



Metropolitan Development Commission Hearing Examiner (September 10, 2026) Meeting Agenda

Meeting Details

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

Date: Thursday, September 10, 2026 **Time:** 1:00 PM

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

Business:

Special Requests

2026-ZON-041 | 3553 Shelby Street
Perry Township, Council District #23
Cameron & Caden Shake, by Mark & Kim Crouch

Rezoning of 0.48-acre from the C-3 (TOD) district to the D-10 (TOD) district to provide for multifamily housing.

****Staff request to dismiss Petition**

PETITIONS REQUESTING TO BE CONTINUED:

1. 2026-APP-016 | 45 West 40th Street
Washington Township, Council District #7
PK-1 (TOD)
City of Indianapolis Parks and Recreation, by Kyle Koger

Park District One Approval to provide for the replacement of existing playground equipment, a new park shelter, and new internal concrete sidewalks.

****Automatic continuance to October 15, 2026, filed by Registered Neighborhood Organization**

2. 2026-ZON-077 | 2004 East 86th Street
Washington Township, Council District #2
Justin Kingen

Rezoning of 3.02 acres from the D-A (FF) (FW) district to the C-1 (FF) (FW) district to provide commercial office uses.

****Automatic continuance to October 15, 2026, filed by a Registered Neighborhood Organization.**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

3. 2026-ZON-068 | 7440 Woodland Drive
Pike Township, Council District #6
Echo Real Estate Capital, Inc., by Joseph Calderon

Rezoning of 15.8 acres from the MU-1 (FF) and C-S (FF) districts to the I-2 (FF) district to provide for light industrial uses.

4. 2026-ZON-071 | 610 South Drover Street, 1049 Oliver Street, and 634 Birch Avenue

Center Township, Council District #18
610 Drover, LLC, by Andi Metzel

Rezoning of 1.97 acres from the C-1 (RC) (FF) and D-5 (RC) (FF) districts to the C-3 (RC) (FF) district to provide for commercial uses.

5. 2026-ZON-076 | 2507 Columbia Avenue

Center Township, Council District #8
Step It Up Realty LLC, by Cohen Property Group

Rezoning of 0.17-acre from the C-3 district to the D-8 district to provide for residential uses.

6. 2026-CZN-834 / 2026-CPL-834 | 6509 Dean Road

Washington Township, Council District #3
K and D Epic Holdings, LLC, by David Gilman

Rezoning of 1.73 acres, from the D-S district to the D-1 district to provide for two, detached single-family dwellings.

Approval of a Subdivision Plat to be known as Dean Road Estates, subdividing 1.73 acres into two lots.

7. 2026-CZN-845 / 2026-CVR-845 | 3949 South State Avenue

Perry Township, Council District #19
University of Indianapolis, by Justin Kingen

Rezoning of 2.31 acres from the UQ-1 and D-5 districts to the UQ-1 classification to provide for school uses (K through 12).

Variance of Development Standards of Consolidated Zoning and Subdivision Ordinance to provide for a north side yard setback of 15 feet (minimum 46-foot side yard setback required, or one-foot for each foot of building height required).

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

8. 2026-ZON-018 | 5510 Millersville Road

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

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

9. 2026-ZON-043 | 7030 East 33rd Street

Center Township, Council District #9
Damion Wiggins

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

10. 2026-ZON-066 | 931 South East Street

Center Township, Council District #18
AKAL Investments, Inc., by Josh Smith (RG Development, LLC)

Rezoning of 0.222-acre from the C-5 (RC) district to the D-8 (RC) district to provide for residential development.

11. 2026-CZN-829 (Withdrawn) / 2026-CVR-829 (Amended) | 5430 West 86th Street

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

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

Special Exception and Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for

commercial truck parking and fleet terminal for ten trucks (not permitted) and truck or heavy vehicle repair and maintenance (not permitted) or heavy vehicle repair and maintenance (not permitted).

PETITIONS FOR PUBLIC HEARING (New Petitions):

12. 2026-ZON-061 | 5330 West Morris Street

Center Township, Council District #17
Jorge Gonzales

Rezoning of 0.33-acre from the C-3 (TOD) district to the C-5 (TOD) district to provide for automotive uses, including repair.

13. 2026-ZON-070 | 6650 South Meridian Street

Perry Township, Council District #22
Faith Assembly of God Indianapolis, Inc., by Joseph D. Calderon

Rezoning of 5.0 acres from the D-A district to the SU-1 district to provide for religious uses.

14. 2026-ZON-074 | 4210 Winthrop Avenue and 980 East 42nd Street

Washington Township, Council District #7
NLS LLC, by Joseph Ringger

Rezoning of two lots, totaling 0.3-acre, from the C-7 (W-5) and D-5 (TOD) (W-5) districts, to the D-8 (TOD) (W-5) district to allow for the construction of 6 townhomes.

15. 2026-ZON-075 | 5820 South Emerson Avenue

Perry Township, Council District #24
RCP Development, LLC, by Joseph D. Calderon

Rezoning of 2.15 acres from the C-3 district to the C-4 district to provide for 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. Written objections to a proposal are encouraged to be filed via email at planneroncall@indy.gov before the hearing and such objections will be considered. At the hearing, all interested persons will be given an opportunity to be heard in reference to the matters contained in said proposals. The hearing may be continued from time to time as may be found necessary. For accommodations needed by persons with disabilities planning to attend this public hearing, please call the Office of Disability Affairs at (317) 327-7093, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.

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

HEARING EXAMINER

for

METROPOLITAN DEVELOPMENT COMMISSION (MDC)

Contractual Zoning Professional	Approving Authority	Term
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Judy Weerts Hall	MDC	01/01/2026 - 12/31/2026
Vacant		

This meeting can be viewed live at [indy.gov: Channel 16 Live Web Stream](https://indy.gov/Channel%2016%20Live%20Web%20Stream). The recording of this meeting will also be archived (along with recordings of other City/County entities) at [indy.gov: Watch Previously Recorded Programs](https://indy.gov/Watch%20Previously%20Recorded%20Programs).

MDC HEARING EXAMINER

September 10, 2026

Case Number: 2026-ZON-041
Property Address: 3553 Shelby Street (*approximate address*)
Location: Perry Township, Council District #23
Petitioner: Cameron & Caden Shake, by Mark and Kim Crouch
Request: Rezoning of 0.48-acre from the C-3 (TOD) district to the D-10 (TOD district) to provide for multifamily housing
Current Land Use: Residential
Staff Reviewer: Josh Levesque, Senior Planner

PETITION OVERVIEW

- Petitioner previously requested a 2-month continuance from the June 11, 2026, Hearing Examiner hearing to the August 13, 2026, Hearing Examiner hearing to allow for additional time to acquire property that could result in changing the scope and request of the project. Staff was in support of this continuance.
- The petitioner requested an additional one-month continuance from the August 13th, 2026, to the September 10th, 2026 Hearing Examiner hearing to finalize plans related to the changed scope of the project. Staff indicated that that continuance would be the final one that staff would support.
- As staff has not received legal descriptions for the new parcels, staff was unable to update notice as needed. Staff has also not received an updated description of the project to determine the appropriate notice language. Given the lack of notice, a continuance would be required. As stated previously, staff will not support any further continuances.
- Staff recommends that the Hearing Examiner dismiss the petition for want of prosecution. Staff will note that the MDC's rules and procedures indicate that "no parcel of ground that has been included in any petition that has been dismissed by the Hearing Examiner, Committee or Commission for want of prosecution shall again be included in any petition filed for consideration within a period of three (3) months from the date of dismissal, except upon motion to permit refile by a majority vote of all members present at a regular or special meeting, for good cause shown."



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**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 10, 2026

Case Number: 2026-APP-016

Property Address: 45 West 40th Street (approximate address)

Location: Washington Township, Council District #7

Petitioner: City of Indianapolis Department of Parks and Recreation, by Kyle Koger

Current Zoning: PK-1 (TOD)

Request: Park District One Approval to provide for the replacement of existing playground equipment, a new park shelter, and new internal concrete sidewalks.

Current Land Use: Park

Staff Recommendations: Approval

Staff Reviewer: Michael Weigel, Principal Planner I

PETITION HISTORY

A timely automatic continuance was filed by a registered neighborhood organization, automatically continuing this petition to the October 15th, 2026 Hearing Examiner date. A full staff report will be made available in advance of that hearing date.



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**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 10, 2026

Case Number: 2026-ZON-077
Property Address: 2004 East 86th Street
Location: Washington Township, Council District #2
Petitioner: Justin Kingen
Request: Rezoning of 3.02 acres from the D-A (FW) (FF) district to the C-1 (FW) (FF) district to provide for commercial office uses.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

A timely automatic continuance was filed by a registered neighborhood organization that would **continue this petition from the September 10, 2026 hearing, to the October 15, 2026 hearing.** This would require acknowledgement from the Hearing Examiner.



Department of Metropolitan Development
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**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 10, 2026

Case Number: 2026-ZON-068
Property Address: 7440 Woodland Drive
Location: Pike Township, Council District #6
Petitioner: Echo Real Estate Capital, Inc., by Joseph D. Calderon
Current Zoning: MU-1 (FF) and C-S (FF)
Request: Rezoning of 15.8 acres from the MU-1 (FF) and C-S (FF) districts to the I-2 (FF) district to provide for light industrial uses.
Current Land Use: Commercial office uses / associated parking (vacant)
Staff Recommendations: Approval
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing on 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" form at least three days prior to the MDC hearing:

1. All storage and operations shall be contained within the existing buildings. Outdoor storage and operations shall not be permitted.
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. Final site plan and building elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).

PETITION OVERVIEW

This 15.8-acre site, zoned MU-1 (FF) and C-S (FF), is comprised of three parcels and developed with a multi-story office building that is currently vacant. It is surrounded by commercial office uses to the north, zoned C-S (FF); commercial office uses to the south, zoned C-S; commercial office / light industrial uses to the east, across Woodland Drive, zoned I-2 and C-S; and Interstate 465 right-of-way, to the west, zoned MU-1 (FF) and C-S (FF).



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REZONING

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

The Comprehensive Plan recommends office commercial typology for the site.

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

Site Plan – July 1, 2026

The site plan, file-dated July 1, 2026, provides for demolition of the existing building and the construction of three buildings ranging in size from 43,680 square feet to 84,000 square feet, with a total of 245 parking spaces.

Renderings have been submitted but staff is concerned with the visual impact of this 16-acre site from Interstate 465. Consequently, staff would request that elevations be submitted prior to the issuance of an Improvement Location Permit.

Floodway / Floodway Fringe – Bushs Run

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

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

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (I-2 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance and all other applicable City Ordinances.

The northern portion of this site lies within the 500-year unregulated floodplain of Bushs Run.



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Environmental Public Nuisances

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

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

Environmental public nuisance means:

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

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

Planning Analysis

As proposed, this request would not be consistent with the Comprehensive Plan recommendation of office commercial. However, when this area was rezoned over 40 years ago, an industrial park was contemplated, interspersed with office and commercial uses. Consequently, the introduction of light industrial uses on this site would be compatible with and would not have a detrimental impact on the surrounding land uses.

Staff finds that redevelopment of this site to meet the changing economic needs of the business community would be supportable. Replacing a large vacant office building with a use that would support an apparent industrial need would improve the economic viability of this area and maintain the value of surrounding land uses.

GENERAL INFORMATION

Existing Zoning	MU-2 (FF) / C-S (FF)	
Existing Land Use	Commercial office / parking lot (vacant)	
Comprehensive Plan	Office commercial	
Surrounding Context	Zoning	Land Use
North:	C-S (FF)	Commercial office uses
South:	C-S	Commercial office uses
East:	C-S / I-2	Commercial office / industrial uses
West:	MU-1 (FF) / C-S (FF)	Interstate 465 right-of-way
Thoroughfare Plan		
Woodland Drive	Local Street	Existing 60-foot right-of-way and proposed 50-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes – 500-year unregulated floodplain	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	July 1, 2026	
Site Plan (Amended)	N/A	
Elevations	July 1, 2026 (Rendering)	
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."



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Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types – Office Commercial Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.
- Master-planned developments in excess of 2 acres should include pedestrian amenities for passive and active recreation internal to the development.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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



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



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ZONING HISTORY

87-Z-247; 7301 Zionsville Road, requested rezoning of 353.95 acres, being in the I-1-S, I-2-S and C-4 districts, to the C-S classification to provide for a mixed-use complex permitting I-2-S uses and offices in areas 1, 2, 3, 4, and 5 (A and B); C-4 uses in the area 5 (A and B); and hotels, motels, restaurants and day care centers in areas 3 and 5 (A and B), **approved**.

87-Z-142; 5498 Woodland Drive, requested rezoning of 12.79 acres, being in the I-2-S district, to the C-2 classification, to provide for office building, **approved**.

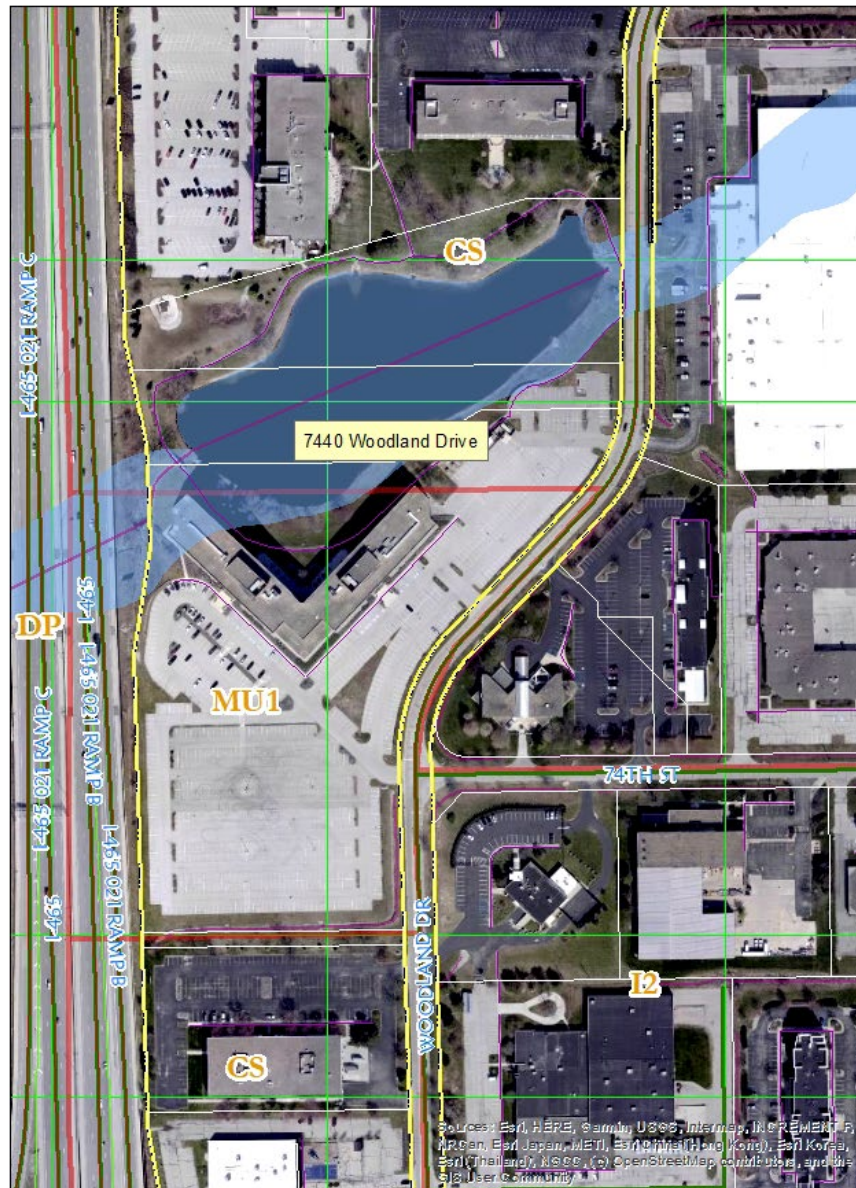
80-Z-135; 6001 West 79th Street, requested rezoning of 104 acres, being in the A-2 district, to the I-2-S classification, to provide for light industrial uses, **approved**.

80-Z-111; 7201 Zionsville Road, requested rezoning of 316.1 acres, being in the A-2 and D-3 districts, to the I-2-S classification, to provide for an industrial park, **approved**.

80-Z-110; 5002-5509 West 71st Street, requested rezoning of 27.4 acres, being in the A-2 district, to the I-1-S classification, to provide for an industrial park, **approved**.

79-Z-82; 7250 Zionsville Road, requested rezoning of 100.2 acres, being in the A-2 district, to the I-2-S classification, to provide for light industrial uses, **approved**.

EXHIBITS

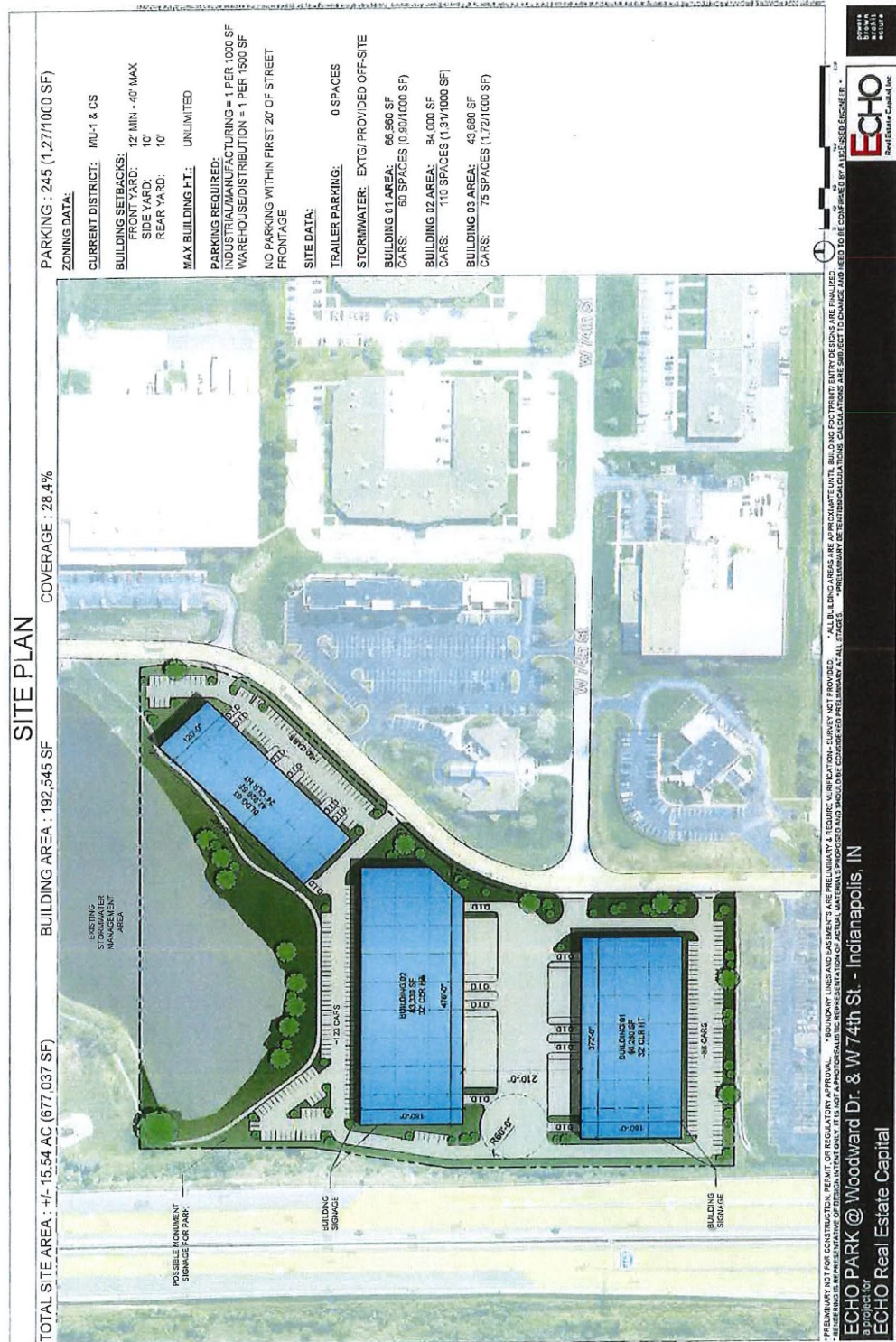


0



7440 Woodland Drive

0 0.0125 0.025 0.05 0.075 0.1 Miles



BUILDING 01 - BUILDING IMAGE



NOT A REPRESENTATION OF THE PROJECT. THIS IS A PRELIMINARY ARCHITECTURAL RENDERING OF A PROPOSED PROJECT. IT IS NOT A GUARANTEE OF THE PROJECT. THE PROJECT IS SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY OF INDIANAPOLIS. THE PROJECT IS SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY OF INDIANAPOLIS. THE PROJECT IS SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY OF INDIANAPOLIS.

ECHO PARK @ INDY - BUILDING 01
A PROJECT FOR
Echo Real Estate Capital, Inc.



View looking north along Woodland Drive



View looking south along Woodland Drive



View of site looking south across Interactive Boulevard to the north



View of site looking north



View of site looking southwest across Woodland Drive



View from site looking northeast



View from site looking southeast across site access



View from site looking south



View from site looking southwest



View from site looking west



View from site looking north



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**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 10, 2026

Case Number: 2026-ZON-071
Property Address: 610 South Drover Street, 1049 Oliver Avenue, and Birch Avenue
Location: Center Township, Council District #18
Petitioner: 610 Drover, LLC, by Andi Metzel
Current Zoning: C-1 (RC) (FF) and D-5 (RC) (FF)
Request: Rezoning of 1.97 acres from the C-1 (RC) (FF) and D-5 (RC) (FF) districts to the C-3 (RC) (FF) to provide for commercial uses
Current Land Use: Undeveloped land
Staff Recommendations: Approval
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing on this petition.

STAFF RECOMMENDATION

Staff recommends approval of this rezoning request.

PETITION OVERVIEW

This 1.97-acre site, C-1 (RC) (FF) and D-5 (RC) (FF), is comprised of four parcels that are adjacent to one another and separated by alleys and Birch Avenue. Three of the parcels are developed with parking lots and one lot is developed with a commercial building (vacant). It is surrounded by industrial uses to the north, across Oliver Avenue, zoned CBDS (RC) (FF); single-family dwellings to the south, zoned D-5 (RC) (FF); religious uses to the east, across South Drover Street, zoned C-1 (RC) (FF); and a single-family dwelling to the west, zoned C-1 (RC) (FF).

REZONING

The request would rezone the site from the C-1 (RC) (FF) and D-5 (RC) (FF) districts to the C-3 (RC) (FF) Neighborhood Commercial District to provide for commercial uses. "The C-3 District is for the development of an extensive range of retail sales and personal, professional and business services required to meet the demands of a fully developed residential neighborhood, regardless of its size. Examples of such types of uses include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail and personal and professional service establishments. A It does not allow those businesses that require the outdoor display, sale or storage of merchandise; or



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require outdoor operations. In general, to achieve maximum flexibility of permitted land use, the C-3 District makes possible a highly varied grouping of indoor retail and business functions. It does not allow those businesses that require the outdoor display, sale or storage of merchandise; or require outdoor operations. In general, to achieve maximum flexibility of permitted land use, the C-3 District makes possible a highly varied grouping of indoor retail and business functions. At this neighborhood scale of retail, a fine grain of accessibility requisite for all modes of travel must be provided and maintained.

It does not make provision, however, for those businesses that draw customers in significant numbers from well beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators, such as theaters.”

