



# Metropolitan Development Commission Hearing Examiner (August 28, 2025) Meeting Agenda

## Meeting Details

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

**Date:** Thursday, August 28, 2025

**Time:** 1:00 PM

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

## Business:

### Special Requests

#### PETITIONS REQUESTING TO BE CONTINUED:

**1. 2025-APP-009 | 8140 Township Line Road**

Pike Township, Council District #1

HD-2

Retirement Living, Inc., By Mike Jones, PE

Hospital District-Two Approval to provide for expansion of an existing community center, construction of an assisted living structure, construction of five, three-story, condominium buildings, and new parking areas.

**\*\*Staff request for continuance for cause to September 11, 2025**

**2. 2025-ZON-054 | 126 and 130 Koehne Street**

Center Township, Council District #18

Westlane Pentecostal Assembly Church, Inc., by Justin Kingen and David Kingen

Rezoning of 0.18-acre from the D-8 (RC) (TOD) district to the SU-1 (RC) (TOD) district.

**\*\*Petitioner and Remonstrator request for continuance for cause to September 25, 2025**

**3. 2025-ZON-075 | 5416 North College Avenue**

Washington Township, Council District #7

Firkins, LLC, by Joseph D. Calderon

Rezoning of 0.22-acre from the D-3 (TOD) and C-3 (TOD) districts to the MU-2 (TOD) district to provide for a mixed-use development.

**\*\*Petitioner request for continuance for cause to September 25, 2025, with Notice, as needed**

**4. 2025-ZON-077 | 6501 Mann Road**

Decatur Township, Council District #21

Kittle Property Group, by Joseph D. Calderon

Rezoning of 26.83 acres from the SU-1 (FF) (FW) and D-A (FF) (FW) district to the D-7 (FF) (FW) district to provide for a multi-family residential development.

**\*\*Petitioner request for continuance for cause to September 25, 2025**

**5. 2025-ZON-082 | 1544 East 10th Street**

Center Township, Council District #13  
Douglas Koenig

Rezoning of 0.23-acre from the MU-1 district to the D-8 district to provide to legally establish a detached single-family dwelling.

**\*\*Staff request for continuance for cause to September 11, 2025, with Notice**

**6. 2025-ZON-085 | 1810 and 1814 Cornell Avenue**

Center Township, Council District #13  
Dunnhaven Homes, Inc., by Chris Dunn

Rezoning of 0.31-acre from the I-3 district to the D-8 district to provide for two detached single-family dwellings.

**\*\*Staff request for continuance for cause to September 11, 2025, with Notice**

**7. 2025-ZON-086 | 5255 Winthrop Avenue**

Washington Township, Council District #7  
Monon Property Management, LLC, by Joseph D. Calderon

Rezoning of 1.43 acres from the I-4 district to the C-S district to legally establish the existing structure, off-street parking area, existing uses, and to provide for commercial and industrial uses, such as, commercial and building contractor, business offices, including medical offices, artisan manufacturing, research and development, restaurants, and indoor recreation and entertainment.

**\*\*Staff request for continuance for cause to September 25, 2025, with Notice**

**8. 2025-ZON-088 | 1781 Sloan Avenue**

Center Township, Council District #19  
Victory College Prep. Inc., by Andrew Wert

Rezoning of 1.09 acres from the D-2 district to the SU-2 district to construct a 77-space parking lot for a school, located at 1780 Sloan Avenue.

**\*\*Petitioner has withdrawn the Petition**

## Petitions for Public Hearing

### PETITIONS TO BE EXPEDITED:

**9. 2025-APP-011 | 451 East Stop 11 Road**

Perry Township, Council District #23  
PK-1  
City of Indianapolis, Department of Parks, and Recreation, by Henry Woodburn

Park District One Approval to provide for playground equipment, sidewalk connections, re-stripped tennis and pickleball courts, and walking paths.

**10. 2025-MOD-014 | 25 Country Woods Drive**

Perry Township, Council District #22  
D-P  
KCP RE, LLC, by Ross McArthur

Modification of the Development Statement related to petition 83-Z-105 (83-DP-3) to modify the allowed signage to provide for a 23-square-foot building sign (#11 – Signs limits signage to one, six-square-foot freestanding sign for the purpose of advertising ‘for sale’, ‘for rent’, or for construction’ information).

**11. 2025-ZON-066 | 6470 West 10th Street**

Wayne Township, Council District #16  
Sangar Estate, LLC, by Russell L. Brown

Rezoning of 0.55-acre from the D-3 (W-5) district to the C-4 (W-5) district to provide for a community-regional commercial uses.

**12. 2025-ZON-080 (Amended) | 3350 North German Church Road**

Warren Township, Council District #15  
Hindu Temple of Central Indiana, Inc.

Rezoning of 28.49 acres from the D-A (FF), SU-1, and SU-38 districts to the SU-1 (FF) district to provide for religious uses.

**13. 2025-ZON-083 | 441 South Rural Street**

Center Township, Council District #18  
BECA and Associates, LLC, by Josh Smith

Rezoning of 0.108-acre from the C-4 district to the D-5 district to provide for a remodel and addition to an existing detached single-family dwelling.

**14. 2025-ZON-087 | 200 North Rural Street**

Center Township, Council District # 13  
Englewood Community Development Corporation, by Joseph D. Calderon

Rezoning of 0.22-acre from the D-5 (TOD) district to the D-9 (TOD) district to provide for a medium apartment development.

**15. 2025-CVR-835 / 2025-CPL-835 | 622 South Keystone Avenue**

Center Township, Council District #18  
D-5  
Shelly Mills, by David Gilman

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish an existing detached single-family dwelling and accessory structure (to be demolished), with a two-foot north side yard setback, and to provide for parking areas for three, multi-unit homes, with zero-foot side yard setbacks (minimum three-foot side yard required).

Approval of a Subdivision Plat to be known as Turner Minor Subdivision, subdividing 0.82-acre into three lots.

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

**16. 2025-APP-003 | 620 East 21st Street**

Center Township, Council District #13  
PK-2  
DeQuan Branch, by Jorge Gonzales

Park District-Two Approval to provide for a three-story single-family dwelling with an attached garage.

**17. 2025-CZN-830 / 2025-CVR-830 (Amended) | 9110 and 9150 West 10th Street**

Wayne Township, Council District #16  
C-3 (FF)  
Raceway Development Partners, by Misha Rabinowitch

Rezoning of 10.62 acres from the C-3 (FF) district to the D-8 (FF) district for multi-family dwellings.

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a Large Apartment in a D-8 zoning district (not permitted), with a 7' rear yard setback (minimum rear yard setback 10' required).

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

**18. 2025-CVR-838 / 2025-CPL-838 | 8356 Masters Road**

Lawrence Township, Council District #4  
C-4 (FF)  
Masters Road 8356, LLC, by Russell L. Brown

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for two lots without public street frontage (minimum 50 feet of public street frontage required).

Approval of a Subdivision Plat, to be known as Masters Road 8356 Plat, dividing 1.07 acres into two lots.

## Additional Business:

### 19. ADOPTION OF NEGATIVE FINDINGS - Petition 2025-CVR-823 Denied by Hearing Examiner on June 26, 2025:

#### **2025-CVR-823 | 6800 Pendleton Pike**

Lawrence Township, Council District #9

C-S (TOD)

Amerco Real Estate Company, by Stephany Sheekey

Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for 12 mini-warehouse structures within a transit-oriented development overlay (not permitted on lots greater than 0.5-acre and only permitted within a building).

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

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](mailto:planneroncall@indy.gov), within one to two days after the hearing, to determine the appropriate appeal process. Please see this link for the Appeal form: [REQUEST FOR APPEAL](#)

## HEARING EXAMINER

for

## METROPOLITAN DEVELOPMENT COMMISSION (MDC)

| Contractual Zoning Professional | Approving Authority | Term                  |
|---------------------------------|---------------------|-----------------------|
| Judy Weerts Hall                | MDC                 | 01/01/2025-12/31/2025 |
| David DiMarzio (Alternate)      | MDC                 | 01/01/2025-12/31/2025 |

This meeting can be viewed live at <https://www.indy.gov/activity/channel-16-live-web-stream>. The recording of this meeting will also be archived (along with recordings of other City/County entities) at <https://www.indy.gov/activity/watch-previously-recorded-programs>.





Department of Metropolitan Development  
Division of Planning  
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

August 28, 2025

**Case Number:** 2025-APP-009  
**Property Address:** 8140 Township Line Road (approximate address)  
**Location:** Pike Township, Council District #1  
**Petitioner:** Retirement Living, Inc., By Mike Jones, PE  
**Current Zoning:** HD-2  
**Request:** Hospital District-Two Approval to provide for expansion of an existing community center, construction of an assisted living structure, construction of five, three-story, condominium buildings, and new parking areas.  
**Current Land Use:** Assisted Living Facility  
**Staff Recommendations:** To be determined.  
**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

Staff is requesting a **continuance for cause from the August 28, 2025 hearing to the September 11, 2025 hearing** to allow the petitioner additional time to provide new information for staff to review regarding the proposed unit count and parking requirements to be met.

**STAFF RECOMMENDATION**

Staff recommendation to be determined.

**PETITION OVERVIEW**

This petition is to be continued to the September 11, 2025 hearing.

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 28, 2025**

**Case Number:** 2025-ZON-054  
**Property Address:** 126 and 130 Koehne Street (approximate addresses)  
**Location:** Center Township, Council District #18  
**Petitioner:** Westlane Pentecostal Assembly Church, Inc., by Justin Kingen and David Kingen  
**Current Zoning:** D-8 (RC) (TOD)  
**Request:** Rezoning of 0.18-acre from the D-8 (RC) (TOD) district to the SU-1 (RC) (TOD) district.  
**Current Land Use:** Residential  
**Staff Recommendations:** No Recommendation  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

**PETITION HISTORY**

**ADDENDUM FOR AUGUST 28, 2025**

A timely automatic continuance was filed by a registered neighborhood organization that would continue these petitions from the **August 28, 2025 hearing to the September 25, 2025 hearing**. This would require acknowledgement from the Hearing Examiner.

**ADDENDUM FOR JULY 24, 2025**

This petition was continued from the **July 24, 2025 hearing to the August 14, 2025 hearing** to allow time for the petitioner to provide staff with additional information.

**JUNE 26, 2025**

This petition was continued from the June 26, 2025 hearing to the July 24, 2025 hearing at staff's request to provide additional time to review additional information from the petitioner.



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Division of Planning  
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

August 28, 2025

**Case Number:** 2025-ZON-075  
**Property Address:** 5416 North College Avenue (Approximate Address)  
**Location:** Washington Township, Council District #7  
**Petitioner:** Firkins, LLC, by Joseph D. Calderon  
**Current Zoning:** D-3 (TOD) and C-3 (TOD)  
**Request:** Rezoning of 0.22-acre from the D-3 (TOD) and C-3 (TOD) districts to the MU-2 (TOD) district to provide for a mixed-use development.  
**Current Land Use:** Commercial Building  
**Staff Recommendations:** To be determined.  
**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

This petition was automatically continued from the July 24, 2025 hearing to the August 28, 2025 hearing at the request of a registered neighborhood organization.

The petitioner has submitted a written **continuance for cause request continuing this matter from the August 28, 2025 hearing to the September 25, 2025 hearing**. Staff does not object to the continuance request since additional information will need to be submitted for staff's review that may require new notice.

**STAFF RECOMMENDATION**

Staff recommendation to be determined.

**PETITION OVERVIEW**

This petition is to be continued to the September 25, 2025 hearing.



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**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 28, 2025**

**Case Number:** 2025-ZON-077  
**Property Address:** 6501 Mann Road (Approximate Address)  
**Location:** Decatur Township, Council District #21  
**Petitioner:** Kittle Property Group, by Joseph D. Calderon  
**Request:** SU-1 (FF)(FW) and D-A (FF)(FW)  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

**PETITION HISTORY**

The Hearing Examiner continued this petition from the from the July 24, 2025 hearing, to the August 28, 2025 hearing, to provide additional time for further discussions and submittal of the Traffic Impact Study (TIS).

The Petitioner is **requesting a continuance** from the **August 28, 2025 hearing**, to the **September 25, 2025** hearing, to provide additional time for continued discussions with the petitioner and their representative and review of an Updated Site Plan and TIS.



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**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 28, 2025**

**Case Number:** 2025-ZON-082  
**Property Address:** 1544 East 10th Street (Approximate Address)  
**Location:** Center Township, Council District #13  
**Petitioner:** Douglas Koenig  
**Current Zoning:** MU-1  
**Request:** Rezoning of 0.23-acre from the MU-1 district to the D-8 district to provide to legally establish a detached single-family dwelling.  
**Current Land Use:** Single-family dwelling  
**Staff Recommendations:** Approval  
**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

**ADDENDUM FOR AUGUST 28, 2025 HEARING EXAMINER**

Due to the petitioner's absence at the August 14, 2025 hearing, this petition was continued to the August 28, 2025 hearing date. However, it was discovered that the public hearing notice was not posted on site so this petition will need to be **continued to the September 11, 2025 hearing** to allow the posted notice requirement to be met.

**August 14, 2025**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the request.

**PETITION OVERVIEW**

**LAND USE**

The 0.23-acre site is developed with a single-family dwelling, detached garage, and gravel parking area. It is surrounded by a single-family dwelling to the west, zoned MU-1, a single-family dwelling to the north, zoned D-8, a multi-unit dwelling to the east, zoned MU-1, and a school to the south, zoned SU-2.



