, as well as personal services.

### ZONING

This petition requests a rezoning from the C-S district to the C-S district to provide for a variety of uses which includes Commercial and Building Contractor, Offices, Light Manufacturing, Artisan Manufacturing, Recycling Station, Research and Development, Warehousing, Wholesaling and Distribution (including showroom with retail), Consumer Services, repair of Consumer Goods, Medical or Dental Office, Center or Clinic, Hair and Body Care Salon or Service, Financial and Insurance Services, Eating Establishment or Food Preparation, including brewery, distillery or tap room, Indoor Recreation/Entertainment, Retail, Light and Heavy General, Automobile Fueling Station, Automobile, Motorcycle, and Light Vehicle Service, Sales or Repair, Automobile and Light Vehicle Wash, Hotel or Motel, Food Trucks, Vocational, Technical or Industrial School or Training Facility, Day Care Center or Nursery School and other Accessory Uses.

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

1. To encourage:
  - i. A more creative approach in land planning.
  - ii. Superior site and structural design and development.
  - iii. 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.



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

5. To provide maximum adaptability and flexibility in zoning and development controls to meet the changing and diverse needs of the metropolitan area.

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.

Development site plans should incorporate and promote environmental considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage and wildlife.

#### **STAFF ANALYSIS**

The site was previously approved for offices; warehousing; shipping and receiving; commercial and building contractors; assembly/modification; retail and wholesale sales with showroom; training and technology center; and conference/meeting rooms.

This new C-S development statement would supersede the previous C-S rezoning cases. Therefore, the modification request is not required based on staff's determination.

The subject site was recently subdivided into three lots per 2023-PLT-104 ahead of the proposed C-S development. It consisted of two outlots, Lot 2 and 3, along the 96<sup>th</sup> Street frontage and Lot 1 being the remaining portion of the site that includes two access drives, drainage easement at the northeast corner of the site and the southern three buildings with associated parking areas.

In staff's opinion the proposed uses would not be substantially different in intensity than the previous permitted uses except for the auto-related uses. It is due to the proposed automobile related uses on site that staff is recommending denial of the request.

In working with staff, the petitioner removed some of the proposed uses from the original C-S Statement to the amend C-S Statement, which eliminated Automobile Fueling Station, Automobile and Light Vehicle Wash and Food Trucks from the permitted uses in Lots 2 and 3 in addition to the removal of a Recycling Station in Lot 1. Therefore, these uses would need to be officially withdrawn from the request.

However, the Automobile, Motorcycle, and Light Vehicle Service, Sales or Repair uses would still be propose as permitted used in all proposed lots, which would not align with the job generating uses that are otherwise proposed with this development. Instead, land would be dedicated for the storage of vehicles whether for sale or waiting for services/repairs which would not be the highest and best use of the site.



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

It is an area surrounded by auto related uses, but that is primarily due to Hamilton County placing their least favorable uses at the City’s border.

The proposed development would have multiple uses proposed that could be located here without the need for these auto-related services.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	C-S	
<b>Existing Land Use</b>	Commercial and Industrial	
<b>Comprehensive Plan</b>	Office Commercial	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	Hamilton County	Automotive Services
South:	C-S / D-7	Offices / Multi-family dwellings
East:	C-S / D-7	Office / Multi-family dwellings
West:	C-S	Offices / Commercial
<b>Thoroughfare Plan</b>		
96 <sup>th</sup> Street	Primary Arterial	87-foot existing right-of-way with 102-foot proposed right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	Yes	
<b>Overlay</b>	Yes	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	December 27, 2023	
<b>Site Plan (Amended)</b>	February 16, 2024.	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	February 16, 2024.	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- Marion County Land Use Plan Pattern Book (2019)

**Pattern Book / Land Use Plan**



Department of Metropolitan Development  
Division of Planning  
Current Planning

- The Comprehensive Plan recommends office commercial development for the majority of the site with the eastern property boundary being recommended as a floodway.
- The Floodway category delineates areas that exhibit a great potential for property loss and damage from severe flooding, or for water quality degradation. No development should occur within the floodway. Nonconforming uses currently within a floodway should not be expanded or altered.
- 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.
- **Conditions for All Land Use Types**
  - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
  - All development should include sidewalks along the street frontage.
  - Master-planned developments in excess of 2 acres should include pedestrian amenities for passive and active recreation internal to the development. Large-Scale Offices Pedestrian connections between buildings should be provided. Street connections to perimeter roads should be provided
- **Large-Scale Offices**
  - Pedestrian connections between buildings should be provided.
  - Street connections to perimeter roads should be provided.
- **Small-Scale Offices, Retailing, and Personal or Professional Services**
  - Appropriate as a primary use only in major employment centers.
  - Outdoor display of merchandise should be limited.
  - If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.
  - Should be located along an arterial or collector street.
  - If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
- The site falls within an environmentally sensitive overlay, specifically the 100-year flood plain, which removes large-scale offices. However, with the site already being fully developed except for the outlots along the street frontage, there isn't any woodlands, wetlands, or other natural features to be preserved. The development of the site would simply have to meet the flood plain regulations.

