



# Metropolitan Development Commission (January 15, 2025) Meeting Notice

## Meeting Details

Notice is hereby given that the Metropolitan Development Commission of Indianapolis-Marion County, IN, will hold public hearings on:

**Date:** Wednesday, January 15, 2025      **Time:** 1:00 PM

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

## Business:

**Adoption of Meeting Minutes:** January 2, 2025

## Policy Resolutions:

### REAL ESTATE:

**1. 2025-R-005 (For Public Hearing)**

Authorizes DMD to transfer real estate to facilitate redevelopment of the former Jail II.

**2. 2025-R-006 (For Public Hearing)**

Authorizes DMD to convey certain rights regarding property at 752 E. Market St. to facilitate redevelopment.

**3. 2025-R-007**

Awards the Union Station West End Water Management Package to the lowest responsible and responsive bidder for \$189,899.00.

### ECONOMIC DEVELOPMENT / INCENTIVES:

**4. 2025-A-002 (For Public Hearing)**

Authorizes an amendment to the 2019 Real Property Tax Abatement approved by resolution 2019-A-051 at Westmont, 1515 Lewis St., Council District #13, Center Township.

**5. 2025-E-001 (For Public Hearing)**

Confirmatory resolution to create the South Post Road Economic Development Area and Tax Increment Financing Allocation Area.

**6. 2025-E-003 (For Public Hearing)**

Confirmatory resolution to create the Norwood Redevelopment Area and Housing Tax Increment Financing Allocation Area.

## Zoning Petitions:

### Special Requests

## PETITIONS OF NO APPEAL (RECOMMENDED FOR APPROVAL):

**7. 2024-MOD-022 | 3985 Meadows Drive**

Washington Township, Council District #8

D-P

The Health & Hospital Corporation of Marion County, by Joseph D. Calderon

Modification of Development Statement and Site Plan related to rezoning petition 2010-ZON-042, to amend the site plan and Development Statement to allow an EMS Headquarters (current site plan has a 15-acre Woods and Valley Area).

**8. 2024-MOD-023 | 2060 Yandes Street**

Center Township, Council District #13

D-P

Monon 21 LLC, by Brandon Knox

Modification of the Development Statement related to 2021-ZON-104 and 2023-MOD-002, to allow for an increase in the number of dwelling units, an amended site plan, and amended building elevations.

**9. 2024-ZON-030 (Amended) | 1362 and 1368 North Olney Street**

Center Township, Council District #13

Read Investment Trust / Brookside Community Development Corp., by Emily Duncan and David Kingen

Rezoning of 0.29-acre from the C-3 district to the MU-2 district to provide for a mixed-use development.

**10. 2024-ZON-080 (2nd Amended) | 3720 East Washington Street**

Center Township, Council District #18

Marybeth McShea

Rezoning of 0.14-acre from the C-1 (TOD) District to the D-8 (TOD) District to provide for a four-unit multi-family residential development.

**11. 2024-ZON-118 | 7851 Sargent Road**

Lawrence Township, Council District #4

John Franklin Roesner

Rezoning of 4.611 acres from the D-S (FF) (FW) district to the SU-7 (FF) (FW) district to provide for a community center and associated parking.

## Petitions for Public Hearing

### PETITIONS FOR PUBLIC HEARING:

**12. REZONING PETITION RECOMMENDED FOR DENIAL BY THE HEARING EXAMINER, APPEAL FILED BY PETITIONER:**

**2024-ZON-112 | 5201 West Raymond Street**

Wayne Township, Council District #17

Speedy Way Inc., by David Gilman

Rezoning of 1.53 acres from the SU-9 and D-4 districts to the MU-2 district to provide for multi-family residential and commercial uses.

**13. REZONING PETITION RECOMMENDED FOR DENIAL BY HEARING EXAMINER, APPEAL FILED BY PETITIONER:**

**2024-ZON-124 | 10026 East 21st Street**

Warren Township, Council District #15

Mitthoeffer Properties, by David D. Wilson

Rezoning of 0.46-acre from the C-3 district to the C-5 district, to provide for retail uses.

14. REZONING PETITION SCHEDULED FOR INITIAL HEARING:

**2024-ZON-098 | 6200 and 6545 West Southport Road**

Decatur Township, Council District #21

Arbor Homes, by Domonic Dreyer

Rezoning of 104.8 acres from the D-A district to the D-P District to provide for a detached single-family residential development of a maximum of 323 dwelling units, with amenities and accessory, temporary and special exception uses permitted in the D-4 district, except for two-family dwellings and group homes, which would be prohibited.

**\*\*Automatic Continuance to February 19, 2025, filed by a Registered Neighborhood Organization**

15. REZONING PETITION RECOMMENDED FOR APPROVAL BY HEARING EXAMINER, APPEAL FILED BY REMONSTRATOR:

**2024-ZON-127 | 6018 North Keystone Avenue**

Washington Township, Council District #7

Evolution Process Service, LLC, by Rebekah Phillips

Rezoning of 0.219-acre from the D-3 district to the C-1 district, to provide for office 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 [planneroncall@indy.gov](mailto:planneroncall@indy.gov) before the hearing and such objections will be considered. At the hearing, all interested persons will be given an opportunity to be heard in reference to the matters contained in said proposals. The hearing may be continued from time to time as may be found necessary. For accommodations needed by persons with disabilities planning to attend this public hearing, please call the Office of Disability Affairs at (317) 327-7093, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.

Real Estate  
APC/Jail II  
Real Property Acquisition/Disposition

**METROPOLITAN DEVELOPMENT COMMISSION  
OF  
MARION COUNTY, INDIANA  
Resolution No. 2025-R-005**

WHEREAS, pursuant to IC 36-7-15.1-6, the Metropolitan Development Commission (“MDC”) is charged with the responsibility to promote the use of land in the manner that best serves the interest of the City and its inhabitants, both from the standpoint of human needs and economic values and to cooperate with the agencies of the City, including DPW, in the manner that best serves those purposes; and

WHEREAS, the Department of Metropolitan Development, (“DMD”), by authority of and pursuant to I.C. 36-7-15.1, engages in redevelopment activities in the Marion County Redevelopment District (“Project Area”); and

WHEREAS, by resolution 2024-R-023, passed on 11/4/2024, MDC authorized certain redevelopment by 1820 Ventures, LLC (“Developer”) of the Property located at 752 E. Market Street and 730 E. Washington Street (“Subject Real Property”) by; and

WHEREAS, the Department of Public Works (“DPW”) owns certain easements on and adjacent to the Subject Real Property and desires to transfer certain rights within the building footprint of the property located at 752 E. Market Street to 1820 Ventures, LLC (“Developer”) to facilitate redevelopment; and

WHEREAS, DMD and DPW have determined that Developer’s control of a small portion of the Subject Real Property as approximately depicted on Exhibit A attached hereto (“Parcel”), would facilitate appropriate redevelopment of the Subject Real Property; and

WHEREAS, IC 36-1-11-8 authorizes governmental entities to transfer property between them upon terms and conditions agreed upon by the entities as evidenced by adoption of a substantially identical resolution by each entity; and

WHEREAS, MDC is a governmental entity authorized to acquire real property to be titled to the “City of Indianapolis, for the use and benefit of its Department of Metropolitan Development” and desires to acquire the Parcel and to convey it to Marion County, current owner of the Subject Real Property, for ultimate transfer over to Developer as necessary to facilitate appropriate redevelopment of the Subject Real Property.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. DMD is hereby authorized to accept transfer the Parcel from DPW and to convey the Parcel as described above to facilitate redevelopment.
2. The DMD Director is hereby authorized to execute the necessary documents for the conveyance of the Parcel as described above in accordance with this Resolution and all actions heretofore taken by any such official toward the completion thereof are hereby ratified, confirmed, and approved, for the conveyance of said Parcel in accordance with this Resolution.

Approved as to Adequacy & Legal Form

*Sheila Kinney*  
\_\_\_\_\_

Sheila Kinney, Asst. Corp Counsel

Date: 1/8/2025

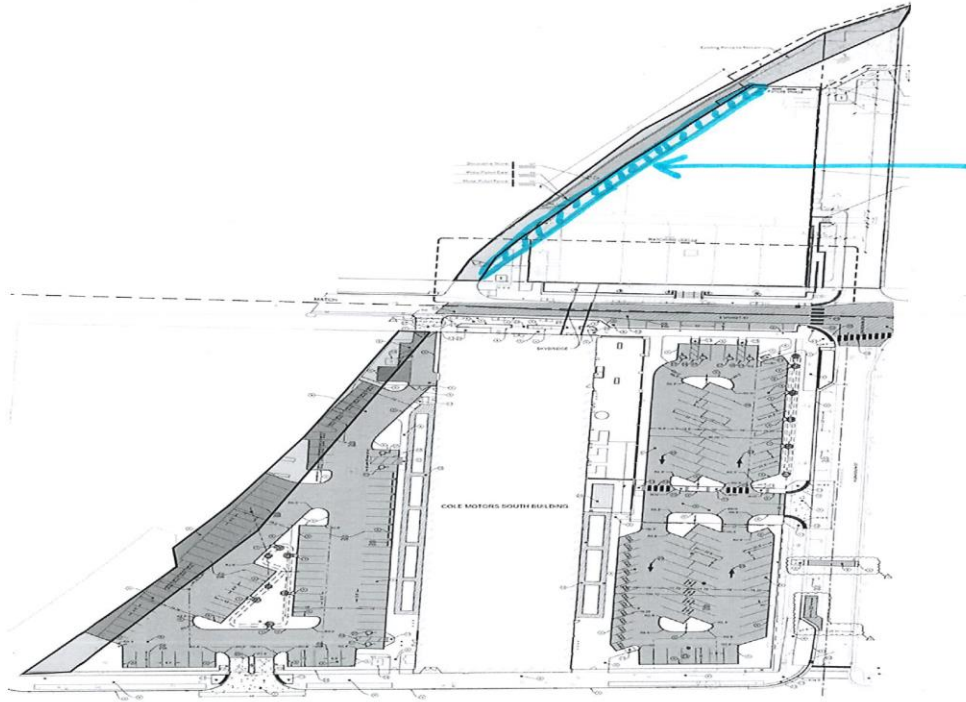
Metropolitan Development Commission

\_\_\_\_\_  
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John J. Dillon III, President