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## REZONING

The request would rezone the property to the D-8 district to allow for a detached single-family dwelling which is not permitted in the existing MU-1 district.

The MU-1 District is intended for the development of high-rise office uses and apartments intermixed, grouped in varying combinations, or provided in the same building. MU-1 is designed for use along arterials with both high-traffic counts and positive pedestrian experience or demand. Appropriate settings for the MU-1 district include the midtown and uptown areas of the City, very near rapid transit stops, or in the midst of high intensity Regional Commercial complexes.

The 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 site to the D-8 district for a single-family dwelling and associated detached garage to be built after the demolition of the exiting garage on site.

The petitioner was notified that the rear parking area would need to be paved and the new detached garage would need to meet the five-foot rear setback and five-foot side setback requirements. Because the site plan submitted was not to scale, staff could not confirm the current open space calculation and informed the petitioner that the 40% open space would need to be met as well.

The request would align with the Traditional Neighborhood recommendation of the Comprehensive Plan and the historical residential use of the site per an 1898 Sanborn map that notes the existence of a single-family dwelling on site at that time.

For these reasons, staff is recommending approval of the request.

## GENERAL INFORMATION

|                            |                          |                                      |
|----------------------------|--------------------------|--------------------------------------|
| <b>Existing Zoning</b>     | MU-1                     |                                      |
| <b>Existing Land Use</b>   | Single-family dwelling   |                                      |
| <b>Comprehensive Plan</b>  | Traditional Neighborhood |                                      |
| <b>Surrounding Context</b> | <b>Zoning</b>            | <b>Land Use</b>                      |
| North:                     | D-8                      | Residential (Single-family dwelling) |
| South:                     | SU-2                     | School                               |
| East:                      | MU-1                     | Residential (Multi-unit dwelling)    |
| West:                      | MU-1                     | Residential (Single-family dwelling) |



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| Thoroughfare Plan          |                         |  |
|----------------------------|-------------------------|--|
| 10 <sup>th</sup> Street    | Primary Arterial Street | 56-foot proposed right-of-way and 61-foot existing right-of-way. |
| Context Area               | Compact                 |  |
| Floodway / Floodway Fringe | No                      |  |
| Overlay                    | No                      |  |
| Wellfield Protection Area  | No                      |  |
| Site Plan                  | July 9, 2025            |  |
| 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 (2019)
- The Near Eastside Quality of Life Plan (2020)
- Infill Housing Guidelines (2021)

### Pattern Book / Land Use Plan

- The 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.





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- **Conditions for All Land Use Types**
  - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
  - All development should include sidewalks along the street frontage.
- **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**
  - The house should extend beyond the front of the garage. Garages should be loaded from an alley or side street when possible and should be detached if located on the side of the house.
  - Secondary units are encouraged.
  - Lots should be no larger than one and a half times the adjacent lots.

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

- Not Applicable to the Site.

**Neighborhood / Area Specific Plan**

- The site falls within The Near Eastside Quality of Life Plan (2020).
- The plan did not address the residential use of this specific site.

**Infill Housing Guidelines**

- **BUILDING ELEVATIONS AND ARCHITECTURAL ELEMENTS**
  - **1. Utilize Foundation Styles and Heights that are Consistent with Nearby Houses:** The height of the foundation affects where doors, porches, and windows are located. Unless there are special circumstances that require additional height, such as the location is in or near a floodplain, the foundation height for new construction should be consistent with nearby buildings.
  - **2. Be Consistent with Surrounding Entry Locations:** Main entries should be visible from the street. Entries should not be hidden, obscured, or missing from the main street elevation (front). The entry should reflect a similar characteristic to those that surround it, such as formal or casual, recessed or flush, narrow or wide.



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- **3. Where Appropriate, Include Porches or Stoops:** Use context to determine if front porches are consistent elements used in the neighborhood. If so, add porches or stoops to new construction.
- **4. Coordinate the Location and Door Style of Balconies with the Surrounding Neighborhood:** Balconies are common architectural elements in some neighborhoods, but uncommon in others. Balconies along the street should be used when appropriate. When a balcony is used, consider the appropriate door access for the type of balcony. For example, Juliet balconies, which are intended to bring the outside in, make the most sense when French doors are used.
- **5. Consider Nearby Roof Styles:** The basic outline of a new building should reflect building outlines typical of the area. Roof selection and overall height contribute to the building outline. Select roof shapes that are frequently used in the neighborhood.
- **6. Fenestration Should Relate to the Surrounding Context:** Windows and doors should be arranged on buildings so as not to conflict with the basic fenestration patterns in the neighborhood. The proportion of glass (windows) to solid materials (wood, bricks, and other materials) which is found within the surrounding context should be reflected in new construction. Every elevation (sides and rear) should have windows on each story to help break up the monotony of the façade.
- **7. Materials Used Should Reflect the Context of the Neighborhood:** Introducing new materials that are not used in the existing context should be done in a way where those materials are not the dominant material and make up less than 30% of the overall façade design.
- **8. Consider Unique Neighborhood Features:** In addition to the architectural features mentioned above, consider other common features like chimneys, dormers, gables, and overhanging eaves that shape the character of a neighborhood. When possible, include these features into new construction.

### Indy Moves

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

- Not Applicable to the Site.



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## ZONING HISTORY

### Zoning History - Vicinity

**2020-ZON-027; 1018 Newman Street** (east of site), Rezoning of 0.06 acre from the MU-1 district to the D-8 district, **approved**.

**2018-ZON-124; 1604 and 1608 East 10<sup>th</sup> Street** (east of site), Rezoning of 0.37 acre from the MU-1 district to the D-8 classification, **approved**.

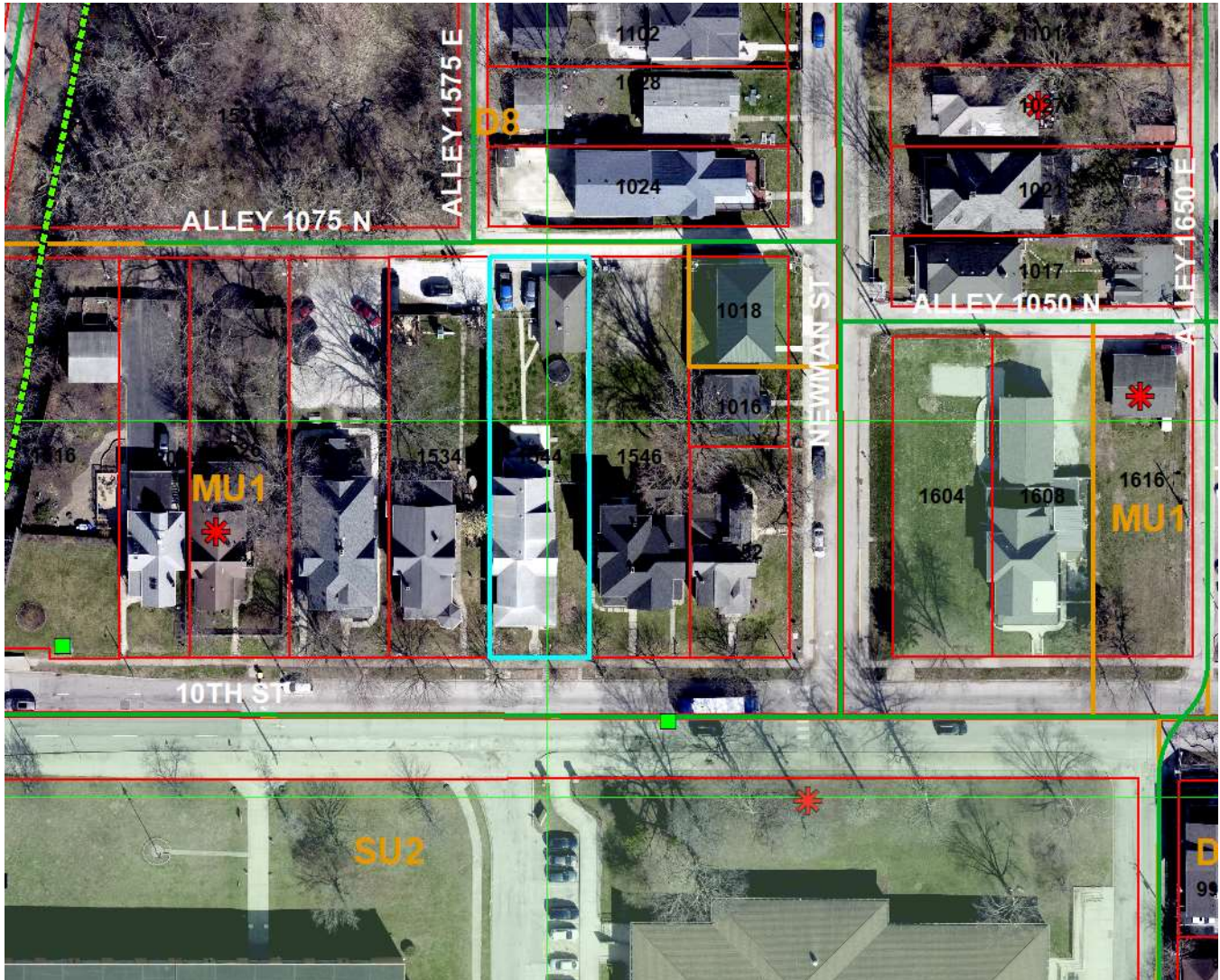
**2015-UV1-020; 1616 East 10th Street** (east of site), Variance of use and development standards of the Commercial Zoning Ordinance to provide for the construction of a 721-square foot carport (not permitted), with a six-foot east side yard and to legally establish a 224-square foot storage shed, with a zero-foot west side yard, **granted**.

**2013-HOV-035; 1526 East 10th Street** (west of site), Variance of use and development standards of the Commercial Zoning Ordinance to legally establish a single-family dwelling, with a zero-foot west side setback, and a detached garage, **granted**.

**92-Z-99; 1401, 1501 and 1601 East 10<sup>th</sup> Street and 1501 East Michigan Street** (south of site), Rezoning of 80 acres, being in the D-5 District, to the SU-2 classification to legally establish an existing school, **approved**.

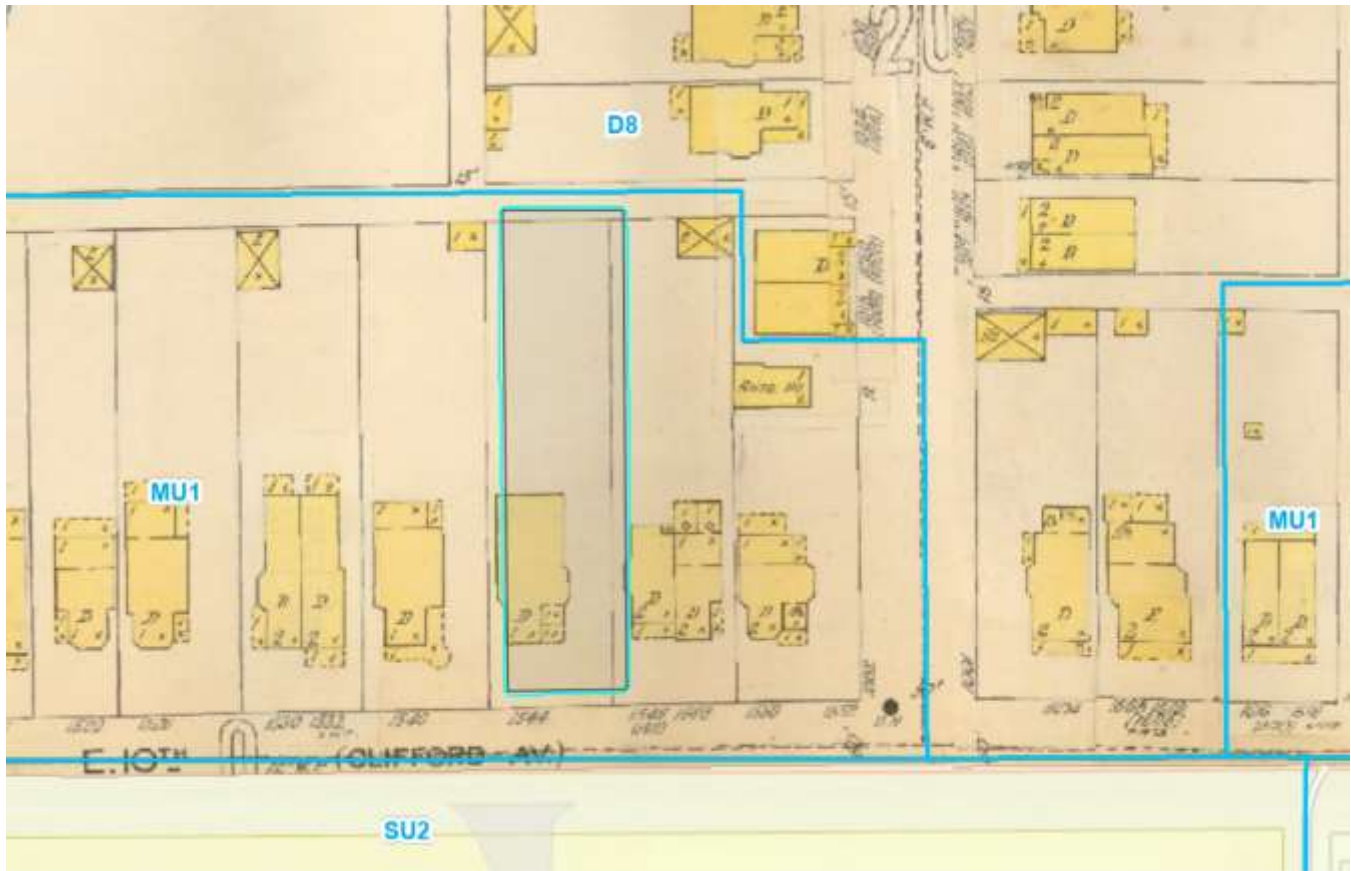
**83-HOV-47; 1027 Newman Street** (northeast of site), Variance of development standards of the Dwelling Districts Zoning Ordinance, to allow the replacement of a gable roof with a gambrel roof on an existing garage that is 2.5 and 1.5 feet from the side property lines, **granted**.