**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

**2023-PLT-104; 4105 and 4151 East 96th Street** (subject site), Approval of a Subdivision Plat to be known as East 96th Street Development, dividing 28.569 acres into three lots, **approved**.

**2021-MOD-006; 4151 East 96<sup>th</sup> Street** (subject site), Modification of the site plan and Commitment Four of 98-Z-76 to provide for the expansion of the western warehouse building (development shall be substantially compliant with the site plan file-dated April 9, 1998), **approved**.

**2020-ZON-080; 4105 and 4151 East 96th Street** (subject site), Rezoning of 28.6 acres from the C-S (FF) district to the C-S (FF) district to provide for offices; warehousing; shipping and receiving; commercial and building contractors; assembly/modification; retail and wholesale sales with showroom; training and technology center; and conference/meeting rooms, **withdrawn**.

**2018-CZN-861 / 2018-CAP-861; 4151 East 96th Street** (subject site), Rezoning of 28.6 acres from the C-S district to the C-S district to add the sales, rental and repair of light vehicles, and mini-warehouses to the list of approved uses from 98-Z-76, and a modification of commitments to legally establish two signs and to provide for a third sign with a height of ten feet, **withdrawn**.

**2018-UV1-004; 4151 East 96th Street** (subject site), Variance of use to provide for the parking of vehicles for a temporary period, **approved**.

**99-V1-20; 4151 East 96th Street** (subject site), Variance of use to provide for building construction in a floodway, **approved**.

**98-Z-76; 4301 East 96th Street** (subject site), Rezoning of 19.7 acres from the C-S district to the C-S district to provide for retail sales, training center, offices, and warehousing, **approved**.

**86-V3-20; 4301 East 96th Street** (subject site), Variance of development standards of the Commercial Zoning Ordinance to provide for the expansion of an office-warehouse with paved parking and loading area located at 10 feet from the rear property line (15 feet required), **granted**.

**85-Z-128A; 4301 East 96th Street** (subject site), Rezoning of 102 acres from the A-2 district to the C-S district to provide for warehousing, distribution, offices, and multi-family dwellings, **approved**.

### ZONING HISTORY – VICINITY

**2011-ZON-003; 9265 Counselors Row, 9229 Delegates Row, 3665, 3750, 3850, 3939, and 3950 Priority Way, South Drive and 9190 Priority Way, West Drive** (south of site), Rezoning of 49.5 acres from the C-S district to the C-S district to add educational uses to those permitted by 80-Z-91A, **approved**.