The Comprehensive Plan recommends traditional neighborhood typology for the parcels fronting along Oliver Avenue and South Drover Street. The village mixed-use typology is recommended for the triangular parcel at the southwest corner of the site and small southern portion of the parcel fronting on Oliver Avenue, Birch Avenue and South Drover Street,

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

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

Floodway / Floodway Fringe

This site has a secondary zoning classification of a Floodway (FW) and Floodway Fringe (FF). The Floodway (FW) is the channel of a river or stream, and those portions of the floodplains adjoin the channels which are reasonably required to efficiently carry and discharge the peak flood flow of the base 3not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.

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

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (C-3 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance and all other applicable City Ordinances.



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Planning Analysis

As proposed, this rezoning request would align with both Plan recommendations of traditional neighborhood and village mixed-use. The C-3 district would provide commercial uses and services that would improve access to the those uses that would be beneficial to the surrounding neighborhood.

GENERAL INFORMATION

Existing Zoning	C-1 (RC) (FF) / D-5 (RC) (FF)	
Existing Land Use	Vacant / commercial building (vacant)	
Comprehensive Plan	Traditional Neighborhood / Village Mixed-Use	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	CBDS (RC) (FF)	Industrial uses
South:	D-5 (RC) (FF)	Single-family dwellings
East:	C-1 (RC) (FF)	Religious uses
West:	C-1 (RC) (FF)	Single-family dwelling
Thoroughfare Plan		
South Drover Street	Primary Collector	Existing 60-foot right-of-way and proposed 56-foot right-of-way.
Oliver Avenue	Primary Collector	Existing 80-foot right-of-way and proposed 56-foot right-of-way
Birch Avenue	Local Street	Existing 60-foot right-of-way and proposed 48-foot right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	Yes – White River 500-year unregulated floodplain	
Overlay	Yes – Regional Center	
Wellfield Protection Area	No	
Site Plan	July 13, 2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Traditional Neighborhood and Village Mixed-Use typologies.

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

“The Village Mixed-Use typology creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.”

Indianapolis Regional Center Plan 2020 (2004) (Archived).

- This Plan indicates non-core commercial for these parcels defined as uses will generally be commercial retail and service uses that are not necessarily linked with one neighborhood and may be used by worker, visitor and resident populations. The following uses would typically be found in this category:
 - Restaurants
 - Hotels and motels
 - Personal services such as dry-cleaning.
 - Retail uses such as grocery and drug stores

Indianapolis Regional Center Guidelines (2008).

- These design guidelines provide a community standard for urban design. They were developed to encourage creativity, interest, and variety, and to build upon local heritage and character. The guidelines are intended to protect the investments of stakeholders by maintaining downtown Indianapolis as an efficient, sustainable, and vital place in which to live, work, learn and spend free time.



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- The purpose of these Guidelines is to set standards that will produce a more thoughtful design response to Regional Center development projects. They focus on a wide range of characteristics of the built environment.
- This proposed development would be required to file an approval petition for Regional Center that would require design review in accordance with the Guidelines.

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types – Traditional Neighborhood Typology

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

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 intersections and limited to an aggregate of 1 acre per intersection.
- 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.
- Mixed-use structures are preferred.
- Should not include outdoor display of merchandise.

Conditions for All Land Use Types – Village Mixed-Use Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.



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- All development should include sidewalks along the street frontage.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- Where possible, contributing historic buildings should be preserved or incorporated into new development

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.)

- Mixed-Use structures are preferred.
- Automotive uses (such as gas stations and auto repair) and uses with 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.



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ZONING HISTORY

2013-REG-114; 610 Drover Street, requested Regional Center Approval to provide for a freestanding sign re-face and two wall signs on an existing building, **approved**.

VICINITY

2022-CZN-824 / 2022-CPL-824; 208 & 340 South White River Parkway West Drive, 514 South Drover Street And 1228 And 1236 Oliver Avenue (north of site), requested rezoning of 93.23 acres from the CBD-S (RC), C-1 (RC) and C-3 (RC) districts to the CBD-S (RC) district to provide for a mixed-use residential, commercial, industrial and park development and approval of a Subdivision Plat to be known as Reimagining the GM Stamping Plant, dividing 93.23 acres into fifteen lots including the vacation of all remaining streets and alleys in an area bounded by Oliver Avenue, White River Parkway West Drive, Washington Street and Division Street, **approved**.

2017-ZON-075; 201 South Harding Street, 170 and 340 South White River Parkway, West Drive and 514 Drover Street (north of site), requested a rezoning of 103.2 acres from the C-1 (RC) and I-4 (RC) districts, to the CBD-S (RC) classification to provide for a development of three use districts, **approved**.

2014-CZN-835 / 2014-CVR-835; 340 South White River Parkway (north of site), requested a rezoning of 55.24 acres, from the I-4-U (RC) District, to the CBD-S (RC) classification to provide for a consolidated justice center, including county courts, county jail, community corrections, county sheriff, other related municipal public safety functions and other office uses and a variance of use of the Central Business Districts Zoning Ordinance to provide for a county jail, community corrections and related uses and facilities associated with a consolidated justice center (SU-8 uses, correctional and penal institutions not permitted), **denied by City-County Council**.

2014-REG-133 A and B; 340 South White River Parkway, West Drive (north of site), requested demolition of industrial structures, **approved**.

2014-SE2-001; 1428 West Henry Street (north of site), requested Special Exception and variance of development standards of the Industrial Zoning Ordinance to provide for the recycling of commercial and household recyclable materials and miscellaneous ferrous and nonferrous metal materials and to provide for the transporting, sorting, bailing and staging/storage of recyclable materials prior to transporting, with a crane, scale, shipping containers, outdoor ferrous metal pile, office trailer, ATM and a 14-foot tall masonry screen wall, with two signs, with a metal sliding gate along Harding and Henry Streets (maximum 10-foot tall screening fence or wall permitted), and zero-foot west front and south front transitional setbacks along Harding Street and Henry Street, respectively, **approved**.

2010-REG-048; 1428 West Henry Street (north of site), requested Regional Center Approval to provide for use of the site as a recycling facility, with outdoor storage and operation. Included in the approval were two fences, **approved**.



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2010-SE3-003 and 2010-DV3-023; 1428 West Henry Street (north of site), requested a Special Exception of the Industrial Zoning Ordinance to provide for the recycling of commercial and household recyclable materials, including ferrous and non-ferrous metal scrap; plumbing, steel, metal or copper pipe; electrical wiring, scrap metal from electrical appliances, obsolete machinery and other miscellaneous ferrous and non-ferrous metal materials, and to provide for the transporting, sorting, baling and staging / storage of recyclable materials prior to transporting and a Variance of Development Standards of the Industrial Zoning Ordinance to provide for a zero-foot south front transitional yard along Henry Street (minimum 50-foot front transitional yard setback required), **granted**.

2010-MO3-001; 1428 West Henry Street (north of site), requested a Modification of Conditions related to petition 84-UV3-91, to modify Condition Three to provide for limited outdoor storage and processing of miscellaneous ferrous scrap steel and outdoor operations, **withdrawn**.

2010-REG-048; 1428 West Henry Street (north of site), requested Regional Center Approval to provide for outdoor operation of a recycling facility, with fencing, **approved**.

2007-APP-171; 1428 West Henry Street (north of site), requested Regional Center Approval to provide for use of the site as a recycling facility for common household and commercial materials, **approved**.

EXHIBITS



610 South Drover Street, 1049 Oliver Avenue and 634 Birch Avenue



0 0.006 0.01 0.02 0.03 0.04 Miles



View looking north along South Drover Street



View looking south along South Drover Street



View of site looking northwest across South Drover Street



View of site looking southwest across Oliver Avenue



View from site looking southeast across Birch Avenue



View from western portion of site looking northwest



View from western portion of site looking across Oliver Street



View of site looking northeast across Birch Avenue



View looking northwest across intersection of Birch Avenue and Oliver Avenue



View from site looking north across Oliver Street



View from site looking northeast across intersection of South Drover Street and Oliver Street



View looking east across intersection of Oliver Street and South Drover Street



View from site looking east across South Drover Street



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**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 10, 2026

Case Number: 2026-ZON-076
Address: 2507 Columbia Avenue (Approximate Address)
Location: Center Township, Council District #8
Petitioner: Step It Up Realty LLC, by Cohen Property Group
Request: Rezoning of 0.17-acre from the C-3 district to the D-8 district to provide for residential uses.

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

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of the request.

PETITION OVERVIEW

LAND USE

The 0.17-acre subject site is an undeveloped parcel located in the Martindale-Brightwood Neighborhood. The site is adjacent to single-family and duplex dwellings to the south and west, zoned C-3, an undeveloped lot to the north, zoned D-5, and a social club to the west, zoned C-3.

REZONING

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

The C-3 district is for the development of a highly varied grouping of indoor retail and business functions with retail sales and personal, professional and business services required to meet the demands of a fully developed residential neighborhood. At this neighborhood scale of retail, accessibility is required for all modes of travel must be provided and maintained. It is not intended for those businesses that draw customers from well beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators. It does not allow those businesses that require the outdoor display, sale or storage of merchandise; or require outdoor operations.



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

STAFF ANALYSIS

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

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

Staff recommends **approval** of the rezoning request, with the caveat that this recommendation should not serve as indication of support for any future needed variances at the property.

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Undeveloped	
Comprehensive Plan	Traditional Neighborhood	
Overlay	N/A	
Surrounding Context	<u>Zoning</u>	Surrounding Context
	North: D-5	Undeveloped
	South: C-3	Single-family dwellings
	East: C-3	Social club
	West: C-3	Multi-family dwelling
Thoroughfare Plan		
Columbia Avenue	Local Street	60-foot existing and proposed right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	N/A	
Wellfield Protection Area	N/A	
Site Plan	July 22, 2026	
Elevations	N/A	
Landscape Plan	N/A	
Commitments	N/A	
Findings of Fact	N/A	
C-S / D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types – Traditional Neighborhood Typology

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

Conditions for All Housing

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

Detached Housing (defined as single-family dwellings)

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

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.)



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

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

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

BUILDING ELEVATIONS AND ARCHITECTURAL ELEMENTS

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



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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

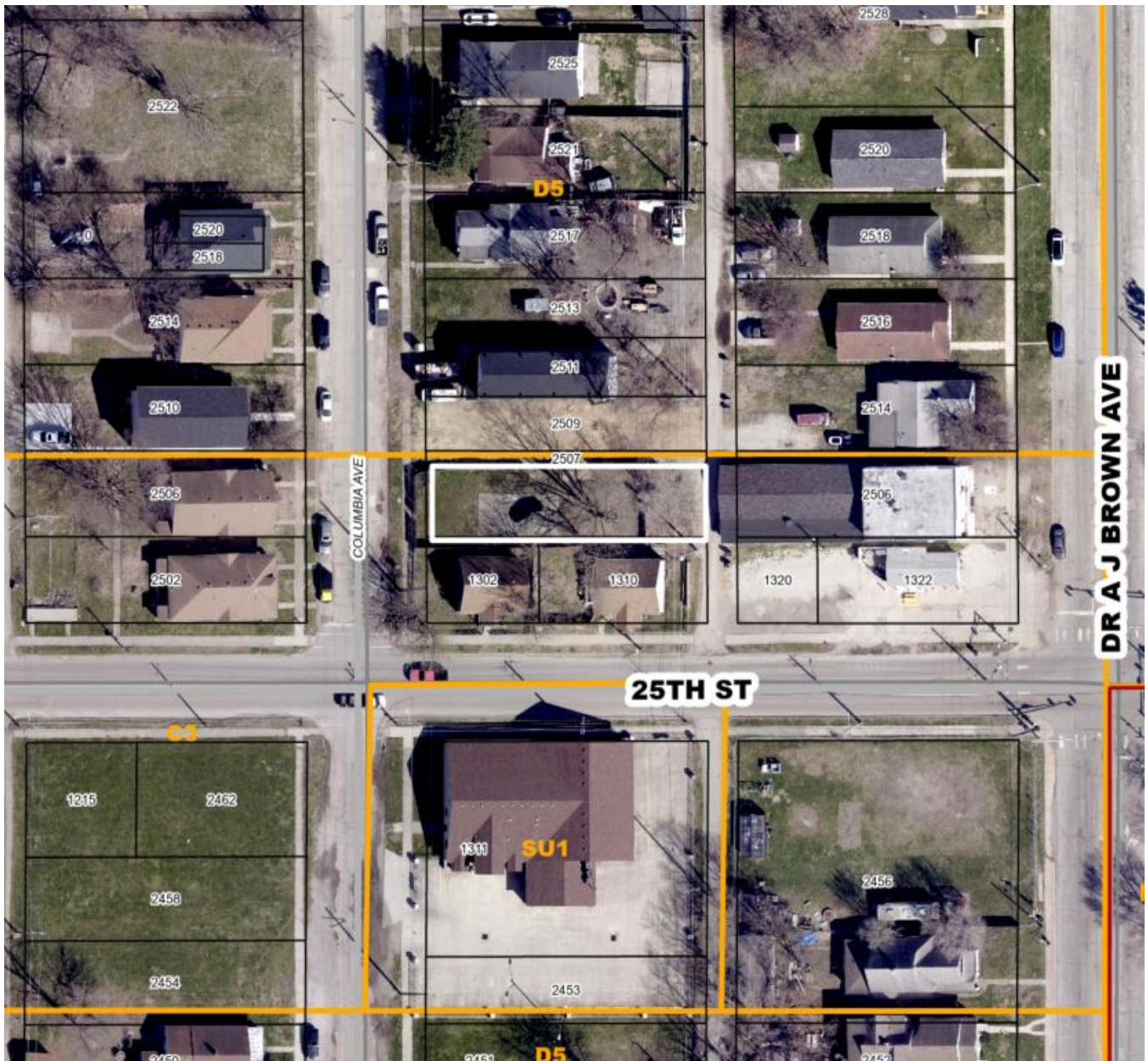
2024-DV1-038; 2511 Columbia Avenue (north of site), requested a Variance of Development Standards to provide for the construction of a two-family dwelling on a 28-foot-wide lot, a 53% open space percentage, and a 5,746 sqft lot, **granted**.

2006-ZON-010; 1311 East 25th Street (south of site), requested the Rezoning of 0.433-acre, being in the C-3 District to the SU-1 classification to provide for religious uses, **approved**.

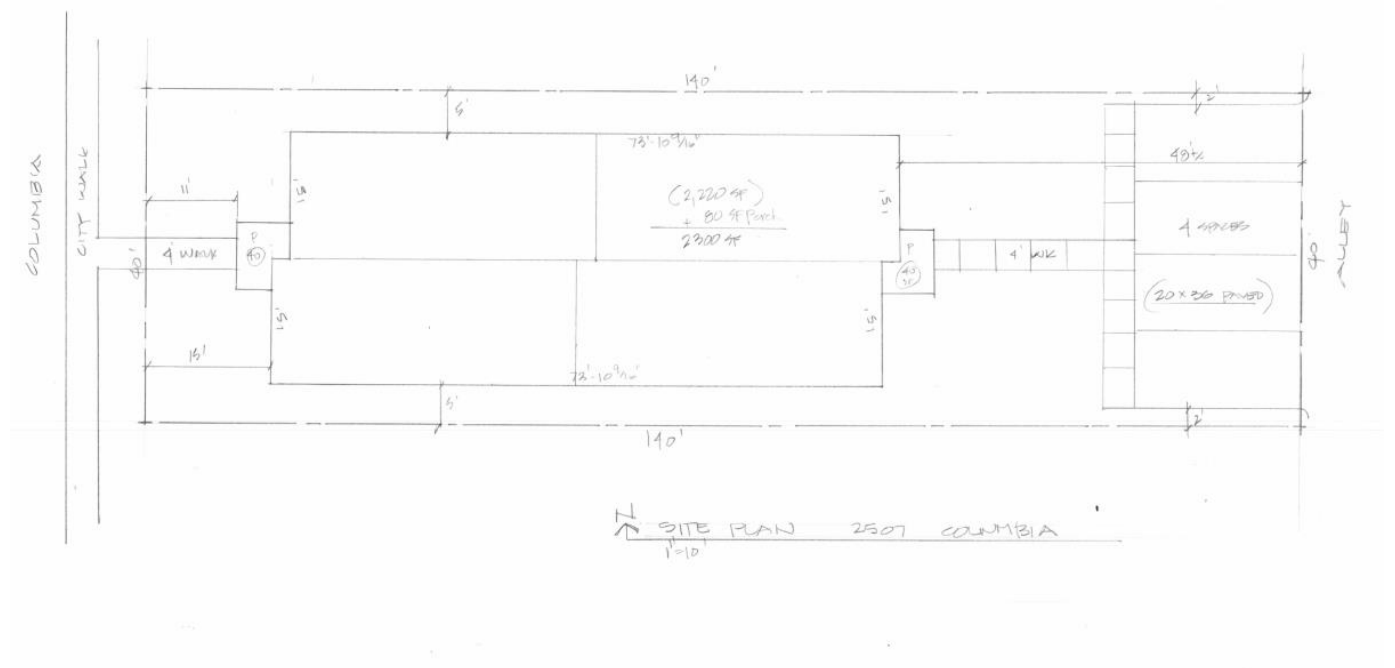
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EXHIBITS

LOCATION MAP



SITE PLAN



PHOTOS



Subject site, looking east from Columbia Avenue.



Adjacent undeveloped site to the north, looking east from Columbia Avenue.



Adjacent two-family dwelling to the west.



Adjacent Single-family dwelling to the south, looking east from Columbia Avenue.



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**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 10, 2026

Case Number: 2026-CZN-834 / 2026-CPL-834

Property Address: 6509 Dean Road

Location: Washington Township, Council District #3

Petitioner: K and D Epic Holdings, LLC, by David Gilman

Current Zoning: D-S

Request: Rezoning of 1.73 acres from the D-S district to the D-1 district to provide for two detached single-family dwellings.

Approval of a Subdivision Plat to be known as Dean Road Estates, subdividing 1.73 acres into two lots.

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

Staff Recommendations: Approval of the rezoning and platting requests.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the timely automatic continuance filed by a Councilor that continued these petitions from the August 13, 2026 hearing, to the September 10, 2026 hearing.

STAFF RECOMMENDATION

Staff recommends that the Hearing Examiner approve and find that the plat, file dated June 5, 2026, complies with the standards of the Subdivision regulations, subject to the following conditions:

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



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

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

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

PETITION OVERVIEW

This 1.73-acre site, zoned D-S, is developed with a single-family dwelling. It is surrounded by single-family dwellings to the north, south, east and west, across Dean Road, all zoned D-S.

REZONING

The request would rezone the site to the D-1 district to provide for two detached single-family dwellings. "The D-1 district is intended for use in suburban areas. The D-1 district has a typical density of 0.9 units per gross acre which fulfills the lowest density residential classification of the Comprehensive General Land Use Plan. The D-1 District provides for estate-style development characterized by generous front yards for trees and a bucolic atmosphere, appropriately served by gently curving roadways. Under most circumstances, public water and sewer facilities should be present but are not mandatory. Development plans 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. Use of the cluster option when subdividing would maximize site advantages."

The Comprehensive Plan recommends suburban neighborhood typology.

Recommended land uses in this typology include detached / attached / multi-family housing; assisted living facilities / nursing homes; group homes; bed and breakfast; small-scale offices, retailing, and personal or professional services; small- and large- scale schools, places of worship, neighborhood



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serving institutions / infrastructure, and other places of assembly; small-scale parks; and community farms / gardens.

Tree Preservation / Heritage Tree Conservation

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

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

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

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

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

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

Planning Analysis

As proposed, this request would align with the Plan recommendation of suburban neighborhood, with a density of 1.16 units per acre. Development of these sites would result in a minor increase of recommended density of the D-1 district but staff finds this density would not negatively impact the surrounding neighborhood and land uses.

PLAT



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This request would provide for approval of a Subdivision Plat, to be known as Dean Road Estates, subdividing 1.73 acres into two lots.

Site Plan

This site is developed with a single-family dwelling that is currently vacant and fronts on Dean Road. Both lots would be approximately 100-wide along the Dean Road frontage and gain access from this street.

Lot 1 would be 36,184 square feet and Lot 2 would be 34,147 square feet.

Streets

No new street is proposed.

Sidewalks

Sidewalks would not be required due to the exemption in Chapter 744.303.B.

Waivers

None requested.

GENERAL INFORMATION

Existing Zoning	D-S	
Existing Land Use	Single-family dwelling	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-S	Single-family dwelling
South:	D-S	Single-family dwelling
East:	D-S	Single-family dwelling
West:	D-S	Single-family dwelling
Thoroughfare Plan		
Dean Road	Primary Collector	Existing 60-foot right-of-way and proposed 80-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	



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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 Suburban Neighborhood typology. The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 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:



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Conditions for All Land Use Types –Suburban Neighborhood Typology

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

Conditions for All 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.

Detached Housing

- The house should extend beyond the front of the garage.
- Lots should be no more than 1.5 times the size (larger or smaller) of adjacent/surrounding lots, except in cases where lots abut existing residential lots of one acre or more in size. In those cases, lots should be no smaller than 10,000 square feet and no larger than 1.5 times the size of the abutting lot.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.



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

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

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

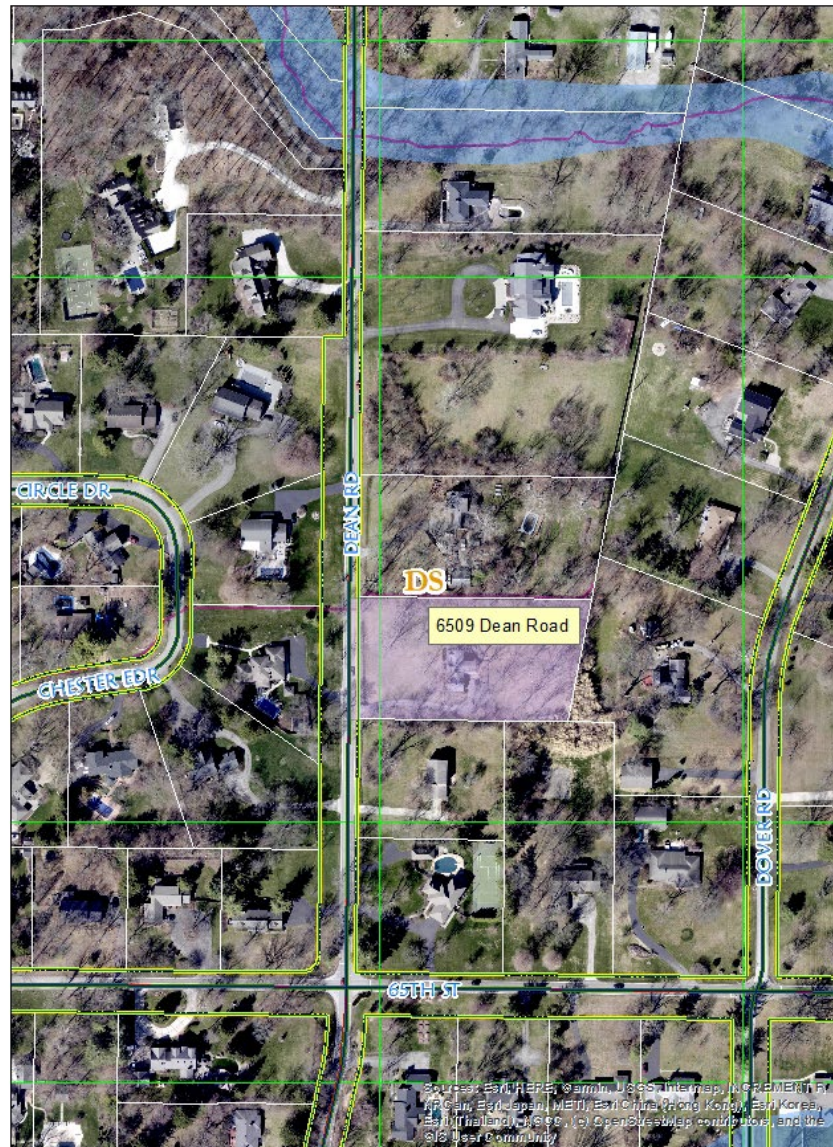


Department of Metropolitan Development
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ZONING HISTORY

None

EXHIBITS



6509 Dean Road



0 0.01 0.02 0.04 0.06 0.08 Miles



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

EXHIBIT A

Heritage Tree Conservation

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

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

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



View looking south along Dean Road



View looking north along Dean Road



View from site looking southeast



View from site looking east



View from site looking northeast



View looking north from site



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 10, 2026

Case Number: 2026-CZN-845 / 2026-CVR-845
3909, 3919, and 3949 South State Avenue

Property Address: 3904, 3932, and 3940 Asbury Street
1798 Hanna Avenue (*Approximate Addresses*)

Location: Perry Township, Council District #19

Petitioner: University of Indianapolis, by Justin Kingen

Current Zoning: UQ-1 and D-5

Rezoning of 2.31 acres from the UQ-1 and D-5 districts to the UQ-1 classification to provide for school uses (K-12).