Date: \_\_\_\_\_

Exhibit A



Real Estate  
APC/Jail II  
Real Property Disposition

**METROPOLITAN DEVELOPMENT COMMISSION  
OF  
MARION COUNTY, INDIANA  
Resolution No. 2025-R-006**

WHEREAS, the Department of Metropolitan Development, ("DMD"), by authority of and pursuant to I.C. 36-7-15.1, engages in redevelopment activities in the Marion County Redevelopment District ("Project Area"); and

WHEREAS, by resolution 2024-R-023, passed on 11/4/2024, MDC authorized certain redevelopment by 1820 Ventures, LLC ("Developer") of the Property located at 752 E. Market Street and 730 E. Washington Street ("Subject Real Property") by; and

WHEREAS, pursuant to IC 36-7-15.1-6, the Metropolitan Development Commission ("MDC") is charged with the responsibility to promote the use of land in the manner that best serves the interest of the City and its inhabitants, both from the standpoint of human needs and economic values and to cooperate with the agencies of the City, including DPW, in the manner that best serves those purposes; and

WHEREAS, by companion resolution 2025-R-005, DMD acquired certain easements on and adjacent to the Subject Real Property, which are approximately depicted on Exhibit A hereto ("Parcel"), and desires to transfer those rights to Marion County for disposition to Developer to facilitate redevelopment; and

NOW, THEREFORE, BE IT RESOLVED THAT:

1. DMD is hereby authorized to transfer the Parcel to Marion County for disposition to Developer to facilitate redevelopment.
2. The DMD Director is hereby authorized to execute the necessary documents for the conveyance of the Parcel as described above in accordance with this Resolution and all actions heretofore taken by any such official toward the completion thereof are hereby ratified, confirmed, and approved, for the conveyance of said Parcel in accordance with this Resolution.

Approved as to Adequacy & Legal Form

*Sheila Kinney*

Sheila Kinney, Asst. Corp Counsel

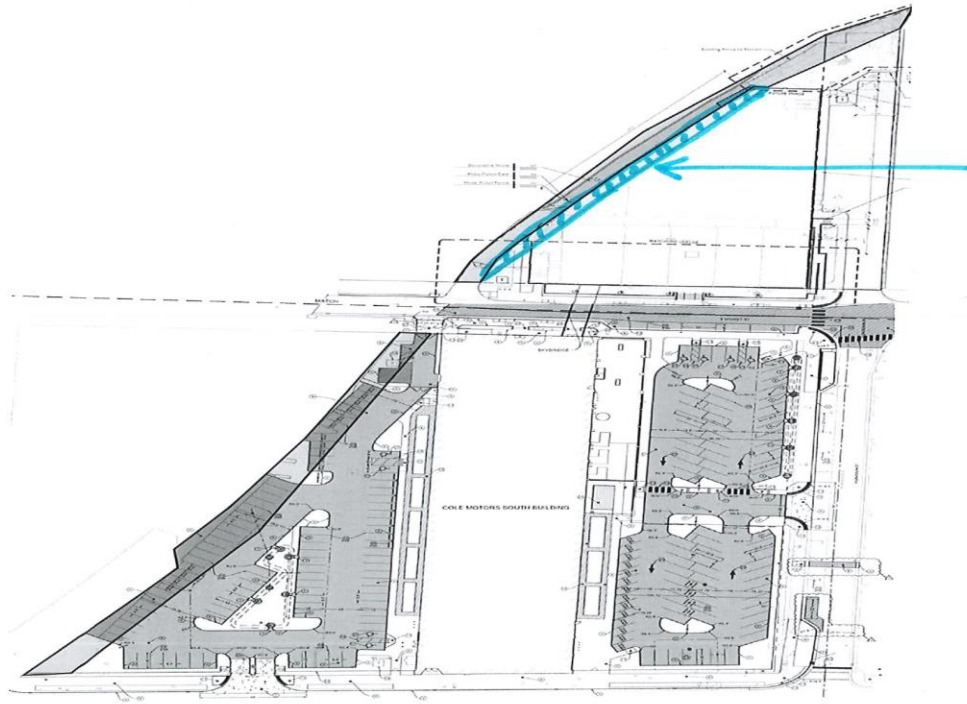
Date: 1/8/2025

Metropolitan Development Commission

John J. Dillon III, President

Date: \_\_\_\_\_

# Exhibit A







Administration  
Union Station Capital Improvements  
West End Water Management  
Package Award

METROPOLITAN DEVELOPMENT COMMISSION  
OF  
MARION COUNTY, INDIANA

Resolution No. 2025- R-007

WHEREAS, the City of Indianapolis, Department of Metropolitan Development (“DMD”), is engaging in redevelopment activities supporting the Union Station Capital Improvements Project; and

WHEREAS, in furtherance of said redevelopment activities within the Union Station, it is necessary that the DMD engage the services of a contractor for the West End Water Management Package within said project area; and

WHEREAS, the purchasing Agent of the Division of Central Purchasing of the City of Indianapolis, Marion County, Indiana, did advertise pursuant to State Law, inviting bids, which were opened and read publicly on September 26, 2024.

NOW, THEREFORE, BE IT RESOLVED:

1. That the West End Water Management Package be awarded to the lowest responsible and responsive bidder, as shown on the attached bid tabulation sheet. Said award is subject to contractor meeting all bond and insurance requirements.
2. That the Metropolitan Development Commission hereby authorizes the DMD to execute the contracts and any other documents necessary for the execution of said contracts.

Approve as to Adequacy of Legal Form:

METROPOLITAN DEVELOPMENT COMMISSION:

By: Sheila Kinsey

By: \_\_\_\_\_

Dated: 1/8/2025

Dated: \_\_\_\_\_

Union Station  
**West End Water Management Package**

Preliminary Contract Estimate \$200,000

Re: Resolution No.RFB-13DMD-094

**TABULATION OF BIDS**

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<b>**Connor &amp; Company</b> 1489 N. Harding St. Indianapolis, IN 46202 (317) 637-0046	Base Bid	<u>\$189,899.00</u>	<u>\$189,899.00</u>
<b>Powers &amp; Sons Construction Co., Inc.</b> 2502 Roosrvelt Ave. Indianapolis, IN 46218 (317) 450-7991	Base Bid	<u>\$224,900.00</u>	<u>\$224,900.00</u>
<b>Advanced Restoration Contractors, Inc.</b> 141 S. Sherman Dr. Indianapolis, IN 46201 (317) 353-8182	Base Bid	<u>\$198,000.00</u>	<u>\$198,000.00</u>

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**\*\* lowest responsive and responsible bidder**

**METROPOLITAN DEVELOPMENT COMMISSION OF  
MARION COUNTY, INDIANA**

**RESOLUTION  
AUTHORIZING AMENDMENTS TO THE MEMORANDUM OF AGREEMENT  
ASSOCIATED WITH RESOLUTION 2019-A-051 REGARDING REAL PROPERTY TAX  
ABATEMENT**

**RESOLUTION NO. 2025-A-002**

**Wesmont Apartments LLC and Pineview Equity Group**  
1515 Lewis Street,  
1113, 1135, 1137 & 1515 East 15th Street and 1441, 1505 & 1507 Yandes Street

**WHEREAS I.C. 6-1.1-12.1** allows a partial abatement of property taxes attributable to redevelopment or rehabilitation activities (hereinafter the “Project”) in Economic Revitalization Areas; and

**WHEREAS**, pursuant to I.C. 6-1.1-12.1, TWG Development, Inc. and TWG Polk, LLC. (hereinafter “Applicant”) filed designation application requesting that the subject real estate at 1515 Lewis St., 1113, 1135, 1137 & 1515 East 15th Street and 1441, 1505 & 1507 Yandes Street hereinafter “Subject Real Estate”) be designated as an Economic Revitalization Area for the purpose of achieving real property tax savings in connection with redevelopment or rehabilitation activities (hereinafter “Project”); and

**WHEREAS**, on Wednesday, June 19<sup>th</sup>, 2019, the Metropolitan Development Commission (hereinafter “Commission”) adopted Preliminary Economic Revitalization Area Resolutions No. 2019-A-046 preliminary designating the Subject Real Estate as an Economic Revitalization Area; and

**WHEREAS**, on Wednesday July 3<sup>rd</sup>, 2019, after conducting a public hearing, the Commission adopted Final Economic Revitalization Area Resolution No. 2019-A-052 (hereinafter “Resolution”), designating the Subject Real estate as an Economic Revitalization Area for the purpose of receiving up to ten (10) years real property tax abatement (hereinafter “Abatement”); and

**WHEREAS**, in the Statement of Benefits Form contained in the Resolution and the Memorandum of Agreement (hereinafter “MOA”) executed by and between the Applicant and the City of Indianapolis (hereinafter “City”), the Applicants indicated, among other requirements, that a minimum of \$25,981,782 in real property improvements would be made at the Subject Real Estate, and would have 5 permanent positions would be created at an average wage of \$20.00 per hour as a result of the Project (collectively, the “Commitments”); and

**WHEREAS** TWG wishes to assign its responsibilities as Applicant under the Agreement to **Wesmont Apartments, LLC**, and **Pineview Equity Group** Lakewood, New Jersey (“**Wesmont Apartments, LLC** and **Pineview Equity Group**, collectively referred to herein as “**Westmont**” or “**Applicant**”) Westmont Apartments LLC and Pineview Equity Group has agreed that it intends to fulfill all obligations as Applicant under the Agreement; and