EXHIBITS

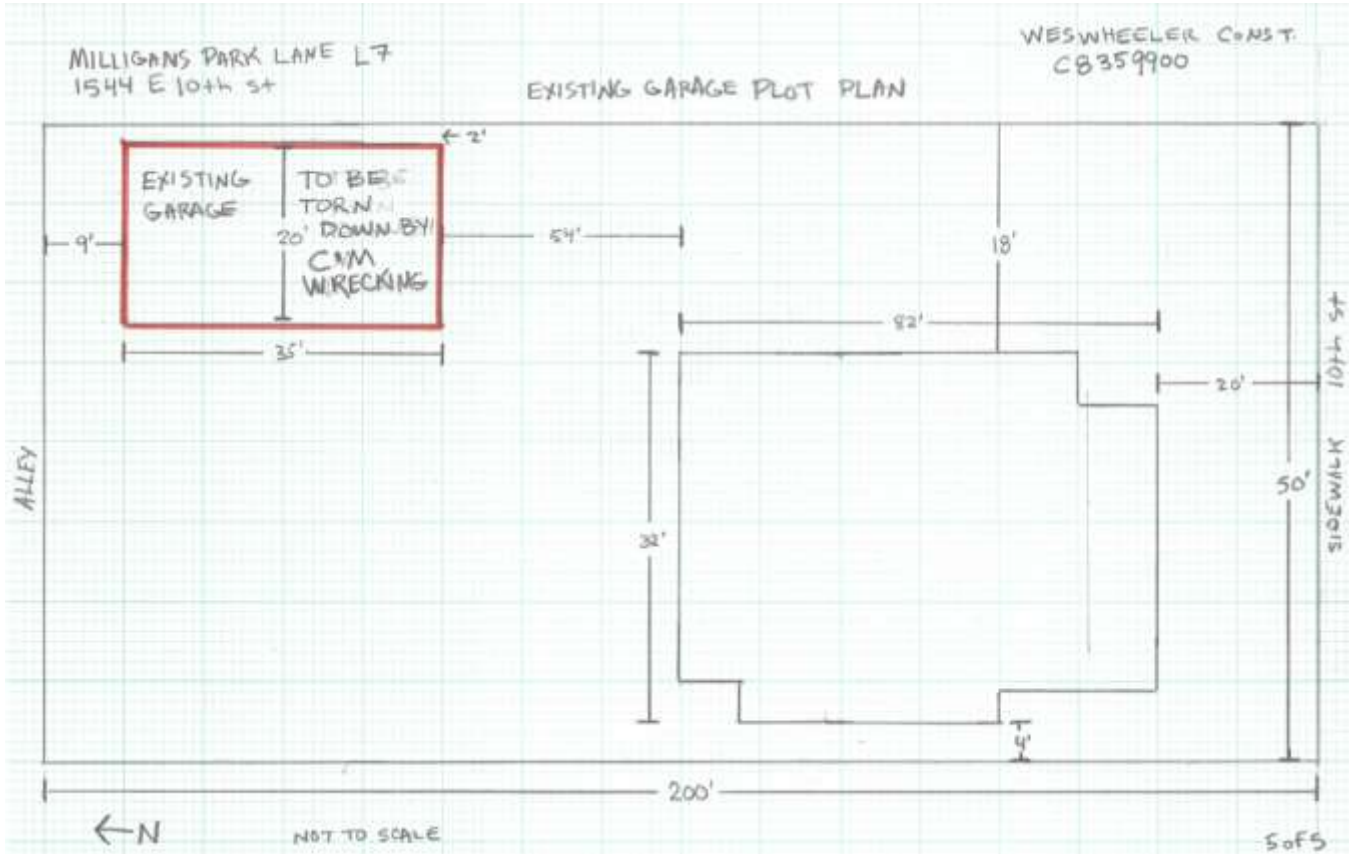


Aerial Map





1898 Sanborn Map



Site Plan



Photo of the subject stie.



Photo of the rear yard, existing detached garage to be demolished, and gravel parking area.





Photo of the existing alley north of the site looking west.



Photo of the school south of the site.



Photo of the multi-unit dwelling east of the site.



Photo of the residential dwellings west of the site.



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Division of Planning  
Current Planning Section

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 28, 2025**

**Case Number:** 2025-ZON-085  
**Property Address:** 1810 and 1814 Cornell Avenue (*approximate addresses*)  
**Location:** Center Township, Council District #13  
**Petitioner:** Dunnhaven Homes, Inc., by Chris Dunn  
**Current Zoning:** I-3  
**Request:** Rezoning of 0.31-acre from the I-3 district to the D-8 district to provide for two detached single-family dwellings  
**Current Land Use:** Undeveloped  
**Staff Recommendations:** To be determined  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

**PETITION HISTORY**

This is the first public hearing for this petition. Staff is requesting a continuance for cause from the **August 28, 2025 hearing** to the **September 11, 2025 hearing** to allow the petitioner additional to meet notice requirements.





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**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

August 28, 2025

**Case Number:** 2025-ZON-086

**Property Address:** 5255 Winthrop Avenue (approximate address)

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

**Petitioner:** Monon Property Management, LLC, by Joseph D. Calderon

**Current Zoning:** I-4

**Request:** Rezoning of 1.43 acres from the I-4 district to the C-S district to legally establish the existing structure, off-street parking area, existing uses, and to provide for commercial and industrial uses, such as, commercial and building contractor, business offices, including medical offices, artisan manufacturing, research and development, restaurants, and indoor recreation and entertainment.

**Current Land Use:** Commercial

**Staff Recommendations:** To be determined.

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

**PETITION HISTORY**

Staff is requesting a **continuance for cause from the August 28, 2025 hearing to the September 25, 2025 hearing** to allow the petitioner additional time to address parking concerns brought up by staff or amend the request to include a variance. The amendment would require new notice.

**STAFF RECOMMENDATION**

Staff recommendation to be determined.

**PETITION OVERVIEW**

This petition is to be continued to the September 25, 2025 hearing.



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**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 28, 2025**

**Case Number:** 2025-ZON-088  
**Property Address:** 1781 Sloan Avenue  
**Location:** Center Township, Council District # 19  
**Petitioner:** Victory College Prep, Inc., by Andrew Wert  
**Request:** Rezoning of 1.09 acres from the D-2 district to the SU-2 district to construct a 77-space parking lot for a school, located at 1780 Sloan Avenue.  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

On August 5, 2025, an e-mail from the petitioner's representative was received indicating that the **petition was withdrawn**. This would require acknowledgement from the Hearing Examiner.



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**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 28, 2025**

**Case Number:** 2025-APP-011  
**Property Address:** 451 East Stop 11 Road  
**Location:** Perry Township, Council District #23  
**Petitioner:** City of Indianapolis, Department of Parks and Recreation, by Henry Woodburn  
**Current Zoning:** PK-1  
**Request:** Park District One Approval to provide playground equipment, sidewalk connections, re-stripped tennis and pickleball courts, and walking paths.  
**Current Land Use:** Park  
**Staff Recommendations:** Approval  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

This is the first public hearing on this petition.

**STAFF RECOMMENDATION**

Approval, subject to substantial compliance with the site plan, file dated July 29, 2025.

**PETITION OVERVIEW**

This 19.92-acre site, zoned PK-1, is developed as a park. It is surrounded by single-family dwellings to the north, zoned D-6, D-4, and D-A; single-family dwellings to the south, across East Meridian School Road, zoned D-3; religious uses to the east, zoned SU-1; and multi-family dwellings to the west, zoned MU-1.

Petition 74-Z-120 rezoned the site to the PK-1 district to provide for a park.

**Park District One Approval**

The Ordinance classifies Park District One and Two as Development Plan Districts. “No use, building or structure shall hereafter be established, constructed or used on any land in a Development Plan district for any purpose, until a Site and Development Plan for such land, including the proposed use or uses, has been filed with and approved by the Commission in accordance with this zoning ordinance.”



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“The Commission may consider and act upon any such proposed use and Site and Development Plan, approve the same in whole or in part, and impose additional development standards, requirements, conditions, or commitments thereon at any public hearing of the Commission.”

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

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

The Site and Development Plan must include layout and elevation plans for all proposed buildings and structures, and must indicate:

- a. Proposed uses, buildings and structures.
- b. All existing uses, buildings, and structures, in addition to any proposed to be demolished.
- c. Proposed buildings and structures and the use of each.
- d. Elevations of all sides of each building.
- e. Zoning and existing land uses of adjacent properties.
- f. Off-street vehicle and bicycle parking layouts with summary table of the number of required off-street parking, loading, and stacking spaces.

The request would upgrade the existing amenities and add new amenities within this park that would expand and improve recreation opportunities for the surrounding residential neighborhood, resulting higher quality of life for the park users and surrounding land uses.

The development plan for this park includes playground equipment, sidewalk connections, re-stripped tennis and pickleball courts, and walking paths.





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## Overlays

A portion of the site is located within an overlay, specifically the Environmentally Sensitive Area (ESA). “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.”

Forest Alliance Woodlands, a high-quality woodland, covers approximately 3.7 acres within the park and should be preserved.

## GENERAL INFORMATION

|                                   |                                      |  |
|-----------------------------------|--------------------------------------|--|
| <b>Existing Zoning</b>            | PK-1                                 |  |
| <b>Existing Land Use</b>          | Large-scale park                     |  |
| <b>Comprehensive Plan</b>         | Large-scale Park                     |  |
| <b>Surrounding Context</b>        | <b><u>Zoning</u></b>                 | <b><u>Land Use</u></b>   |
| North:                            | D-6 / D-4 / D-A                      | Single-family dwellings  |
| South:                            | D-3                                  | Single-family dwellings  |
| East:                             | SU-1                                 | Religious uses   |
| West:                             | MU-1                                 | Multi-family dwellings   |
| <b>Thoroughfare Plan</b>          |                                      |  |
| East Stop 11 Road                 | Local Street                         | Existing 44-foot right-of-way and proposed 50-foot right-of-way. |
| <b>Context Area</b>               | Metro                                |  |
| <b>Floodway / Floodway Fringe</b> | No                                   |  |
| <b>Overlay</b>                    | Environmentally Sensitive Area (ESA) |  |
| <b>Wellfield Protection Area</b>  | No                                   |  |
| <b>Site Plan</b>                  | July 29, 2025                        |  |
| <b>Site Plan (Amended)</b>        | N/A                                  |  |
| <b>Elevations</b>                 | July 29, 2025                        |  |
| <b>Elevations (Amended)</b>       | N/A                                  |  |
| <b>Landscape Plan</b>             | N/A                                  |  |
| <b>Findings of Fact</b>           | July 29, 2025                        |  |
| <b>Findings of Fact (Amended)</b> | N/A                                  |  |
| <b>C-S/D-P Statement</b>          | N/A                                  |  |



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## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

The Comprehensive Plan recommends large scale park, a non-typology land use. “Large-Scale Parks are generally over 10 acres in size.”

### Pattern Book / Land Use Plan

Not Applicable to the Site

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

Not Applicable to the Site.

### Neighborhood / Area Specific Plan

Not Applicable to the Site.