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a north side yard setback of 15 feet (minimum 46-foot side yard setback required, or one foot for each foot of building height required).

Current Land Use: Undeveloped / University Office

Staff Recommendation: Staff recommends **approval** of the rezoning, subject to a commitment.
Staff recommends **approval** of the variance, subject to a commitment.

Staff Reviewer: Josh Levesque, Senior Planner

PETITION HISTORY

N/A

STAFF RECOMMENDATION

Staff recommends **approval** of the requested rezone, subject to the following commitment:

- The petitioner will submit a Heritage Tree Preservation Plan to the Current Planning Division for Administrative Approval.

Staff recommends **approval** of the requested variance, subject to the following commitment:

- The petitioner will submit a Landscaping Plan which will include a 15-foot-wide landscape buffer area along the northern lot line to the Current Planning Division for Administrative Approval. Such landscape buffer should meet the standards of 744-506-B.1 and include landscaping from the *Indianapolis Selected Plant List* as approved by the Metropolitan Development Commission.

PETITION OVERVIEW

LAND USE

The parcels listed above are largely undeveloped except for a property on the southern end of this tract at the corner of Hanna and State that appears to have once been a single-family home that was converted into an office space for UIndy. The subject site is roughly 2.31 acres in size and is split-zoned between UQ-1 and D-5. Parcels to the west are part of UIndy's campus and are zoned UQ-1. Parcels to the north and east are zoned D-5. Parcels to the south are zoned D-3.

Rezoning

The proposed innovation center will serve primarily as a K-12 school owned by UIndy and operated by Perry Township Schools. The building may also house some university offices and other university-related uses. While schools are allowed in any district per HEA 1515 (2025), the petitioner is seeking to rezone the entirety of the subject site to UQ-1 to allow for the possibility of university-related uses.

Table 742-108-4 highlights the permitted uses within the UQ-1 District

Table 742-108-4: Permitted Uses in University Quarter Districts	
- All permitted uses are subject to all use-specific standards in Chapter 743 applicable to that use unless waived during the Development Plan approval process. - All permitted uses include accessory and temporary uses permitted in conjunction with the primary use in any zoning district, as shown in Chapter 743. - Filing of a petition for, and Commission approval of, a Development Plan shall not be required for those projects listed in Section 742-108.D.2.	
District/ Use Category	Permitted Uses
UQ-1 University Quarter One District	
Residential Uses	Multifamily dwellings.
Public, Institutional, Religious, and Civic Uses	Business, Art, or Other Post-Secondary Proprietary School; College or University; Community Center; and Day Care Center or Nursery School.
Commercial and Industrial Uses	Substations and Utility Distribution Nodes; and Wireless Communication Facility.
NOTE: Commission's approval is required prior to the issuance of an Improvement Location Permit for any use, structure, building or development within the UQ-1 District, except as listed in Section 742-108.D.2.	

Rezoning to UQ-1 would also align with the Comprehensive Plan's "Regional Special Use" typology assigned to the site. This typology "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 schools, government complexes, large museums, the Indiana State Fairgrounds, and the Indianapolis Motor Speedway."

Given the context of the surrounding university uses, the fact that schools can locate in any district, the potential for combined K-12 and university uses, and the alignment with the Comprehensive Plan, staff recommends **approval** of this petition, subject to the following commitment:



Department of Metropolitan Development
Division of Planning
Current Planning

- The petitioner will submit a Heritage Tree Preservation Plan to the Current Planning Division for Administrative Approval.

Variance

For minimum side and rear yard setbacks, UQ-1 requires either 15 feet or one foot for each foot of building height, whichever is greater. Plans show that the building will be roughly 46 feet tall. Given that the one foot for each foot of building height would be greater in this case, that rule would apply and petitioners would be required to have 46-foot side yard setback on the northern part of the property. A 46-foot setback more than twice as large as the required side setback for I-4 in the Compact Context Area (20 feet). Such a large setback would impact parking and maneuverability on site. Decreased maneuverability could increase the change of traffic conflicts between cars, buses, and pedestrians. The petitioner is proposing to install a 15-foot-wide landscape buffer to provide separation between the parking areas and the dwelling district to the north. This meets the minimum required side yard setback for UQ-1. Given the practical difficulties to parking and maneuverability that would arise from a 46-foot setback and given that the petitioner is committing to a 15-foot-wide buffer along the northern lot line, staff is recommending **approval** of this variance subject to the following commitment:

- The petitioner will submit a Landscaping Plan which will include a 15-foot-wide landscape buffer area along the northern lot line to the Current Planning Division for Administrative Approval. Such landscape buffer should meet the standards of 744-506-B.1¹ and include landscaping from the *Indianapolis Selected Plant List* as approved by the Metropolitan Development Commission.

GENERAL INFORMATION

Existing Zoning	D-5 / UQ-1	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	D-5	North: Residential
South:	D-3/	South: Residential
East:	D-5	East: Residential
West:	UQ-1	West: Institutional
Thoroughfare Plan		
State Avenue	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way
Hanna Avenue	Primary Arterial	72-foot existing right-of-way and 88-foot proposed right-of-way

¹ 744-506-B.1 includes a landscape buffer at least 15 feet wide. The buffer area shall consist of natural landscape materials such as grasses, ground cover, shrubs, and trees, and shall not contain impervious surfaces. One shade or evergreen tree shall be provided for every 30 linear feet of lot line and 3 large shrubs per 25 linear feet of lot line, with spacing designed to minimize sound, light, and noise impacts on dwelling uses.

Asbury Street	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	6/29/2026	
Site Plan (Amended)	N/A	
Elevations	7/8/2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

The Comprehensive Plan assigns the “Regional Special Use” typology to the site. This typology “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 schools, government complexes, large museums, the Indiana State Fairgrounds, and the Indianapolis Motor Speedway.”

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



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

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2011-ZON-022; 3919 & 3949 South State Avenue, Rezoning of 1.12 acres, being the D-5 district, to the UQ-1 classification to provide for university uses, **approved subject to commitments.**

2011-CVR-831; 3919-3949 South State Avenue, Variance of Development Standards of the Special Districts Zoning Ordinance to provide for a temporary wireless communication facility, with a 65-foot-tall wood pole (maximum 35-foot height permitted), **approved.**

2011-CVR-832; 3919-3949 South State Avenue, Variance of Development Standards of the Special Districts Zoning Ordinance to provide for a temporary wireless communication facility, with a 100-foot-tall monopole tower (maximum 35-foot height permitted), **approved.**

ZONING HISTORY – VICINITY

2011-CZN-836 and 2011-CAP-836; 1633 East Hanna Avenue, Rezoning of 0.46 acre, from the D-3 district to the UQ-1 classification, to provide for university-related uses / University Quarter One approval to incorporate this site into a parking lot approved by 2011-CZN-808 and 2011-CAP-808, **approved**

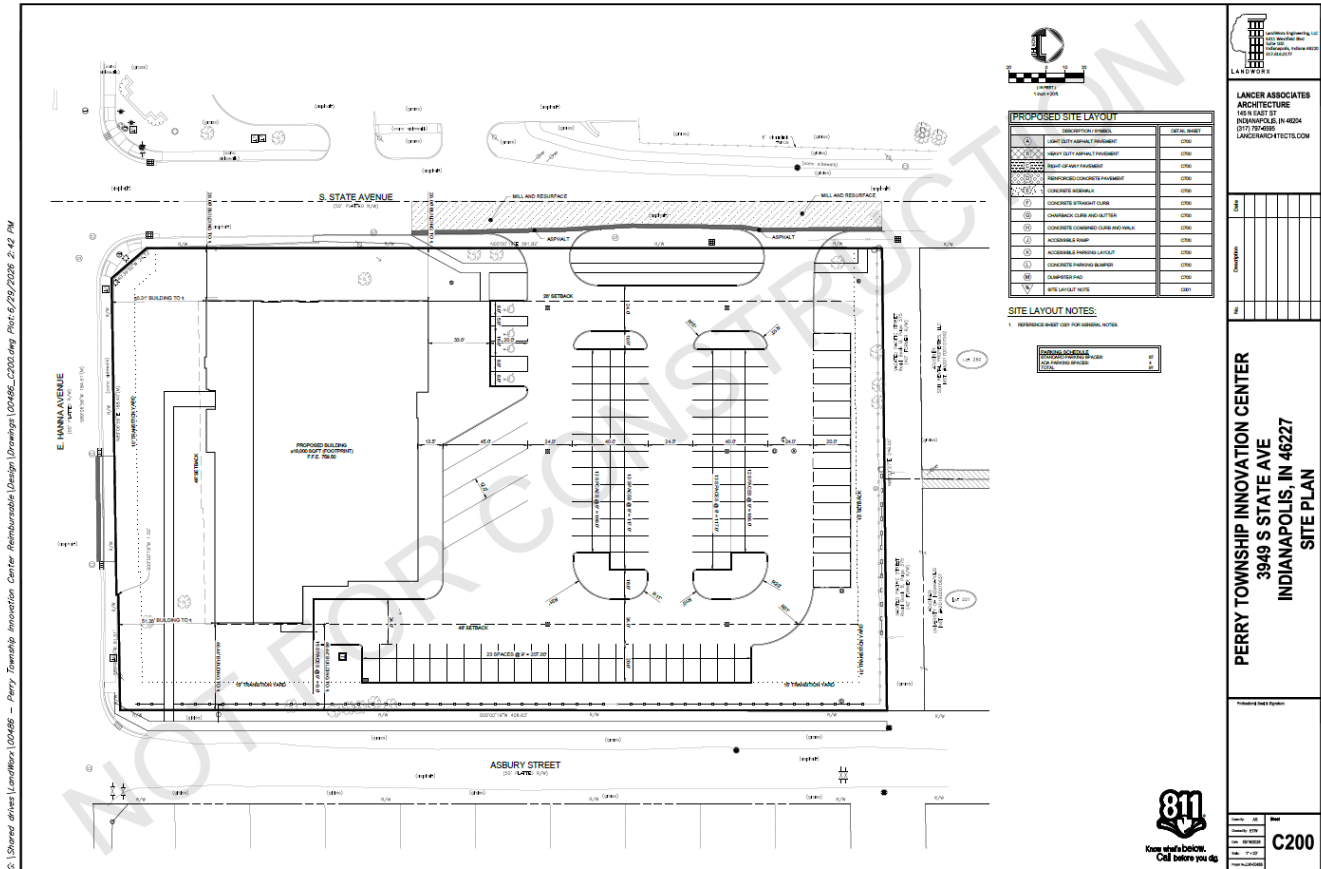
2014-CVR-811; Multiple Addresses, Approved, Variance of Development Standards of the Special Districts Zoning Ordinance and the Sign Regulations to provide for:

- A) An approximately 80-foot-tall building (maximum 35-foot-tall building permitted)
- B) With a parking lot, with a 16.88-foot front setback along Matthews Avenue (25-foot front setback required)
- C) One, 8t-foot-tall, 40-square-foot freestanding sign, with a 10-foot setback from Hanna Avenue (15-foot setback required), within 60 feet and 445 feet, respectively, of D-3 and D-4 zoned dwelling districts (maximum height of feet permitted within 600 feet of a dwelling district), and
- D) With 660 square feet of wall signs on the east elevation (maximum 3% of the façade or approximately 422 feet permitted)

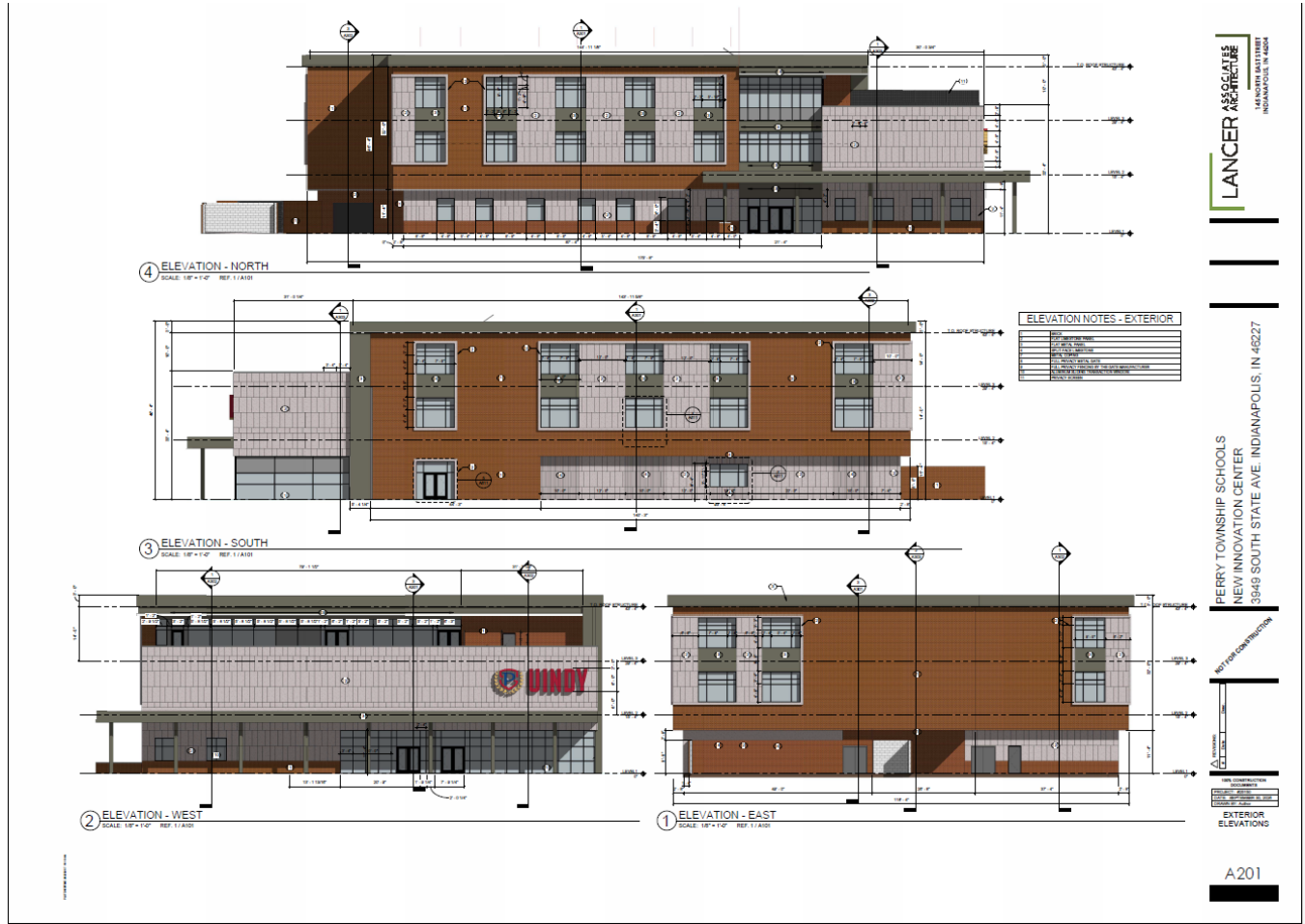
EXHIBITS

2026-CZN-845 / 2026-CVR-845; Aerial Map





2026-CZN-845 / 2026-CVR-845; Elevations





Department of Metropolitan Development
Division of Planning
Current Planning

2026-CZN-845 / 2026-CVR-845; Findings of Fact

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

The reduced yard runs along the north property line, where the site improvements are limited to surface parking. The building itself sits well south of this line, at a distance greater than the required 46-foot yard. The parking area at the reduced setback introduces no traffic, drainage, or safety condition that a 46-foot yard would prevent. The site's vehicle access, circulation, and drainage area addressed through the Site and Development Plan.

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

The adjacent area to the north will experience a parking lot at a 15-foot setback, a low-intensity improvement consistent with the surrounding pattern of development. The 15-foot yard will be landscaped in accordance with the Landscape Plan, as filed as part of the Site and Development Plan, providing a planted buffer along the shared line. The remainder of the site maintains generous yards, including 40+-foot front yards along Hanna Avenue and Asbury Street.

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

The required side/rear yard in the UQ-1 district scales with building height, one foot of yard for each foot of height; so the proposed 46-foot building height produces a 46-foot required yard along the north line even though the building is located far from that line. Strict application would create a 46-foot-deep band of the site for a yard measured against a building that does not stand near it, eliminating the parking field needed to serve the school and forcing the loss of usable site area on a property bounded by street frontages on its other three sides, where no side or rear yard flexibility exists.

2026-CZN-845 / 2026-CVR-845; Photographs



Photo 1: On eastern edge of subject site looking north

2026-CZN-845 / 2026-CVR-845; Photographs (continued)



Photo 2: Subject site seen from the east. State Avenue and UIndy are in background

2026-CZN-845 / 2026-CVR-845; Photographs (continued)



Photo 3: Looking north along Asbury Street

2026-CZN-845 / 2026-CVR-845; Photographs (continued)



Photo 4: Looking south along Asbury Street. Intersection of Asbury and Hanna can be seen in background

2026-CZN-845 / 2026-CVR-845; Photographs (continued)



Photo 5: View of subject site from the west

2026-CZN-845 / 2026-CVR-845; Photographs (continued)



Photo 6: Looking north along State Avenue

2026-CZN-845 / 2026-CVR-845; Photographs (continued)



Photo 7: Looking southwest along State Avenue. Parking for UIndy and UIndy Health Pavilion can be seen. Intersection of Hanna Ave and State Ave can be seen in left background

2026-CZN-845 / 2026-CVR-845; Photographs (continued)



Photo 8: Building on southeastern corner of State and Hanna. Currently used by UIndy. Expected to be demolished.

2026-CZN-845 / 2026-CVR-845; Photographs (continued)



Photo 9: Looking east along Hanna Avenue

2026-CZN-845 / 2026-CVR-845; Photographs (continued)



Photo 10: Looking west along Hanna



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 10, 2026

Case Number: 2026-ZON-018 (Amended)
Address: 5510 Millersville Road (approximate address)
Location: Washington Township, Council District #3
Petitioner: R. Michael Thomas, by Ted Nolting
Request: Rezoning of 2.75-acres from the D-3 and C-4 districts to the C-3 district to provide for a veterinary hospital.
Current Land Use: Veterinary Hospital
Staff Recommendations: Approval
Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

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

City Councilor Boots requested that this petition be continued from April 23, 2026 to May 28, 2026, and from May 28, 2026, to June 25, 2026, and from June 25, 2026, to the August 13, 2026, hearing, to continue discussions between the petitioner and area residents.

The petitioner, City County Councilor Boots, and the neighborhood jointly requested that this petition be continued for cause from the August 13, 2026, hearing, to the September 10, 2026, hearing.

The petitioner also requested that Variance petition 2026-VAR-004 be withdrawn. That withdrawal was acknowledged by the Hearing Examiner.

Since the last hearing, the petitioner has submitted an amended site plan that removed the rear vehicle access to DeQuincy Street, removed the outdoor dog run, and reduced the size of the proposed veterinary hospital. That revised site plan is included in this staff report.

STAFF RECOMMENDATION

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

PETITION OVERVIEW

LAND USE

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



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

REZONING

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

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

STAFF ANALYSIS

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

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

GENERAL INFORMATION

Existing Zoning	C-4 / D-3	
Existing Land Use	Veterinary Hospital and Office Building	
Comprehensive Plan	Village Mixed Use	
Overlay	N/A	
Surrounding Context	<u>Zoning</u>	Surrounding Context
	North: C-3 / C-1	Commercial retail, office, and daycare
	South: D-3	Single-family dwellings
	East: C-3	Commercial retail
	West: D-3	Single-family dwelling
Thoroughfare Plan		
Millersville Road	Local Street	30-foot existing right-of-way and 50-foot proposed right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	N/A	
Wellfield Protection Area	N/A	
Site Plan - Amended	August 25, 2026	
Elevations	N/A	
Landscape Plan	N/A	
Commitments	N/A	
Findings of Fact	N/A	
C-S / D-P Statement	N/A	



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

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Marion County Land Use Plan Pattern Book recommends the Village Mixed-Use typology that creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types – Village Mixed Use Typology

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.



Department of Metropolitan Development
Division of Planning
Current Planning

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

Not Applicable to the Site.

ZONING HISTORY

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

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

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

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

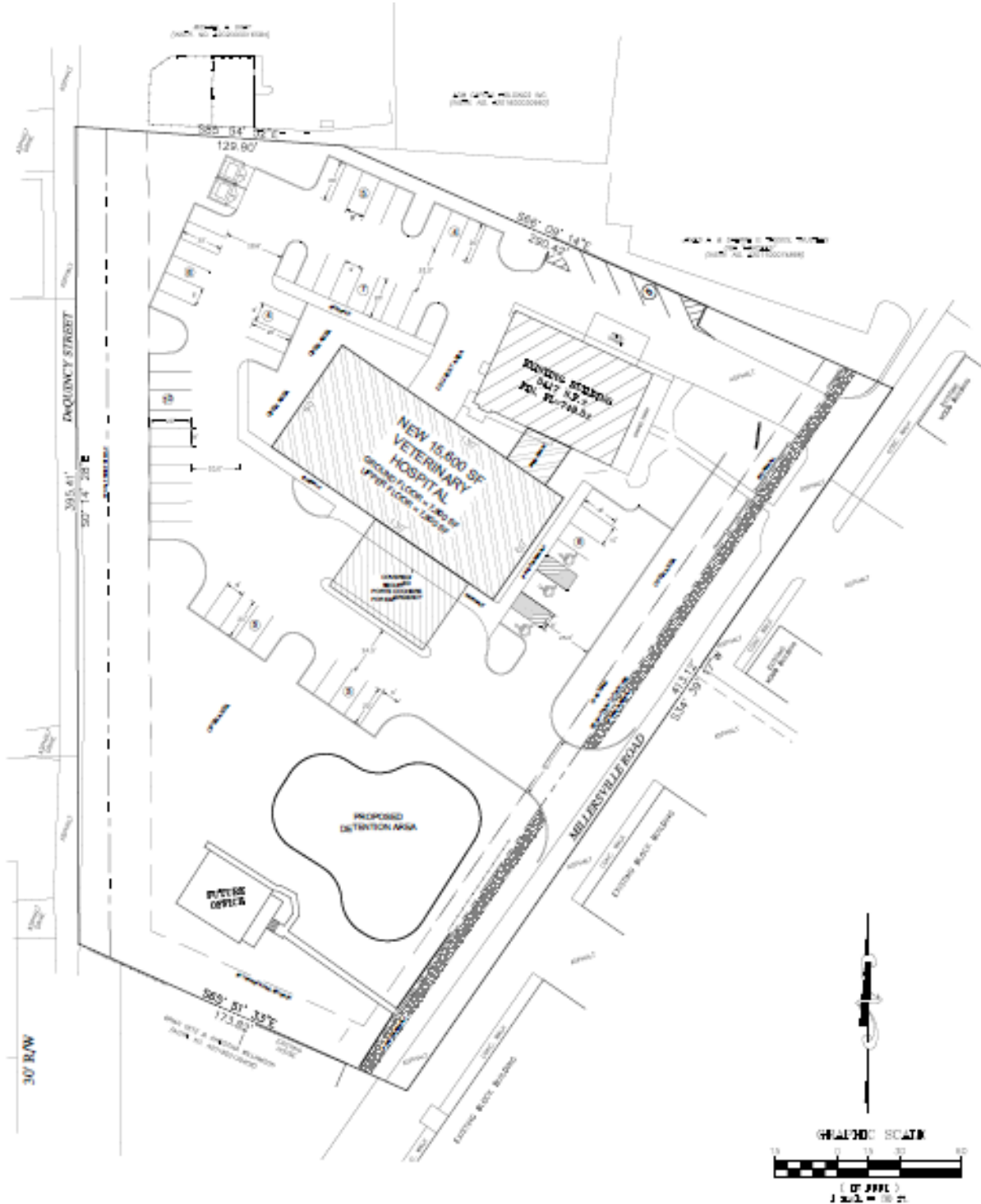
69-Z-199; 5510 Millersville Road (subject site), requested the rezoning of 0.85 acre, being in the D-3 district, to C-4 classification to provide for a small animal clinic, **approved**.