**WHEREAS**, in the MOA it required the Applicant to comply with the Rent Restrictions, as described in the MOA Exhibit C, including the annual completion and submittal of the Housing Report for 15 years following the full occupancy of the affordable units; and

**WHEREAS**, the Applicant submitted a request , on January 24<sup>th</sup>, 2024, to change the unit mix outline in the original agreement ; and

**WHEREAS** the City and Applicant (collectively, the “Parties”) desire to amend the Resolution and MOA in the following manner: change the unit mix and assign MOA to Wesmont Apartments, LLC and Pineview Equity Group, as set forth in this Amending Resolution, and subsequently set 1:00 p.m. on Wednesday, January 15<sup>th</sup>, 2025, for the public hearing of remonstrances and objections from persons interested in the Applicant’s compliance with Resolutions and MOA, and whether the payment of the damages should be made to the City; and

**WHEREAS** proper legal notices were published stating when and where such final hearing would be held; and

**WHEREAS**, at such final hearing, evidence and testimony (along with all written remonstrances and objections previously filed) were considered by the Commission; and

**WHEREAS**, the City of Indianapolis has satisfied all other conditions precedent to hold the hearing to amend the terms of the Economic Revitalization Area designations, associated tax abatement deductions and the associated Memorandum of Agreement.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Commission hereby determines that the Applicant is unlikely to be able to comply with the unit mix , as stated in the Statement of Benefits, the Resolution, and the MOA.
2. The Commission finds that allowing the change in unit mix and the assignment of MOA to new owners Wesmont and Pineview Equity Group is a reasonable deviation from the Commitments set forth in the SB-1, Resolution and MOA. It authorizes the Director of DMD to execute the Amended Memorandum of Agreement.
3. The Commission directs the Department of Metropolitan Development to continue to monitor the Applicant’s Project for the remainder of the term agreed upon in the Amended MOA.

METROPOLITAN DEVELOPMENT COMMISSION

\_\_\_\_\_  
John J. Dillion III, President

\_\_\_\_\_  
Dated

Approved as to Legal Form  
and Adequacy January 3, 2025.

Sheila Kinney  
Approved for Legal Form and Adequacy  
Office of Corporation Counsel

**RESOLUTION NO. 2025-E-001**

**CONFIRMATORY RESOLUTION OF THE METROPOLITAN DEVELOPMENT  
COMMISSION OF MARION COUNTY, INDIANA, RELATED TO THE  
SOUTH POST ROAD ECONOMIC DEVELOPMENT AREA AND ALLOCATION  
AREA**

WHEREAS, on November 20, 2024, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”) adopted its Resolution No. 2024-E-037 (the “Declaratory Resolution”) which declared an area of the City of Indianapolis, Indiana (the “City”) an economic development area known as the “South Post Road Economic Development Area” (the “Area”), established an allocation area whose boundaries and parcels are within the Area (the “Allocation Area”) and approved an Economic Development Plan for the Area (the “Plan”) pursuant to Indiana Code 36-7-15.1 *et seq.*, and all acts supplemental and amendatory thereto (collectively, the “Act”); and

WHEREAS, the Plan contained specific recommendations for certain projects as further described in the Declaratory Resolution (collectively, the “Project”); and

WHEREAS, on January 6, 2025, the City-County Council of the City of Indianapolis and of Marion County, Indiana (the “City-County Council”) approved the Declaratory Resolution pursuant to the Act; and

WHEREAS, the Commission published notice on or before January 3, 2025, of the adoption and substance of the Declaratory Resolution in accordance with the Act and Indiana Code 5-3-1 which public notice also gave notice of a public hearing that was held on January 15, 2025 on the adoption of the Declaratory Resolution by the Commission at which public hearing the opportunity to have remonstrances and objections heard by the Commission was provided; and

WHEREAS, the public notice described in the preceding paragraph was also filed in the office of the Department of Metropolitan Development and any other departments, bodies or officers having to do with City planning, variances from zoning ordinances, land use or the issuance of building permits; and

WHEREAS, copies of the public notice were also filed with the officer authorized to fix budgets, tax rates and tax levies under Indiana Code 6-1.1-17-5 for each taxing unit that is either wholly or partly located within the proposed Area, together with a statement disclosing the impact of the Area, which includes:

- (A) The estimated economic benefits and costs incurred by the Area, as measured by increased employment and anticipated growth of real property assessed values; and
- (B) The anticipated impact on tax revenues of each taxing unit; and

WHEREAS, certain estimates contained in the Declaratory Resolution and Plan have been refined, which refinements do not require additional notices or proceedings under I.C. 36-7-15.1 and which were described at the below referenced public hearing; and

WHEREAS, prior to the adoption of the resolutions hereinafter set forth, and at such meeting, the Commission conducted a public hearing at which the Commission heard all persons interested in the proceedings and considered all written remonstrances and objections that were filed; and

WHEREAS, after being fully advised in the matter,

**NOW, THEREFORE, BE IT RESOLVED** by the Commission, as follows:

1. The Commission has considered the evidence presented and now finds and determines that it will be of public utility and benefit to proceed with the Project, with the establishment and creation of the Economic Development Area and Allocation Area, and with the inclusion of certain right of ways, parcels and property as part of the Area and Allocation Area, as described in the Declaratory Resolution.

2. The Commission hereby finds that the Area and Allocation Area are necessary and that the adoption of the allocation provision in the Declaratory Resolution will result in new property taxes in the Area that would not have been generated but for the adoption of the allocation provision and is supported by the finding of fact, evidence, testimony and other information provided to the Commission as part of its determination to establish the Area and Allocation Area pursuant to the Declaratory Resolution and the Act.

3. The Declaratory Resolution and Plan approved by the Commission on December 20, 2023, are hereby confirmed as described in the Act and are incorporated herein and shall be kept on file with the Secretary of the Commission and the Clerk of the City.

4. The Secretary of the Commission is hereby directed to record the final action taken by the Commission, notify the Indiana Department of Local Government Finance of the designation of the Area and Allocation Area within the Area, and to file this Confirmatory Resolution with the Marion County Auditor.

5. This Confirmatory Resolution shall be effective upon passage.

*{Remainder of Page Intentionally Left Blank, Signatures to Follow}*

ADOPTED AND APPROVED at a meeting of the Metropolitan Development Commission of Marion County, Indiana, held on January 15, 2025, 1:00 p.m. at the City-County Building, 2<sup>nd</sup> floor, Public Assembly Room (Room 230), Indianapolis, Indiana.

METROPOLITAN DEVELOPMENT COMMISSION OF  
MARION COUNTY, INDIANA, acting as the  
Redevelopment Commission of the City of Indianapolis,  
Indiana

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John J. Dillon III, President

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

/s/Michael P. Allen  
Michael P. Allen  
Frost Brown Todd LLP

This resolution approved for legal adequacy by Michael P. Allen, Frost Brown Todd LLP,  
111 Monument Circle, Suite 4500, Indianapolis, Indiana 46244-0961.

**RESOLUTION NO. 2025-E-003**

**CONFIRMATORY RESOLUTION OF THE METROPOLITAN DEVELOPMENT  
COMMISSION OF MARION COUNTY, INDIANA, RELATED TO THE  
NORWOOD HOUSING REDEVELOPMENT AREA AND ALLOCATION AREA**

WHEREAS, on October 2, 2024, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”) adopted its Resolution No. 2024-E-030 (the “Declaratory Resolution”) which declared an area of the City of Indianapolis (the “City”) a redevelopment area known as the “Norwood Housing Redevelopment Area” (the “Redevelopment Area”), established an allocation area whose boundaries and parcels are within the Redevelopment Area (the “Allocation Area”) and approved an Redevelopment Plan for the Redevelopment Area (the “Norwood Redevelopment Area Plan”) pursuant to Indiana Code 36-7-15.1 *et seq.*, and all acts supplemental and amendatory thereto (collectively, the “Act”); and

WHEREAS, the Norwood Redevelopment Area Plan contained specific recommendations for certain projects as further described in the Declaratory Resolution (collectively, the “Project”); and

WHEREAS, on November 4, 2024, the City-County Council of the City of Indianapolis and of Marion County, Indiana (the “City-County Council”) approved the Declaratory Resolution pursuant to the Act; and

WHEREAS, the Commission published notice on or before January 3, 2025, of the adoption and substance of the Declaratory Resolution in accordance with the Act and Indiana Code 5-3-1 which public notice also gave notice of a public hearing that was held on January 15, 2025 on the adoption of the Declaratory Resolution by the Commission at which public hearing the opportunity to have remonstrances and objections heard by the Commission was provided; and

WHEREAS, the public notice described in the preceding paragraph was also filed in the office of the Department of Metropolitan Development and any other departments, bodies or officers having to do with City planning, variances from zoning ordinances, land use or the issuance of building permits; and

WHEREAS, copies of the public notice were also filed with the officer authorized to fix budgets, tax rates and tax levies under Indiana Code 6-1.1-17-5 for each taxing unit that is either wholly or partly located within the proposed Area, together with a statement disclosing the impact of the Area, which includes:

- (A) The estimated economic benefits and costs incurred by the Area, as measured by increased employment and anticipated growth of real property assessed values; and
- (B) The anticipated impact on tax revenues of each taxing unit; and



WHEREAS, certain estimates contained in the Declaratory Resolution and Plan have been refined, which refinements do not require additional notices or proceedings under I.C. 36-7-15.1 and which were described at the below referenced public hearing; and

WHEREAS, prior to the adoption of the resolutions hereinafter set forth, and at such meeting, the Commission conducted a public hearing at which the Commission heard all persons interested in the proceedings and considered all written remonstrances and objections that were filed; and

WHEREAS, after being fully advised in the matter,

**NOW, THEREFORE, BE IT RESOLVED** by the Commission, as follows:

1. The Commission has considered the evidence presented and now finds and determines that it will be of public utility and benefit to proceed with the Project, with the establishment and creation of the Redevelopment Area and Allocation Area, and with the inclusion of certain right of ways, parcels and property as part of the Redevelopment Area and Allocation Area, as described in the Declaratory Resolution.