### Infill Housing Guidelines

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:

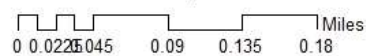
- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW)
- Identify roadways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



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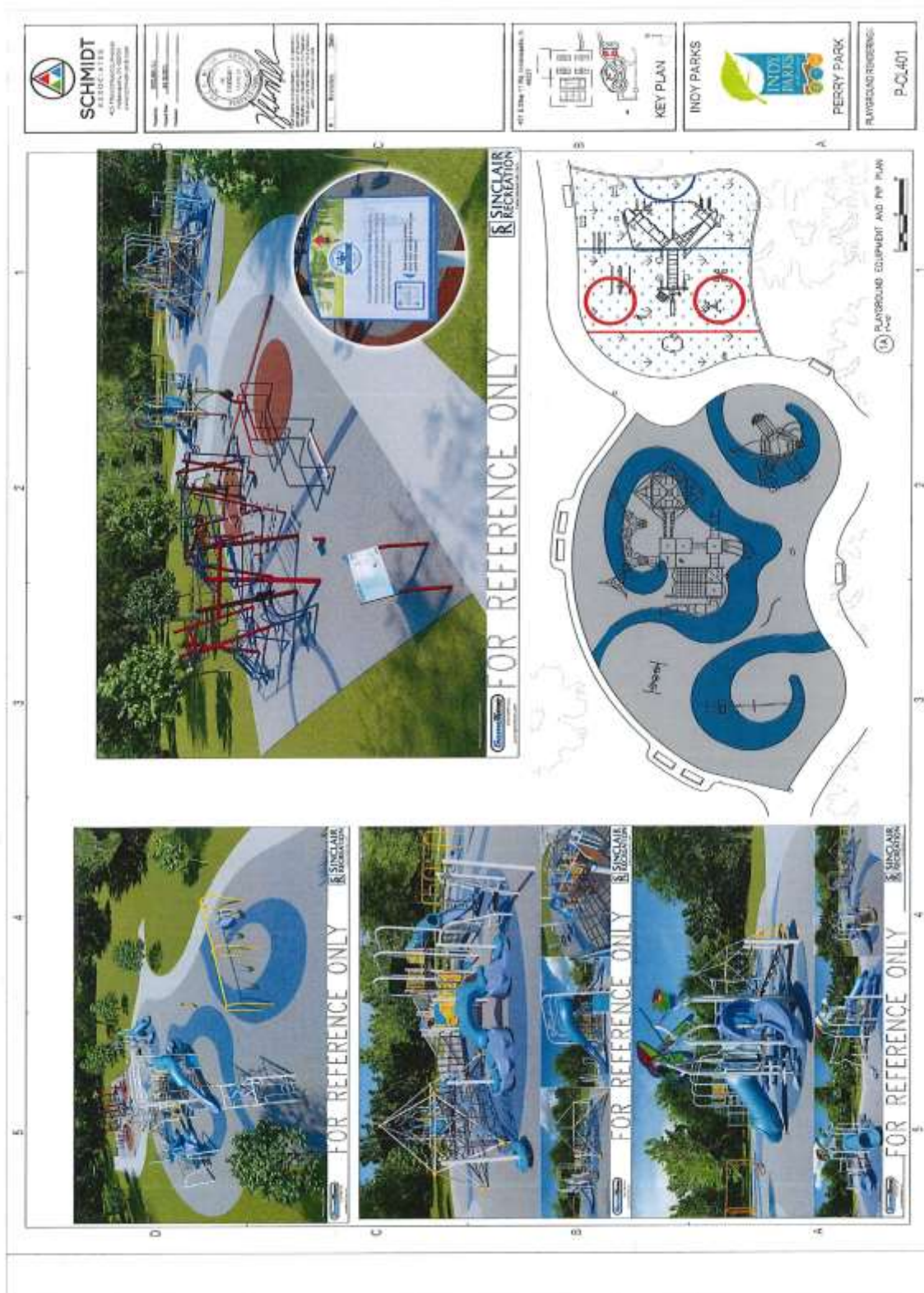
## ZONING HISTORY

**74-Z-120; 382 East Stop 11 Road**, requested rezoning of 20 acres, being in the D-3 district to the PK-1 classification to provide for park and recreation use, **approved**.















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

Petition Number \_\_\_\_\_

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

**FINDINGS OF FACT**

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

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

The Land Use Plan identifies that the parcel is a large-scale park within a suburban neighborhood. Per the Consolidated Zoning/Subdivision Ordinance, parks or playgrounds are permitted uses in all zoning districts. The site development plan improves the condition of the park through the construction of a new playground with new playground surface, sidewalk connections, benches, a re-stripped tennis/pickleball court, as well as landscape and drainage improvements.

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

The site development plan calls for a new playground, playground surface, sidewalk, benches, a re-stripped tennis/pickleball court, multiuse court, and additional improvements. These additions will improve the current state of the park.

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

There are existing sidewalks on roads surrounding the park. The proposed sidewalk will enhance connectivity between the park's features and to the surrounding neighborhood.

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

The new sidewalk will connect park features and enhance connectivity to the surrounding neighborhood

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

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

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

The property is currently a suburban neighborhood park.

The proposed design maintains the current use of the park and proposes enhancements that are

appropriate in design, character, grade, location, and orientation with existing conditions.

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

The new sidewalk connects the new playground to existing park features and to the surrounding neighborhood.

#### DECISION

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

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

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



View of site looking north



View of site looking northeast





View of site looking northeast



View of site looking north



View of site looking northwest



View of spray pool looking east from parking lot





**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 28, 2025**

**Case Number:** 2025-MOD-014  
**Property Address:** 25 Country Woods Drive  
**Location:** Perry Township, Council District #22  
**Petitioner:** KCP RE, LLC, by Ross McArthur  
**Current Zoning:** D-P  
**Request:** Modification of the Development Statement related to petition 83-Z-105 (83-DP-3) to modify the allowed signage to provide for a 23-square-foot building sign (#11 – Signs - limits signage to one, six-square-foot freestanding sign for the purpose to advertise 'for sale', 'for rent', or for 'construction' information)  
**Current Land Use:** Day Care / Pre-School  
**Staff Recommendations:** No recommendation.  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

The Hearing Examiner continued this petition from the July 24, 2025 hearing, to the August 28, 2025 hearing, with notice, to provide for required notice.

**STAFF RECOMMENDATION**

No recommendation.

**PETITION OVERVIEW**

This 0.587-acre site, zoned D-P, is developed with a day center and preschool facility. It is surrounded by undeveloped land / open space to the north, east and west and a medical office building to the south, all zoned C-1.

This site was included in petitions 83-Z-105 / 83-DP-3 to rezone the site to the D-P district to provide for single-family, two-family, apartment and day care uses.

The Comprehensive Plan recommends community commercial typology for the site.

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**MODIFICATION**

The request would modify the Development Statement related to 83-Z-105 (83-DP-3) to allow for a 23-square-foot building sign when the Development Statement limited signage to one, six-square foot freestanding sign for the purpose to advertise 'for sale', 'for rent', or for 'construction' information.'

The D-P Statement was reviewed and finalized during the rezoning process. Because there are no documents in the file that confirmed this provision was a direct request from staff, would ordinarily provide no recommendation under such circumstances. Staff would note, however, that the neighborhood organization(s) negotiated in good faith with the petitioner during the petition process, and their agreement was contingent upon all commitments being included with the rezoning petition. See Exhibit A.

Signage within the D-P district is regulated and established by the D-P Statement at the time of the rezoning. Staff, however, would note that the proposed wall sign would be consistent with the current Sign Regulations.

**GENERAL INFORMATION**

|                                   |                                |  |
|-----------------------------------|--------------------------------|--|
| <b>Existing Zoning</b>            | D-P                            |  |
| <b>Existing Land Use</b>          | Day Care / Pre-School facility |  |
| <b>Comprehensive Plan</b>         | Community Commercial           |  |
| <b>Surrounding Context</b>        | <b><u>Zoning</u></b>           | <b><u>Land Use</u></b>   |
| North:                            | C-1                            | Undeveloped Land / Open Space                                    |
| South:                            | C-1                            | Medical Offices  |
| East:                             | C-1                            | Undeveloped Land / Open Space                                    |
| West:                             | C-1                            | Undeveloped Land / Open Space                                    |
| <b>Thoroughfare Plan</b>          |                                |  |
| Country Woods Drive               | Local Street                   | Existing 70-foot right-of-way and proposed 50-foot right-of-way. |
| <b>Context Area</b>               | Metro                          |  |
| <b>Floodway / Floodway Fringe</b> | No                             |  |
| <b>Overlay</b>                    | No                             |  |
| <b>Wellfield Protection Area</b>  | No                             |  |
| <b>Site Plan</b>                  | June 18, 2025                  |  |
| <b>Site Plan (Amended)</b>        | N/A                            |  |
| <b>Elevations</b>                 | June 18, 2025 (Signage)        |  |
| <b>Elevations (Amended)</b>       | N/A                            |  |
| <b>Landscape Plan</b>             | N/A                            |  |
| <b>Findings of Fact</b>           | N/A                            |  |
| <b>Findings of Fact (Amended)</b> | N/A                            |  |
| <b>C-S/D-P Statement</b>          | June 18, 2025                  |  |

## 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

**83-Z-105 / 83-DP-3; 304 West County Line Road (included site)**, requested rezoning of 96 acres, being in the D-4 district, to the D-P classification to provide for a planned unit development containing single-family, two-family, apartment and day care uses, **approved**.

### VICINITY

**93-Z-126; 8824 South Meridian Street (south of site)**, requested rezoning of 12.1 acres, being in the D-A and D-P districts, to the C-1 classification to provide for a medical office building and out-patient surgery center, **approved**.

**90-Z-183 / 90-CV-26; 8905 South Meridian Street (south of site)**, requested rezoning of 12 acres, being in the D-A district, to the C-3 classification to provide for commercial development, and a variance of development standards to permit a single establishment for 46,000 square feet on an integrated center site, **approved and granted**.

**90-Z-82; 102 and 208 East County Line Road (south of site)**, requested rezoning of 3.0 acres, being in the D-A district, to the D-6 classification to provide for multi-family residential development, **approved**.

**89-Z-204; 8 east Dixie Drive (south of site)**, requested rezoning of -.45 acre, being in the D-3 district, to the C-1 classification to provide for office use, **denied**.

**88-Z-214; 8809 South Meridian Street (south of site)**, requested rezoning of 1.0 acre, being in the D-3 district, to the C-1 classification to provide for commercial office development, **approved**.

**88-Z-94 116 East County Line Road (south of site)**, requested rezoning of 7.84 acres, being in the D-A district, to the D-6 classification to provide for multi-family residential development, **approved**.

**87-Z-233; 20 East County Line Road (south of site)**, requested rezoning of 5.5 acres, being in the D-A district, to the C-S classification to provide for offices, personal and professional service establishments, and mini-warehouses, **withdrawn**.

**87-Z-219; 402 West County Line Road (south of site)**, requested rezoning of 31.4 acres, being in the D-P, A-2 and FW/FP districts to the D-3 (FW/FP) classifications to provide for single-family residential development, **approved**.

**87-Z-96; 8802 South Meridian Street**, requested rezoning of 68 acres, being in the D-P (FW/FP) classifications to provide for single-family residential development, **approved**.

**86-Z-57; 8901 South Meridian Street, (south of site)**, requested rezoning of 0.85 acre, being in the D-3 district, to the C-1 classification to provide for office uses, **approved**.





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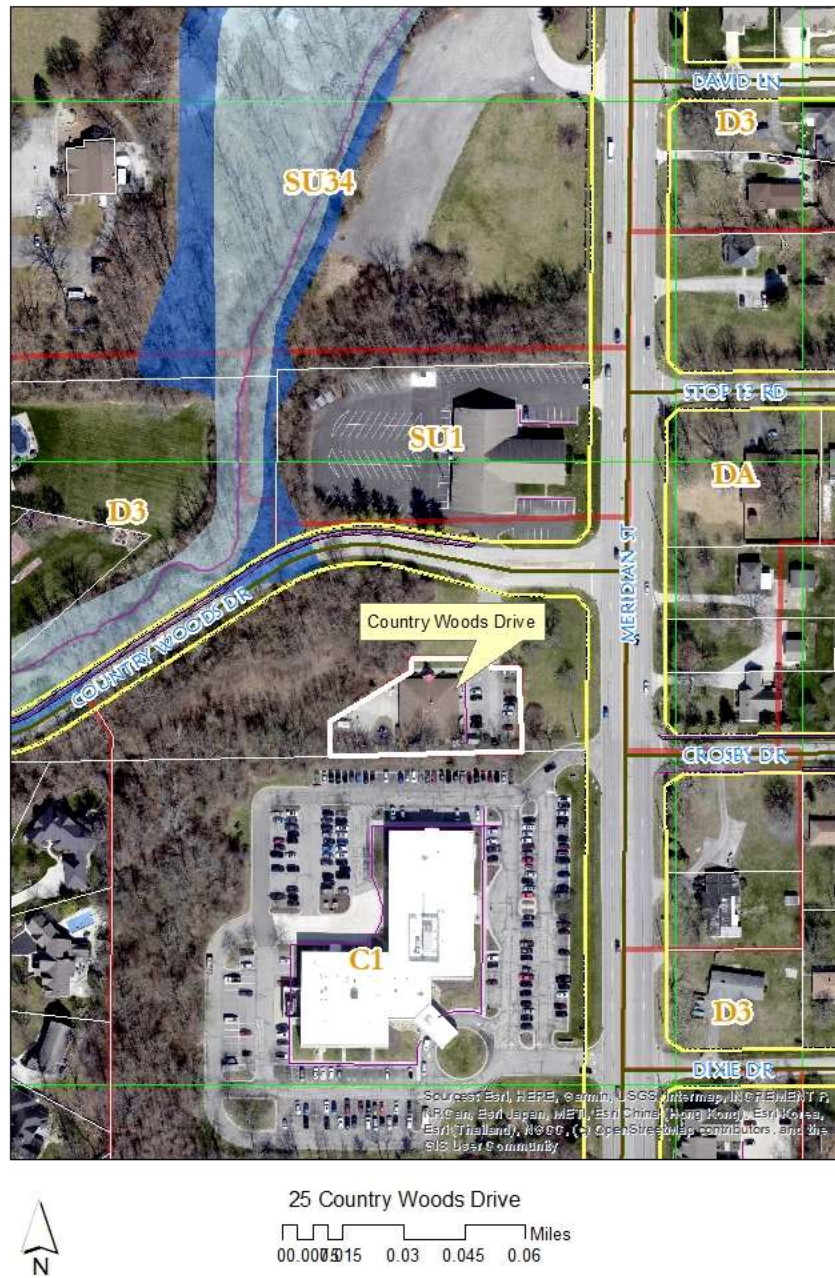
**85-Z-117 / 85-DP-10; 185 Country Woods Drive (west of site)**, requested rezoning of 1.48 acres, being in the D-P district, to the D-P classification to provide for 60 two-bedroom apartments, **approved**.