RU

LOCATION MAP



SITE PLAN – Amended August 25, 2026



PHOTOS



Subject site, looking west.



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



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



Adjacent commercial use to the east, looking south.



Adjacent residential property on Dequincy to the west.



Adjacent residential property on Dequincy to the west.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 10, 2026

Case Number: 2026-ZON-043
Property Address: 7030 East 33rd Street
Location: Warren Township, Council District #9
Petitioner: Damon Wiggins
Current Zoning: MU-1

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

Current Land Use: Commercial office uses

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 June 25, 2026 hearing, to the July 23, 2026 hearing, and approved staff's request for a continuance to the August 13, 2026 hearing, and to the September 10, 2026 hearing.

STAFF RECOMMENDATION

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

1. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.
2. The site shall be developed in substantial compliance with the site plan, statement of commitments, and development statement all file-dated April 28, 2026.

PETITION OVERVIEW

This 1.19-acre site, zoned MU-1, is developed with commercial office uses. It is surrounded by commercial uses to the north, zoned C-4; commercial uses to the south, across East 33rd Street, zoned C-S; residential uses to the east, zoned D-3; and commercial uses to the west, zoned C-3.



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

REZONING

The request would rezone the site to the C-5 district to provide for a used automobile sales business. "The C-5 (General Commercial) 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 should avoid locating adjacent to protected districts."

The Comprehensive Plan recommends community commercial typology for the site.

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

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

Environmental Public Nuisances

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

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

Environmental public nuisance means:

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



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

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

Planning Analysis

The proposed rezoning request would not align with the Comprehensive Plan recommendation of community commercial. The C-5 district would introduce a more intense commercial use that would negatively impact the abutting residential use to the east because it would introduce vehicular activities and outdoor storage. The current commercial office use prohibits outdoor storage and provides a buffer to these residential uses from the commercial uses located to the west around the intersection of North Shadeland Avenue and East 33rd Street.

Staff finds the level of commercial uses and activities that would be permitted within this district would be more appropriately located at intersections of arterial or collector streets, rather than mid-block where surrounding land uses would negatively be impacted.

GENERAL INFORMATION

Existing Zoning	MU-1	
Existing Land Use	Commercial office uses	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-4	Commercial uses
South:	C-S	Commercial uses
East:	D-5	Single-family dwellings
West:	C-3	Commercial uses
Thoroughfare Plan		
East 33 rd Street	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	April 28, 2026	
Site Plan (Amended)	N/A	
Elevations	N/A	



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

Pattern Book / Land Use Plan

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

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

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.



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Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

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



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ZONING HISTORY

2022-ZON-095; 3275 and 3295 North Shadeland Avenue (west of site), requested rezoning of 2.04 acres from the C-S district to the C-4 district to provide for commercial uses, **approved**.

2004-UV2-005; 7015 East 33rd Street (west of site), requested a variance of use to provide for a warehouse for a contractor in a C-3 district, **approved**.

89-Z-172; 3150 North Shadeland Avenue (west of site), requested the rezoning of eight acres from the C-4 district to the C-S district to provide for C-4 and I-3-S uses, **approved**.

86-V2-147; 3245 North Shadeland Avenue (west of site), requested a variance of use to provide for the temporary outdoor sales of Christmas trees, **withdrawn**.

86-V2-26; 3220 North Shadeland Avenue (west of site), requested a variance of development standards to provide for an addition to an industrial building, **approved**.

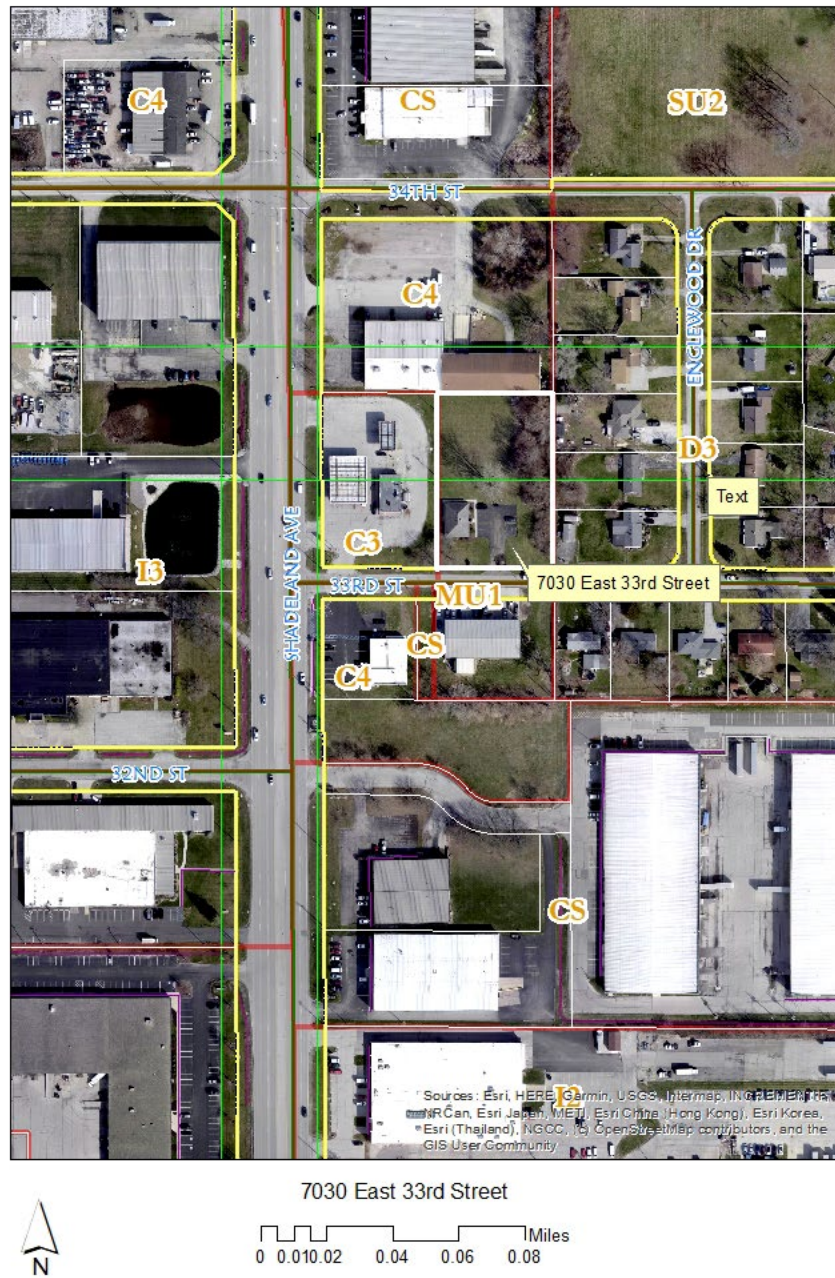
75-Z-60, 3301 North Shadeland Avenue (west of site), requested rezoning of 1.19 acres, being in the A-2 district, to the C-3 classification to permit self-service gas station, **approved**.

72-Z-235; 3201 North Shadeland Avenue (west of site), requested the rezoning of 16.8 acres from the A-2, C-4, and I-2-S districts to the C-S district to provide for commercial and industrial development, **approved**.

72-Z-125; 7015 East 33rd Street (south of site), requested rezoning of 0.785-acre, being in the C-2 district, to the C-3 classification to provide for retail sales, **approved**.

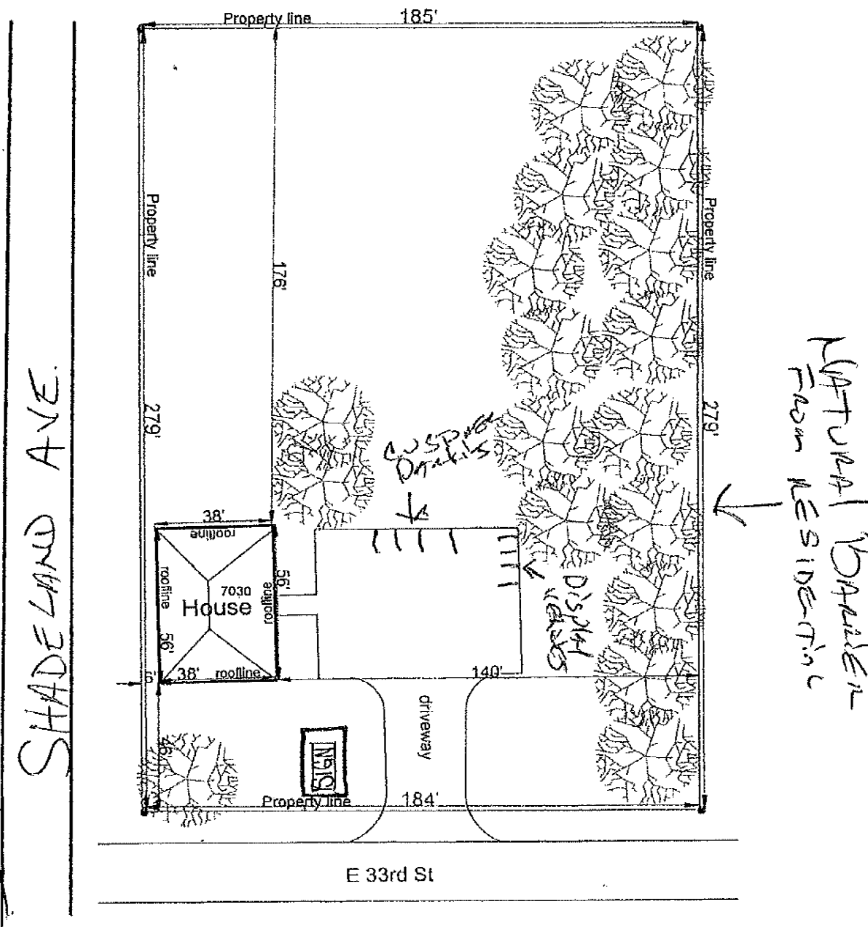
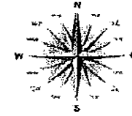
71-Z-116; 3351 North Shadeland Avenue (west of site), requested rezoning of 2.37 acres being in the A-2 district, to the C-4 classification to provide for retail stores and general businesses, **approved**.

EXHIBITS



SITE PLAN

Address: 7030 E 33rd St
City, State, ZIP: Indianapolis, IN 46226
Country: USA
Scale 1"=30'





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Development Statement

The subject property located at 7030 E. 33rd Street, Indianapolis, Indiana, is currently improved with an existing commercial building and associated parking. The site has historically been used for office and commercial purposes.

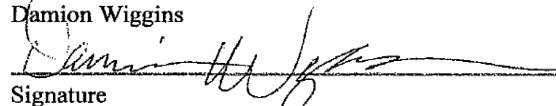
The petitioner proposes to utilize the existing structure and site for a **used automobile sales business**. No significant structural changes to the building are proposed. The existing parking and access points will be used to accommodate vehicle display and customer parking.

The proposed use is consistent with the surrounding area, which includes a mix of commercial, office, and residential uses. The property is located along East 33rd Street near Shadeland Avenue, a corridor that supports neighborhood-serving commercial activity.

The development will operate in a manner that is orderly and compatible with adjacent properties, with no significant increase in traffic, noise, or other impacts beyond typical commercial use.

Petitioner:

Damion Wiggins


Signature

Date: 4/24/2020



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STATEMENT OF COMMITMENTS

Petitioner: Damion Wiggins

Property Address: 7030 E. 33rd St., Indianapolis, IN 46226

The petitioner hereby agrees to the following commitments regarding the use and development of the subject property:

1. Use of Property

The property shall be used for:

- Used automobile sales
- Office operations related to vehicle sales
- Uses incidental to automobile sales

2. Vehicle Limit & Display

- A maximum of **3 vehicles** shall be displayed on-site at any time
- All vehicles shall be **operable, licensed, and in good condition**
- Vehicles will be arranged in an **orderly and maintained manner**

3. Repairs and Maintenance

- No major mechanical repairs, body work, or painting shall occur on-site
- Only minor cleaning and detailing of vehicles will be permitted

4. Hours of Operation

- Monday – Saturday: 10 AM to 6 PM
- By Appointment Only

5. Lighting

- All exterior lighting has been updated and **downward-directed and shielded**
- Lighting shall not spill onto adjacent residential properties



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6. Noise and Nuisance

- No outdoor loudspeakers or paging systems
 - Operations shall not create excessive noise, odor, or nuisance
-

7. Traffic

The proposed use is not expected to generate traffic beyond what is typical for commercial uses along this corridor, and existing roadways are adequate to support the use.

8. Screening and Buffering

- Existing natural buffering on east end of property shall be maintained where present
 - Additional screening will be installed if required by the City
-

9. Prohibited Uses

The following shall not occur on the property:

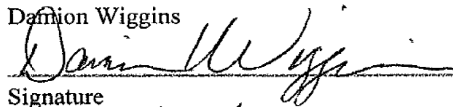
- Salvage or junkyard operations
 - Storage of inoperable vehicles
 - Outdoor storage of parts, tires, or debris
-

10. Compliance

The petitioner agrees to comply with all applicable City of Indianapolis zoning and development standards, as well as any additional conditions imposed by the Metropolitan Development Commission or Board of Zoning Appeals.

Petitioner:

Danion Wiggins



Signature

Date: 4/26/2020



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6. Noise and Nuisance

- No outdoor loudspeakers or paging systems
 - Operations shall not create excessive noise, odor, or nuisance
-

7. Traffic

The proposed use is not expected to generate traffic beyond what is typical for commercial uses along this corridor, and existing roadways are adequate to support the use.

8. Screening and Buffering

- Existing natural buffering on east end of property shall be maintained where present
 - Additional screening will be installed if required by the City
-

9. Prohibited Uses

The following shall not occur on the property:

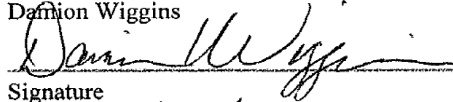
- Salvage or junkyard operations
 - Storage of inoperable vehicles
 - Outdoor storage of parts, tires, or debris
-

10. Compliance

The petitioner agrees to comply with all applicable City of Indianapolis zoning and development standards, as well as any additional conditions imposed by the Metropolitan Development Commission or Board of Zoning Appeals.

Petitioner:

Danion Wiggins



Signature

Date: 4/26/2020



View looking east along East 33rd Street



View looking west along East 33rd Street



View of site looking northeast across East 33rd Street



View of site looking north across East 33rd Street



View of site looking northwest across East 33rd Street



View of site looking southeast from adjacent property to the west



View of site looking east from adjacent property to the west



View of site looking southeast from adjacent property to the west



View from site looking south across East 33rd Street

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 10, 2026

Case Number: 2026-ZON-066
Property Address: 931 South East Street
Location: Center Township, Council District #18
Petitioner: AKAL Investments, Inc., by Josh Smith (RG Development, LLC)
Current Zoning: C-5 (RC)

Request: Rezoning of 0.222-acre from the C-5 (RC) district to the C-8 (RC) district to provide for residential development.
Current Land Use: Vacant.
Staff Recommendations: Approval of the rezoning request.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued these petitions from the August 13, 2026 hearing, to the September 10, 2026 hearing, at the request of staff to provide additional time to confirm the legal description.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning.

PETITION OVERVIEW

This 0.222-acre site, zoned C-5 (RC), is vacant and surrounded by a single-family dwelling to the north, zoned D-8 (RC); a parking lot / commercial uses to the south, zoned C-5 (RC); single-family dwellings to the east, zoned D-8 (RC); and parking garage to the west, across South East Street, zoned C-5 (RC).

REZONING

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

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

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

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

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

As proposed, this request would align with the Plan recommendations of village mixed-use.

Site Plan

A site plan, file-dated September 1, 2026, provides for a 3,872-square-foot building, with drive access along South East Street and the north / south alley to the east. It appears there are four entrances, two of which are along the northern facade, with one entrance fronting on South East Street and one entrance fronting on the alley.

The site plan identifies two parking spaces south of the east / west access drive proposed along the northern boundary.

Staff would note that this request relates to rezoning the site only and does not provide approval of the development of the site (site plan), which will be reviewed pursuant to the Regional Center Ordinance provisions and the Regional Center Guidelines.

Planning Analysis

This area of the South East Street corridor was historically residential. This request would support the historical development, support redevelopment efforts in the area and contribute to the current housing needs, with minimal impact on surrounding land uses.

GENERAL INFORMATION

Existing Zoning	C-5 (RC)	
Existing Land Use	Vacant	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	Zoning	Land Use
North:	D-8 (RC)	Single-family dwelling
South:	C-5 (RC)	Commercial uses / parking lot
East:	D-8 (RC)	Single-family dwellings
West:	C-5 (RC)	Parking garage
Thoroughfare Plan		
South East Street	Primary Arterial	Existing 80-foot right-of-way and proposed 78-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	June 24, 2026	
Site Plan (Amended)	September 1, 2026	
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 Village Mixed-Use typology. “The Village Mixed-Use typology creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.

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Indianapolis Regional Center Plan 2020 (2004) (Archived).

- This Plan indicates a vacant lot, with parking lot to the south and residential (6-15 units per acre) to the north and east.

Indianapolis Regional Center Guidelines (2008).

- These design guidelines provide a community standard for urban design. They were developed to encourage creativity, interest, and variety, and to build upon local heritage and character. The guidelines are intended to protect the investments of stakeholders by maintaining downtown Indianapolis as an efficient, sustainable, and vital place in which to live, work, learn and spend free time.
- The purpose of these Guidelines is to set standards that will produce a more thoughtful design response to Regional Center development projects. They focus on a wide range of characteristics of the built environment.
- This proposed development would be required to file an approval petition for Regional Center that would require design review in accordance with the Guidelines.

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types – Village Mixed-Use Typology

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

Conditions for All Housing

- Should be within a one-quarter-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or
- 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

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

- Recommended without additional conditions.

Small-Scale Multi-Family Housing (defined as single or multiple buildings each with five or more legally complete dwelling units in a development of less than two acres and at a height of less than 40 feet.)

- Mixed-Use structures are preferred.
- Parking should be either behind or interior to the development.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

The Infill Housing Guidelines (2021)

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

Site Configuration

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

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Aesthetic Considerations

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

Additional Topics

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

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

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

2026-PLT-035; 931 South East Street, requested approval of a Subdivision Plat, to be known as 931 South Commercial Subdivision, subdividing 0.471-acre into two lots, **pending**.

2026-REG-040; 934 South East Street, requested Regional Center approval for construction of a multi-unit house, **pending**.

VICINITY

2008-ZON-008; 713 and 909 South East Street, 705, 709, 713, 725, 812 and 814 Greer Street, 605, 613, 617, 636, 637, 718, 727, 743, 747 and 751 East McCarty Street, 515, 526, 532, 534, 535 and 607 East Merrill Street, 710, 722, 730, 742 and 747 South Noble Street, 521, 612 and 633 Stevens, 812, 815 and 821 Wright Street and 316 South College Avenue, requested rezoning of 3.326 acres, from the I-3-U (RC) and I-4-U (IHPC) Districts, to the D-8 (RC) and D-8 (IHPC) classifications to legally establish residential uses, **approved**.

2007-ZON-098 / 2007-VAR-007; 819, 825 and 827 South East Street (north of site), requested a rezoning of 0.20 acre, from the I-3-U (RC) District, to the C-3C (RC) classification to provide for corridor commercial and residential uses and a Variance of Development Standards of the Commercial Zoning Ordinance to provide for a 0.5-foot rear transitional yard setback, **approved**.

2007-HOV-032; 917 Greer Street (east of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a 23-foot-tall accessory use structure, **granted**.

2005-ZON-829 / 2005-VAR-829; 726 Noble Street (east of site), requested a rezoning of 0.13 acre from I-3-U (RC) District to the D-8 (RC) classification, and a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a one-foot side yard setback, **approved**.

2005-UV3-027; 815 and 821 Wright Street (east of site), requested a variance of use of the Industrial Zoning Ordinance to provide for a residential garage, **granted**.

2005-HOV-022; 615 East McCarty Street (north of site), requested a variance of use of the Industrial Zoning Ordinance to provide for a residential garage, **granted**.

2005-HOV-030; 829 Noble Street (east of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a seven-foot aggregate side yard setback, **granted**.

2005-HOV-007; 537 East Merrill (north of site) Street (includes part of subject site), requested a variance of use of the Industrial Zoning Ordinance to legally establish residential uses, **granted**.