2. The Commission hereby finds that the public health and welfare will be benefitted by adoption and implementation of the Redevelopment Area Plan, and that the Redevelopment Area Plan is reasonable and appropriate when considered in relation to the purposes of the Act and conforms to the comprehensive plan for the development for the City of Indianapolis.

3. The Commission hereby finds that the Redevelopment Area and Allocation Area are necessary and that the adoption of the allocation provision in the Declaratory Resolution will result in new property taxes in the Redevelopment Area that would not have been generated but for the adoption of the allocation provision and is supported by the finding of fact, evidence, testimony and other information provided to the Commission as part of its determination to establish the Redevelopment Area and Allocation Area pursuant to the Declaratory Resolution and the Act.

4. The Declaratory Resolution and Norwood Redevelopment Area Plan approved by the Commission on October 2, 2024, are hereby confirmed as described in the Act and are incorporated herein and shall be kept on file with the Secretary of the Commission and the Clerk of the City.

5. The Secretary of the Commission is hereby directed to record the final action taken by the Commission, notify the Indiana Department of Local Government Finance of the designation of the Redevelopment Area and Allocation Area within the Area, and to file this Confirmatory Resolution with the Marion County Auditor.

6. This Confirmatory Resolution shall be effective upon passage.

ADOPTED AND APPROVED at a meeting of the Metropolitan Development Commission of Marion County, Indiana, held on January 15, 2025, 1:00 p.m. at the City-County Building, 2<sup>nd</sup> floor, Public Assembly Room (Room 230), Indianapolis, Indiana.

METROPOLITAN DEVELOPMENT COMMISSION OF  
MARION COUNTY, INDIANA, acting as the  
Redevelopment Commission of the City of Indianapolis,  
Indiana

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John J. Dillon III, President

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

/s/Michael P. Allen  
Michael P. Allen  
Frost Brown Todd LLP

This Resolution approved for legal adequacy by Michael P. Allen, Frost Brown Todd LLP, 111 Monument Circle, Suite 4500, Indianapolis, Indiana 46244-0961.



**METROPOLITAN DEVELOPMENT COMMISSION** **January 15, 2025**

**Case Number:** 2024-ZON-112

**Property Address:** 5201 West Raymond Street

**Location:** Wayne Township, Council District #17

**Petitioner:** Speedy Way Inc., by David Gilman

**Current Zoning:** SU-9 and D-4

**Request:** Rezoning of 1.53 acres from the SU-9 and D-4 districts to the MU-2 district to provide for multi-family residential and commercial uses.

**Current Land Use:** Fire Station (vacant) / undeveloped land

**Staff Recommendations:** Denial

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

**PETITION HISTORY**

The Hearing Examiner continued this petition from the October 10, 2024 hearing, to the November 14, 2024 hearing, at the request of staff to provide time for discussions with the petitioner’s representative.

This petition was heard by the Hearing Examiner on November 14, 2024. After a full hearing, the Hearing Examiner recommended denial of the rezoning. Subsequently, the petitioner’s representative filed an appeal of the Hearing Examiner’s decision. A memorandum of her recommendation is attached.

The Metropolitan Development Commission continued this petition from the December 18, 2024 hearing, to the January 15, 2025 hearing, at the request of the petitioner’s representative.

On December 11, 2024, the petitioner’s representative submitted a revised site and indicated a possible amendment from the MU-2 district to the D-5 district. Consequently, these significant changes require that this petition be transferred back to the Hearing Examiner for rehearing. Depending upon the revisions, new notice may be required.



## STAFF RECOMMENDATION

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

1. Final site plan and elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).
2. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.
3. Development of the site shall be in substantial compliance with the site plan, file-dated November 5, 2024.
4. Commercial uses shall be limited to a day care facility, community center, hair or body care salon or service and professional office.

## PETITION OVERVIEW

### Rezoning

This 1.53-acre site, zoned SU-9 and D-4, is comprised of two parcels developed with a vacant fire station and abutting undeveloped land. It is surrounded by a single-family dwelling to the north, across West Raymond Street, zoned D-5; single-family dwellings to the south, east and west, all zoned D-4.

Petition 83-Z-206, requested rezoning of the site to provide for a truck maintenance facility and offices. This petition was withdrawn.

2023-UV1-004 requested a variance of use and development standards to provide for a repair shop, outdoor storage and a six-foot-tall fence. This petition was also withdrawn.

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



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The Mixed-Use districts are intended to create compact, walkable places at a variety of scales and intensity, appropriate to their contexts. These districts advance their Livability Principles of this code, further the mixed-use intent of the Comp Plan and rely on a connected network of slow or multi-modal streets, and a fine grain of human-scale buildings that line and activate the streetscapes.

The Comprehensive Plan recommends suburban neighborhood typology for the site, primarily developed with single-family dwellings and attached housing where appropriate.

The site plan, file-dated November 5, 2024, would provide for 23 townhome apartments, including four units and a 1,200 square-foot commercial unit within the existing building. Commercial uses would be limited to a day care facility, community center, hair or body care salon or service and a professional office. Six parking spaces would be located along the West Raymond Street frontage with 41 parking spaces interior to the site for a total of 47 parking spaces.

As proposed, this request would not be consistent with the Plan recommendation, or the development recommendations provided in the Pattern Book. The density would be three times higher than the recommended density of one to five units per acre. Furthermore, staff believes this would be considered spot zoning, which is “the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners.”

This site is smaller than a typical size of the MU-2 district and located mid-block in the middle of a residential neighborhood on a local street. A viable mixed-use district would be from one to four blocks and located on a busy corridor within a traditional neighborhood or city neighborhood typologies.

The Pattern Book recommends that housing be oriented towards the street, with pedestrian connections from the front doors to the public sidewalk. Generally, the proposed housing units are oriented away from the street with minimal activation or engagement to the surrounding neighborhood.

The Pattern Book also recommends that townhomes be organized around intersections of collector streets, greenways, parks or public square, or neighborhood-servicing retail. As previously noted, the proposed development is in the middle of a block served by a local street and would not be harmonious or appropriately integrated into the surrounding character of the neighborhood.

Small scale commercial uses should be located at intersections of arterial streets (not mid-block on a local street) with space to provide appropriate buffering and screening.

### **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.



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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>	SU-9 / D-4	
<b>Existing Land Use</b>	Fire House (vacant) / undeveloped land	
<b>Comprehensive Plan</b>	Suburban Neighborhood	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
	North:	D-5 Single-family dwelling
	South:	D-4 Single-family dwellings
	East:	D-4 Single-family dwellings
	West:	D-4 Single-family dwellings
<b>Thoroughfare Plan</b>		
West Raymond Street	Local Street	Existing 74-foot right-of-way and proposed 48-foot right-of-way.
<b>Context Area</b>	Compact	



<b>Floodway / Floodway Fringe</b>	No
<b>Overlay</b>	No
<b>Wellfield Protection Area</b>	No
<b>Site Plan</b>	November 5, 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**

- 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.

**Pattern Book / Land Use Plan**

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

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

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



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- Hydrological patterns should be preserved wherever possible.
  - Curvilinear streets should be used with discretion and should maintain the same general direction.
  - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- *Conditions for All Housing*
    - A mix of housing types is encouraged.
    - Developments of more than 30 housing units must have access to at least one arterial street of 3 or more continuous travel lanes between the intersections of two intersecting arterial streets.
    - 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.
    - 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 5 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.
  - *Attached Housing (defined as duplexes, triplexes, quads, townhouses, row houses, stacked flats, and other, similar legally complete dwellings joined by common walls and typically with each unit on its own lot or part of a condominium.)*
    - Duplexes should be located on corner lots, with entrances located on different sides of the lot or otherwise interspersed with detached housing.
    - Duplexes should be architecturally harmonious with adjacent housing.
    - Townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood-serving retail.
  - *Small-Scale Offices, Retailing, and Personal or Professional Services (defined as commercial uses with minimal outdoor operations, storage, or display on lots of less than 1.5 acres and a height of less than 35 feet.)*
    - If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
    - Should be located at the intersections of arterial streets and should be no closer than one mile to another commercial node with one acre or more of commercial uses except as reuse of a historic building.
    - Should be limited to an aggregate of 3.5 acres per intersection, with no one corner having more than 1.5 acres.





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- Should be limited to areas and parcels with adequate space for required screening and buffering.
- Automotive uses (such as gas stations and auto repair) and uses requiring a distance of separation of greater than 20 feet under the zoning ordinance (such as liquor stores, adult uses, and drive-through lanes) are excluded.
- Should not include outdoor display of merchandise.

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

- Not Applicable to the Site.

**Neighborhood / Area Specific Plan**

- Not Applicable to the Site.

**Infill Housing Guidelines**

- Not Applicable to the Site.

**Indy Moves**

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

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



## ZONING HISTORY

**2023-UV1-004, 5201 West Raymond Street**, requested a variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a repair shop with outdoor storage and a six-foot tall fence within the front yard, **withdrawn**.

**85-UV3-9; 5201 West Raymond Street**, requested a variance of use for the commercial installation and servicing of auto telephone and radio systems, **granted**.

**84-UV1-52; 5201 West Raymond Street**, requested a variance of use of the Dwelling Districts Zoning Ordinance and the Special Use Districts Zoning Ordinance to provide for the use of an existing building and adjacent lot as a truck dispatching office with maintenance and storage of semi-tractors and trailers, **withdrawn**.

**83-Z-208; 5201 West Raymond Street**, requested rezoning of 1.6 acres, being in the SU-9 and D-4 districts, to the C-7 classification, to provide for a truck maintenance facility and offices, **withdrawn**.

## VICINITY

**98-CP-30V; 2214-2215 Beulah Avenue** (east of site), requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for a two-family residence, **granted**.