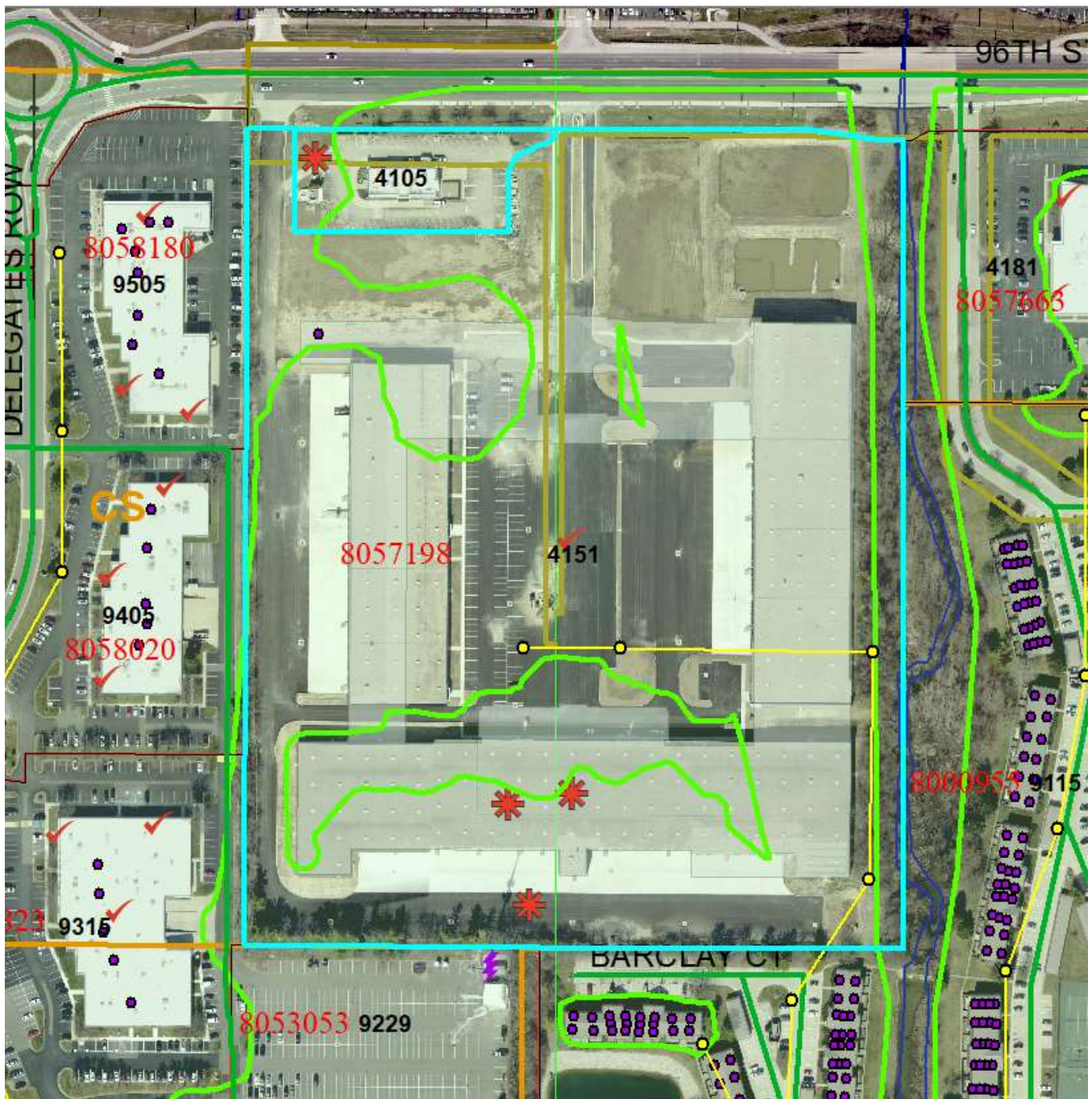
Department of Metropolitan Development  
Division of Planning  
Current Planning

**85-Z-128B; 4301 East 96th Street** (east and south of site), Rezoning of 68 acres from the A-2 district to the D-7 district, **approved.**

**80-Z-91A; 3801 East 96<sup>th</sup> Street** (west and south of site), Rezoning of 187.10 acres, being in A-2, SU-23, and GSB secondary districts, to C-S classification to provide for the construction and operation of an office, commercial, industrial research, light industrial, and service complex, **approved.**

**80-Z-91B; 9650 North River Road** (south of site), Rezoning of 61.14 acres, being in A-2, SU-23, and GSB Secondary districts to total GSB Secondary classification to relocate gravel-sand-borrow operation, **approved.**

**EXHIBITS**



Concept Plan







Department of Metropolitan Development  
Division of Planning  
Current Planning

### C-S Development Statement

**Introduction:** Petitioner, 96<sup>th</sup> Street Developers, LLC, seek to rezone approximately 30.64 acres of property commonly known as 4105 and 4151 East 96<sup>th</sup> Street (the “Subject Property”) as shown on the Concept Plan attached as Exhibit “A” in order to facilitate redevelopment of the Subject Property for commercial and industrial uses. In addition to the Concept Plan, Petitioner has also prepared a proposed plat of the Subject Property, dividing the Subject Property into three (3) lots, as shown on the attached Exhibit “B” (the “Plat”).

**Zoning:** The Subject Property is currently zoned C-S, as more particularly described in rezoning petitions 85-Z-128 and 98-Z-76, which permitted certain commercial and industrial uses, with the 1998 case filed to permit the headquarters for HH Gregg. Petitioner acquired the Subject Property in 2021 and has removed the former HH Gregg showroom buildings and the former Steak N Shake restaurant building, and has renovated three (3) existing industrial buildings. Petitioner propose to rezone the Subject Property from C-S to C-S to reflect continuing redevelopment efforts, which contemplate both commercial and industrial uses.

Proposed Permitted Primary Uses of Lot 1, as shown on the Plat, shall be as follows, as described in the City of Indianapolis Consolidated Zoning/Subdivision Ordinance in effect as of May 8, 2023 (the “Zoning Ordinance”):

- a) Commercial and Building Contractor
- b) Offices (Business, Professional or Government)
- c) Light Manufacturing, Artisan Manufacturing
- d) Automobile, Motorcycle, and Light Vehicle Service, Sales or Repair
- e) All Research and Development
- f) Warehousing, Wholesaling, Distribution (including showroom with retail)
- g) Consumer Services, repair of Consumer Goods
- h) Vocational, technical or industrial school or training facility

The following proposed permitted primary uses of Lots 2 or 3 shall be as follows:

- a) Medical or Dental Office, Center, or Clinic
- b) Hair and Body Care Salon or Service
- c) Financial and Insurance Services
- d) Consumer Services, repair of Consumer Goods
- e) Offices (Business, Professional or Government)
- f) Eating Establishment or Food Preparation, including brewery, distillery, tap room



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

- g) Indoor Recreation/Entertainment
- h) Retail, Light and Heavy General
- i) Automobile, Motorcycle, and Light Vehicle Service, Sales or Repair
- j) Hotel, Motel
- 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 Lot 1 only, to a maximum of twenty-five percent (25%) of total square footage of all buildings on Lot 1)
- 4) Outdoor Display and Sales, Temporary
- 5) Outdoor Seating or Patio
- 6) Renewable Energy Facility, Solar, Geothermal or Wind
- 7) Satellite Dish Antenna
- 8) Sign(s)
- 9) Temporary Construction Yard, Office, or Equipment Storage
- 10) Temporary Outdoor Event (no more than fifteen (15) consecutive days in any sixty (60) day period)
- 11) Vending Machines/Self-Serve Kiosk (outside)
- 12) Sidewalk Café/Food Trucks
- 13) Walk-up Window
- 14) Drive Through

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, except that there shall be no maximum setback from proposed right of way required with respect to the existing buildings on Lot 1.

Landscaping plans are not yet fully developed for Lots 2 and 3. 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



Department of Metropolitan Development  
Division of Planning  
Current Planning

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 for Lots 2 and 3:

- 1) Monument (Business identification) Sign not to exceed twelve (12) feet in height and no more than one (1) for each lot
- 2) Ground (Business identification) Sign, in lieu of a monument sign, and no more than one (1) for each lot
- 3) Wall Signs, Awning, Canopy and Window Signs
- 4) Incidental, Temporary, and Other Signs as would otherwise be permitted in a commercial zoning district

Phasing of 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"); provided, however, prior to applying for an Improvement Location Permit for a new building/development of a lot, a final site and development plan, consistent with the standards contained in this C-S Statement, shall be tendered for Administrators Approval.





Photo of the proposed Lot 3.



Photo of the proposed Lot 2.



North end of Building 2.



West building façade of Building 2 looking east.



Photo of Building 1 looking south.



Rear view of Building 1 looking east along the southern property boundary.



Photo of Building 3.



Rear view of Building 3 looking south.

## STAFF REPORT

Item 16.

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

**Case Number:** 2024-APP-002  
**Address:** 2035 North Park Avenue (approximate address)  
**Location:** Center Township, Council District #13  
**Zoning:** PK-1  
**Petitioner:** Indy Parks and Recreation, by Kate Warpool  
**Request:** Park District One Approval to provide for park improvements including landmark/gateway structures, walking paths, landscaping and parking.

### RECOMMENDATIONS

Staff **recommends approval** of this request.

### SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

#### **PARK DISTRICT-ONE APPROVAL**

- ◇ This petition would provide for replacement of playground equipment and other improvements at an existing park within the Indy Parks and Recreation System: Dr Martin Luther King, Jr Park.
- ◇ The park is zoned PK-1; however, no use, building or structure is permitted for any purpose until a site and development plan for such land, including the proposed use, has been filed with and approved by the Commission in accordance with the Zoning Ordinance.
- ◇ 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;

(Continued)

- 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 Comprehensive Plan recommends Traditional Neighborhood typology for the site. This typology includes neighborhood serving amenities like public parks.
  - ◇ The site plan indicates the proposed improvements would be within the park boundaries. Staff supports this request.

**FINDINGS OF FACT**

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

The Land Use Plan identifies that the parcel is part of the Traditional Neighborhood typology. The parcel is currently being used as a park, and the land use pattern book recommends parks without additional conditions. The site development plan improves the condition of the park through an enhanced landmark and gateway, additional walking pathways, and new landscaping.

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

The site development plan calls for enhancements to the 5-acre memorial space from portions of the park between 17th street and 19th street. The plan includes recommendations for the Landmark for Peace Plaza with interpretation panels, pathways, lighting, seating, open lawns, a monumental wall, an arrival plaza and gateway, tree lawns, and future phased-in parking and arrival courts. These additions will improve the current state of the park.

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

There are existing walking pathways throughout the park and sidewalks and trails along its borders. The plan proposes additional internal pathways and connections to surrounding properties. New parking spaces for special events will be included on the north side of the park in future phases.

**STAFF REPORT 2024-APP-002 (Continued)**

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

The existing park already includes sidewalks, trails, and connections to the surrounding neighborhood. The new pathways planned as part of the project will also enhance connectivity across the park.