**79-Z-103; 6 East County Line Road (south of site)**, requested rezoning of 0.60 acres, being in the D-A districts, to the C-3 classification to provide for a restaurant, **dismissed**.

**72-Z-15-; 8500 South Meridian Street, (north of site)**, requested rezoning of 25 acres, being in the D-A district, to the SU-34 classification to provide for a recreation center, **approved**.

**70-Z-163; 8701 South Meridian Street (south of site)**, requested rezoning of 27 acres, being in the D-A district, to the D-3 classification to provide for residential use by platting, **approved**.

EXHIBITS



Department of Metropolitan Development  
Division of Planning  
Current Planning

EXHIBIT A

5. Accessory and Temporary Buildings - No trailers, shacks, outhouses, detached storage sheds or tool sheds of any kind shall be erected or situated on any lot herein, except that used by the builder during the construction of a residential building on the property.
6. Temporary Structures - No trailer, shack, tent, boat, basement, garage or other outbuilding may be used at any time as a residence, temporary or permanent, nor may any structure of a temporary character be used as a residence.
7. Nuisances - No farm animals, fowls, or domestic animals for commercial purposes shall be kept or permitted on any lot or lots in this subdivision. No noxious, unlawful, or otherwise offensive activity shall be carried out on any lot in this subdivision, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
8. Fences - No fence shall be erected on or along any lot line, nor on any lot, the purpose or result of which will be to obstruct reasonable vision, light, or air; all fences shall be kept in good repair and erected so as to enclose the property and decorate the same without hinderance or obstruction to any other property. No fence shall be erected between the front property lines and the building setback line other than a fence of a decorative nature not exceeding three (3) feet six (6) inches in height. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between two (2) and six (6) feet above the street, shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting points twenty-five (25) feet from the intersection of said street lines, or in the case of a rounded property corner, from the intersection of the street lines extended. The same sight line limitations shall apply to any lot within ten (10) feet from the intersection of a street line with the edge of a driveway pavement or alley line. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstructions of such sight lines.
9. Driveways - All driveways shall be paved simultaneously with construction of the dwelling and the type of construction and materials must be first approved by the Building Committee.
10. Vehicle Parking - No camper, motor home, truck, trailer, boat, or recreational vehicle of any kind, may be stored on any lot in open public view.
11. Signs - No sign of any kind shall be displayed to the public view on any lot except that one sign of not more than six square feet may be displayed at any time for the purpose of advertising the property for sale or rent, or may be displayed by a builder to advertise the property during construction and sale.
12. Vegetation - Lot owners shall not permit the growth of weeds and volunteer trees and bushes, and shall keep their lots reasonably clear from unsightly growth at all times. Failure to comply shall warrant the Undersigned, the Homeowners Association, or the Department of Metropolitan Development to cut weeds and clear the lot of such growth at the expense of the lot owner, and such lot owner shall have a lien against said real estate for the expense thereof.



Department of Metropolitan Development  
 Division of Planning  
 Current Planning

Variance Sign Package and Site Plan



**The Skyrise School**  
 by KinderCare

**Exterior Signage Package**  
 25 Country Woods Dr, Indianapolis, IN 46217

**landscape**

| 1 | Installation Sign Matrix  | Day 2 Signs |
|---|---------------------------|-------------|
| 2 | Installation Sign Matrix  | Day 2 Signs |
| 3 | FCO Letter on Cedar Panel | 99.1        |
| 4 | 3x3 Skyway Package        | Day 1       |
| 5 | Real Estate               | Day 1       |

Sign #3

**The Skyrise School**  
 by KinderCare

**60000**

Client: KinderCare

Project Manager: S. Wood

Address: 25 Country Woods Dr, Indianapolis, IN 46217

41023 816

cima

**60000**

Client: KinderCare

Project Manager: S. Wood

Address: 25 Country Woods Dr, Indianapolis, IN 46217

41023 816

cima

**60000**

Client: KinderCare

Project Manager: S. Wood

Address: 25 Country Woods Dr, Indianapolis, IN 46217

41023 816

cima

**60000**

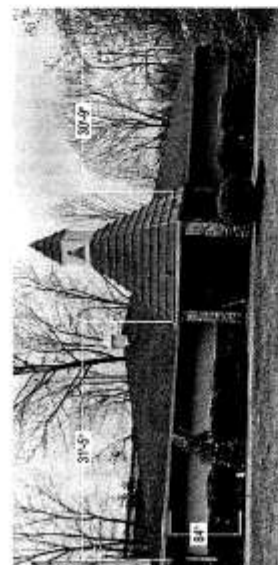
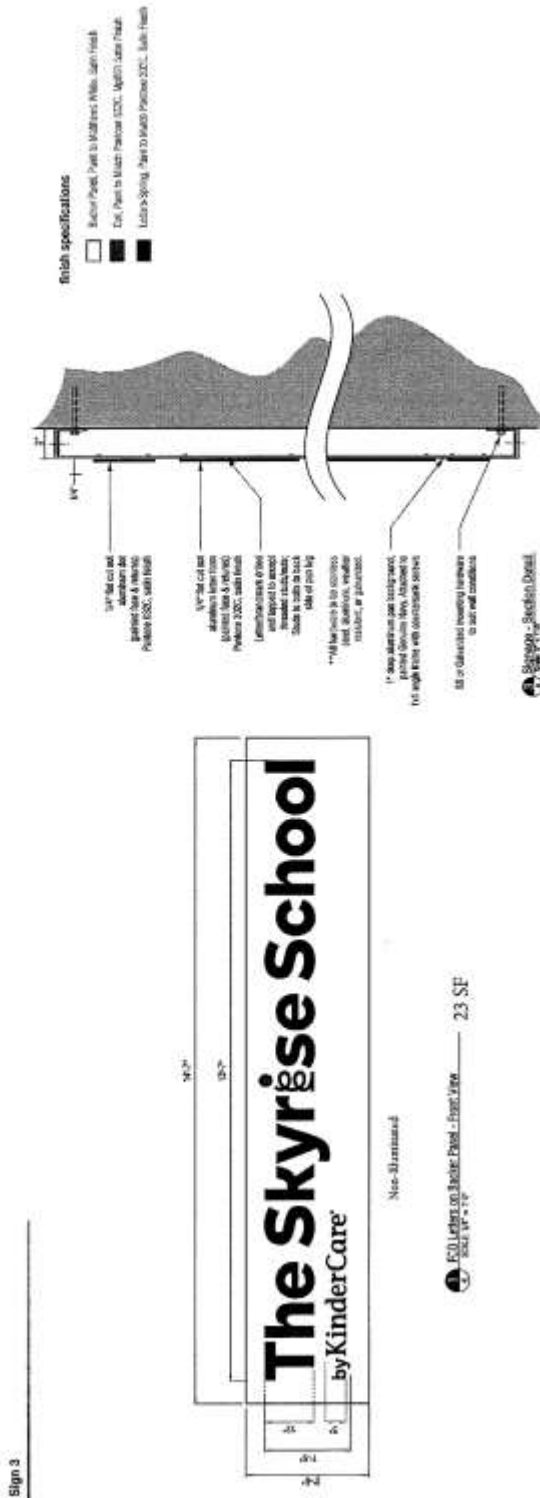
Client: KinderCare

Project Manager: S. Wood

Address: 25 Country Woods Dr, Indianapolis, IN 46217

41023 816

cima



Proposed

Existing

North Elevation

<sup>10</sup> The authors are grateful to CNRS for allocation of postdoctoral grants for postdoctoral research in the field of biotechnology and to the French government for the allocation of a postdoctoral grant to the first author.

Client: KinderCare      Project Manager: S. Wood      Address: 25 County Woods Dr Indianapolis, IN 46217

cima

41023 R6 4

4

4



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



View looking west along Country Woods Drive



View looking east along County Woods Drive

Department of Metropolitan Development  
Division of Planning  
Current Planning



View of site looking west across South Meridian Street



View looking west across site access drive

Department of Metropolitan Development  
Division of Planning  
Current Planning



View of site looking south across Country Woods Drive



View from site looking north along access drive



Department of Metropolitan Development  
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Current Planning



View of site looking west



View from site looking east towards South Meridian Street

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 28, 2025**

**Case Number:** 2025-ZON-066  
**Property Address:** 6470 West 10th Street (approximate address)  
**Location:** Wayne Township, Council District #16  
**Petitioner:** Sangar Estate, LLC, by Russell L. Brown  
**Current Zoning:** D-3 (W-5)  
**Request:** Rezoning of 0.55-acre from the D-3 (W-5) district to the C-4 (W-5) district to provide for a community-regional commercial uses.  
**Current Land Use:** Vacant  
**Staff Recommendations:** Approval  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

**PETITION HISTORY**

**ADDENDUM FOR AUGUST 28, 2025 HEARING EXAMINER**

The Hearing Examiner continued this petition from the **July 10, 2025 hearing**, to the **August 28, 2025 hearing**, to provide additional time for further discussions with the petitioner's representative. Following the continuance, the petitioner submitted a revised site plan and agreed to a commitment limiting the rezoning to allow only a liquor store use and accessory uses related to that liquor store.

The revised site plan file date: **August 19, 2025**, includes the addition of six-foot sidewalks along 10th Street and Farley Drive. The original plan had proposed only four-foot sidewalks. With these revisions, staff is recommending approval.

**July 10<sup>th</sup>, 2025**

This is the first public hearing on this petition.

**STAFF RECOMMENDATION**

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

1. All uses identified as permitted in Table 743.1 only within the C4 (Community – Regional District) or above shall be prohibited with the exception of a Liquor Store.
2. Subject to the site plan filed dated August 19<sup>th</sup> 2025



## PETITION OVERVIEW

### LAND USE

The 0.55-acre site, zoned D-3 (W-5), is developed with a vacant 4,880-square-foot building. The surrounding area includes commercial buildings north, east, and south, zoned C-3, C-4, C-1 respectively, with residential single-family residential uses located to the west, zoned D-3

This property is part of Lots 11 and 12 of Farley's Speedway Homeplace Section 1, recorded on September 14, 1961. The property was granted a variance in 1988 (**88-UV3-98**), to allow the conversion of a gasoline service station into a gasoline filling station and convenience store with reduced parking, reduced transitional and front yards, and a trash dumpster located in the front yard. In 1995, 868 square feet of the structure was remodeled under Improvement Location Permit (**ILP95-02461**) to accommodate a Subway deli.

### REZONING

The request proposes to rezone the site from the D-3 (W-5) district to the C-4 (W-5) classification to allow for a liquor store.

The site is currently zoned D-3 which provides for low- or medium- intensity residential development at typically 2.6 units per acre. But the property has not been used as a residential use for last 63 years or since 1962 (Per 1962 aerial images).

The site will be rezoned to C-4 (Community-Regional Commercial) which is designed for major business groupings and regional-size shopping centers to serve a population ranging from a neighborhood to a major segment of the total metropolitan area. The district accommodates several large traffic generators, such as home improvement stores, department stores, and theatres, and allows limited outdoor activities.

Given the site's location adjacent to residential districts and within the Wellfield Protection District, staff initially expressed concerns about the broader range of high-intensity commercial uses permitted in the C-4 District, such as automobile fueling stations. However, the petitioner has agreed to commitments prohibiting such uses, thereby addressing staff's concerns.

The property is located within the Wellfield Protection Secondary Zoning District (Five-Year Time-of-Travel Area). The purpose of this overlay is to protect groundwater quality by regulating the handling, storage, and use of hazardous materials and objectionable substances associated with nonresidential activities.

Certain higher intensity uses within this overlay, including but not limited to printing services, wireless communication facilities, automobile fueling stations, vehicle service or repair, vehicle washing, transit centers, and recycling stations, would require review by a Technically Qualified Person to ensure compliance with wellfield protection standards.

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## STAFF ANALYSIS

Staff supports the requested rezoning. The proposed redevelopment of a former gasoline station into a liquor store is consistent with the Community Commercial typology identified in the Comprehensive Plan, which recommends “low-intensity retail commercial uses” such as small-scale shops, grocery stores, personal and professional services, drug stores, and restaurants—uses intended to serve the daily needs of nearby residents.

While the C-4 district permits more intense commercial activities, including outdoor storage, this site’s adjacency to single-family residential uses warrants consideration of compatibility and potential buffering. Nevertheless, the proposal aligns with adopted land use policy and represents a logical reuse of a long-vacant commercial structure.

Given alignment with the Comprehensive Plan, and the proposed commitment limiting the range of C-4 uses, staff recommends **approval** of this petition.

## GENERAL INFORMATION

|                                   |                      |                                      |
|-----------------------------------|----------------------|--------------------------------------|
| <b>Existing Zoning</b>            | D-3 (W-5)            |                                      |
| <b>Existing Land Use</b>          | Vacant               |                                      |
| <b>Comprehensive Plan</b>         | Community Commercial |                                      |
| <b>Surrounding Context</b>        | <b>Zoning</b>        | <b>Land Use</b>                      |
| North:                            | C-3                  | Commercial Use                       |
| South:                            | C-1                  | Commercial Use                       |
| East:                             | C-4                  | Commercial Use                       |
| West:                             | D-3                  | Residential (Single-family dwelling) |
| <b>Thoroughfare Plan</b>          |                      |                                      |
| West 10 <sup>th</sup> Street      | Primary Arterial     | 112-foot proposed right-of-way       |
| Farley Drive                      | Local Street         | 50-foot proposed right-of-way        |
| <b>Context Area</b>               | Metro                |                                      |
| <b>Floodway / Floodway Fringe</b> | No                   |                                      |
| <b>Overlay</b>                    | No                   |                                      |
| <b>Wellfield Protection Area</b>  | W-5                  |                                      |
| <b>Site Plan</b>                  | June 2, 2025         |                                      |
| <b>Site Plan (Amended)</b>        | N/A                  |                                      |
| <b>Elevations</b>                 | June 3, 2025         |                                      |
| <b>Elevations (Amended)</b>       | N/A                  |                                      |
| <b>Landscape Plan</b>             | N/A                  |                                      |
| <b>Findings of Fact</b>           | N/A                  |                                      |
| <b>Findings of Fact (Amended)</b> | N/A                  |                                      |
| <b>C-S/D-P Statement</b>          | N/A                  |                                      |

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Pattern Book (2019)
- IndyMoves 2018

### Pattern Book / Land Use Plan

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

### Conditions for All Land Use Types

All development should include sidewalks along the street frontage.