**97-AP3-2; 5202 East Raymond Street** (north of site), requested approval to waive the Rules of Procedure to permit the refiling of a petition less than 12 months after 96-V3-68 was denied by the Metropolitan Board of Zoning Appeals, **granted**.

**96-V3-68; 5202 East Raymond Street** (north of site), requested a variance of development standards to provide for the construction of a barn, for agricultural purposes, with reduced setbacks, and the placement of three temporary detached garage structures which exceed the main floor area of the primary residence, **denied**.

**95-SE3-12; 5137 West Regent Street** (north of site), requested a Special Exception of the Dwelling Districts Zoning Ordinance to provide for the placement of a manufactured home for residential use, **granted**.



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**84-UV1-14; 5224 West Kelley Street** (southwest of site), requested a variance of use of the Dwelling District Zoning Ordinance to provide for an addition to an existing detached garage to be used as a second residence on the property, **granted.**

**83-UV1-94; 5015 West Raymond Street** (east of site), requested a variance of use and development standards of the Dwelling Districts Zoning Ordinance to allow for more than one single-family residence on one lot, **granted.**



**MEMORANDUM OF EXAMINER'S DECISION**

**2024-ZON-112**

**5201 West Raymond Street**

The petition requests the rezoning of 1.53 acres from the SU-9 and D-4 districts to the MU-2 district to provide for multi-family residential and commercial uses.

Your Hearing Examiner visited the site prior to the hearing and noted the vacant fire station on the western portion of it. It is surrounded by single family residences.

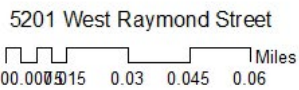
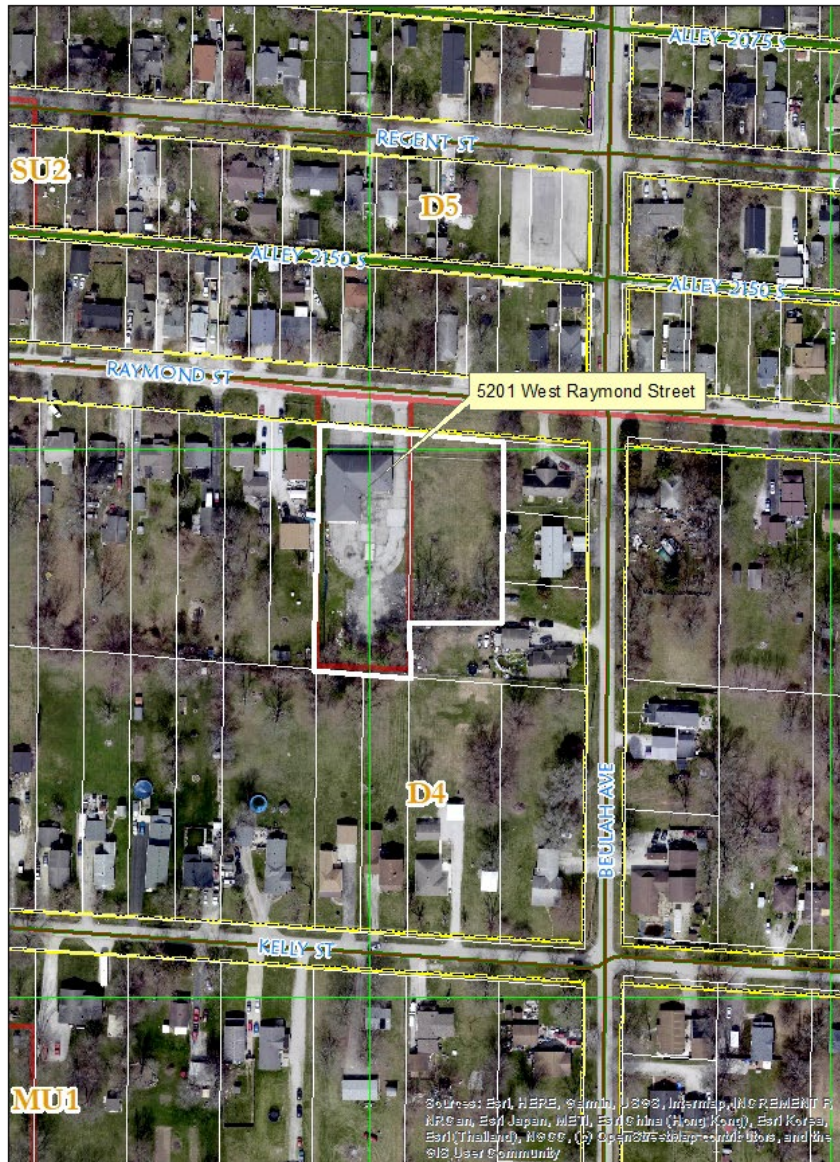
The petitioner's representative described this site as prime for infill development. The petitioner's intent is to reuse the fire station on the site for limited neighborhood commercial uses and four apartments, and to build a total of 19 townhomes along the west and east property lines. Perimeter landscaping would surround the site. Although staff is opposing the petition, the petitioner does agree to the four commitments requested by staff.

Staff stated that the site is smaller than a typical MU-2 parcel, and it is located mid block of a local street instead of being at an intersection of arterial streets. Staff also explained that the proposed density is three times that recommended by the Comprehensive Land Use Plan and the Pattern Book, the majority of proposed residential units are not oriented towards the street, and the proposed layout does not promote street engagement.

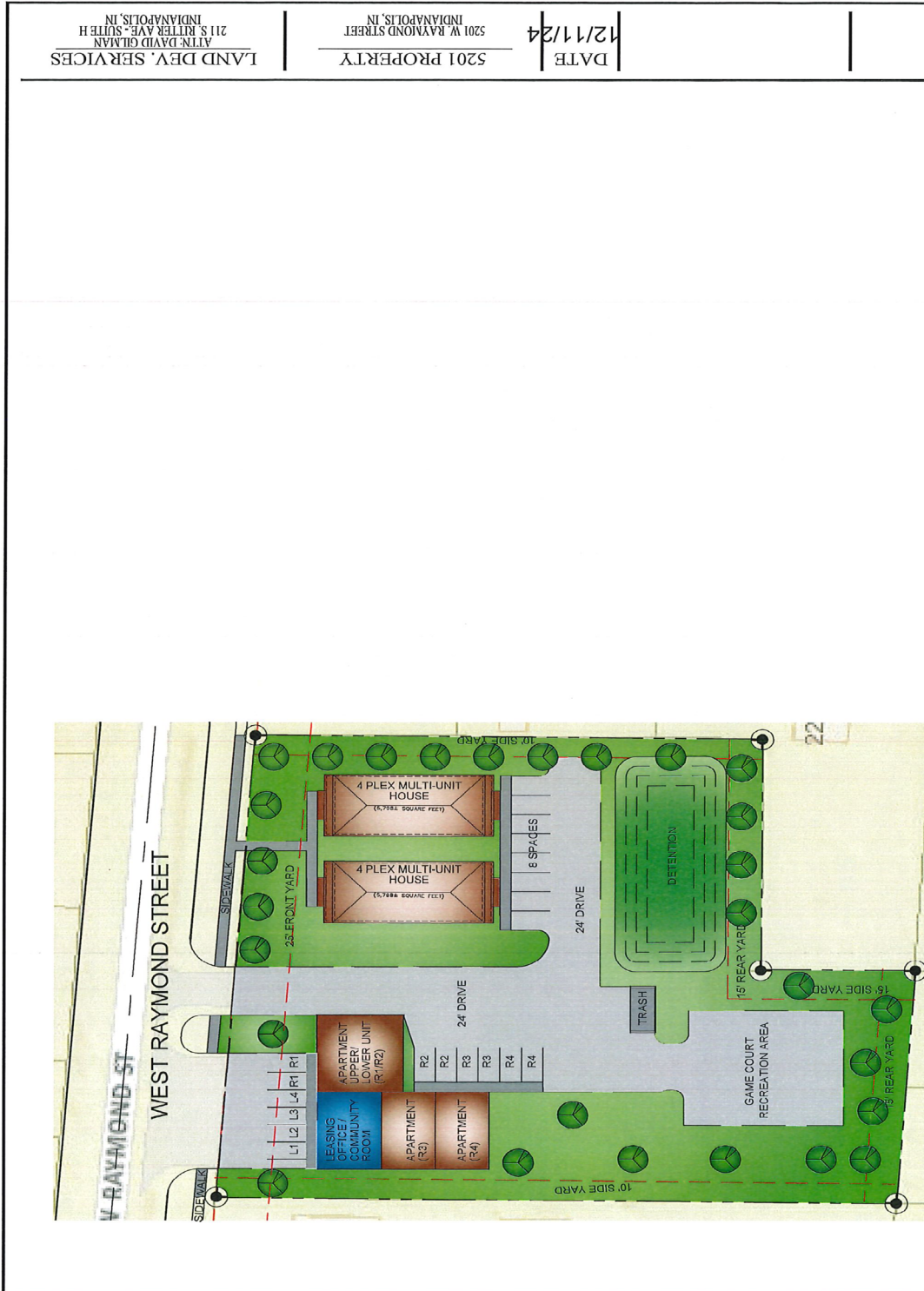
In your Hearing Examiner's opinion, because of the size of the site and the structure on it, redevelopment of the site at a higher density than recommended by the Comp Plan may be warranted. The requested MU-2 district, however, is not consistent or compatible with surrounding uses, and would allow over-development of the site. Denial of this petition was recommended.