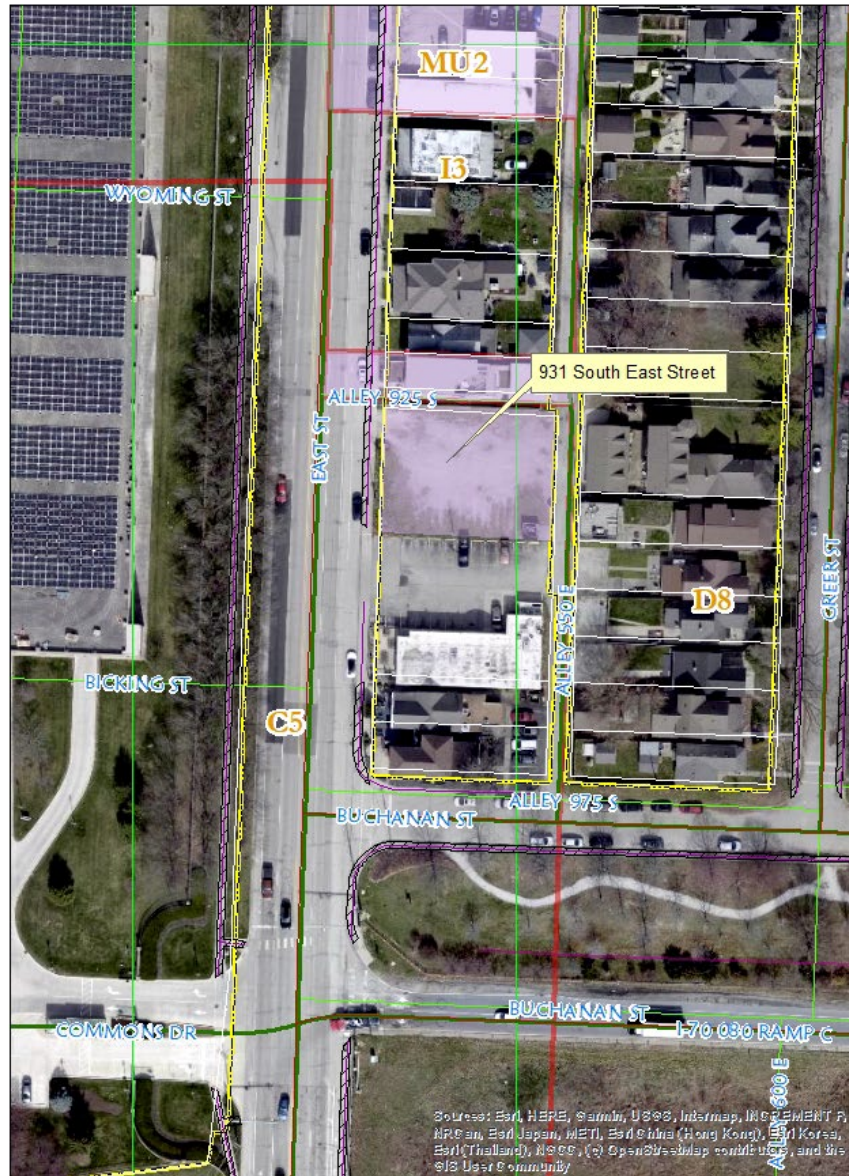
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2004-HOV-009; 815 and 821 Wright Street (east of site), requested a variance of use and development standards of the Industrial Zoning Ordinance to legally establish residential uses, **granted.**

2004-UV2-049; 552 East Merrill Street (north of site), requested a variance of use and development standards of the Industrial Zoning Ordinance to legally establish residential uses, **granted.**

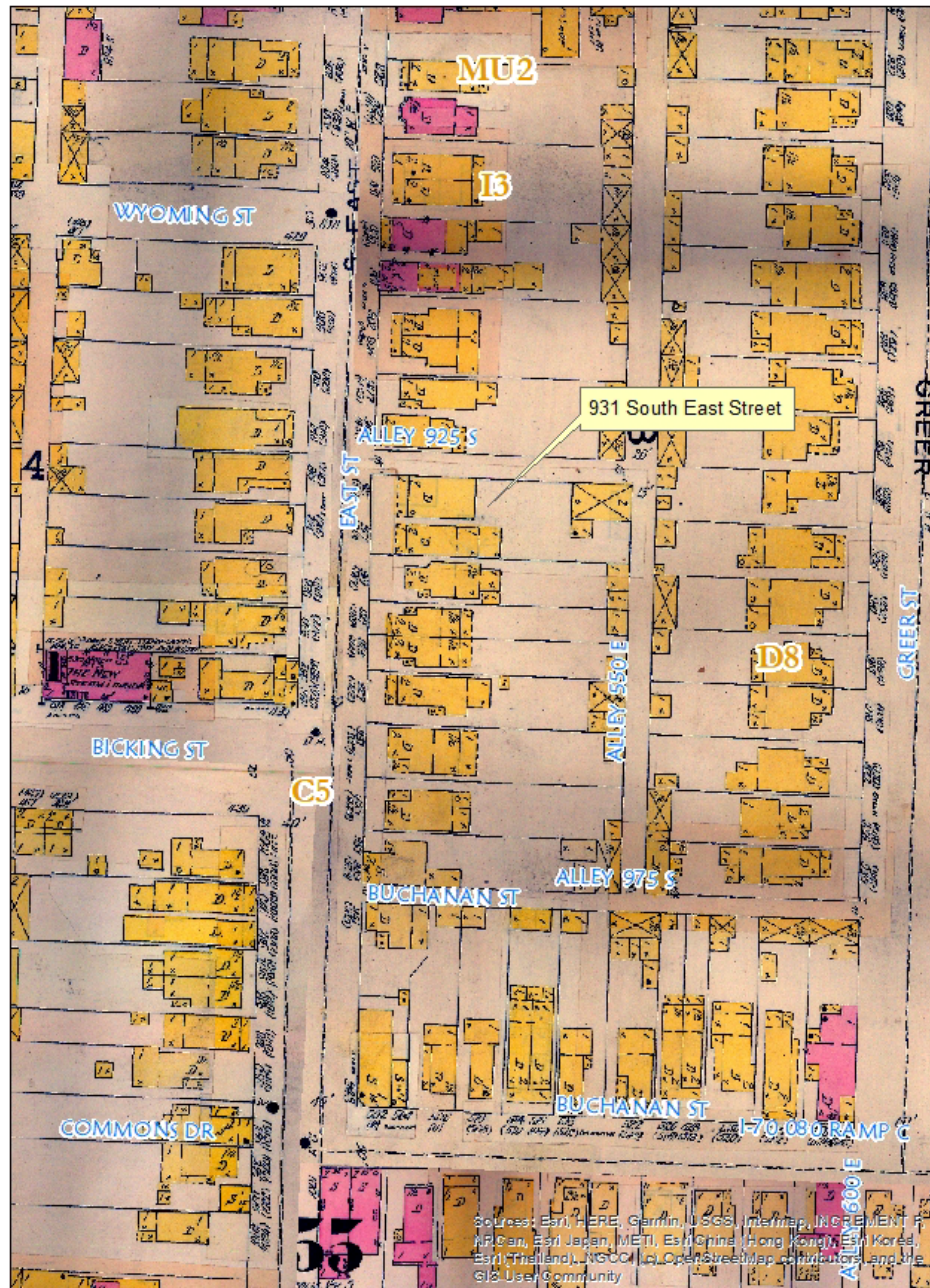
2003-UV1-038; 804 Greer Street (east of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a second-story residential dwelling within an accessory use structure with reduced setbacks, **granted.**

EXHIBITS

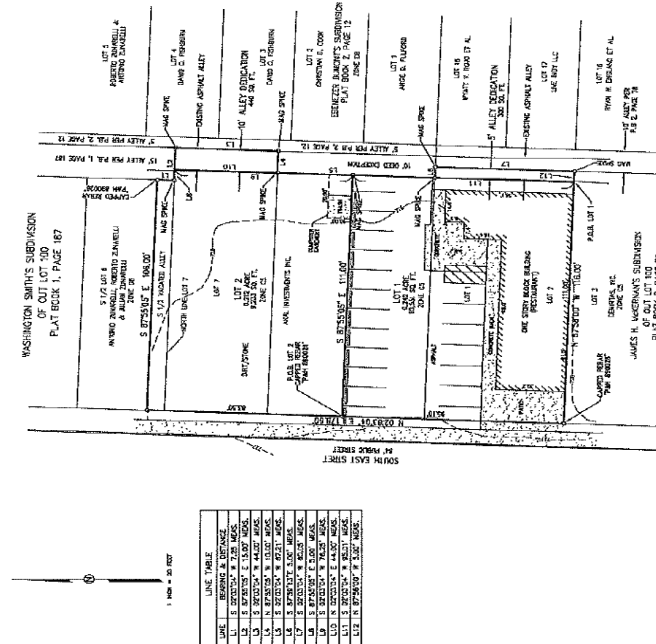


931 South East Street
 0.003 0.006 0.012 0.018 0.024 Miles

1898 Sanborn Map

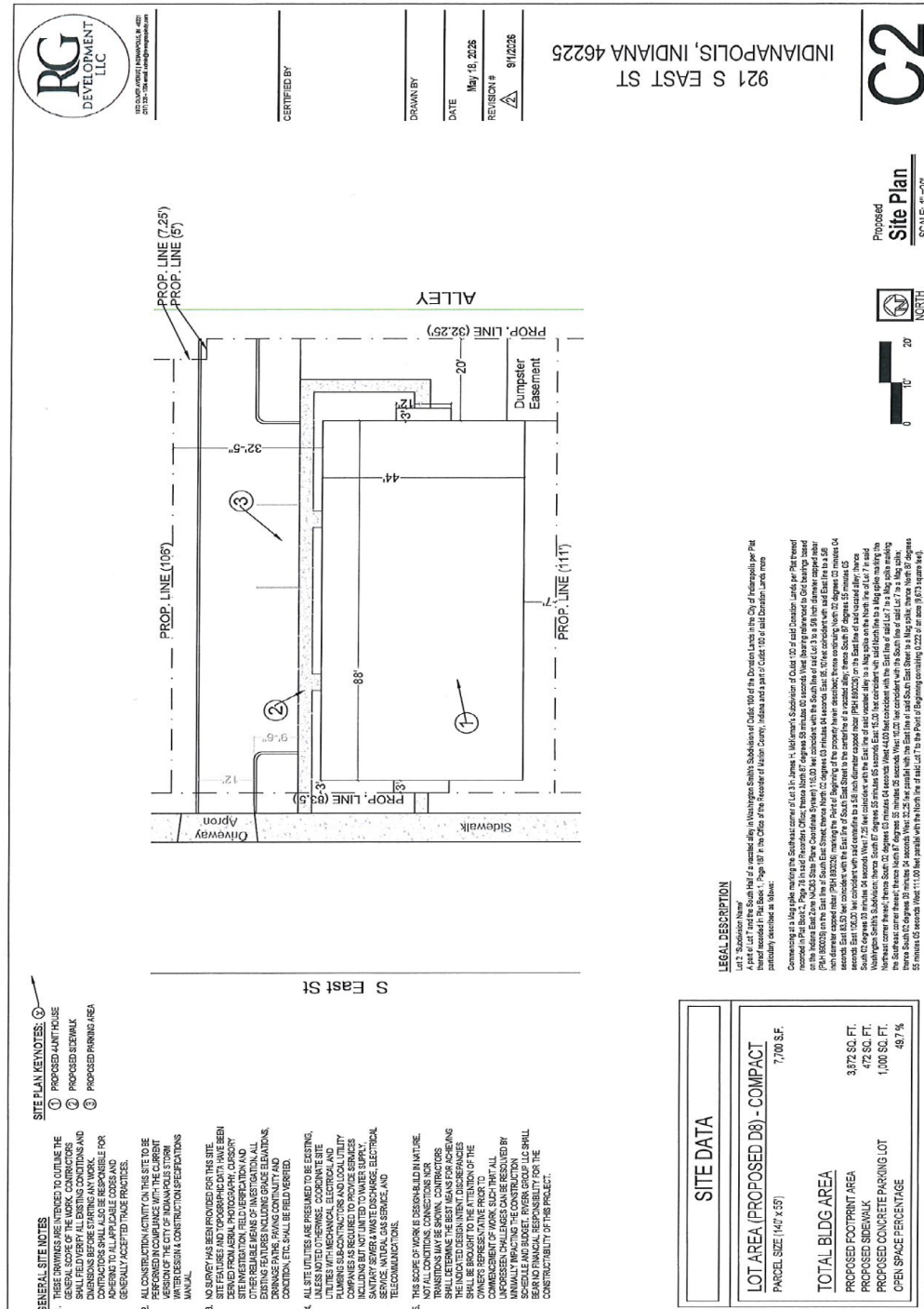


931 SOUTH COMMERCIAL SUBDIVISION



831 SOUTH COMMERCIAL SUBDIVISION	PRIMARY PLAT	 P&H ENGINEERING & SURVEYING, PC 3001 S. 40th STREET SUITE 100 P.O. BOX 1303 OKLAHOMA CITY, OK 73106 PHONE (405) 761-1303 FAX (405) 761-1376 E-MAIL: P&H@P&H-OKLAHOMA.COM PROJECT NO. 2001
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Site Plan September 1, 2026





View looking south along South East Street



View looking north along South East Street



View of site looking east across South East Street



View of site looking east across South East Street

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View of site looking northeast



View of site looking northwest

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View of site looking west towards South East Street



View from site looking south

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 10, 2026

Case Number: 2026-CZN-829 (Withdrawn) / 2026-CVR-829 (Amended)
Property Address: 5430 West 86th Street
Location: Pike Township, Council District #1
Petitioner: RaceTrac Petroleum, Inc., by Jasvir Singh
Current Zoning: C-4
Rezoning of 3.05 acres from the C-4 district to the C-7 district to provide for high-intensity commercial uses.
Request: Special Exception and Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for commercial truck parking and fleet terminal for ten trucks (not permitted) and truck or heavy vehicle repair and maintenance (not permitted).
Current Land Use: Commercial uses (vacant)
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 June 25, 2026 hearing, to the July 23, 2026 hearing; and continued these petitions from the July 23, 2026 hearing to the August 13, 2026 hearing.

On July 31, 2026, the petitioner's representative indicated that the rezoning would be withdrawn and would request a refund / transfer of filing fees to the amended variance petition.

The Hearing Examiner continued the petitions, at staff's request, from the from the August 13, 2026 hearing to the September 10, 2026 hearing, with notice.

STAFF RECOMMENDATION

Staff recommends denial of the variance requests.

PETITION OVERVIEW

This 3.05-acre site, zoned C-4, is developed with commercial buildings, which are currently vacant. It is surrounded by industrial uses to the north, zoned I-4; commercial uses to the south, across West 86th Street, zoned C-4 and MU-1; and commercial uses to the east and west, zoned C-4.

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SPECIAL EXCEPTION / VARIANCE OF USE

The request would allow commercial truck parking and a fleet terminal for ten trucks when the Ordinance does not permit this intense industrial use in a C-4 district.

The Comprehensive Plan recommends community commercial typology for the site. Recommended land uses in this typology include small- and large- scale offices, retailing, and personal or professional services; small- and large- scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; and small-scale parks.

The community commercial typology is contemplated to be consistent with the C-3 (neighborhood commercial) or the C-4 (community-regional) zoning districts, depending upon the location and the surrounding land uses.

As proposed this request would be wholly inappropriate along this commercial and light industrial corridor. The introduction of a use (commercial parking lot) requiring a special exception and a fleet terminal that is only permitted by right in medium and heavy industrial districts would be disruptive of the existing uses in the area, as well as the Comprehensive Plan recommendation.

The request would also provide for heavy vehicle repair and maintenance when it is not permitted by the Ordinance.

Staff also finds that this proposed use would not align with the Plan recommendation of community commercial and would be detrimental and impactful to surrounding land uses in the area. Furthermore, allowing industrial uses to encroach into the West 86th corridor would negatively impact the economic viability of the area.

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Commercial buildings	
Comprehensive Plan	Community Commercial	
Surrounding Context	Zoning	Land Use
North:	I-4	Industrial uses
South:	C-4 / MU-1	Commercial uses
East:	C-4	Commercial uses
West:	C-4	Commercial uses
Thoroughfare Plan		
West 86 th Street	Primary Arterial	Existing 116-foot right-of-way and proposed 60-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	

Overlay	No
Wellfield Protection Area	No
Site Plan	July 23, 2026
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	July 23, 2026
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types – Community Commercial Typology

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

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

ZONING HISTORY

2020-ZON-054; 5430 West 86th Street, requested rezoning of 1.553 acres from the I-4 district to the C-4 district, **approved**.

VICINITY

2014-UV3-030; 5501, 5505 and 5515 West 86th Street (southwest of site), requested variances of use and development standards to provide for a catering business and a second freestanding sign in an integrated center with reduced sign separation and reduced setback, **approved**.

2010-HOV-035; 5430 West 86th Street (south of site), requested a development of development standards to provide for an amusement arcade, **approved**.

94-SE1-2; 5490 West 86th Street (east of site), requested a special exception to provide for an automated fueling facility with no retail sales, **approved**.

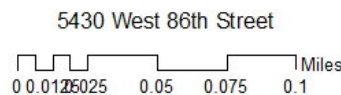
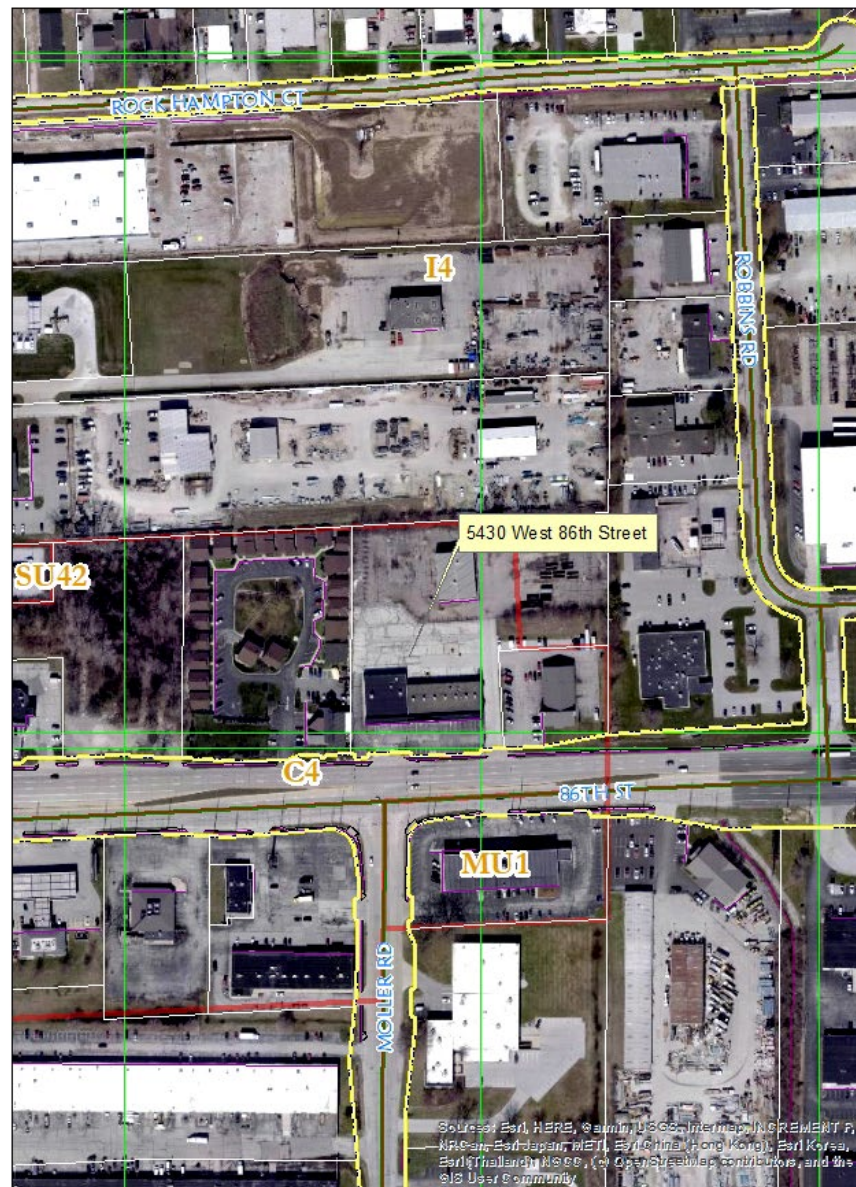
94-V1-14; 5490 West 86th Street (east of site), requested a variance of development standards to provide for a pole sign with a reduced setback, **approved**.

88-Z-76; 5446 West 86th Street (south of site), requested the rezoning of 0.44 acres from the I-4-S district to the C-4 classification, **approved**.

86-Z-89; 5446 West 86th Street (south of site), requested a rezoning of 1.15 acre from the I-4-S district to the C-4 classification, **approved**.

84-Z-81; 5410 West 86th Street (south of site), requested a rezoning of 0.95 acre from the I-4-S district to the C-4 classification, **approved**.

EXHIBITS

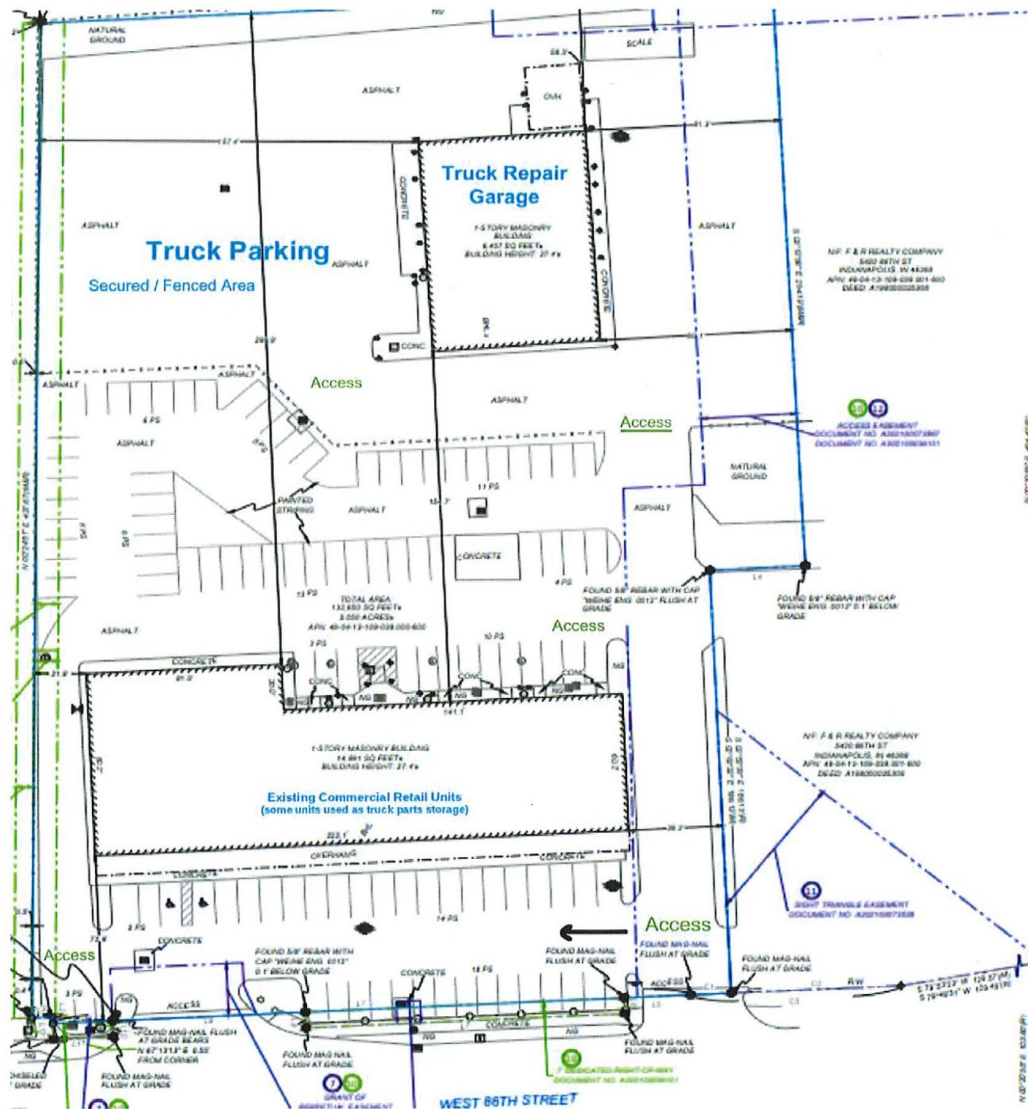


JRB HOLDING LLC

5430 & 5450 W 86th Street, Indianapolis, IN 46268

APN: 49-04-13-109-039.000-600 | Lot 1 | 3.05 Acres | Marion County, Indiana

PROPOSED SITE PLAN — USE VARIANCE PETITION



Site plan based on ALTA/NSPS Land Title Survey prepared by BLEW Surveying | Survey Date: July 15, 2025, | Surveyor Job No. 25-5215
 Prepared in connection with Use Variance Petition — City of Indianapolis, Department of Metropolitan Development

JRB HOLDING LLC

PLAN OF OPERATION

Use Variance Petition — 5430 W 86th Street, Indianapolis, IN 46268

Description of Proposed Facilities

The subject property is an existing 6,300 sq ft standalone one-story masonry industrial building located at 5430 W 86th Street, secured by existing perimeter fencing. The building and surrounding fenced area will be used as a truck parking/staging yard for the applicant's fleet of 10 trucks, with the building used for minor vehicle repairs, oil changes, and DOT-required safety inspections. No construction or build-out is planned; the site will be used entirely as-is, with only minor interior renovations if needed.

Number of Employees

The facility will operate with approximately 10 staff members, including 7 company drivers and 2 to 3 additional staff members supporting office and repair duties.

Security Provisions

The property is secured with existing perimeter fencing, and security cameras will be installed to monitor the site. Access is restricted to authorized personnel, and the site is monitored at all times.

Hours of Operation

Monday through Sunday, 7:00 AM – 8:00 PM.