### Small-Scale Offices, Retailing, and Personal or Professional Services

- Outdoor display of merchandise should be limited.
- If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.
- Should be located along an arterial or collector street.
- If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.

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

- Not Applicable to the Site.

### Neighborhood / Area Specific Plan

- Not Applicable to the Site.

### Infill Housing Guidelines

- Not Applicable to the Site.

### Indy Moves

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

- **IndyMoves Transportation Integration Plan (2018)**
  - Complete Streets Multi-Use Path
- **Pedal Indy (2018)**
  - Pedal Indy proposes a safe, well-connected bicycle network that provides access for all Indianapolis residents while stewarding limited public resources. To do this, the plan proposes hundreds of miles of bicycle facilities, balancing higher-cost protected facilities where safety needs are greatest with lower-cost “Neighborway” that offer traffic calming and placemaking enhancements and reach into the heart of neighborhoods.



## ZONING HISTORY

### SITE

**88-UV3-98 ;6470 W 10th Street (subject site)**, request a Variance of Use and Development Standards to provide for the conversion of a gasoline service station to a gasoline filling station and convenience store with reduced parking, reduced transitional and front yards and a trash dumpster in the front yard, **approved**

### VICINITY

**2020-DV3-044 (west of site)**, Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for 47-foot-tall wood and metal poles for small cell wireless communications facilities, with associated equipment and antennas within the right-of-way, **granted**.

**97-V1-116; 6402 West 10<sup>th</sup> Street (east of site)**, Variance of Development Standards of the Sign Regulations to provide for the placement of 12 by 12-foot pylon sign being 112 feet in height (Maximum 40 feet required)

**96-HOV-14; 6599 West 10th Street (east of site)**, request a Variance of Development Standards of the Sign Regulations to provide for the placement of two subdivision entry wall signs 4 additional identification wall signs, **granted**.

**95-UV1-19; 745 Beach way Drive (southeast of site)**, requests a Variance of Use of the Commercial Zoning Ordinance to provide for the placement of an 80-foot tall monopole antenna and a 360 sft communication equipment building, **granted**.

**94-Z-165; 6601 West 10<sup>th</sup> Street (south of site)**, requests the Rezoning of 42.3 acres, being in the D-6 District, to the D-P classification to provide for a planned unit development with 104 detached single-family residential units and 128 two-story "Villas" and single-story "garden" homes, **approved**.

**91-Z-5; 6439-6443 W. 10th Street (south of site)**, request the Rezoning of 1.15 acres, being in the D-A district to the C-1 district, to provide for office development

**90-HOV-69; 5909 West 10<sup>th</sup> Street (east of site)**, request a Variance of Development Standards of the Sign Regulations to provide for the placement of a second integrated center pole sign, **withdrawn**.

**90-Z-7; 1011 north Farley Drive (north of site)**, request the Rezoning of 0.44 acres, being in the D-3 district to the C-3 classification, to provide for retail development integrated with the existing retail center to the north and east.

**88-UV2-52; 1011 North Farley Drive (north of site)**, request a Variance of Use to provide for the conversion of a single-family residence to an office, **granted**

**81-Z-81; 6601 West 10th Street (west of site)**, request Rezoning of 42.6 acres, being in the A-2 district, to the D-6 classification to provide for condominium development, **approved**.



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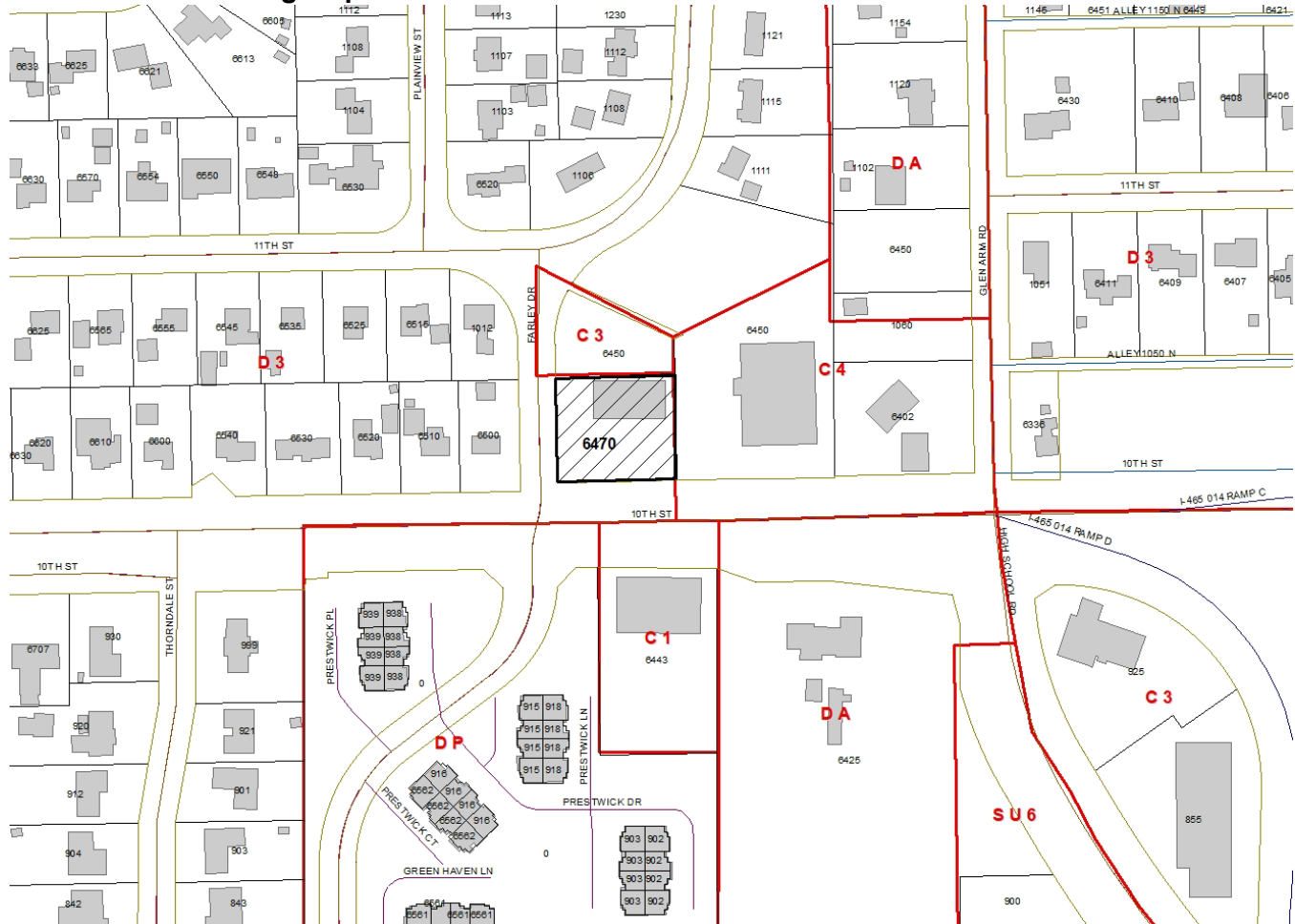
**81-Z-66; 925 North High school Road** (southeast of site), request Rezoning of 2.02 acres, being in the A-2 district, to the C-4 classification to provide for retail uses, offices, and a banking center, **approved.**

**71-Z-182; 760 North High School Road** (southeast of site), Request Rezoning of 15.45 acres, being in the A-2 district, to the C-1 classification to provide for offices, **approved.**

**59-Z-155; 6410 West 10<sup>th</sup> Street** (east of site), request Rezoning 0.912 acres, being in the A-2 district to the B-4 classification, to provide for the construction and operation of a shell gasoline service station.

EXHIBITS

2025-ZON-066 Zoning Map



**2025-ZON-066 Site Location**







**2025-ZON-066 Updated Site Plan.**



**2025-ZON-066 Site Plan**







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**2025-ZON-066 Photographs.**

**Looking north along West 10<sup>th</sup> Street.**



**Looking at subject building**





Looking south along West 10<sup>th</sup> Street towards bus stop.



Looking north from W 10<sup>th</sup> Street towards subject site.





Looking east from south entrance drive off of Farley Drive.



Looking east from Farley Drive towards subject site.



Looking east from Farley Drive towards rear access drive.





**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 28, 2025**

**Case Number:** 2025-ZON-080 (Amended)  
**Property Address:** 3350 North German Church Road  
**Location:** Warren Township, Council District #15  
**Petitioner:** Hindu Temple of Central Indiana, Inc. by Timothy H. Button  
**Current Zoning:** D-A (FF) / SU-1 / SU-38  
**Request:** Rezoning of 28.49 acres from the D-A (FF), SU-1 and SU-38 districts to the SU-1 (FF) district to provide for religious uses.  
**Current Land Use:** Religious uses  
**Staff Recommendations:** Approval  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

The Hearing Examiner continued this petition from the August 14, 2025 hearing, to the August 28, 2025 hearing, with notice to amend the request and provide new notice.

**STAFF RECOMMENDATION**

Approval.

**PETITION OVERVIEW**

This 28.49-acre site, zoned D-A (FF), SU-1 and SU-38 (Community Center), is developed with a temple, parking lot and undeveloped land. It is surrounded by a railroad right-of-way, zoned D-A (FF) and SU-1; undeveloped land to the south, zoned D-A (FF) (FW); undeveloped land and religious uses to the east, across North German Church Road, zoned I-1, D-A and SU-1, respectively; and undeveloped land to the west, zoned, D-4 (FF) (FW) and D-A (FF) (FW).

Petition 2002-ZON-147 rezoned 13.173 acres of this site to the SU-1 and SU-38 districts to provide for religious uses.

**REZONING**

The request would rezone the site to the SU-1 district to provide for religious uses.

Religious uses are generally considered compatible with residential development if they are designed and developed properly to address issues such as parking, hours of operation, outdoor activities, signs,

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setbacks, lighting, and landscaping. Staff believes that a religious use at this location would be compatible with the surrounding development.

### Site Plan

The conceptual site plan, file dated July 10, 2025, provides for an internal drive along “the new loop drive” that connects to the service road of a utility easement that runs parallel to the railroad right-of-way along the northern boundary of the site. Staff is concerned that vehicular access to the utility service road would not be appropriate and would require further review when site development plans would be submitted for Administrator Approval.

Staff would also encourage coordination with the Department of Public Works, Trails / Greenways Section, to facilitate connections to any trails in the area as future development plans are considered for this site.

### Floodway / Floodway Fringe – Grassy Creek 100-Year Floodplain (Northwest Corner)

This site has a secondary zoning classification of a Floodway Fringe (FF). 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 (SU-1 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance and all other applicable City Ordinances.

### GENERAL INFORMATION

|                            |  |                                   |
|----------------------------|--|-----------------------------------|
| <b>Existing Zoning</b>     | D-A (FF) / SU-1 / SU-38                  |                                   |
| <b>Existing Land Use</b>   | Temple, parking lot and undeveloped land |                                   |
| <b>Comprehensive Plan</b>  | Suburban Neighborhood                    |                                   |
| <b>Surrounding Context</b> | <b>Zoning</b>                            | <b>Land Use</b>                   |
| North:                     | D-A (FF) SU-1                            | Railroad right-of-way             |
| South:                     | D-A (FF) (FW)                            | Undeveloped land                  |
| East:                      | I-2 / D-A / SU-1                         | Undeveloped land / religious uses |
| West:                      | D-4 (FF) (FW) / D-A (FF) (FW)            | Undeveloped land                  |



| Thoroughfare Plan          |   |  |
|----------------------------|---|--|
| North German Church Road   | Primary arterial                          | Existing 115-foot right-of-way and proposed 119-foot right-of-way. |
| Context Area               | Metro                                     |  |
| Floodway / Floodway Fringe | Yes – 100-year floodplain of Grassy Creek |  |
| Overlay                    | No  |  |
| Wellfield Protection Area  | No  |  |
| Site Plan                  | July 10, 2025                             |  |
| 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.
- *Large-Scale Schools, Places of Worship 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.”

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

**2002-ZON-147; 3130 North German Church Road**, requested rezoning of 13.173 acres from the D-A and SU-38 districts to provide for religious uses, **approved**.

**77-Z-27; 3340 North German Church Road**, requested rezoning of 13.17 acres, being the A-2 district, to the SU-38 classification to permit construction of Little League baseball diamonds, **approved**.

## VICINITY

**98-Z-154; 3510 North German Church Road (north of site)**, requested rezoning of 88.96 acres from the D-P district to the PK-1 classification to provide for a public park, **approved**.