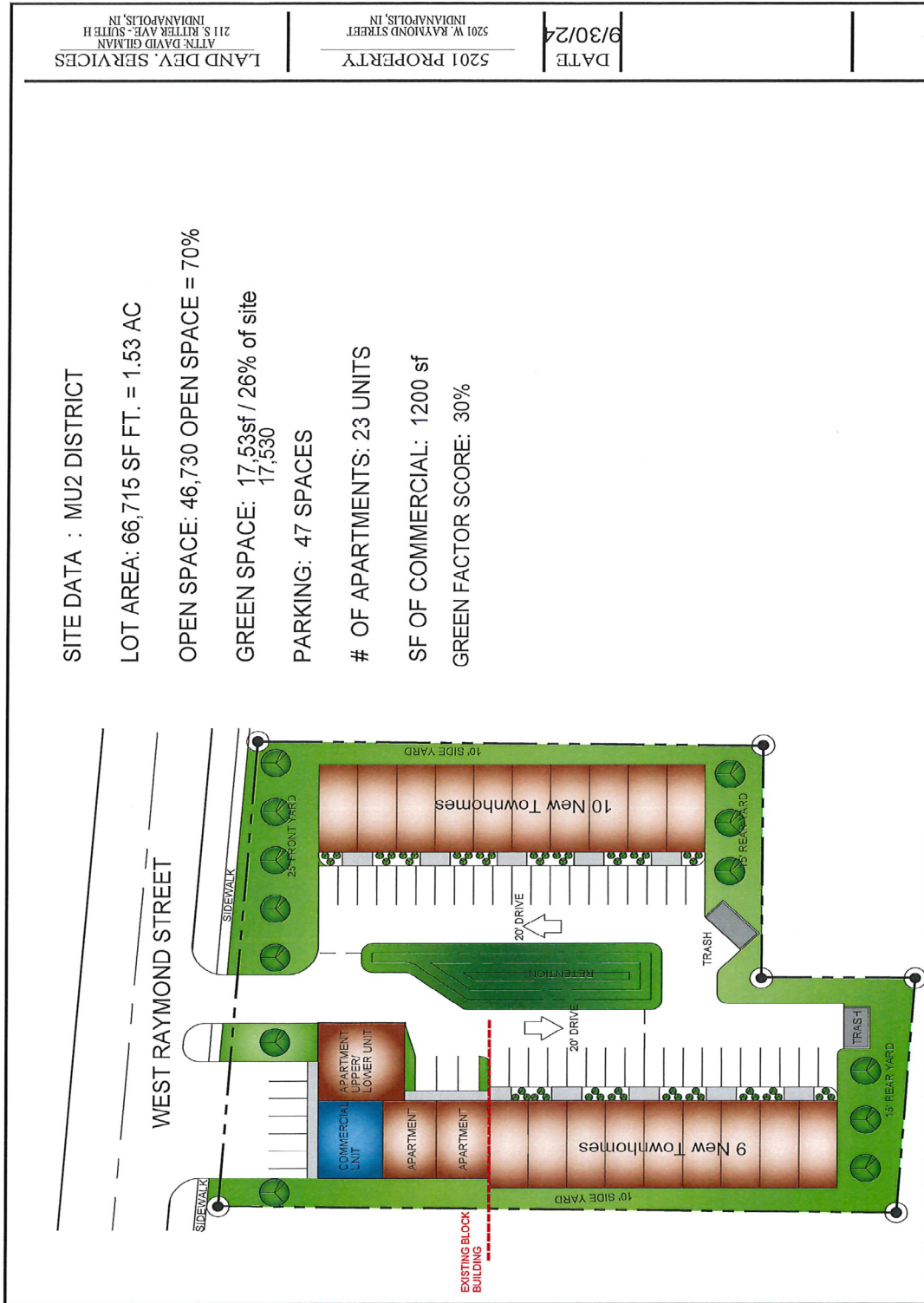
For Metropolitan Development Commission Hearing on December 4, 2024

**EXHIBITS**



Site Plan – December 11, 2024





5201 W Raymond Street  
Permitted Commercial Use List  
*November 5, 2024*

The following will be the only MU2 commercial uses permitted for the front portion (approx. 1200 sqft) of the existing building. See the Site Plan for details and location.

1. Public, Institutional or Civic Uses
  - a. Day Care
  - b. Community Center
2. Professional Services
  - a. Hair or Body Care, Salon or Service
  - b. Professional Office





View looking east along West Raymond Street



View looking west along West Raymond Street



View of site looking southeast



View of site looking south



View of site looking east



View of site looking south



View of site looking southwest



View from site looking north across West Raymond Street



**METROPOLITAN DEVELOPMENT COMMISSION** **January 15, 2025**

**Case Number:** 2024-ZON-124

**Property Address:** 10026 East 21<sup>st</sup> Street

**Location:** Warren Township, Council District #15

**Petitioner:** Mitthoeffer Properties, by David D. Wilson

**Current Zoning:** D-4 and C-3

**Request:** Rezoning on 0.46 acre from the D-4 and C-3 districts to the C-5 district to provide for retail uses.

**Current Land Use:** Vacant property

**Staff Recommendations:** Denial.

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

**PETITION HISTORY**

The Hearing Examiner acknowledged the timely automatic continuance filed by a registered neighborhood organization that continued this petition from the November 14, 2024 hearing, to the December 12, 2024 hearing.

This petition was heard by the Hearing Examiner on December 12, 2024. After a full hearing, the Hearing Examiner recommended denial of the rezoning. Subsequently, the petitioner filed an appeal of the Hearing Examiner’s decision. A memorandum of her recommendation is attached.

The Metropolitan Development Commission continued this petition from the January 2, 2025 hearing, to the January 15, 2025 hearing, at the request of the petitioner. No new information had been submitted to the file. Staff continues to recommend denial.

**STAFF RECOMMENDATION**

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

1. A 59.5-foot half right-of-way shall be dedicated along the frontage of East 21<sup>st</sup> Street, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).



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

## PETITION OVERVIEW

This 0.46-acre site, zoned D-4 and C-3, is developed with a vacant commercial office and associated parking. It is surrounded by a parking lot to the north, zoned C-3; a single-family dwelling to the east, zoned D-4; commercial uses to the west, zoned C-3; and a single-family to the south, across East 21<sup>st</sup> Street, zoned D-4.

## REZONING

The request would rezone the site to the C-5 (General Commercial) District. “The C-5 District is designed to provide areas for those retail sales and service functions whose operations are typically characterized by automobiles, outdoor display, or sales of merchandise; by major repair of motor vehicles; by outdoor commercial amusement and recreational activities; or by activities or operations conducted in buildings or structures not completely enclosed. The types of uses found in this district tend to be outdoor functions, brightly lit, noisy, etc. Therefore, to provide a location where such uses can operate in harmony with the vicinity, the C-5 district should be located on select heavy commercial thoroughfares and **should avoid locating adjacent to protected districts.**”

The Comprehensive Plan recommends office commercial typology for the site. This typology serves as an appropriate buffer from the more intense commercial uses to the west and north. The previous office use was consistent with the Plan recommendation. However, the existing parking lot encroaches approximately 26 feet into the right-of-way of East 21<sup>st</sup> Street, leaving no space for the required landscaping along the street frontage.

The request referenced display of used cars, which would be vehicle-related operations that would require the C-5 district, which would not be consistent with the Plan recommendation of office commercial. The C-5 district would allow for encroachment of intense and inappropriate commercial uses into the residential neighborhood that would be detrimental and negatively impact the adjacent land uses.

Staff would note that the C-5 district would allow for 60 primary uses and 22 accessory uses, many of which would not be appropriate or acceptable for the surrounding residential neighborhood. See Exhibit A.

Removing the pavement and parking out of the right-of-way along with the requested dedication of right-of-way (below) would leave little room for display of used vehicles. Staff believes this is further evidence that a C-5 district would not be supportable or appropriate for this site.



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**Department of Public Works**

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 59.5-foot half right-of-way along East 21<sup>st</sup> Street. This dedication would also be consistent with the Marion County Thoroughfare Plan.

**Environmental Public Nuisances**

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

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

Environmental public nuisance means:

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

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

**GENERAL INFORMATION**

<b>Existing Zoning</b>	C-3 / D-4
<b>Existing Land Use</b>	Commercial office (vacant)
<b>Comprehensive Plan</b>	Office Commercial

Surrounding Context	Zoning	Land Use
North:	C-3	Commercial uses
South:	D-4	Single-family dwelling
East:	D-4	Single-family dwelling
West:	C-3	Commercial uses
Thoroughfare Plan		
East 21 <sup>st</sup> Street	Primary arterial	Existing 90-foot right-of-way and proposed 119-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	N/A	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

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

### Pattern Book / Land Use Plan

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





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

- *Conditions for All Land Use Types – Office Commercial Typology*
  - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
  - All development should include sidewalks along the street frontage.
  - Master planned developments more than two acres should include pedestrian amenities for passive and active recreation internal to the development.
- Small-Scale Offices, Retailing, and Personal or Professional Services (*defined as commercial uses with minimal outdoor operations, storage, or display on lots of less than 1.5 acres and a height of less than 35 feet.*)
  - 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.

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

- Not Applicable to the Site.

**Neighborhood / Area Specific Plan**

- Not Applicable to the Site.

**Infill Housing Guidelines**

- Not Applicable to the Site.