Hazardous or Explosive Materials

No hazardous or explosive materials will be stored or used on the premises. Standard vehicle maintenance fluids such as motor oil and antifreeze will be kept on-site in appropriate containers in compliance with all applicable environmental regulations.

Detailed Description of Use

Inside the Building: The interior of the approximately 6,300 sq ft building will house the vehicle repair and maintenance area and general operational workspace. Minor interior renovations may be completed to better suit operational needs.

Outside the Building: The exterior secured and fenced area will be used for parking and staging of the company's fleet of 10 trucks. All truck parking will occur within the fenced perimeter.

Materials Used and Stored: Standard vehicle maintenance supplies including motor oil, antifreeze, and basic mechanical parts. All materials will be stored properly and in compliance with applicable regulations.

Screening: The existing perimeter fencing provides screening of all fleet parking and site activities from adjacent properties. No additional screening is anticipated to be necessary given the existing fence line and the commercial and industrial character of the surrounding corridor.

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

Petition Number _____

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

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE

the proposed use will operate entirely within the existing secured, fenced building and yard, with no new construction.
Security cameras and restricted access will keep the site controlled, and no hazardous materials will be stored beyond standard motor oil and antifreeze, kept in compliance with applicable regulations. Hours are limited to 7:00 AM - 8:00 PM.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE

the property already exists as an industrial building along a corridor with an established commercial and industrial character.
The existing perimeter fencing screens all fleet parking and site activity from adjacent properties, and no exterior changes are proposed that would alter how the site appears or functions to neighbors.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE

the property consists of an existing 6,300-square-foot industrial building on a 3.05-acre parcel with a secured, fenced yard that is already physically configured for fleet vehicle parking and minor truck repair activities. The building has remained vacant for an extended period and the existing site improvements require little to no additional construction to accommodate the proposed use

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE

the property consists of an existing 6,300-square-foot industrial building on a 3.05-acre parcel with a secured, fenced yard already configured for fleet parking and minor truck repair, with the existing fencing separating that use from surrounding properties. The building has also remained vacant for an extended period. Given its existing layout and prolonged vacancy, the property is not readily adaptable to typical C-4 commercial uses without significant redevelopment, making the requested variance appropriate.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE

the use is consistent with the existing industrial and commercial character of the W 86th Street corridor. The applicant has coordinated with city planning staff and the PTRC committee, which has expressed support for the use at this location.

DECISION

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

Adopted this _____ day of _____, 20 _____

Department of Metropolitan Development
Division of Planning
Current Planning



View looking east along West 86th Street



View looking west along West 86th Street



View of site looking west along West 86th Street



View of site looking east along West 86th Street

Department of Metropolitan Development
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Current Planning



View looking south along access drive



View or rear of site looking west across access drive

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Current Planning



View of rear of site looking southwest



View of rear of site looking northwest

Department of Metropolitan Development
Division of Planning
Current Planning



View of rear on-site building looking north



View from site looking east at adjacent commercial use

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 10, 2026

Case Number: 2026-ZON-061
Property Address: 5330 West Morris Street
Location: Center Township, Council District #17
Petitioner: Jorge Gonzales
Current Zoning: C-3 (TOD)

Request: Rezoning of 0.33-acre from the C-3 (TOD) district to the C-5 (TOD) district to provide for automotive uses, including repair.
Current Land Use: Single-family dwelling / detached garage
Staff Recommendations: Denial
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing on this petition

STAFF RECOMMENDATION

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

1. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.
2. The existing fence in the front yard shall be modified and / or replaced to comply with the maximum 3.5 height within 60 days of final approval of this rezoning request.

PETITION OVERVIEW

This 0.33-acre site, zoned C-3 (TOD), is developed with a single-family dwelling and a 10,000-square-foot detached accessory building. It is surrounded by governmental uses to the north, across West Wilkins Street, zoned SU-9 (TOD) (buildings and grounds used by any department of town, city, township, county, state or federal government); a single-family dwelling to the south, across West Morris Street, zoned D-5 (TOD); a single-family dwelling to the east, zoned C-3 (TOD); and governmental uses to the west, zoned SU-9 (TOD).

Petition 2023-UV1-022 legally established a single-family home and provided for construction of a detached accessory structure.

REZONING

The request would rezone the site to the C-5 General Commercial District (TOD) to provide for automotive uses, including repair. “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 West Washington Street Corridor Plan recommends community commercial typology for the site.

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

Overlays

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

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

Plan of Operations – May 11, 2026

The Plan of Operations describes the proposed use / nature of the business, hours of operation, traffic / parking, noise control, environmental impact, safety, staffing, site operations, compatibility with surroundings, justification for variance, and commitments.

The submittal file on this petition indicates that a variance of use was initially requested but later changed to a rezoning, so the Plan of Operations is a document that generally addresses the requirements for a use variance, but it does provide information on how the business would operate.

Environmental Public Nuisances

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

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

Environmental public nuisance means:

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

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

Planning Analysis

A closely related element of automotive uses and repair operations is the generation of automobile traffic to the site and vehicular storage on the site. Additionally, outdoor storage of vehicles awaiting repair would occur due to the increase of intensity and large amount of space that is typically required for automotive repair operations. With the subject site being historically and currently residential in nature, and smaller than typical C-4 lots, staff finds that the request and proposed plan of operation to be far too intense for the site.

Likewise, Staff finds the proposed uses to be wholly incompatible with the legally established residential uses. The incompatibility of these uses is further exemplified by the fact that automotive uses and repair are not a permitted use in any residential district and, conversely, no residential uses are permitted in any of the zoning districts that do permit automotive uses and repair.

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Division of Planning
Current Planning**

Staff would also note that the Ordinance would permit 61 primary uses such as adult entertainment business, bar / tavern, indoor spectator venue, night club / cabaret, commercial and building contractors, liquor store, heavy general retail, as well as vehicle-related operations that would include an automobile / light vehicle wash and an automobile fueling station / convenience store.

Further, with this site being mid-block along West Morris Street, which is largely residential at this location, staff finds this to be an inappropriate location for the proposed uses given the surrounding context. Likewise, Staff does not find the proposal to align with the Neighborhood Plan recommendation of community commercial nor does it support neighborhood stability that is recommended in the Blue Line Transit-Oriented Development Strategic Plan.

During the site visit, staff observed that the existing fence along West Morris Street is in violation of the Ordinance because it exceeds the maximum height of 3.5 feet in the front yard and creates a visibility issue related to both traffic and pedestrians. Staff would strongly recommend that this safety issue be quickly addressed.

Lastly, Staff sees this proposal as further infiltration of heavy commercial uses south of Washington Street into primarily residential areas. Staff finds that the proposal would put further pressure on adjacent residential properties to the east and south.

For these reasons, staff is recommending denial of this rezoning request.

GENERAL INFORMATION

Existing Zoning	C-3 (TOD)	
Existing Land Use	Single-family dwelling / detached garage	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	SU-9 (TOD)	Governmental uses
South:	D-5 (TOD)	Single-family dwelling
East:	C-3 (TOD)	Single-family dwelling
West:	SU-9 (TOD)	Governmental uses
Thoroughfare Plan		
West Morris Street	Local Street	Existing and proposed 56-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes Transit-Oriented Development (TOD)	
Wellfield Protection Area	No	

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

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

Not Applicable to the Site.

Pattern Book / Land Use Plan

Not Applicable to the Site.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Blue Line Transit-Oriented Development Strategic Plan (2024)

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

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

Community Center stations have varying types of commercial developments, from large strip centers to shopping malls, along arterial corridors. Development opportunities include projects that improve neighborhood stability and encourage transit use.

Characteristics of the Community Center typology are:

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

Neighborhood / Area Specific Plan

West Washington Street Corridor Plan (2012)

This Neighborhood Plan recommends community commercial which is a “land use category is for low-intensity retail and service commercial and office uses, which serve a predominantly residential market adjacent to, or very near, the location of the uses. The uses in this land use category are designed to fulfill a broad range of retail and personal, professional, and business services and are either freestanding or part of a small integrated center typically anchored by a grocery store. These centers contain no, or extremely limited, outdoor display of merchandise.

Furthermore, the Plan recommends the C-3 district.

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

2025-UV1-009; 5330 West Morris Street, requested a variance of Use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an Automobile, Motorcycle, and Light Vehicle Service or Repair facility, with outdoor storage of vehicles awaiting repair (not permitted), with eight parking spaces and zero bicycle parking spaces provided, **dismissed**.

2023-UV1-022; 5330 West Morris Street, requested a variance of Use of the Consolidated Zoning and Subdivision Ordinance to allow for primary and accessory single-family uses and structures, including the construction of a detached garage, **granted**.

VICINITY

2011-ZON-086; 5334 and 5336 West Morris Street (west of site), requested rezoning of 0.90 acres, from the C-3 District, to the SU-9 classification to provide for a parking lot for the Wayne Township government center, **approved**.

2005-SE1-004; 5515 West Morris Street (west of site), requested a special exception of the Dwelling Districts Zoning Ordinance to provide for a 1,144-square foot manufactured home, **granted**.

97-Z-60; 1205 South Lynhurst Drive (east of site), requested rezoning of the adjacent one-third of an acre D3 property to the C4 District to allow for the redevelopment of the site with a new Speedway convenience store, **approved**.

92-V2-93; 5331 West Washington Street (north of site), requested a variance of Development Standards of the Dwelling Districts Zoning Ordinance to legally establish an existing pole sign with a front setback of 6 feet from the right-of-way line of Washington Street (15 foot setback required) and a clear distance of 6 feet from the bottom edge of the sign to the grade (9 feet required), **granted**.

91-V3-98; 1229 South Biltmore Avenue (south of site), requested a variance of Development Standards of the Dwelling District Zoning Ordinance to permit the construction of an attached garage with a zero-foot side yard setback and a six foot aggregate setback (4-foot side yard setback and a 10-foot aggregate required), **granted**.

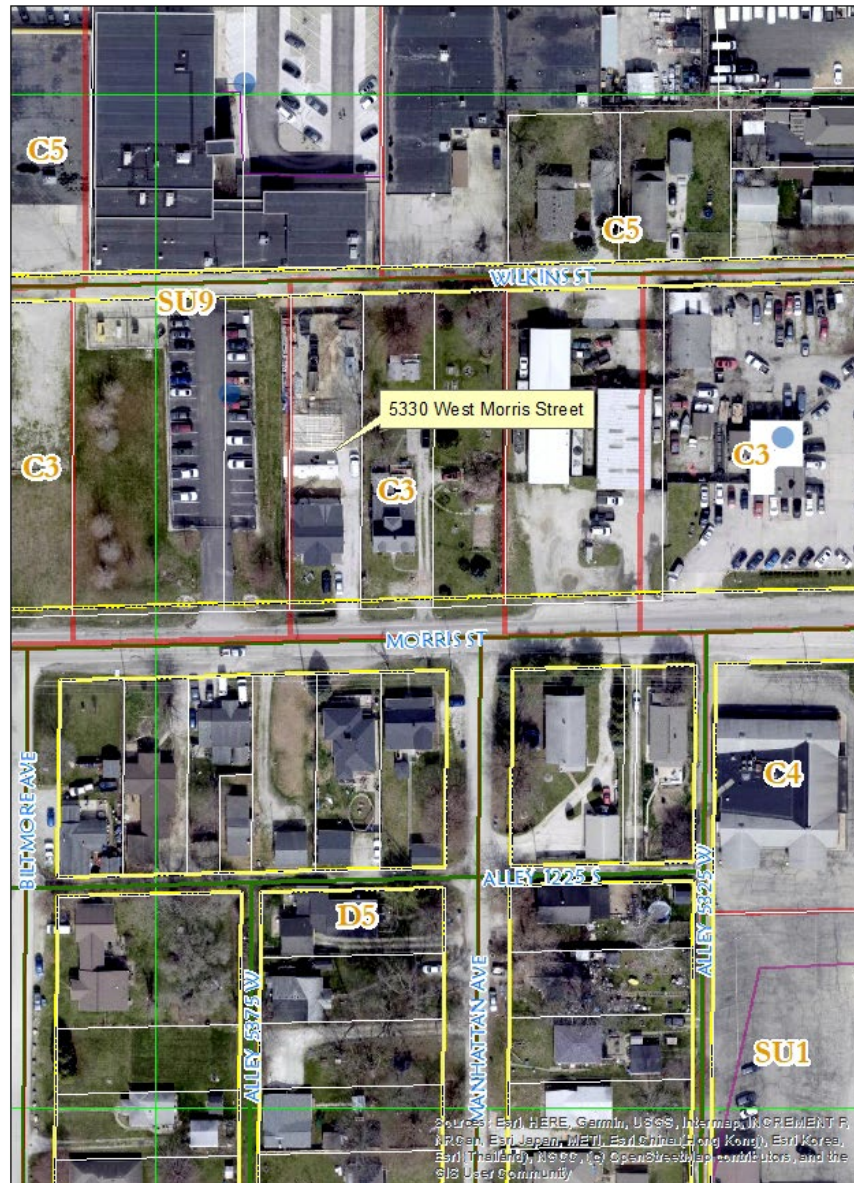
84-Z-199; 1149 South Lynhurst Drive (east of site), requested rezoning of 0.99 acres, being in the D-3 district, to the C-3 classification to provide for the removal of existing improvements and the construction of a service station and convenience food market, **approved**.

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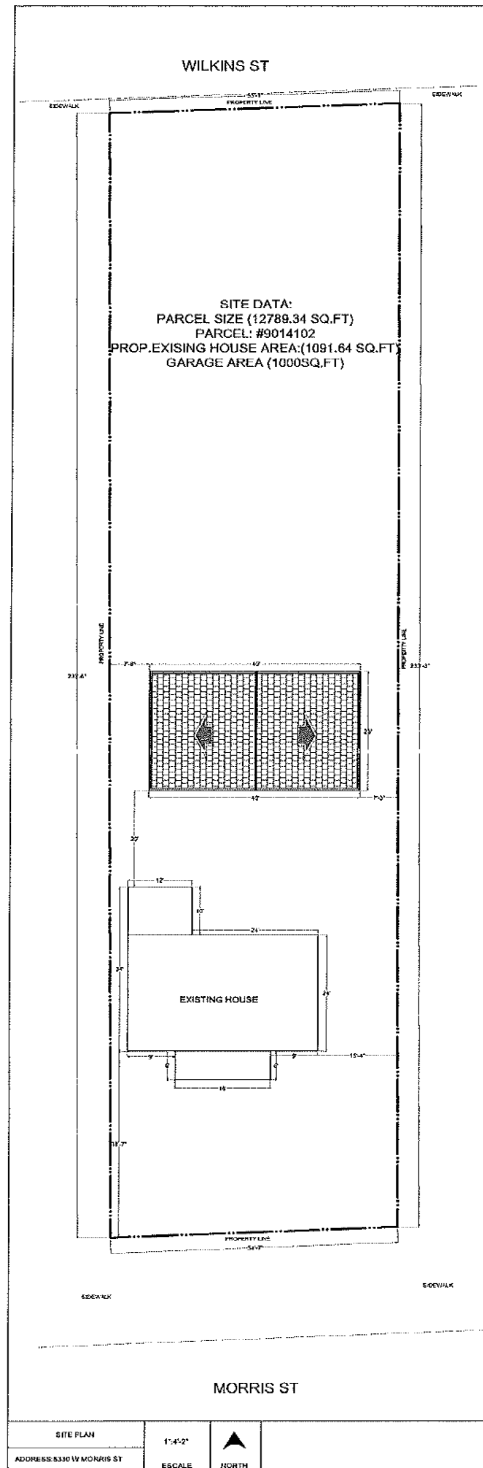
84-UV2-84; 1130 South Lynhurst Drive (east of site), requested a variance of Use of the Commercial Zoning Ordinance to provide for the erection of a 26 x 40 foot garage to be used for storage of supplies and equipment for an existing automobile repair service, **granted**.

83-Z-131; 5401 and 5405 West Washington Street (north of site), requested rezoning of 2 acres being in a C-5 district to the SU-9 classification to provide for a fire station and Township governmental offices, **approved**.

EXHIBITS



Department of Metropolitan Development
 Division of Planning
 Current Planning



OPERATIONS PLAN FOR VARIANCE APPLICATION

Automotive Luxury Accessories, Modification, and Restoration Facility

1. DESCRIPTION OF PROPOSED USE

The project consists of operating a specialized automotive service facility focused on luxury accessory installation, truck modifications (including lift systems), classic vehicle restoration, and aesthetic customization.

All activities will be conducted indoors, with no heavy industrial production or high-impact operations.

2. NATURE OF BUSINESS

The facility will operate as a small- to medium-scale specialized automotive service.

It will NOT include:

- Vehicle dismantling
- Outdoor storage of inoperable vehicles
- Used car sales
- Junkyard-type operations

The focus is on high-quality technical and aesthetic services.

3. HOURS OF OPERATION

Monday – Friday: 8:00 AM – 6:00 PM

Saturday: 9:00 AM – 3:00 PM

Sunday: Closed

These hours are designed to minimize impact on surrounding properties.

4. TRAFFIC AND PARKING

The estimated volume is 5–10 vehicles per day.

On-site parking will be provided per site plan. No use of public streets for vehicle storage or queuing will occur.

5. NOISE CONTROL

All operations will take place داخل the building.

Doors will remain closed during active work. Noise levels will be comparable to a light automotive repair shop, without continuous heavy machinery.

6. ENVIRONMENTAL IMPACT

Proper handling and disposal of oils, paints, and solvents will be implemented in accordance with local and federal regulations.

No hazardous discharge or environmental contamination is expected.

7. SAFETY

The facility will include:

- Certified fire extinguishers
- Ventilated areas for paint-related work
- Safe storage of flammable materials
- Compliance with applicable fire codes

8. STAFFING

The business will employ approximately 3 to 6 trained employees.

No high-density workforce conditions will be generated.

9. SITE OPERATIONS

All work will be conducted داخل the building.

No outdoor storage of damaged vehicles or dismantling activities will occur. The site will be maintained in a clean, organized, and professional manner.

10. COMPATIBILITY WITH SURROUNDINGS

The proposed use is compatible with the surrounding area due to its low operational impact.

It will not generate excessive traffic, noise, or visual disturbance and will contribute positively to the local economy.

11. JUSTIFICATION FOR VARIANCE

The variance is requested due to current zoning limitations that do not fully accommodate this specialized use.

The proposed use:

- Is low impact
- Does not adversely affect public health, safety, or welfare
- Supports local economic development

12. OWNER COMMITMENTS

The applicant agrees to:

- Operate within the stated hours
- Maintain the site in a clean and orderly condition
- Avoid nuisance to neighboring properties
- Comply with all applicable regulations

Statement:

The proposed use is a low-impact, indoor automotive specialty service that will not adversely affect surrounding properties or public health, safety, and welfare.



View looking east along West Morris Street



View looking west along West Morris Street



View of site looking northeast across West Morris Street



View of site looking northeast along West Morris Street



View of site looking north across West Morris Street



View of site looking southeast across West Wilkins Street



View of site looking southeast across West Wilkins Street



View looking east along West Wilkins Street



View looking west along West Wilkins Street

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 10, 2026

Case Number: 2026-ZON-070
Property Address: 6650 South Meridian Street
Location: Perry Township, Council District #22
Petitioner: Faith Assembly of God Indianapolis, Inc., by Joseph D. Calderon
Current Zoning: D-A
Request: Rezoning of 5.0 acres from the D-A district to the SU-1 district to provide for religious uses.
Current Land Use: Single-family dwelling / detached accessory building
Staff Recommendations: Approval
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing on this petition.

STAFF RECOMMENDATION

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

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

PETITION OVERVIEW

This 5.0-acre site, zoned D-A, is developed with single-family dwelling and detached accessory building. It is surrounded by undeveloped land to the north, zoned D-A; single-family dwellings to the south, zoned D-3; single-family dwelling to the east, across South Meridian Street, zoned D-3; and undeveloped land to the west, zoned D-A.

This site was included in Subdivision Plat petition 2024-CPL-834 that divided 14.68 acres into two lots to be known as 6650 South Meridian Street Addition. This site consists of five acres. See Exhibit A

REZONING

The request would rezone the site from the D-A district to the SU-1 district to provide for religious uses. The following regulation would be applicable to all land within the SU-1 district. "No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this article and until the proposed Site and Development Plan and landscape plan have been filed with and approved on behalf of the Commission by the Administrator or approved by the Commission."

The Comprehensive Plan recommends suburban neighborhood typology.

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

Tree Preservation / Heritage Tree Conservation

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

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

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

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

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

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

Planning Analysis

As proposed, this request would align with the Plan recommendation of suburban neighborhood, that recommends places of worship.

Staff would note that development of the site would require Administrator Approval and would be reviewed using C-1 development standards.

GENERAL INFORMATION

Existing Zoning	D-A	
Existing Land Use	Single-family dwelling / detached accessory building	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North:	D-A Undeveloped
	South:	D-3 Single-family dwellings
	East:	D-3 Single-family dwellings
	West:	D-A Undeveloped land
Thoroughfare Plan		
South Meridian Street	Primary Arterial	Existing 100-foot right-of-way and proposed 102-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	

Site Plan	June 17, 2026
Site Plan (Amended)	N/A
Elevations	June 17, 2026
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types –Suburban Neighborhood Typology

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

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

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

- Should be located along an arterial street.
- If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
- Schools should not be within 1000 feet of a highway, freeway, or expressway.
- Should be located within one-half mile of a bus or rapid transit stop unless there is no bus service within the institution's service area.
- In predominantly platted, single-family neighborhoods, site should be at least as wide as it is deep.
- Should be in harmony with the surrounding neighborhoods and site and screen their parking, service, and emergency vehicle areas to buffer surrounding residential uses.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

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

ZONING HISTORY

2024-CVR-834 / 2024-CPL-834; 6650 South Meridian Street, requested a Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for religious uses on proposed Lot One and approval of a Subdivision Plat, to be known as 6650 South Meridian Street Addition, dividing 14.68 acre into two lot, **denied / approved**.