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

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

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

The property is currently a neighborhood park that includes the Landmark for Peace Memorial, landscaping, and pathways. The proposed design maintains the current use of the park and proposes enhancements that are appropriate in design, character, grade, location, and orientation with existing conditions.

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

Existing sidewalks and trails are available along the existing park. Additional paths will be built within the park.

**GENERAL INFORMATION**

**EXISTING ZONING AND LAND USE**

PK-1 Park

**SURROUNDING ZONING AND LAND USE**

North -	PK-2	Single-family dwellings
South -	PK-2	Single-family dwellings
East -	PK-2	Single-family dwellings
West -	PK-2 / SU-38	Single-family dwellings / School / Community Center

COMPREHENSIVE LAND USE PLAN	The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends Traditional Neighborhood development.
THOROUGHFARE PLAN	Park Avenue is designated in the Marion County Thoroughfare Plan as a local street with an existing and proposed 48-foot right-of-way. 19th Street is designated in the Marion County Thoroughfare Plan as a local street with an existing and a proposed 48-foot right-of-way. 21st Street is designated in the Marion County Thoroughfare Plan as a local street with an existing 72-foot right-of-way and a proposed 48-foot right-of-way.
CONTEXT AREA	This site is located within the compact context area.
OVERLAY	There are no overlays for this site.

**ZONING HISTORY**

**SITE**

None.

**VICINITY**

**2007-ZON-821, 2054 North Park Avenue**, rezoning of .124 acres from PK-2 to D-8 to provide for residential development, **withdrawn**.

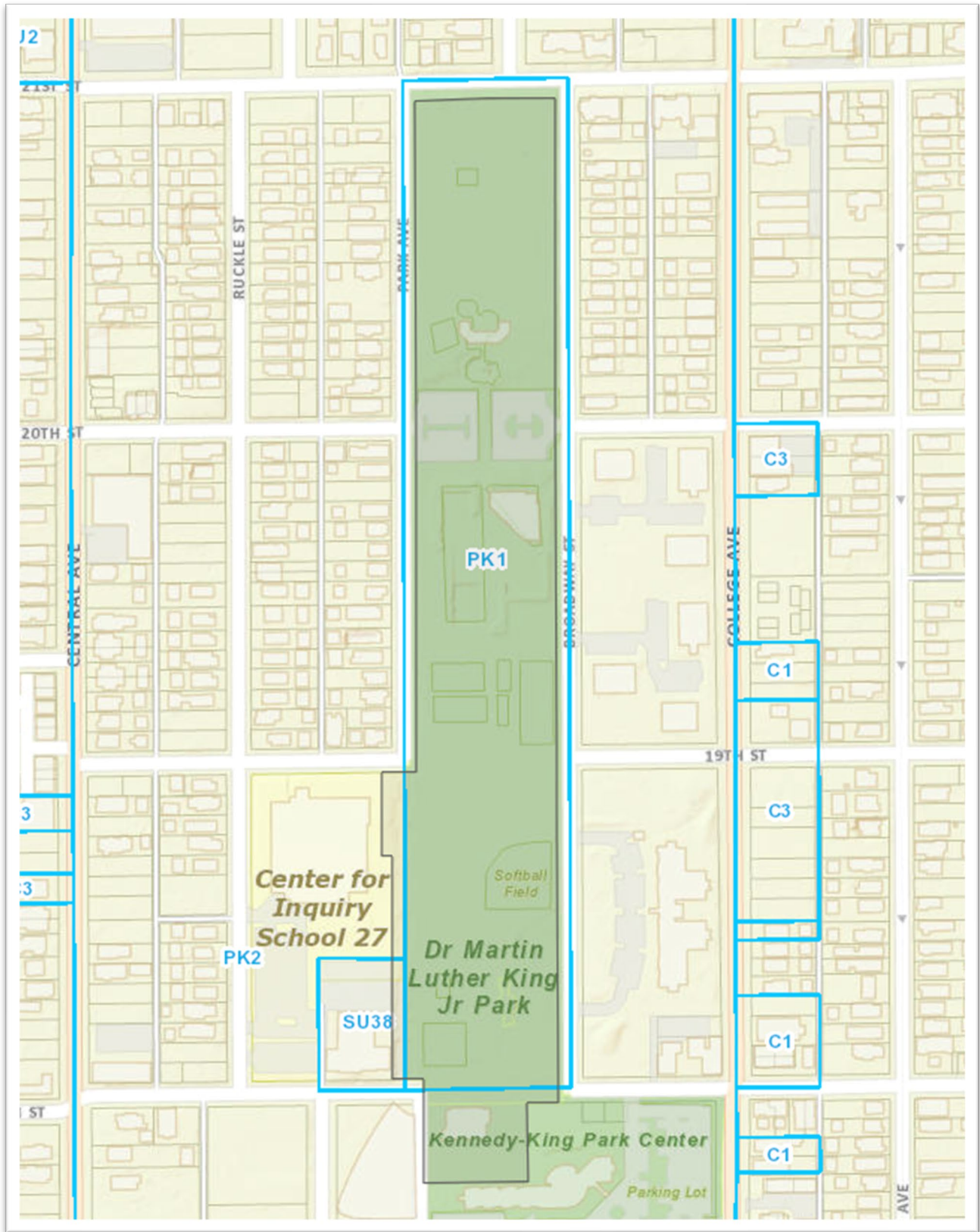
**2006-ZON-849, 1938, 1942, and 1946 North Park Avenue**, rezoning of .372 acres from PK-1 to PK-2 to provide for park perimeter uses, **granted**.