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### Indy Moves

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

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



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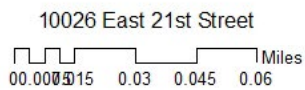
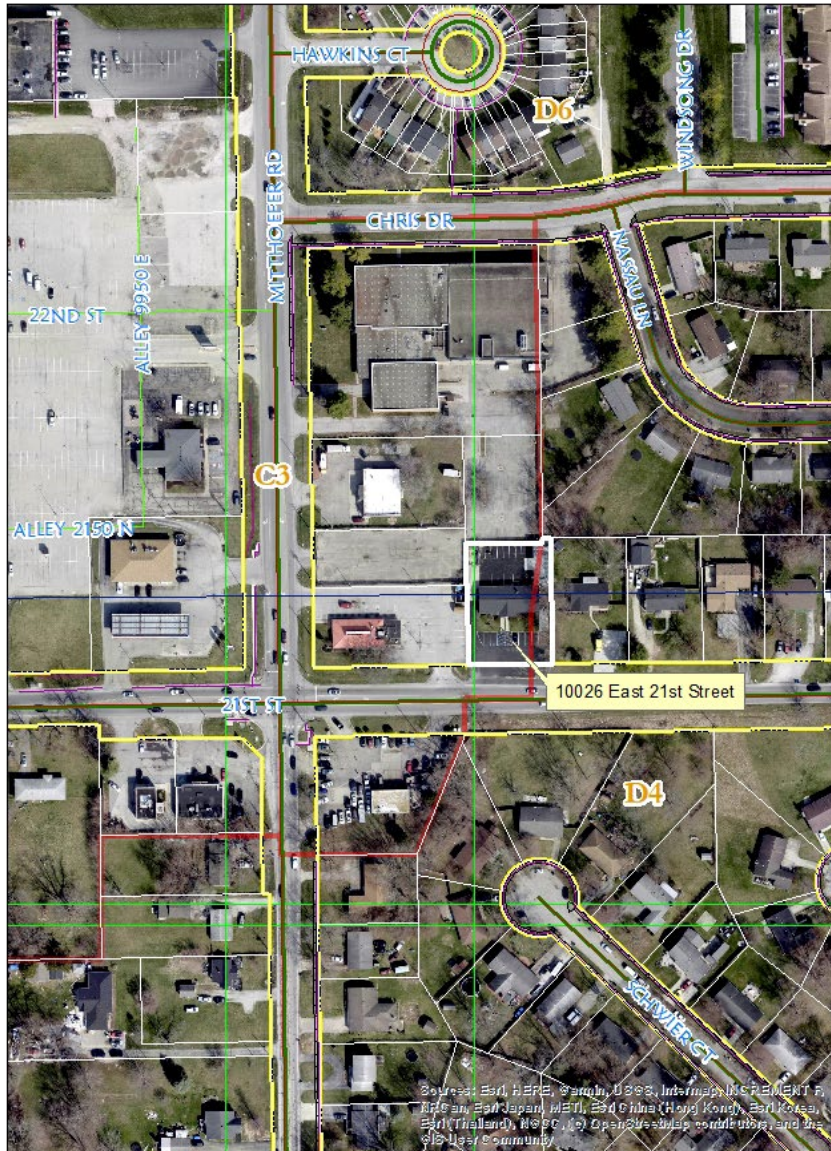
## ZONING HISTORY

**2003-UV3-038; 9936 and 9942 East 21<sup>st</sup> Street (west of site)**, requested a variance of use of the Commercial Zoning Ordinance to provide for a convenience store and gasoline station, with an automatic and self-service car wash, **granted**.

**82-UV3-027,9942 East 21<sup>st</sup> Street (west of site)**, requested a variance of use of the Commercial Zoning Ordinance to provide for a gasoline service station with a six-bay car wash, **granted**.

**66-Z-3; 9942 East 21<sup>st</sup> Street (west of site)**, requested rezoning of one acre from the B-3 district to the B-4 district to provide for the construction of a gasoline service station, **approved**.

**EXHIBITS**





**MEMORANDUM OF EXAMINER'S DECISION**

**2024-ZON-124**

**10026 East 21st Street**

The petition requests the rezoning of 0.46 acre from the D-4 and C-3 districts to the C-5 district to provide for retail uses.

Your Hearing Examiner visited the site prior to the hearing and noted a commercial building with the balance of the site hard surfaced. Single family residences abut the site on the northeast and east and are south of 21st Street, and commercial uses are west and north of it.

The petitioner explained that the building was constructed about 40 years ago. He obtained the site several months ago and has been trying to improve it. He has several tenants in the building, and wants to sell cars on the site, with about 10 cars displayed on 21st Street. He wants to provide affordable means of transportation for neighbors, and he wants to mentor youth in the area.

Although remonstrators did not attend the hearing, there was a letter of opposition from Warren Township Development Association.

Staff stated that C-5 is too intense for this site, it should not be located adjacent to a protected district, and it does not conform with the Comp Plan recommendation of office buffer uses. Staff also expressed concern that the site is paved into the right-of-way and auto display is proposed in the right-of-way.

While your Hearing Examiner applauds the petitioner's desire to improve the site and better the community, the requested C-5 is not consistent with the area and would allow uses that are not appropriate adjacent to protected districts. Denial of this petition was recommended.

For Metropolitan Development Commission Hearing on January 2, 2025



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**EXHIBIT A**

Daily emergency shelter  
Business, art, or other post-secondary proprietary school  
Club or lodge  
Community Center  
Greenway  
Museum, Library or Art Gallery  
Public safety facility or Post Office  
Religious Uses  
Vocational, technical or industrial school or training facility  
Hospital  
Medical or Dental Offices, Centers Clinic  
Medical or Dental Laboratories  
Plasma (Blood) Center  
Substance Abuse Treatment Facility  
Animal care, Boarding  
Artisan food and beverage  
Famers' Market  
Check Cashing or Validation Service  
Consumer Services or Repair of Consumer Goods  
Financial and Insurance Services  
Hair and Body Care Salon or Service  
Laundromats  
Mortuary, Funeral Home  
Outdoor Advertising off-premises  
Printing Services  
Tattoo Parlor  
Adult Entertainment Business



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Bar or Tavern  
Eating Establishment or Food Preparation  
Indoor Recreation and Entertainment  
Indoor Spectator Venue  
Night Club or Cabaret  
Hotel, Motel or Hostel  
Office: Business, Professional or Government  
Outdoor Recreation and Entertainment  
Agricultural Sciences R and D  
Clean energy R and D  
Information technology R and D  
Life Sciences R and D  
Logistics R and D  
Adult Entertainment Business: Retail  
Department Store  
Firearm Sales  
On-going Fireworks sales,  
Grocery Store  
Liquor Store  
Pawn shop  
Light general retail  
Heavy General retail  
Local Power Generating Facility  
Substations and Utility Distribution  
Wireless Communications  
Automobile and Light Vehicle Wash  
Automobile Fueling Station  
Automobile, Motorcycle, and Light Vehicle Sales or Rental



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Automobile, Motorcycle, and Light Vehicle Service or Repair

Commercial parking lot

Commercial parking garage

Transit Center

Recycling Station

**Accessory Uses**

Amateur Radio Antenna

Automated Teller Machine (ATM)

Automobile Rental Station

Bicycle Sharing

Day Care Center or Nursery School

Drive-through

Garden as a primary use

Game Courts

On-going Outdoor display and Sales

Outdoor Storage and Operations

Non-residential Outdoor Seating or Patio

Personal garden

Pick-up Station for Dry Cleaning or Laundry

Recycling Collection Point

Renewable Energy Facility Solar and Geothermal

Renewable Energy Facility Wind

Satellite Dish Antenna

Sidewalk Café

Swimming Pool or Hot Tub

Ground Transportation and Accessories

Outside Vending Machine or Self-serve Kiosk

Walk-up Window





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



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



View of site looking northwest



View of site looking north



View of site looking northeast



View from site looking south across East 21<sup>st</sup> Street



View from site looking southwest across East 21<sup>st</sup> Street



**METROPOLITAN DEVELOPMENT COMMISSION** **January 15, 2025**

**Case Number:** 2024-ZON-098

**Property Address:** 6200 and 6545 West Southport Road (Approximate Addresses)

**Location:** Decatur Township, Council District #21

**Petitioner:** Arbor Homes, by Domonic Dreyer

**Current Zoning:** D-A

**Request:** Rezoning of 104.8 acres from the D-A district to the D-P District to provide for a detached single-family residential development of a maximum of 323 dwelling units, with amenities and accessory, temporary and special exception uses permitted in the D-4 district, except for two-family dwellings and group homes, which would be prohibited.

**Current Land Use:** Undeveloped

**Staff Recommendations:** To be determined.

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

**PETITION HISTORY**

Staff is requested a continuance for cause from the December 18, 2024 hearing to the January 15, 2025 hearing to allow additional time for discussions between the petitioner, staff and DPW in addition to allowing sufficient time for new legal notices to be mailed to all required parties since staff was made aware of a deficient mailing list provided to the petitioner.

A timely automatic continuance request was filed by a registered neighborhood organization **continuing this petition from the January 15, 2025 hearing to the February 19, 2025 hearing.** This would require acknowledgement from the Commission.

**STAFF RECOMMENDATION**

Staff recommendation to be determined.

**PETITION OVERVIEW**

This petition is to be continued to the February 19, 2025 hearing.



**METROPOLITAN DEVELOPMENT COMMISSION** **January 15, 2025**

**Case Number:** 2024-ZON-127

**Property Address:** 6018 North Keystone Avenue (approximate addresses)

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

**Petitioner:** Evolution Process Service, LLC, by Rebekah Phillips

**Current Zoning:** D-3

**Request:** Rezoning of 0.219 acres from the D-3 district to the C-1 district, to provide for office uses.

**Current Land Use:** Office

**Staff Recommendations:** Approval with a commitment.

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

**PETITION HISTORY**

**ADDENDUM FOR JANUARY 15, 2025, METROPOLITAN DEVELOPMENT COMMISSION**

This petition was continued for cause from the January 2, 2025 hearing to the January 15, 2025 hearing at the request of staff to allow for additional time to meet the posted notice requirement.

It is staff’s understanding that a remonstrator will be requesting a **continuance for cause from the January 15, 2025 hearing to the February 19, 2025 hearing date**. Staff would have no objection to a final continuance request but will be prepared to go forward.

**ADDENDUM FOR JANUARY 2, 2025, METROPOLITAN DEVELOPMENT COMMISSION**

This petition was heard by the Hearing Examiner on December 12, 2024. After a full hearing, the Hearing Examiner recommended approval of the request. Subsequently, a remonstrator filed an appeal of the Hearing Examiner’s decision. A memorandum of her recommendation is attached.