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EXHIBIT B

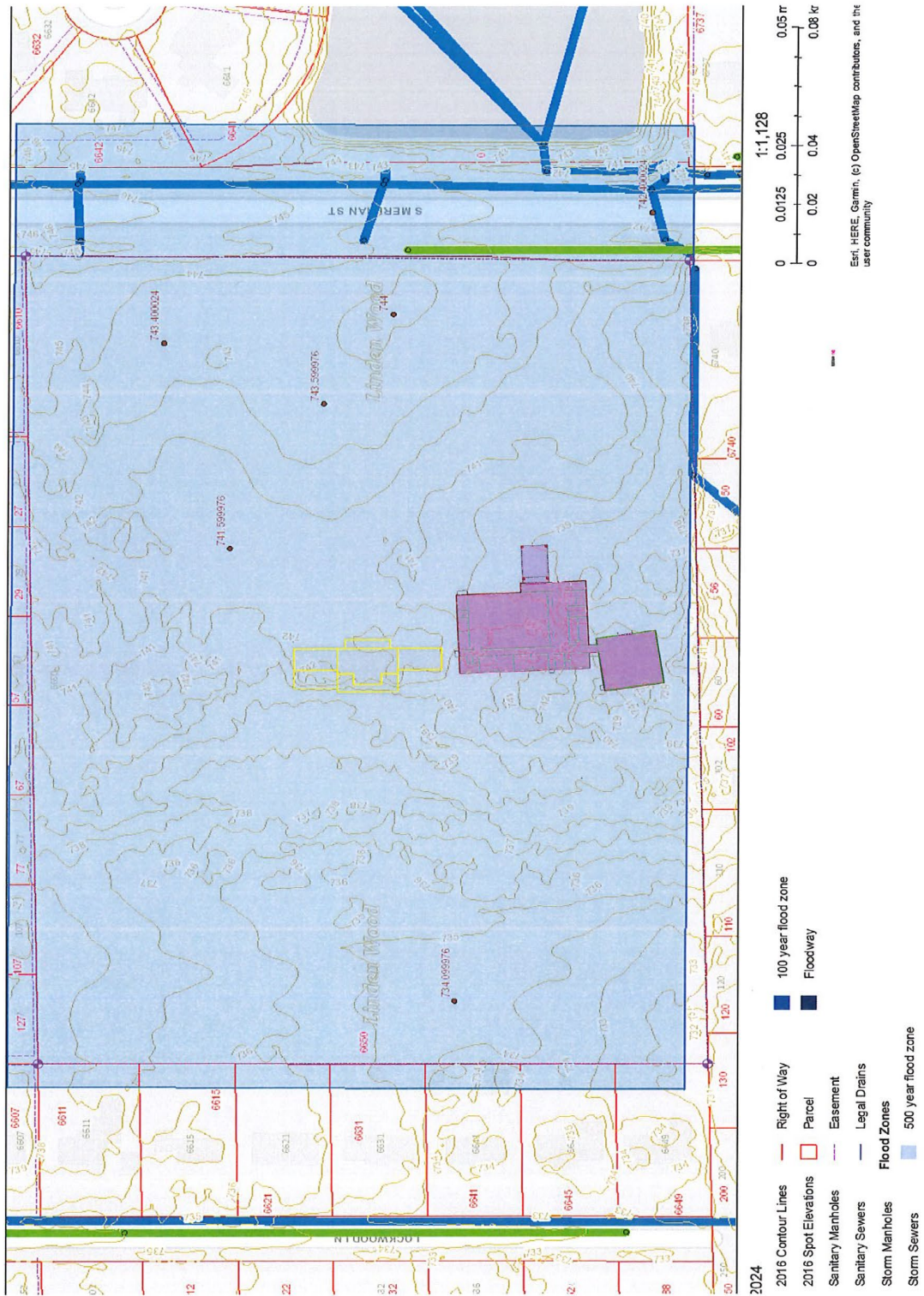
Heritage Tree Conservation

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

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

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

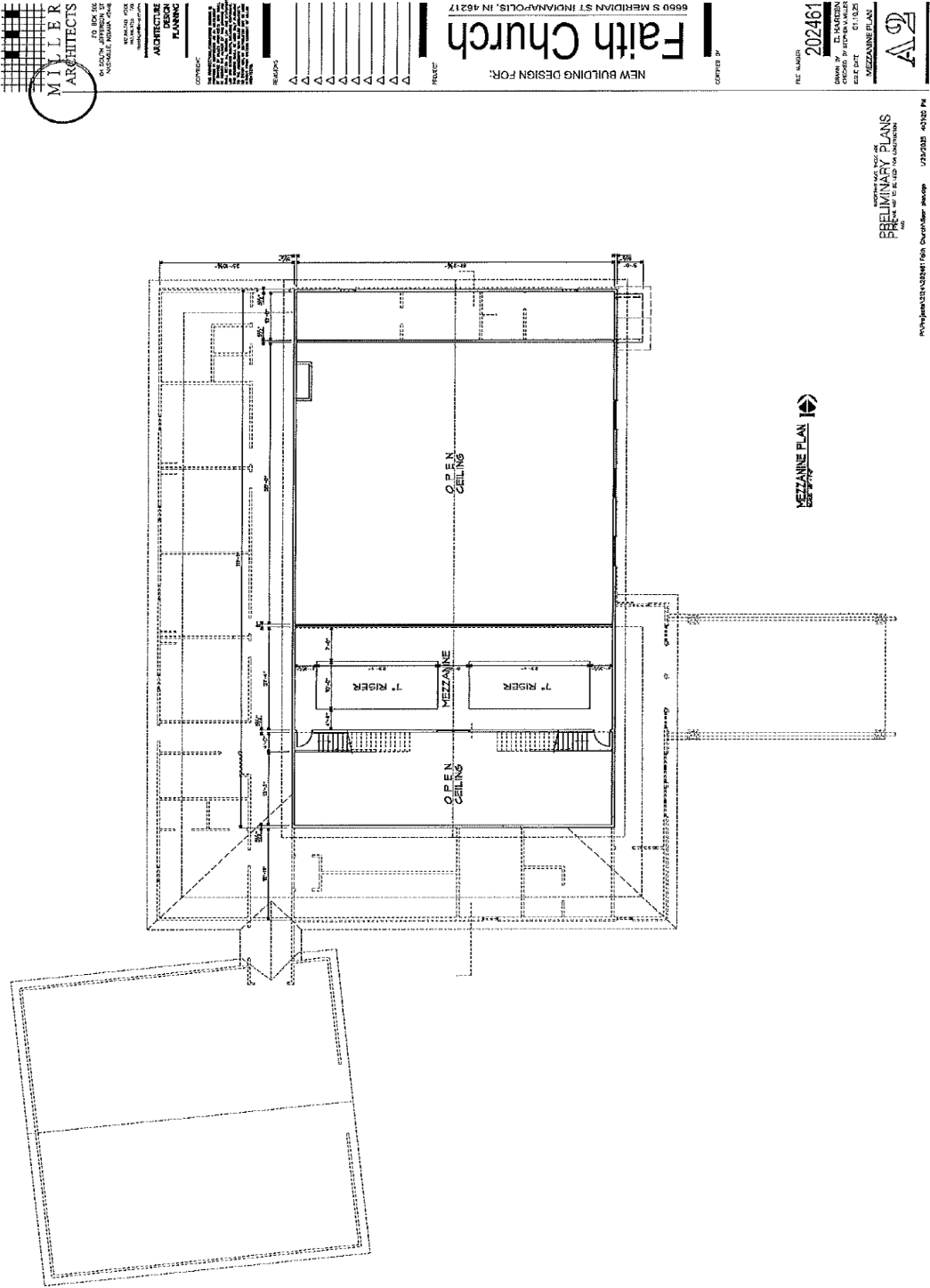
Site Plan







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MILLER ARCHITECTS
 170 S. 300 S.
 SUITE 200
 WEST DES MOINES, IOWA 52702
 PHONE: 515.281.1111
 FAX: 515.281.1112
 WWW.MILLERARCHITECTS.COM

ARCHITECT
 J. MILLER
 1/20/2025

DESIGN
 J. MILLER
 1/20/2025

PLANNING
 J. MILLER
 1/20/2025

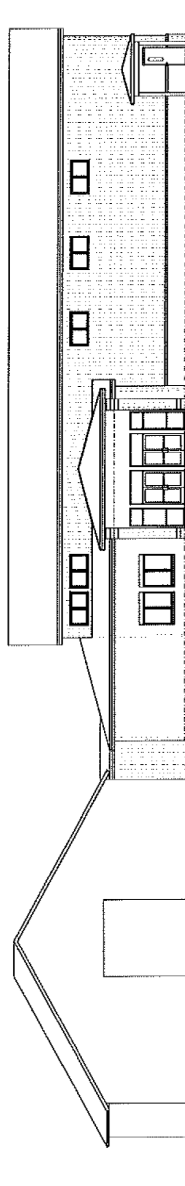
NEW BUILDING DESIGN FOR:
Faith Church
 6650 S MERIDIAN ST INDIANAPOLIS, IN 46217

FILE NAME: **202461**
 DRAWN BY: **J. MILLER**
 CHECKED BY: **J. MILLER**
 DATE: **01/20/25**
 ELEVATIONS

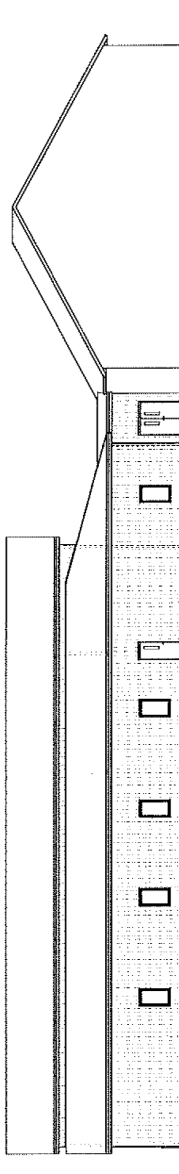
A7

PRELIMINARY PLANS
 NOT TO BE USED FOR CONSTRUCTION

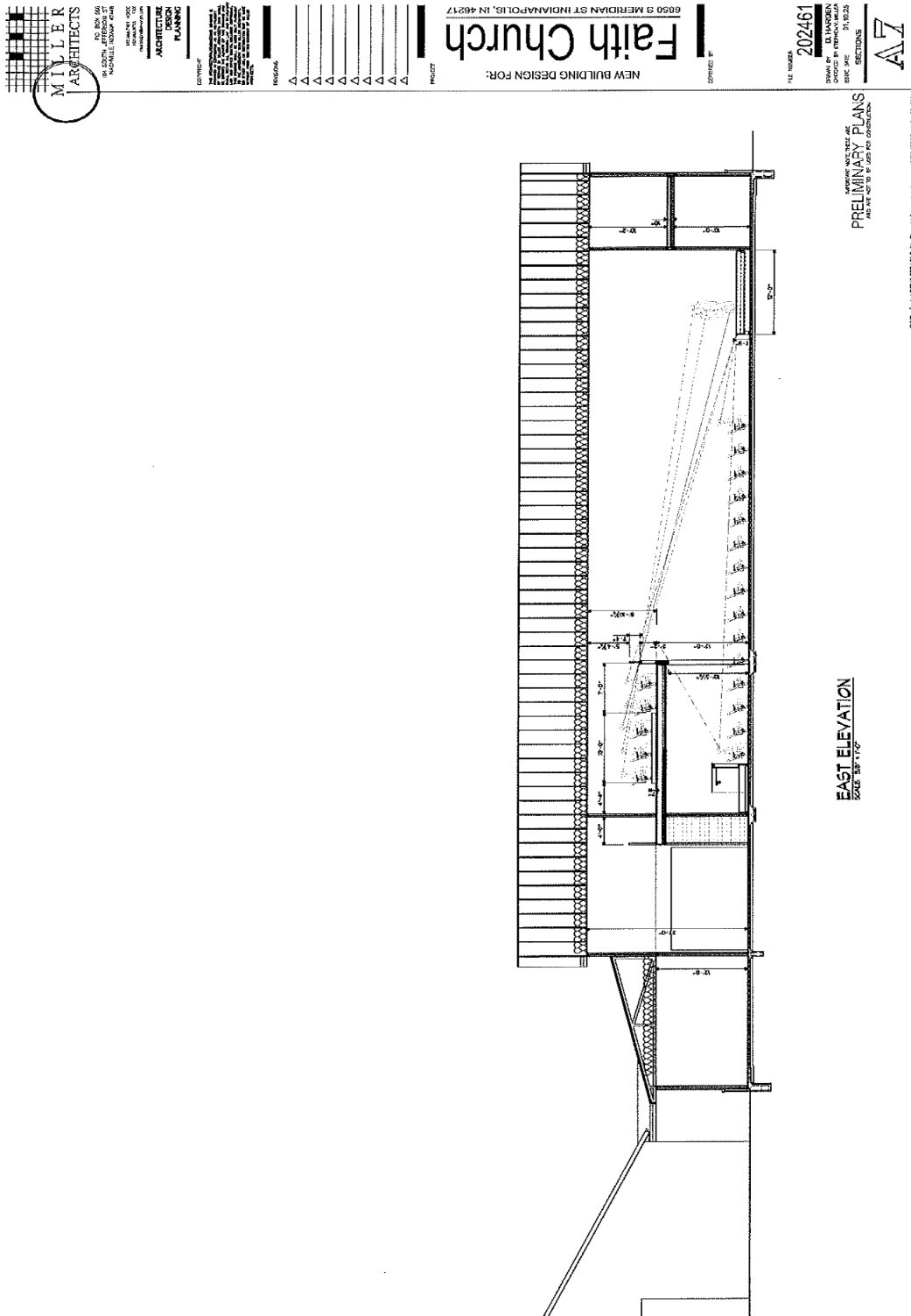
PROJECT: 202461 Faith Church
 1/20/2025 4:34:41 PM



EAST ELEVATION

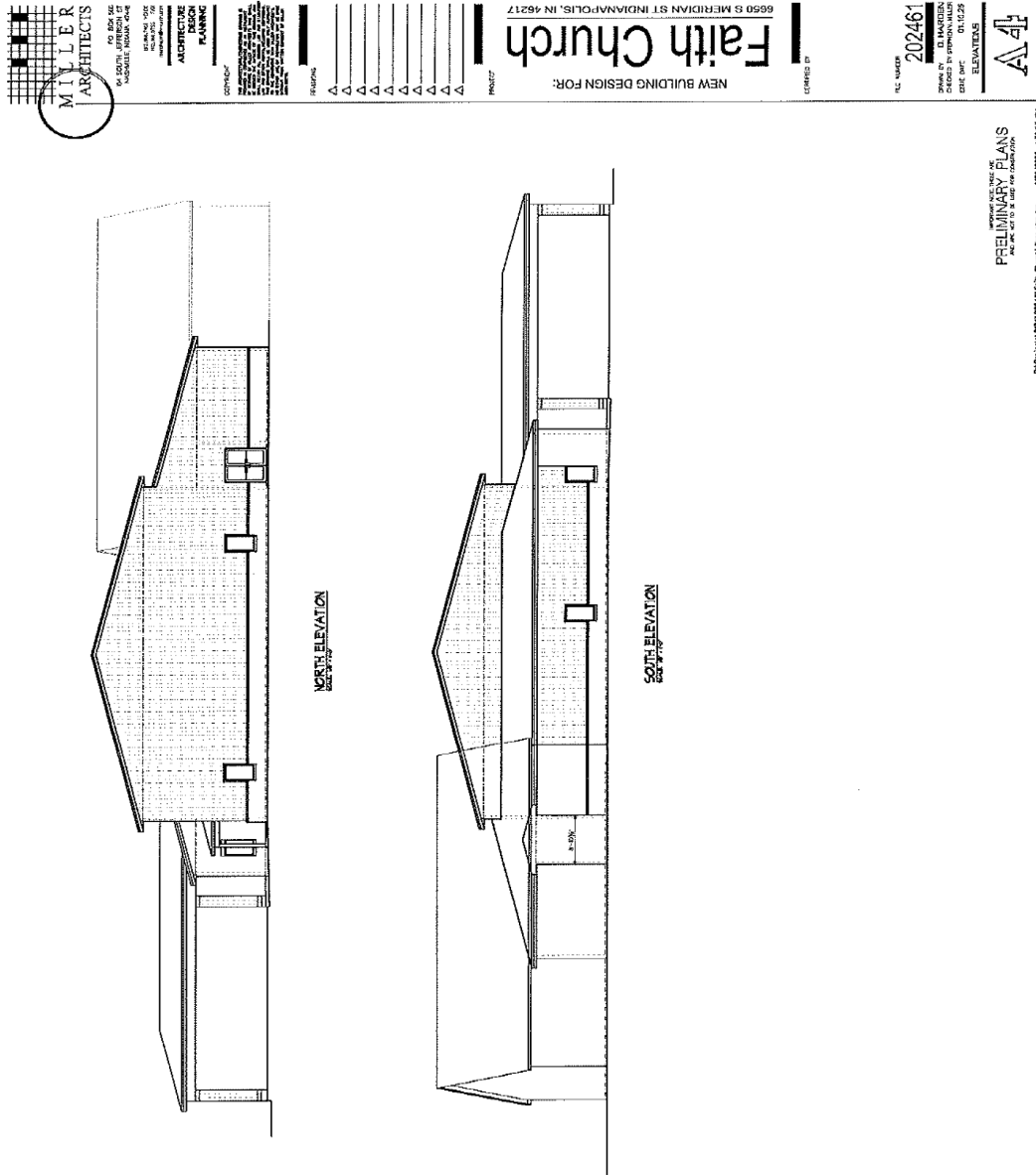


WEST ELEVATION





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View looking north along South Meridian Street



View looking south along Meridian Street

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View from site looking east across South Meridian Street



View from site looking southeast across South Meridian Street



View of site looking southwest



View of site looking west



View of site looking southwest



View of site looking south

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View of site looking west



View from site looking north

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View from site looking north



View from site looking east towards South Meridian Street

MDC HEARING EXAMINER

September 10, 2026

Case Number:	2026-ZON-074
Property Address:	980 East 42 nd Street and 4210 Winthrop Avenue (<i>approximate address</i>)
Location:	Washington Township, Council District #7
Petitioner:	NLS LLC, by Joseph Ringger
Request:	Rezoning of two lots, totaling 0.3-acre, from the C-7 (W-5) and D-5 (W-5) (TOD) districts, to the D-8 (TOD) (W-5) district to allow for the construction of 6 townhomes.
Current Land Use:	Unimproved
Staff Recommendations:	Staff recommends approval of this petition, subject to commitments.
Staff Reviewer:	Josh Levesque, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition, subject to the following commitments:

- The petitioner will not construct more than 6 units on the property.
- The development will not include more than 3 surface parking stalls. D-8 required off-street parking standards must still be met through a combination of surface parking and garage parking.

PETITION OVERVIEW

- 980 East 42nd and 4210 Winthrop are two contiguous lots totaling roughly 0.3-acre. The 42nd Street parcel is zoned C-7 while the Winthrop parcel is zoned D-5. Both parcels are within the Wellfield Protection—Five Year Time-of-Travel Area (W-5) and Transit-Oriented Development (TOD) districts. Parcels to the north are zoned D-5. Parcels to the west are zoned D-5 and C-7. Parcels to the east and south are zoned C-7.
- The petitioner is requesting a rezone from the C-7 (W-5) (TOD) and D-5 (W-5) (TOD) districts to the D-8 (W-5) (TOD) district to allow for the construction of 6 townhomes.
- The Comprehensive Plan assigns these parcels the “Village Mixed-Use” typology. The Marion County Land Use Plan Pattern Book describes the Village Mixed-Use typology as “creat[ing] neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and

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large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.”

- Per the Ordinance, “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.”
- As highlighted in the Ordinance’s description of the D-8 district, a rezone to D-8 would align closely with the Village Mixed-Use typology. Additionally, wellfield regulations would limit certain C-7 uses on this site.
- These parcels are also within 1,000 feet of the Red Line’s 42nd and College BRT station. The 2020 Red Line Strategic Plan designated this area as part of the “Walkable Neighborhood” typology. A characteristic of this typology includes a mix of multi-family and single-family housing.
- The location of these parcels on a corner also provides an opportunity for further density with less disruption to the existing neighborhood patterns that one might see in mid-block development. Nonetheless, staff are cognizant of the surrounding single-family residential context. Given that D-8 can allow 8-12 units, staff acknowledge concerns regarding massing and density. To keep development appropriate to the surrounding area, staff would request a commitment that no more than 6 units be developed across these two parcels.
- Staff will note that this petition is limited to a rezone. While plans have been provided, approval of a rezone petition does not equate approval of plans. No variances or other exceptions are being sought, and all development would have to meet Ordinance standards or be approved via subsequent land use petitions. For single-family attached dwellings, the Ordinance requires that each dwelling unit be on its own legally established lot or is set up as part a condominium. The petitioner will either need to set up a condominium or file a subsequent plat petition to establish each unit on its own lot.
- Given the alignment between D-8 and the Village Mixed-Use typology, staff recommends **approval** of this petition subject to the following commitments:
 - The petitioner will not construct more than 6 units on the property.
 - The development will not include more than 3 surface parking stalls. D-8 required off-street parking standards must still be met through a combination of surface parking and garage parking.

GENERAL INFORMATION

Existing Zoning	C-7 / D-5	
Existing Land Use	Unimproved	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	D-5	North: Residential
South:	C-7	South: Residential / Unimproved

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East:	D-7	East: Undeveloped
West:	D-5	West: Residential
Thoroughfare Plan		
42 nd Street	Primary Collector	51-foot existing right-of-way and 56-foot proposed right-of-way
Winthrop Avenue	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	TOD	
Wellfield Protection Area	W-5	
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

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Comprehensive Plan contemplates the Village Mixed-Use typology for this parcel. This typology “creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces

in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.”

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

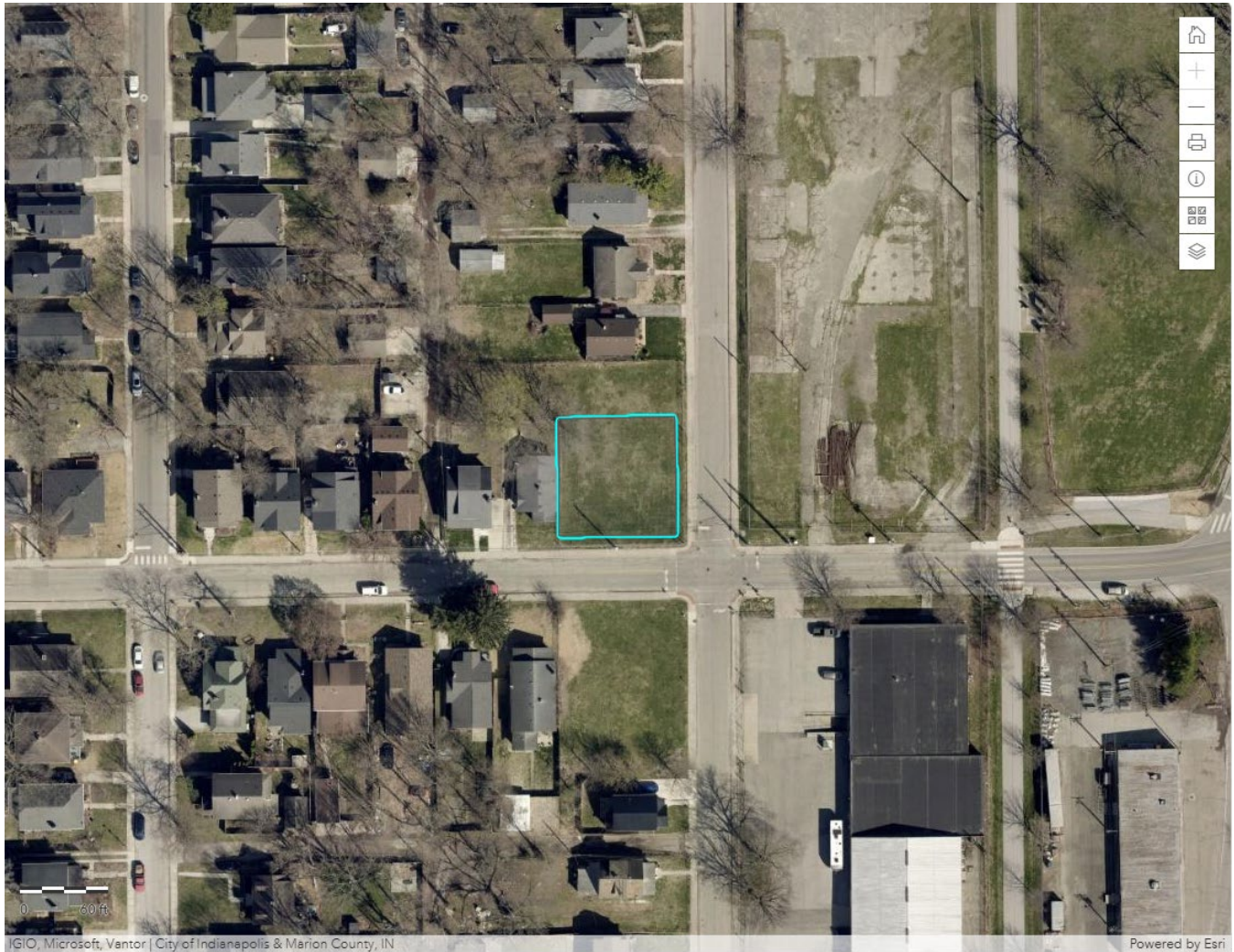
N/A

ZONING HISTORY – VICINITY

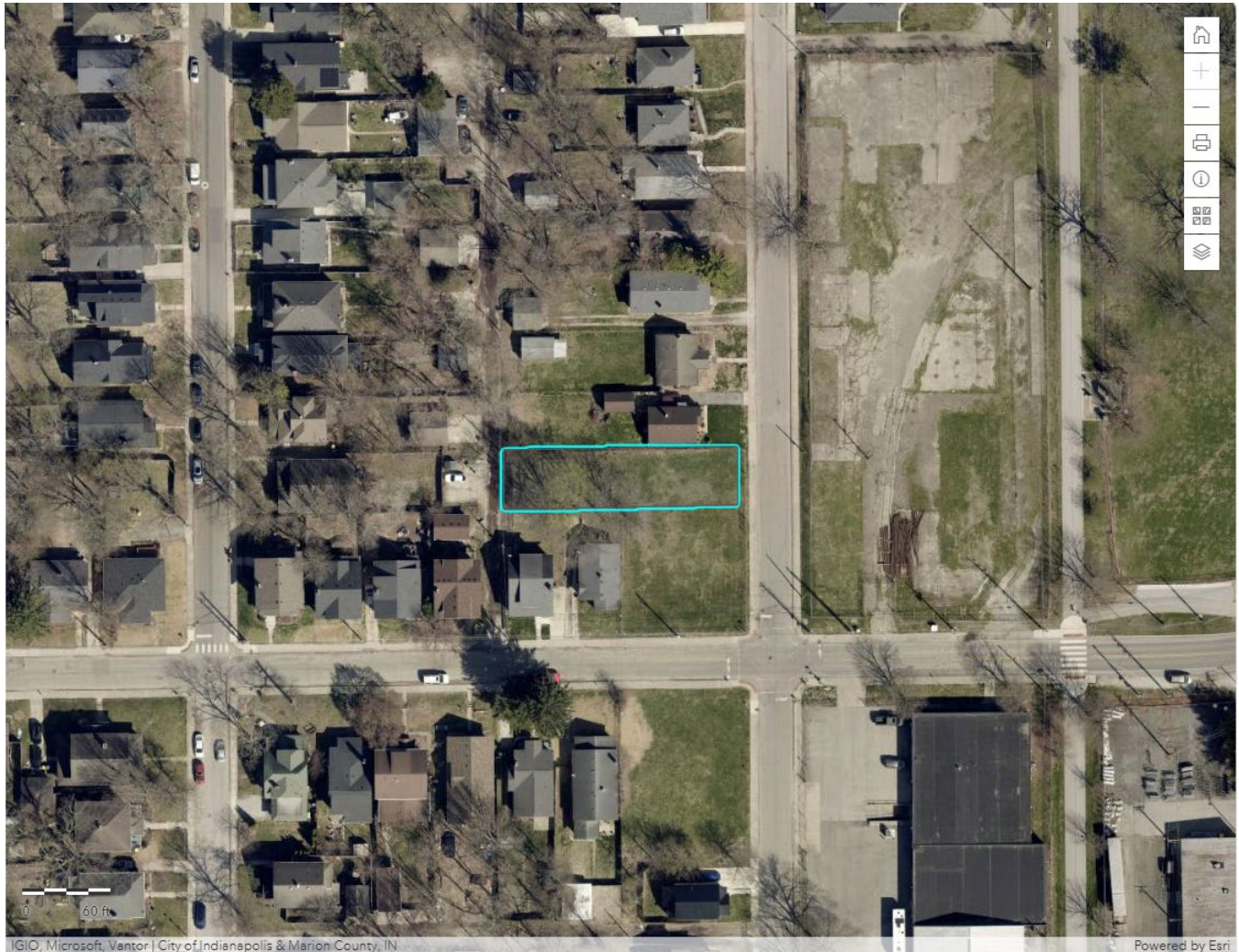
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EXHIBITS