**2001-ZON-048, 546 East 17th Street**, rezoning of .68 acres from PK-2 to SU-38 to provide for development of a multi-service community center, **granted**.

BB

\*\*\*\*\*





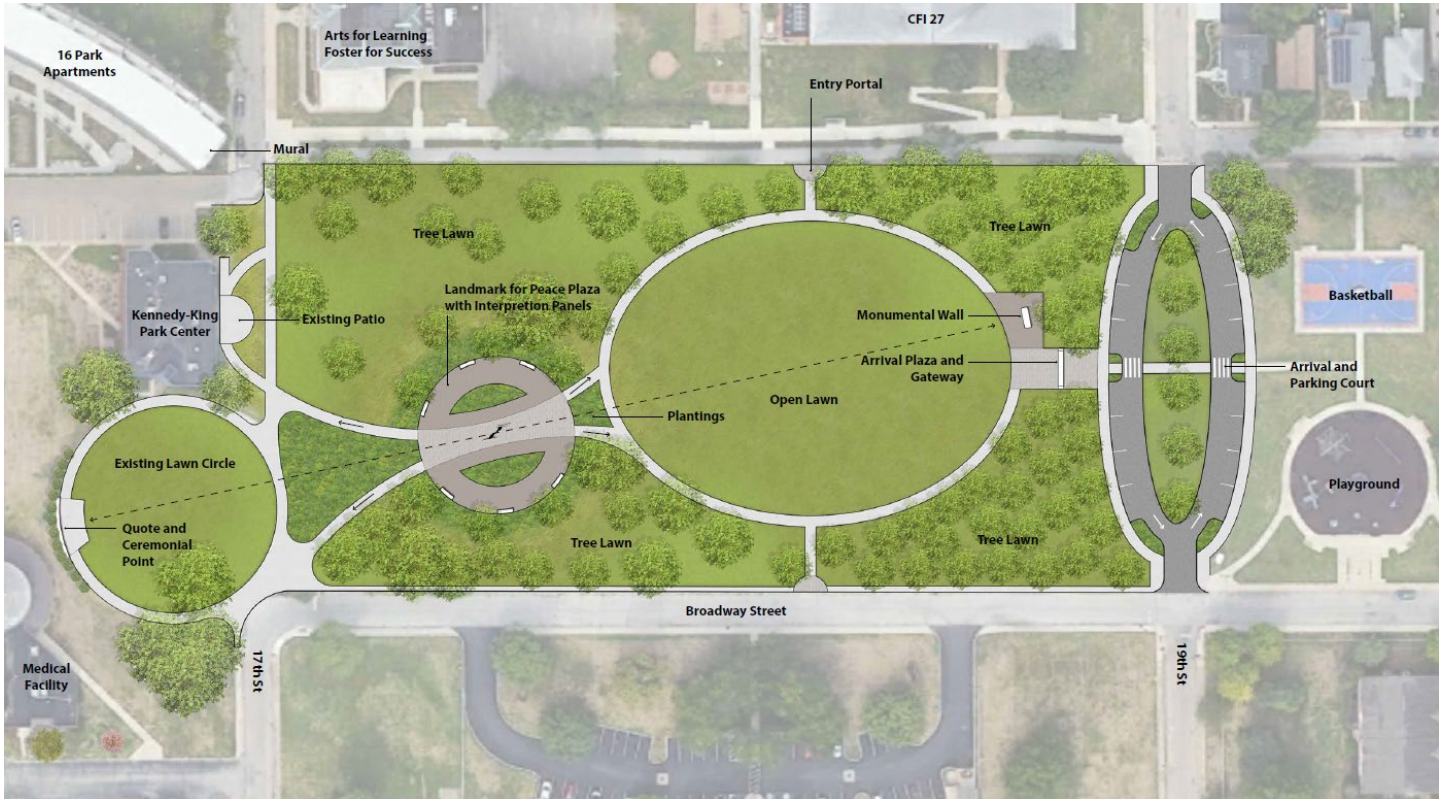
Location Map, Dr MLK Jr Park

(Continued)