CONCEPTUAL SITE PLAN  
 HINDU TEMPLE OF CENTRAL INDIANA  
 03-31-2015

**J.P.S.** CONSULTING  
 ENGINEERS, LLC

| BUILDING INFORMATION     |   |
|--------------------------|---|
| ZONING                   | EU—PLACE OF WORSHIP   |
| BUILDING SF              | EXISTING BUILDING: 26,483 SF<br>NEW ADDITIONS: 14,763 SF<br>TOTAL BUILDING: 41,246 SF<br>TOTAL: 41,246 SF |
| BUILDING OCCUPANCY (LAD) | TB3   |
| EXISTING PARKING SPACES  | 17,000 250 ADA 8  |
| PROPOSED PARKING         | 17,000 250 ADA 8  |





View looking north along North German Church Road



View looking south along North German Church Road

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View of parking lot looking west



View of western portion of site looking southwest



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View of site looking northwest



View of western portion of site looking northwest

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View of site looking northeast



View of site looking northwest



View of eastern portion of site looking north

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 28, 2025**

**Case Number:** 2025-ZON-083  
**Property Address:** 441 South Rural Street (Approximate Address)  
**Location:** Center Township, Council District #18  
**Petitioner:** BECA and Associates, LLC, by Josh Smith  
**Current Zoning:** C-4  
**Request:** Rezoning of 0.108-acre from the C-4 district to the D-5 district to provide for a remodel and addition to an existing detached single-family dwelling.  
**Current Land Use:** Residential (Single-Family Dwelling)  
**Staff Recommendations:** Approval  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

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

**PETITION OVERVIEW**

**LAND USE**

This 0.108-acre site zoned C-4 is developed with a single-family home built in 1924. The property is located within the Forest Park Addition Section "A" a 334-lot residential subdivision recorded on July 24, 1902. Surrounding land uses are primarily residential, with single-family homes located to the north, east, and west.

**VIOLATIONS**

The site has a history of code violations. The original home was demolished without a permit, leaving only the foundation. The petitioner has since filed for a structural permit. Prior to demolition, the property had fallen into disrepair, with documented violations for trash and unsafe conditions.

**REZONING**

The rezoning petition, if approved, would rezone this site to the D-5 district to provide for a remodel and addition to an existing foundation.



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The property is currently zoned C-4, the C-4 classification is intended for regional-scale commercial development, which is not feasible on a property of this size and configuration. Its location within an established residential neighborhood and limited access to a nearby roundabout further reduce the likelihood of commercial redevelopment under the current zoning.

The property is requesting to be rezoned to the D-5 District, which permits medium-intensity residential development at approximately 4.5 units per acre, would better reflect both the historical residential use of the site and the surrounding neighborhood character.

The proposed D-5 zoning is also consistent with the Comprehensive Plan recommendations of Traditional Neighborhood typology. Which calls for a residential density of 5 to 15 dwelling units per acre and identifies this area as part of a Traditional Neighborhood typology.

### STAFF ANALYSIS

The proposed rezoning is appropriate given the property's size, location, and historical use. It aligns with the Comprehensive Plan's guidance for Traditional Neighborhoods and will allow the site to be reinvested in and brought back into productive residential use. Approval of this request would not only be consistent with surrounding zoning and land uses but would also support ongoing efforts to stabilize and reinvigorate the neighborhood.

### GENERAL INFORMATION

|                                   |                          |                      |                                      |
|-----------------------------------|--------------------------|----------------------|--------------------------------------|
| <b>Existing Zoning</b>            | C-4                      |                      |                                      |
| <b>Existing Land Use</b>          | Residential              |                      |                                      |
| <b>Comprehensive Plan</b>         | Traditional Neighborhood |                      |                                      |
| <b>Surrounding Context</b>        |                          | <b><u>Zoning</u></b> | <b><u>Land Use</u></b>               |
|                                   | North:                   | D-5                  | Residential (Single Family Dwelling) |
|                                   | South:                   | C-4                  | Single Family Residential            |
|                                   | East:                    | D-5                  | Residential (Single Family Dwelling) |
|                                   | West:                    | C-4                  | Residential (Single Family Dwelling) |
| <b>Thoroughfare Plan</b>          |                          |                      |                                      |
|                                   | Rural Street             | Primary Arterial     | 78-foot Existing ROW vs Proposed     |
| <b>Context Area</b>               | Compact                  |                      |                                      |
| <b>Floodway / Floodway Fringe</b> | No                       |                      |                                      |
| <b>Overlay</b>                    | No                       |                      |                                      |
| <b>Wellfield Protection Area</b>  | No                       |                      |                                      |
| <b>Site Plan</b>                  | July 17, 2025            |                      |                                      |
| <b>Site Plan (Amended)</b>        | N/A                      |                      |                                      |
| <b>Elevations</b>                 | N/A                      |                      |                                      |
| <b>Elevations (Amended)</b>       | N/A                      |                      |                                      |
| <b>Landscape Plan</b>             | N/A                      |                      |                                      |
| <b>Findings of Fact</b>           | N/A                      |                      |                                      |
| <b>Findings of Fact (Amended)</b> | N/A                      |                      |                                      |
| <b>C-S/D-P Statement</b>          | N/A                      |                      |                                      |

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- The Marion County Land Use Pattern Book (2019)
- IndyMoves Pedal Indy (2018)

### 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:

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

- 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.

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

- Not Applicable to the Site.

### Neighborhood / Area Specific Plan

- Not Applicable to the Site.

### Infill Housing Guidelines

- The Infill Housing Guidelines were approved in May 2021, with a stated goal “to help preserve neighborhood pattern and character by providing guiding principles for new construction to coexist within the context of adjacent homes, blocks, and existing neighborhoods. These guidelines provide insight into basic design concepts that shape neighborhoods, including reasons why design elements are important, recommendations for best practices, and references to plans and ordinance regulations that reinforce the importance of these concepts.”
- These guidelines apply to infill development in residential areas within the Compact Context Area and include the following features:
  - **Site Configuration**
    - Front Setbacks
    - Building Orientation
    - Building Spacing
    - Open Space
    - Trees, Landscaping, and the Outdoors
  - **Aesthetic Considerations**
    - Building Massing
    - Building Height
    - Building Elevations and Architectural Elements
  - **Additional Topics**
    - Secondary Dwelling Units, Garages, and Accessory Structures
    - Adapting to the Future

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

**Indy Moves**

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

- Not Applicable to the Site.



## ZONING HISTORY

### Site

N/A

### Vicinity

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

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

**2006-ZON-083; 223 South LaSalle Street**, requests Rezoning of 2.97 acres, from the D-5 and I- 3-U Districts to the I-3-U classification to provide for medium industrial urban uses, **approved**.

**2001-DV3-023; 3155 English Avenue**, requests a Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for a 40-foot tall, 14 by 48-foot advertising signs, with zero feet of linear separation from a protected district oriented to the same street and 90 feet of radial separation from a protected district, **granted**.

**2001-VAC-048; 223 South LaSalle Street**, requests a Vacation of a portion of Newton Street and a portion of the first north-south alley east of LaSalle Street, **granted**.

**89-UV1-031; 3220 Southeastern Avenue**, requests a Variance of Use and Development Standards of the Commercial Zoning Ordinance to provide for outdoor display and sale of automobiles, with the display area located partially within the front transitional yard, **granted**.

**86-UV3-80; 223 South LaSalle Street**, requests a Variance of Use to provide for the expansion of an existing industrial facility into a residential zoning district, **granted**.

**86-V1-73; 3125 English Avenue**, requests a Variance of Development Standards of the Sign Regulations to provide for a pole sign within the required setback, **granted**.

**78-UV2-20 (78-SE2-2); 3125 English Avenue** (east of site), requests a Variance of Use and Development Standards to provide for the construction of a new coke oven battery, consisting of 72 ovens, **granted**.

**98-Z-253; 418 South Temple Avenue** (east of site), request a Rezone 0.65 acre from D-5 to SU-1

**84-Z-132; 2727 English Avenue**, (south of subject site), request Rezoning of 0.84 acres being in the C-3 and C-4 to C-5 district, **withdrawn**

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**76-UV1-76; 3301 English Avenue**, requests a Variance of Use and Development Standards to permit erection of an addition to the existing retail, sales, service, warehouse and office, as per plans filed, with off-street parking provided, **granted**.

**65-V-287; 3301 English Avenue**, requests a Variance of Use and front building line requirement to permit the operation of a retail sales, service, repair and warehouse in the existing building, previously granted by variance for an office building for industrial sales and service, with erection of two pole signs and a building identification sign, with parking and loading areas provided, **granted**.

**61-V-220; 3301 English Avenue**, requests a Variance of Use to permit the installation of an 8,000-gallon underground gasoline tank and one gasoline pump for servicing company vehicles, accessory to the diesel engine sales and service previously granted by variance, **granted**.

**60-V-233, 3002 English Avenue**, requests a Variance of Use to permit the storage and repair of vehicles in an existing building, **denied**.

**54-V-153; 3301 English Avenue**, requests a Variance of Development Standards for an electric sign, **denied**.

**51-V-177; 3301 English Avenue**, requests a Variance of Use to provide for the construction of a building, for the commercial sales and service of diesel engines, located 20 feet from the front property line, with accessory off-street parking and loading space provided, **granted**.