**ADDENDUM FOR DECEMBER 12, 2024 HEARING EXAMINER**

This petition was continued for cause from the November 14, 2024 hearing to the December 12, 2024 hearing at the request of a remonstrator.

**November 14, 2024**

This is the first public hearing for this petition.



## STAFF RECOMMENDATION

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

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

## PETITION OVERVIEW

### LAND USE

The 0.219-acre site is developed with a single-family attached dwelling that was historically approved multiple times for office uses by multiple use variances. The site was recently split from the single-family attached dwelling to the south which was also historically used for commercial offices and rezoned recently to the C-1 district.

This site is in the block southwest of the Glendale Mall in the Broad Ripple Neighborhood.

### REZONING

The request would rezone the property from the D-3 district to the C-1 district to provide for office uses.

The D-3 district provides for low or medium intensity residential development. Land in this district should have good thoroughfare access, be relatively flat in topography, and be afforded pedestrian linkages to community and neighborhood services and facilities (schools, parks, shopping areas, etc.). Recreational facilities developed for the neighborhood complement the treed yards on the individual lots. Predominantly single-family detached dwellings are envisioned with two-family dwellings on corner lots in this district. The D-3 district has a typical density of 2.6 units per gross acre. This district fulfills the low-density residential classification of the Comprehensive General Land Use Plan. All public utilities and facilities must be present. Development plans, which may include the use of clustering, should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage and wildlife.

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



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

**DEPARTMENT OF PUBLIC WORKS**

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

**STAFF ANALYSIS**

The subject site has been used for offices since it was granted a use variance in 1987. Rezoning to the C-1 district would align the zoning to the existing use and allow for site development without additional variances so long as new development complies with C-1 standards.

The Comprehensive Plan recommendation for this site is office commercial uses. The C-1 district is the office buffer district, which is appropriate for transitions between residential and commercial districts. Therefore, staff is supportive of the rezoning to C-1.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-3	
<b>Existing Land Use</b>	Office	
<b>Comprehensive Plan</b>	Office Commercial	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	D-3	Commercial
South:	C-1	Commercial
East:	SU-2	School
West:	D-3	Residential (Single-family dwellings)
<b>Thoroughfare Plan</b>		
Keystone Avenue	Primary Arterial	100-foot existing right-of-way and 104-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)

**Pattern Book / Land Use Plan**

- The Marion County Land Use Plan Pattern Book (2019) recommends community commercial development of the site.
- The Community Commercial typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.
- The request would align with this recommendation.

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

- Not Applicable to the Site.

**Neighborhood / Area Specific Plan**

- Not Applicable to the Site.

**Infill Housing Guidelines**

- Not Applicable to the Site.

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

- Not Applicable to the Site.



## ZONING HISTORY

### Zoning History - Site

**2022-CPL-851; 6008 North Keystone Avenue** (subject site), approval of a plat to be known as Replat of a Part of Lot 25 and Lot 26 in Kesslerwood, dividing 0.56-acre into two lots, **approved**.

**2022-CVR-851; 6008 North Keystone Avenue** (subject site), Variance to provide for two 64-foot-wide lots, **approved**.

**2022-PLT-050; 6008 North Keystone Avenue** (subject site), Approval of a Subdivision Plat to be known as Replat of a Part of Lot 25 and of Lot 26 in Kesslerwood, dividing 0.56-acre into two lots, **withdrawn**.

**2009-SE1-002; 6018 North Keystone Avenue** (subject site), Special exception to provide for religious uses with a ground sign in the D-3 district, **granted**.

**87-UV2-46; 6008 North Keystone Avenue** (subject site), Variance to provide for office uses with parking and signs, **approved**.

**87-Z-16; 5930 – 6048 North Keystone Avenue** (subject site), Rezoning of 3.7 acres from the D-3 and C-1 district to the C-3 district, **denied**.

**81-UV2-24; 6008 North Keystone Avenue** (subject site), Variance of use to provide for continued use of offices, **granted for temporary period, expiring August 8, 1986**.

**78-UV1-89; 6008 North Keystone Avenue** (subject site), Variance of use to provide for continued use of offices, **granted for temporary period, expiring August 8, 1981**.

**74-UV2-135; 6008 North Keystone Avenue** (subject site), Variance of use to provide for continued use of offices, **granted for temporary period, expiring October 15, 1977**.

### Zoning History - Vicinity

**2024-DV2-029; 6008 North Keystone Avenue** (south of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the erection of an externally illuminated monument sign (illumination disallowed within 50 feet of a protected district) with a seven-foot north transitional yard setback (10-foot transitional yard required), **granted**.

**2023-ZON-113; 6008 North Keystone Avenue** (south of site), Rezoning of 0.33 acre from the D-3 district to the C-1 district to provide for office uses, **approved**.

**2023-UV2-013; 6008 North Keystone Avenue** (south of site), Variance to permit a seven-foot-tall, 32-square foot monument sign, **withdrawn**.



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**2018-ZON-011; 6038 North Keystone Avenue** (north of site), Rezoning of 0.24 acre from the D-3 and C-1 districts to the C-1 district, **approved.**

**2011-UV1-026; 5944 North Keystone Avenue (south of site),** Variance to provide for a salon and beauty spa, with massage and with accessory retail sales of beauty and hair care products, **approved.**

**2010-ZON-070; 2424 Kessler Boulevard East Drive** (east of site), Rezoning of 9.62 acres from the D-3 district to the SU-2 district, **approved.**

**2010-ZON-037; 5944 North Keystone Avenue** (south of site), Rezoning of 0.29 acre from the D-3 district to the C-1 district, **approved.**

**2006-ZON-094; 5950 North Keystone Avenue** (south of site), Rezoning of 0.2858 acre, from the D-3 District, to the C-1 district, **approved.**

**2003-UV1-024; 6028 North Keystone Avenue (north of site),** Variance to legally establish a real estate and insurance office, a parking lot with a zero-foot south side yard setback and a 9.7-foot north side yard setback, and a three-foot by twelve-foot ground sign, **approved.**

**94-UV2-103; 5936 North Keystone Avenue** (south of site), Variance of use of the Commercial Zoning Ordinance to provide for the construction of a two-story, 14-unit apartment building (not permitted), **granted.**

**91-Z-36; 5910 – 5944 North Keystone Avenue** (south of site), Rezoning of 1.39 acres, being in the D-3 District, to the C-1 classification to provide for office uses, **approved.**

**88-UV1-153; 6038 North Keystone Avenue (north of site),** Variance to provide for an existing building to be used for a security office and travel agency office and one pole sign, **approved.**

**88-UV1-56; 5944 North Keystone Avenue** (southeast of site), Variance of use of the Dwelling Districts Zoning Ordinance to provide for the conversion of an existing house for use of an office and a variance of development standards of the Sign Regulations to provide for a double-faced pole sign for identification, **granted.**

**88-V2-118; 5950 North Keystone Avenue** (south of site), Variance to provide for four-foot-tall shingle sign for a home occupation, **approved.**

**84-Z-74; 6048 North Keystone Avenue (north of site),** Rezoning of 0.26 acre from the D-3 district to the C-1 district, **approved.**

EXHIBITS





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HEARING EXAMINER'S MEMO

MEMORANDUM OF EXAMINER'S DECISION

2024-ZON-127

6018 North Keystone Avenue

The petition requests the rezoning of 0.219 acre from the D-3 district to the C-1 district to provide for office uses.

Your Hearing Examiner visited the site prior to the hearing and noted the mixture of office buffer uses along the west side of Keystone Avenue. A school is east of Keystone Avenue, and residences are west of the site.

The petitioner's representative recounted that the site has been used as office buffer uses for about 50 years. Although a curb cut is shared with the pest control business to the south, the office on the subject site is not related to that business. The representative said that the requested C-1 district is consistent with other businesses in the area and conforms with the Comp Plan.

A remonstrator submitted a letter and attended the hearing remotely via Zoom. As a property owner adjacent to the west, the remonstrator expressed concern with a lack of buffer, the mural on the front of the building, the potential for weapons on the site, and the increase of strangers in the area.

Staff opined that the requested C-1 district is consistent with the predominant zoning along the west side of this corridor and complies with the Comp Plan recommendation of office commercial use.

In your Hearing Examiner's opinion, the requested C-1 district allows uses similar to adjacent uses and is consistent with the use of the site for the last 50 years. It is an appropriate buffer between the residential uses to the west and the busy Keystone corridor. Approval of this petition was recommended.

For Metropolitan Development Commission Hearing on January 2, 2025

## - PLAN OF OPERATION -

Petitioner, J&C Gregory Real Estate, LLC f/k/a Evolution Process Service, LLC, submits the following plan of operation in support of its rezoning petition with respect to the property commonly known as 6018 N. Keystone Ave., Indianapolis, Indiana 46220.

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**Business:**

The office building is owned by J&C Gregory Real Estate LLC f/k/a Evolution Process Service, LLC (“Owner”). Owner currently rents the Property to Deposition Solutions, LLC d/b/a Lexitas (“Lexitas”), who operates a process service company out of the building.

**Workforce:**

Approximately 3 employees work at the building at a time. Employees use the parking lot on the property while at the building.

**Clients and Customers:**

Clients of Lexitas are residents and business owners in the greater Indianapolis area who are in need of a process server. Clients very rarely visit the building in person.

**Processes Conducted on Site:**

The employees use the facility to run the operations of Lexitas.

**Materials Used:**

Lexitas uses typical office supplies and office furniture to operate the business.

**Shipping and Receiving:**

Very minimal shipping and receiving occurs. Lexitas occasionally receives office supply deliveries.

**Waste:**

Standard trash for an office is disposed of appropriately.



Photo of the subject site looking west onto the site.



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



Photo of the rear yard of the subject site looking west.



Photo of the rear yard of the subject site looking south.





Photo of the commercial property south of the site.



Photo of the residential property north of the site.



Photo of the school across Keystone Avenue to the east.