**Aerial view, Dr MLK Jr Park**

(Continued)



**Site Plan, Dr MLK Jr Park**



**Dr MLK Jr Park south gateway view**



**Dr MLK Jr Park west gateway view, 19th St & Park Ave**

(Continued)



**Site photo, view north along Park Avenue**



**Site photo, view from north parking area**



Department of Metropolitan Development  
Division of Planning  
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**MARCH 14, 2024**

<b>Case Number:</b>	2024-ZON-010
<b>Property Address:</b>	8235 Bash Street
<b>Location:</b>	Lawrence Township, Council District #4
<b>Petitioner:</b>	Sohum Hotels, Castleton, LLC, by David Kingen
<b>Current Zoning:</b>	C-3 and C-4
<b>Request:</b>	Rezoning of 1.793 acres from the C-3 and C-4 districts to the C-4 district to provide for regional commercial uses.
<b>Current Land Use:</b>	Vacant land
<b>Staff Recommendations:</b>	Approval, subject to the following commitment.
<b>Staff Reviewer:</b>	Kathleen Blackham, Senior Planner

**PETITION HISTORY**

This is the first hearing on this petition.

**STAFF RECOMMENDATION**

Approval, subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

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

**PETITION OVERVIEW**

This site, zoned C-3 and C-4 is vacant and surrounded by commercial uses to the north, south (across Cresco Street), east and west (across Bash Street), all zoned C-4.

**Rezoning**

As proposed this request would be consistent with the Comprehensive Plan recommendation of community commercial typology. The community commercial typology would be contemplated to be either the C-3 or C-4 district, depending upon the surrounding land uses and the potential impact.



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

This site was historically developed residentially but the dwellings were demolished between 1995 and 1997. The site has remained vacant and undeveloped for almost 27 years.

A portion of the site is currently zoned C-4 and surrounded by commercial uses all zoned C-4. Furthermore, this site is located within a large solidly commercial area. Consequently, the rezoning would be compatible with the area with minimal impact on surrounding commercial uses.

#### Environmental Public Nuisances

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

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

Environmental public nuisance means:

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

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



**GENERAL INFORMATION**

<b>Existing Zoning</b>	C-3 and C-4	
<b>Existing Land Use</b>	Vacant land	
<b>Comprehensive Plan</b>	Community Commercial typology	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
	North:	C-4 Commercial uses
	South:	C-4 Commercial uses
	East:	C-4 Commercial uses
	West:	C-4 Commercial uses
<b>Thoroughfare Plan</b>		
Bash Street	Primary Collector	Existing and proposed 80-foot right-of-way
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	Yes – 500-year unregulated floodway fringe	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	N/A	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- The Comprehensive Land Use Plan (2018) recommends community commercial typology. “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.”





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

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

**Pattern Book / Land Use Plan**

- The Comprehensive Plan consists of two components that include the Pattern Book and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.
- The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:
  - *Conditions for All Land Use Types*
    - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
    - All development should include sidewalks along the street frontage.

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

- Not Applicable to the Site.

**Neighborhood / Area Specific Plan**

- Not Applicable to the Site.

**Infill Housing Guidelines**

- Not Applicable to the Site.



Department of Metropolitan Development  
Division of Planning  
Current Planning

### Indy Moves

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

- 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 describes 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