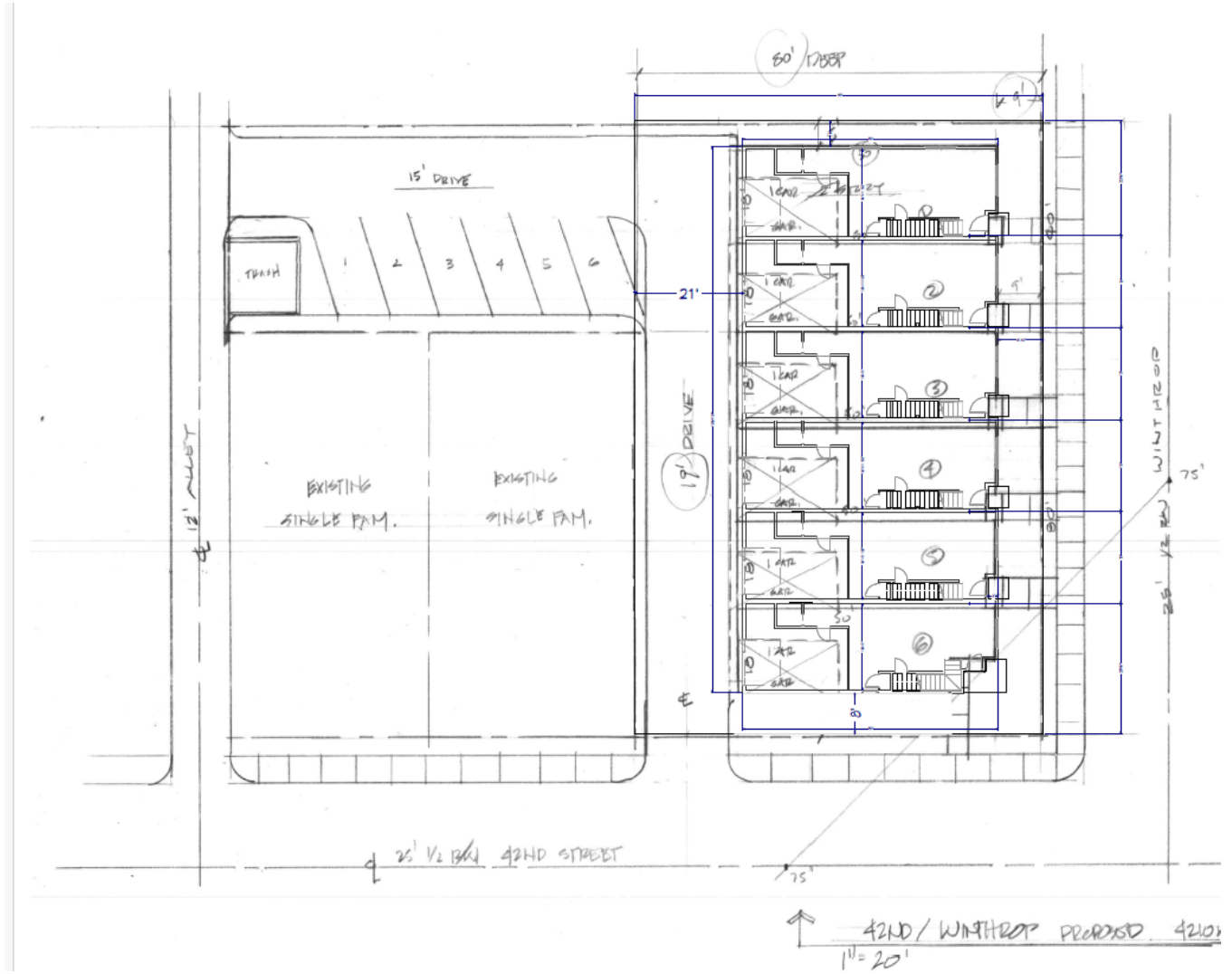
2026ZON074; Aerial Map for 980 East 42nd Street



2026ZON074; Aerial Map for 4210 Winthrop



2026ZON074; Preliminary Site Plan



2026ZON074: Photographs



Photo 1: Looking at property from Winthrop Avenue

2026ZON074; Photographs (cont'd)



Photo 2: Looking east across Winthrop Avenue

2026ZON074; Photographs (cont'd)



Photo 3: Looking north on Winthrop Avenue. Single family houses are on the left side in the background

2026ZON074: Photographs (cont'd)



Photo 4: Looking west on 42nd Street

2026ZON074: Photographs (cont'd)



Photo 5: Entrance to alley off 42nd Street. The alley abuts the Winthrop parcel.

2026ZON074; Photographs (cont'd)



Photo 6: Looking north at subject site from 42nd Street. Single-family homes can be seen next to the parcel and in the background.

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 10, 2026

Case Number: 2026-ZON-075
Property Address: 5820 South Emerson Avenue
Location: Perry Township, Council District #24
Petitioner: RCP Development, LLC, by Joseph D. Calderon
Current Zoning: C-3
Request: Rezoning of 2.15 Acres from the C-3 district to the C-4 district to provide for commercial uses.
Current Land Use: Undeveloped
Staff Recommendations: Denial
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing on this petition.

STAFF RECOMMENDATION

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

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

PETITION OVERVIEW

This 2.15-acre site, zoned C-3, is undeveloped and surrounded by undeveloped land to the north, zoned C-3; commercial uses to the south, across East Edgewood Avenue, zoned C-3; commercial office uses to the east, across South Emerson Avenue, zoned C-S; and undeveloped land to the west, zoned D-5II.

REZONING

The request would rezone the site from m the C-3 District to the C-4 classification to provide for a gasoline service station / convenience store. “The Community-Regional C-4 District “is designed to provide for the development of major business groupings and regional-size shopping centers to serve a population ranging from a community or neighborhoods to a major segment of the total metropolitan area. These centers may feature a number of large traffic generators such as home improvement stores, department stores, and theatres. Even the smallest of such freestanding uses in this district, as well as commercial centers, require excellent access from major thoroughfares. While these centers are usually characterized by indoor operations, certain permitted uses may have limited outdoor activities.”

The Comprehensive Plan recommends community commercial typology for the site.

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

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

Site Plan / Building Elevations – July 24, 2026

A proposed site plan and elevations were submitted with the rezoning request but the staff recommendation is only applicable to the rezoning request.

Staff would, however, note that sidewalks would be required along South Emerson Avenue and East Edgewood Avenue, along with required landscaping and Green Factor.

Environmental Public Nuisances

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

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

Environmental public nuisance means:

1. Vegetation on private or governmental property that is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and that has attained a height of twelve (12) inches or more;

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

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

Planning Analysis

As proposed the request would not align with the Comprehensive Plan recommendations of office commercial or community commercial.

The request would be an unacceptable increase in commercial intensity that would have a detrimental impact on surrounding land uses to the west recently rezoned for residential uses, office uses to the east and a pharmacy to the south. Allowing a large-scale intense regional commercial use at this location would erode the integrity of the Comprehensive Plan, dilute its effectiveness and weaken protection of the existing residential uses and less intense commercial uses in this area.

Additionally, the proposed rezoning would remove the buffer that would be provided by the recommended office commercial typology to the west and north that would negatively impact the potential residential uses to the west.

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Undeveloped	
Comprehensive Plan	Community Commercial / Office Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-3	Undeveloped
South:	C-1	Commercial uses
East:	C-S	Commercial office uses
West:	D-5II	Undeveloped

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Thoroughfare Plan		
South Emerson Avenue	Primary Arterial	Existing 140-foot right-of-way and proposed 86-foot right-of-way.
East Edgewood Avenue	Primary Arterial	Existing 140-foot right-of-way and proposed 80-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	July 24, 2026	
Site Plan (Amended)	N/A	
Elevations	July 24, 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types – Community Commercial Typology

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

Large-Scale Offices, Retailing, and Personal or Professional Services (defined as commercial uses with minimal outdoor operations, storage, or display on lots of more than 1.5 acres and a height of more than 35 feet.)

- Should be located along an arterial street.
- Outdoor display of merchandise should be limited.
- If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.
- 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 no larger than 25 acres with 125,000 square feet of floor space and no more than three out lots.

Conditions for All Land Use Types – Office Commercial Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.
- Master-planned developments in excess of 2 acres should include pedestrian amenities for passive and active recreation internal to the development

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

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

ZONING HISTORY

2024-ZON-131; 5820 South Emerson Avenue, requested rezoning of 21.23 acres from the C-1, C-3, and D-A districts to the D-5II district to provide for townhome and duplex development, **approved**.

2022-CZN-872 / 2022-CVR-872; 4822 East Edgewood Avenue and 5820 South Emerson Avenue, rezoning of 21.232 acres from the D-A, C-1 and C-3 districts to the D-6 district to provide for single-family attached dwellings (townhomes) and multi-family residential development and a variance of development standards to provide for a building height of 49.5 feet, **denied**.

2021-ZON-125 / 2022-VAR-001; 4822 East Edgewood Avenue and 5820 South Emerson Avenue, requested rezoning of 19.92 acres from the D-A, C-1 and C-3 districts to the D-6 district to provide for multi-family residential development and a variance of development standards to provide for a building height of 56 feet and a minimum livability ratio of 0.51, **withdrawn**.

2006-ZON-133; 5820 South Emerson Avenue; requested rezoning of 11.027 acres from D-A to C-3 and C-1 to provide for neighborhood commercial uses and office uses, **approved**.

2006-ZON-134; 5820 South Emerson Avenue, rezoning of 4.698 acres from D-A to C-1 to provide for office uses, **approved**.

VICINITY

2021-ZON-005; 6009 & 6047 South Emerson Avenue (south of site), requested rezoning of 5.00 acres from the D-A district to the C-4 district for a gas station/convenience store, **approved**.

2017-ZON-082; 6009 South Emerson Avenue (south of site), requested rezoning of 2.20 acres from the D-A districts to the C-4 classification to provide for a gasoline service station, **denied**.

2008-ZON-019; 6026 South Emerson Avenue (west of site), requested rezoning of one acre from the D-A District, to the C-1 classification to provide for office-buffer commercial uses, **approved**.

2007-ZON-054; 5202 East Edgewood Avenue (north of site), requested rezoning of 0.6 acre, from the D-A District to the C-S classification to provide for uses permitted in the C-1 District, **approved**.

2007-ZON-850 / 2007-VAR-850; 6004 South Emerson Avenue (south of site), requested rezoning of 2.9 acres, from the D-A District to the C-3 classification to provide for neighborhood commercial uses and a variance of development standards to provide for a drive-through without the required separation from a protected district, the sale of alcohol without the required separation from a protected district, and reduced transitional yards, **approved**.

2007-ZON-047; 5815 and 5829 South Emerson Avenue (south of site), requested rezoning of six acres from the D-A District to the C-S classification to provide for C-3 and C-1 uses, **approved**.

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2004-ZON-049; 5800 South Emerson Avenue (north of site), rezoning of 1.997 acres from D-A to C-1 to provide for office uses, **approved**

2002-UV1-004; 5800 South Emerson Avenue (north of site), variance of use to provide for the construction of a single-family dwelling, with an attached recording studio in D-A, **granted**.

2002-ZON-012; 5935 South Emerson Avenue (east of site), rezoning of 5.23 acres from D-A to C-S to provide for all C-1 uses and limited C-3 uses, **approved**.

2005-APP-002; 5905-5935 South Emerson Avenue (east of site), modification of commitments and site plan to provide for construction of a 12,600-square foot building that does not fit within the footprint indicated on the approved site plan from 2000-ZON-012, **approved**.

2005-ZON-857/2005-APP-857/2005-VAR-857; 5901-5935 South Emerson Avenue (east of site), rezoning of 6.556 acres from D-A to C-S to provide for expansion of an office/commercial center with C-1 uses, limited C-3 uses, and a fitness center; a variance of development standards to provide for a second freestanding identification sign with inadequate street frontage and sign separation; a modification of commitments to provide for additional signage, **approved**.

2005-ZON-215; 5640 South Emerson Avenue (north of site), rezoning of 2.087 acres from D-A to C-1 to provide for office uses, **approved**.

2004-ZON-078; 5500 and 5640 South Emerson Avenue (north of site), rezoning of 25.539 acres from D-P and D-A to D-P to provide for the construction of townhouses and two-family dwellings with a total of 104 units, and a density of 4.10 units per acre, **approved**.

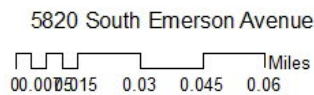
2000-ZON-012; 5935 South Emerson Avenue (south of site), requested rezoning of 5.23 acres from the D-A District to the C-S classification to provide for all C-1 uses and certain C-3 uses, **approved**.

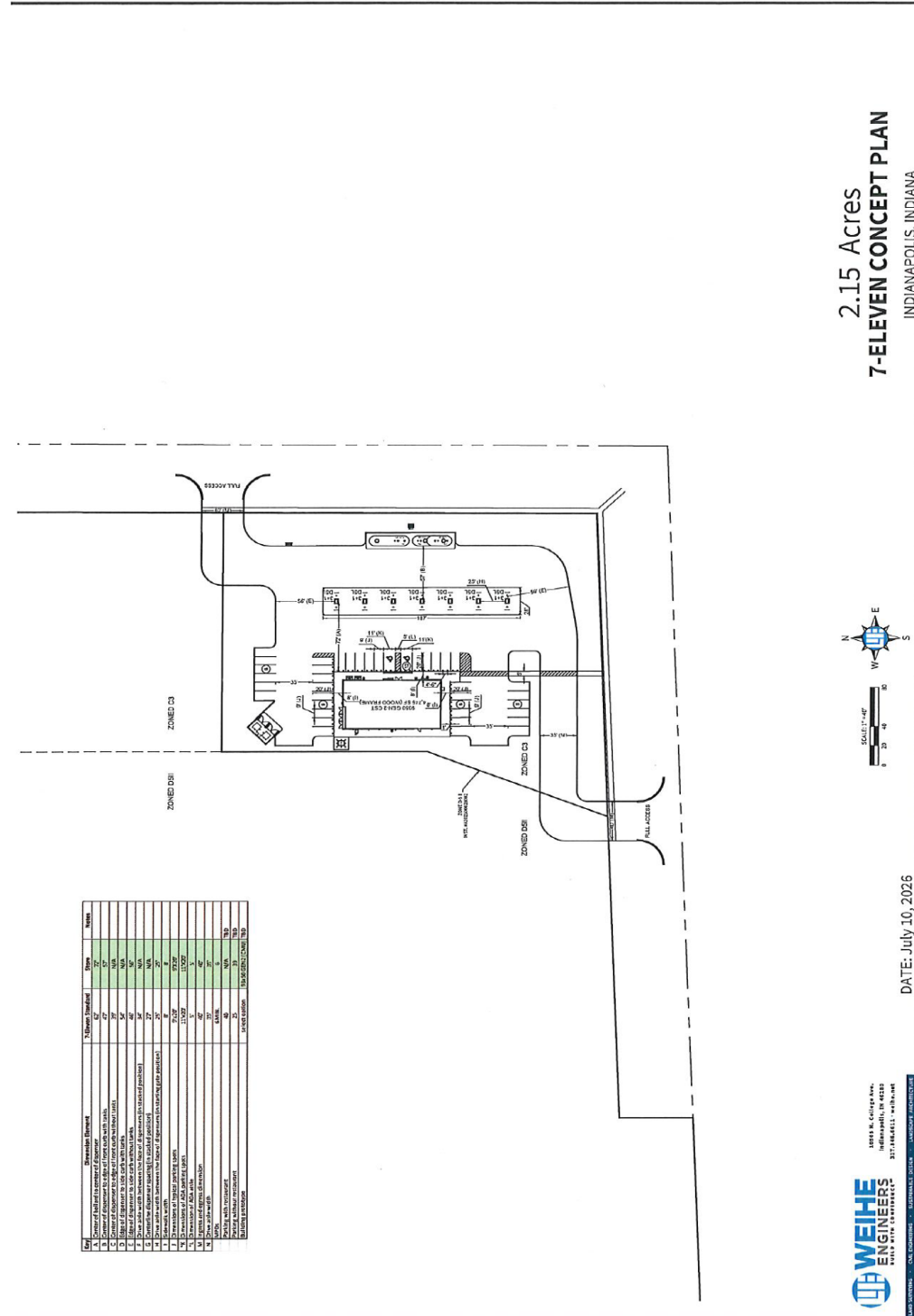
95-Z-183; 5728 South Emerson Avenue (north of site), rezoning of 0.407 acre from D-A to D-3 to provide for single-family residential development, **approved**.

95-Z-73; 4684 East Edgewood Avenue (west of site), rezoning of 11.38 acres from D-A to D-3 to provide for single-family residential development, **approved**.

95-Z-35; 4784 East Edgewood Avenue (west of site), rezoning of 19.99 acres from D-A to D-3 to provide for single-family residential development, **approved**.

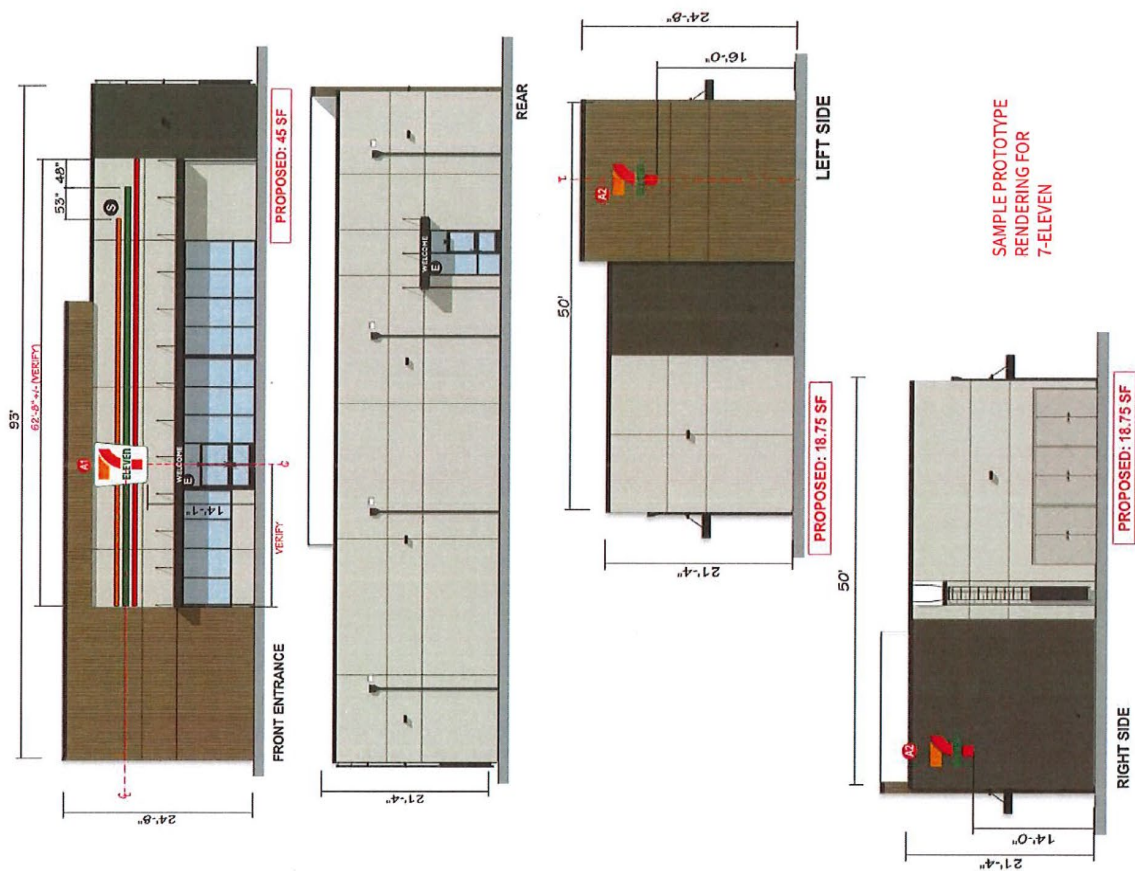
EXHIBITS







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View looking north along South Emerson Avenue



View looking northwest across the intersection of South Emerson Avenue and East Edgewood Avenue



View looking west along East Edgewood Avenue



View looking east along East Edgewood Avenue

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View of site looking north across East Edgewood Avenue



View of site looking west across South Emerson Avenue

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View of site looking southwest across South Emerson Avenue