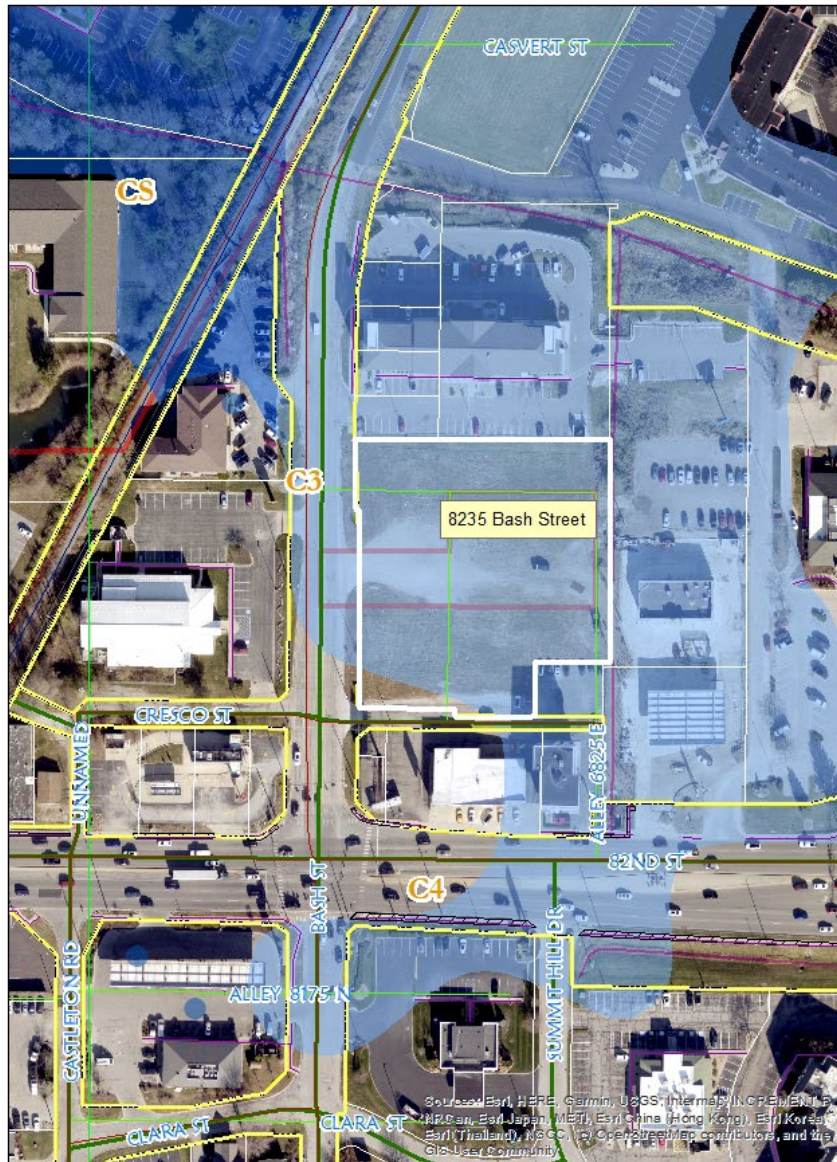


## ZONING HISTORY

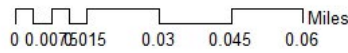
**86-Z-251; 8257 Bash Street (north of site)**, requested rezoning of 1.49 acres, being in the C-4 district, to the C-5 classification, to provide for a miniature golf course, **withdrawn**.

**80-Z-103; Various parcels (east of site)**, requested rezoning of various D-5 district parcels located in the Town of Castleton, Marion County, Indiana, to the C-4 classification, **approved**.

**EXHIBITS**



8235 Bash Street





View looking south along Bash Street



View looking north along Bash Street



View of site looking east across Bash Street



View from site looking north



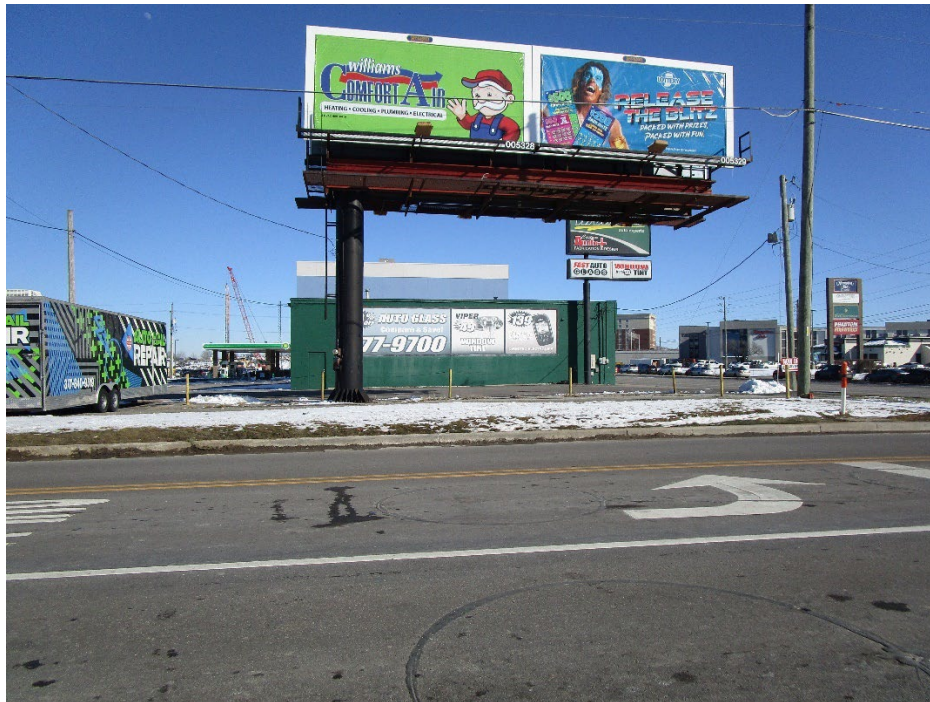
View from site looking east



View from site looking southeast



View of site looking northeast across Bash Street



View of adjacent property to the south looking east across Bash Street