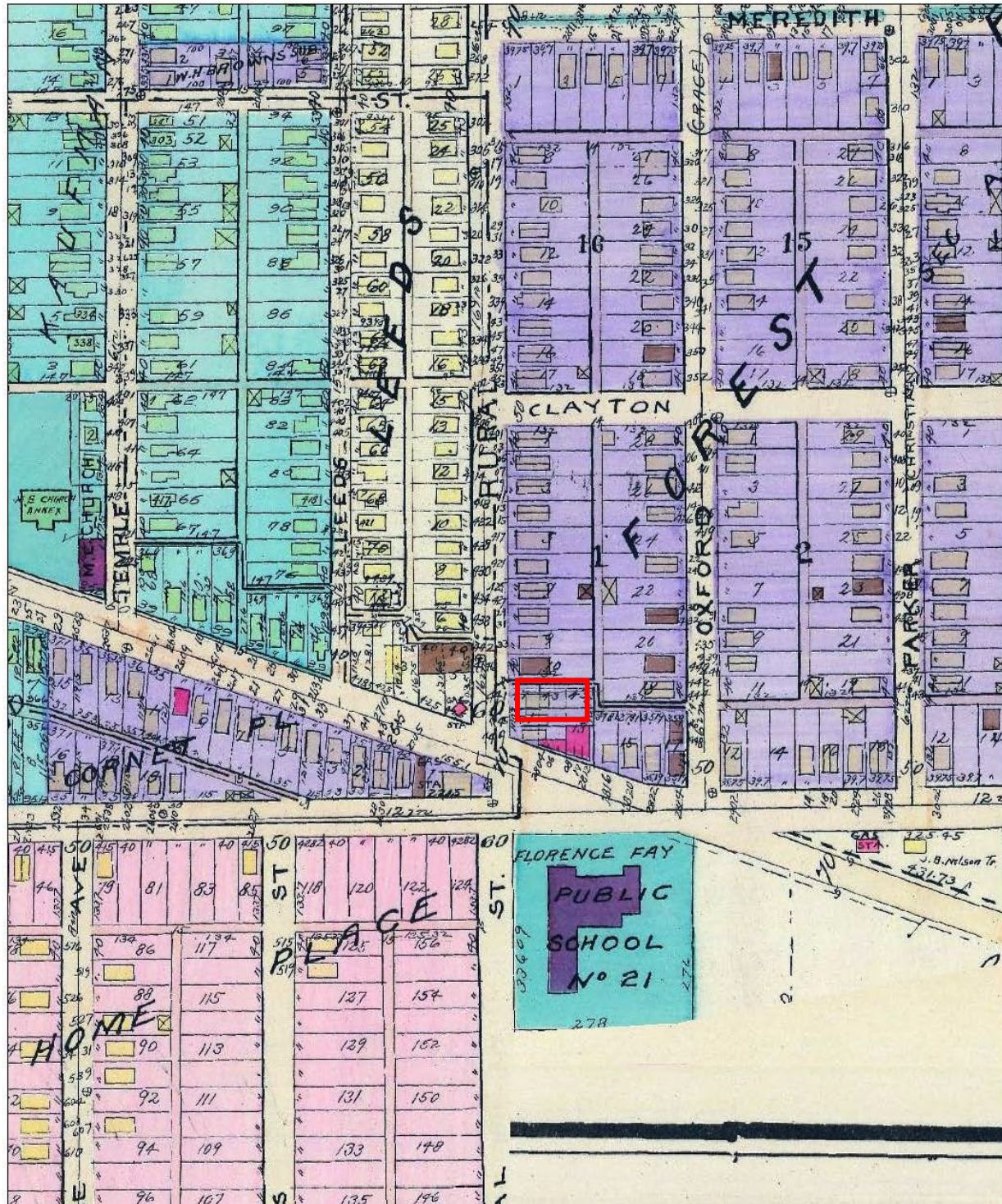
EXHIBITS

2025-ZON-083 CURRENT ZONING



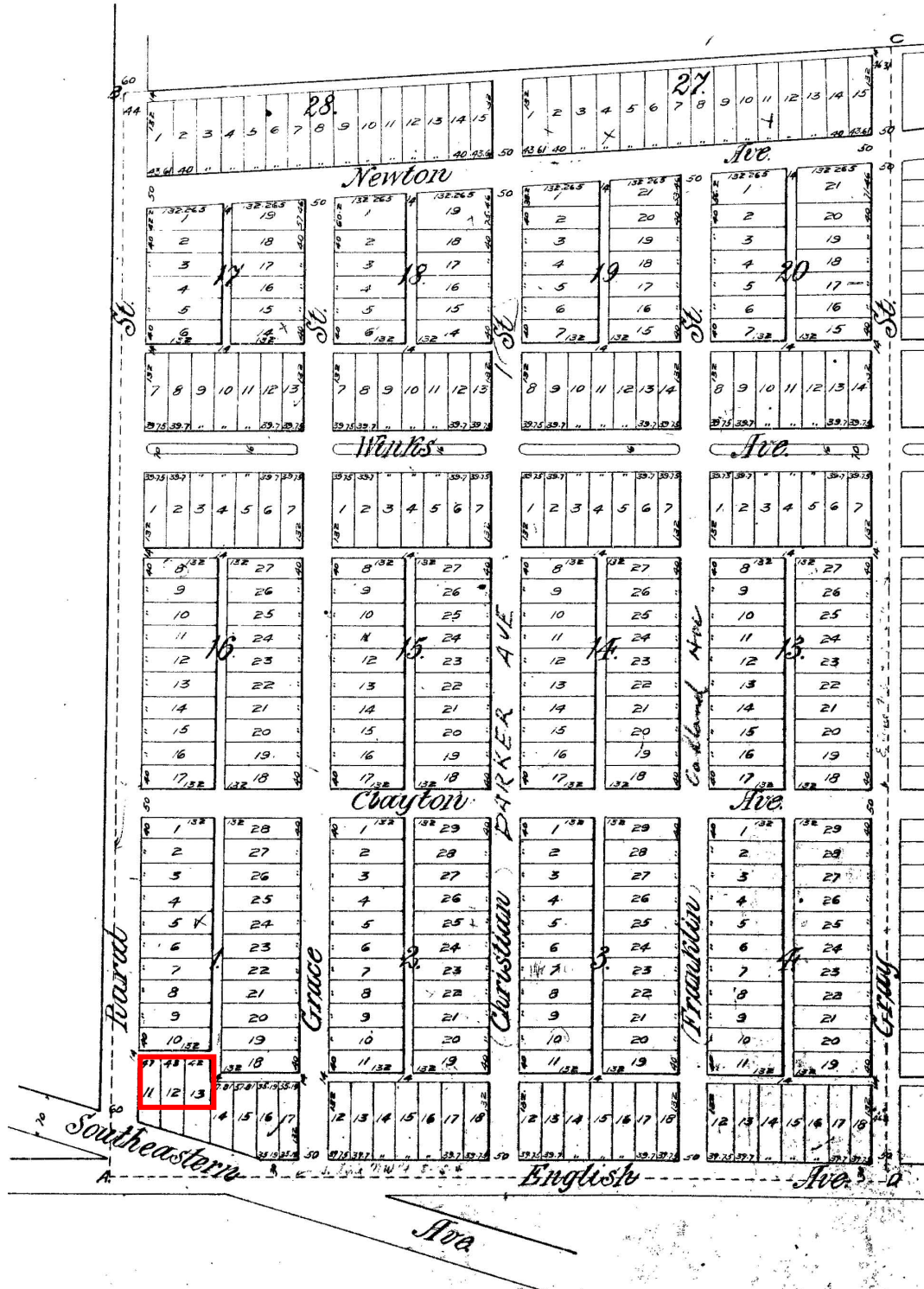


## 1941 BAIST MAP 2025-ZON-083





FOREST PARK ADDITION SEC A





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Looking from the subject site at the roundabout at southeast Ave and Rural Street.



Looking at the foundation of the demolished building.





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View from subject site toward alley



Looking from the alley way towards Rural Street





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View along Rural Street looking north, pedestrian entrance to subject property.



View from Rural Street looking at subject property entrance.





**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 28, 2025**

**Case Number:** 2025-ZON-087  
**Property Address:** 200 North Rural Street  
**Location:** Center Township, Council District #13  
**Petitioner:** Englewood Community Development Corporation by Joseph D. Calderon  
**Current Zoning:** D-5 (TOD)  
**Request:** Rezoning of 0.22-acres from the D-5 (TOD) district to the D-9 (TOD) district to provide for a medium apartment  
**Current Land Use:** Single-family dwelling / vacant land  
**Staff Recommendations:** Approval.  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

This is the first hearing on this petition.

**STAFF RECOMMENDATION**

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

1. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.
2. The site shall be developed in substantial compliance with the elevations, file-dated July 29, 2025.

**PETITION OVERVIEW**

This 0.22-acre site, zoned D-5 (TOD), is comprised of two parcels, one of which is developed with a single-family dwelling, and one is vacant. It is surrounded by a single-family dwelling to the north, zoned D-5 (TOD); a single-family dwelling to the south, zoned D-5 (TOD); religious uses to the east, zoned SU-1 (TOD); and a single-family dwelling to the west, zoned D-5 (TOD).

## **REZONING**

The request would rezone the site to the D-9 district to provide for multi-family dwellings. “The D-9 district is intended for higher density housing formats, with a mix of small- and moderate-scale multi-unit building types. This district can be used at transitions to walkable, commercial areas, transit stations and urban and suburban corridors, including the high-density residential recommendations of the Comprehensive Plan, and the Traditional Neighborhood, City Neighborhood, or Village or Urban Mixed-Use Typologies of the Land Use Pattern Book.”

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

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

The Comprehensive Plan recommends traditional neighborhood typology for the site.

Historically, the parcels were residentially developed with a two-family dwelling on the southern parcel and a single-family dwelling on the northern parcel.

The request would generally align with the Comprehensive Plan recommendation, as well as the Transit-Oriented Development (TOD) plan that encourages pedestrian connectivity and a high density in proximity of a transit station.

## **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.

## **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**

The Blue Line Transit-Oriented Development Strategic Plan not only alters land use recommendations but identifies and analyzes market strength and TOD readiness of various nodes along the transit corridor. This plan specifically identifies the segment between Central Green Boulevard (former Central State Hospital) and Ridgeview Drive (Irvington Plaza) as having the strongest market strength and potential to leverage the public investment associated with the Blue Line, outside of the Central Business District.

The Rural Street transit station is one of ten stations along the entire Blue Line designated as a District Center station typology. District Center stations are characterized by being in areas with high walkability across multiple city blocks, serve as cultural and commercial hubs for multiple neighborhoods and aspire to promote a mix of office, retail, entertainment and residential with higher densities.



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As a result of the proximity, of the proposed transit station, the plan recommends significantly higher residential densities, with an emphasis on workforce housing.

When multi-family housing is proposed, a minimum of three-stores, a minimum of five units and minimal front and side setbacks are recommended, with parking obstructed from the streetscape.

**GENERAL INFORMATION**

|                                   |                                      |  |
|-----------------------------------|--------------------------------------|--|
| <b>Existing Zoning</b>            | D-5 (TOD)                            |  |
| <b>Existing Land Use</b>          | Single-family dwelling / vacant land |  |
| <b>Comprehensive Plan</b>         | Traditional Neighborhood             |  |
| <b>Surrounding Context</b>        | <b>Zoning</b>                        | <b>Land Use</b>  |
| North:                            | D-5 (TOD)                            | Single-family dwelling   |
| South:                            | D-5 (TOD)                            | Single-family dwelling   |
| East:                             | SU-1(TOD)                            | Religious uses   |
| West:                             | D-5 (TOD)                            | Single-family dwelling   |
| <b>Thoroughfare Plan</b>          |                                      |  |
| North Rural Street                | Primary Arterial                     | Existing 60-foot right-of-way and proposed 78-foot right-of-way. |
| <b>Context Area</b>               | Compact                              |  |
| <b>Floodway / Floodway Fringe</b> | No                                   |  |
| <b>Overlay</b>                    | Yes – Transit-Oriented Development   |  |
| <b>Wellfield Protection Area</b>  | No                                   |  |
| <b>Site Plan</b>                  | July 29, 2025                        |  |
| <b>Site Plan (Amended)</b>        | N/A                                  |  |
| <b>Elevations</b>                 | July 29, 2025                        |  |
| <b>Elevations (Amended)</b>       | N/A                                  |  |
| <b>Landscape Plan</b>             | N/A                                  |  |
| <b>Findings of Fact</b>           | N/A                                  |  |
| <b>Findings of Fact (Amended)</b> | N/A                                  |  |
| <b>C-S/D-P Statement</b>          | N/A                                  |  |

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

The Comprehensive Plan recommends Traditional Neighborhood typology. “The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the

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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 five to 15 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.”

**Pattern Book / Land Use Plan**

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

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

- *Conditions for All Land Use Types –Traditional Neighborhood Typology*
  - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
  - All development should include sidewalks along the street frontage.
  - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- 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).
  - It is preferred that multi-family housing should be organized around intersections of neighborhood collector streets, parks or public squares, or neighborhood-serving retail.
  - If the above conditions are not met, individual buildings of small-scale multi-family 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.
  - In predominantly platted, single-family neighborhoods, site layouts should be similar in site- and building-orientation as the surrounding single-family homes.
  - Parking should be either behind or interior to the development.
  - Individual building height, massing, and footprint should gradually transition from adjacent developments. Specifically, buildings located adjacent to existing residential developments should be no more than one and a half times the height and no more than twice the average footprint of the existing adjacent residential buildings.

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

Blue Line Transit-Oriented Development Strategic Plan (2018).

This site is located within a ¼ mile walk (approximately 574 feet) north of a proposed transit stop located at the intersection of East Washington Street and Rural Street, with a District Center typology.

District Center stations are located at the center of regionally significant districts with several blocks of retail or office at their core. Development opportunities include infill and redevelopment, dense residential, employment near transit stations, neighborhood retail and a focus on walkability and placemaking.

Characteristics of the District Center typology are:

- A dense mixed-use hub for multiple neighborhoods with tall buildings
- Minimum of three stories at core with no front or side setbacks
- Multi-family housing with a minimum of 5 units
- Structured parking only with active first floor

### **Neighborhood / Area Specific Plan**

Not Applicable to the Site.

### **Infill Housing Guidelines**

#### **Infill Housing Guidelines**

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

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

#### **Site Configuration**

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



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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 of adjoining houses and the block, but to the sense of place of the entire neighborhood.”

**Indy Moves**

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

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

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

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

## ZONING HISTORY

**2010-CZN-804 / 2010-CVR-804 2010-CZN-804 / 2010-CVR-804 (south of site)**, requested Rezoning of 1.38 acres, being in the D-5 District, to the C-3-C classification to provide for commercial uses and 25 multi-family residential units and a variance of development standards of the Commercial Zoning Ordinance to provide for a mixed-use development with reduced parking spaces and north and east traditional yard, **approved and granted**.

**2008-ZON-046; 16 South Rural Street and 20, 24 and 28 North Rural Street, 2718, 2730 and 2823 East Washington Street, and 27, 33, 35, 39, 43 and 49 Eastern Avenue (south of site)**, requested Rezoning of 1.64 acres, from the D-5, C-3 and I-3-U Districts, to the SU-7 classification to provide for charitable, philanthropic and not-for-profit institutions, **approved**.

**99-Z-165; 2712-2714 East Washington Street (south of site)**, requested a rezoning of 0.16 acre, being in the C-3 and D-5 Districts, to the SU-7 classification, to provide for charitable and philanthropic uses, **approved**.

**98-Z-106A & B; 2702-2706 East Washington Street, 11 North Eastern Avenue, and 12, & 16-18 North Rural Street (south of site)**, requested a rezoning of 1.2 acre, being in the C-3, D-5, I-3-U and SU-7 Districts, to the SU-7 classification, to provide for religious uses including a community park, health clinic, single-family dwelling, offices and a clothing pantry, **approved**.

**96-UV2-25; 23 North Rural Street (south of site)**, requested a variance of use and development standards of the Dwelling Districts Zoning Ordinance, to provide the conversion of a 19,500 square foot building for a temporary residential use for homeless women and children, a food and clothing pantry, religious book store, medical clinic, and religious use, and to provide for a six-foot tall, barbed wire fence in the front yard, **granted**.

**94-Z-26; 12 North Rural Street (south of site)**, requested a rezoning of 0.11 acre, being in the D-5 Dwelling District, to the SU-7 classification to provide for charitable and philanthropic uses, including a single-family dwelling and offices, **approved**.

**89-UV2-31; 23 North Rural Street (south of site)**, requested a variance of use of the Dwelling Districts Zoning Ordinance, to provide for the conversion of a former school building into a medical clinic, religious bookstore, and temporary residence for women and children, **granted for five years**.

**88-V3-135; 2724 East Washington Street (south of site)**, requested a variance of development standards of the Sign Regulations, to provide for a gasoline canopy and three canopy signs with a reduced setback, **granted**.



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**83-Z-148; 2708 East Washington Street & 810 North Rural Street (south of site)**, requested a rezoning of 0.12 acre, being in the D-5 and C-3 Districts, to the SU-7 classification, to provide for a charitable institution, **approved**.

**82-Z-1; 122, 208 through 235 North Rural Street (east of site)**, requested rezoning of 1.55 acres, being in the D-5 district to the SU-1 classification to provide for church use, approved.

EXHIBITS

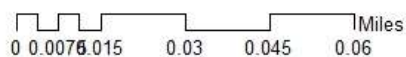




## 1898 Sanborn Map



200 North Rural Street

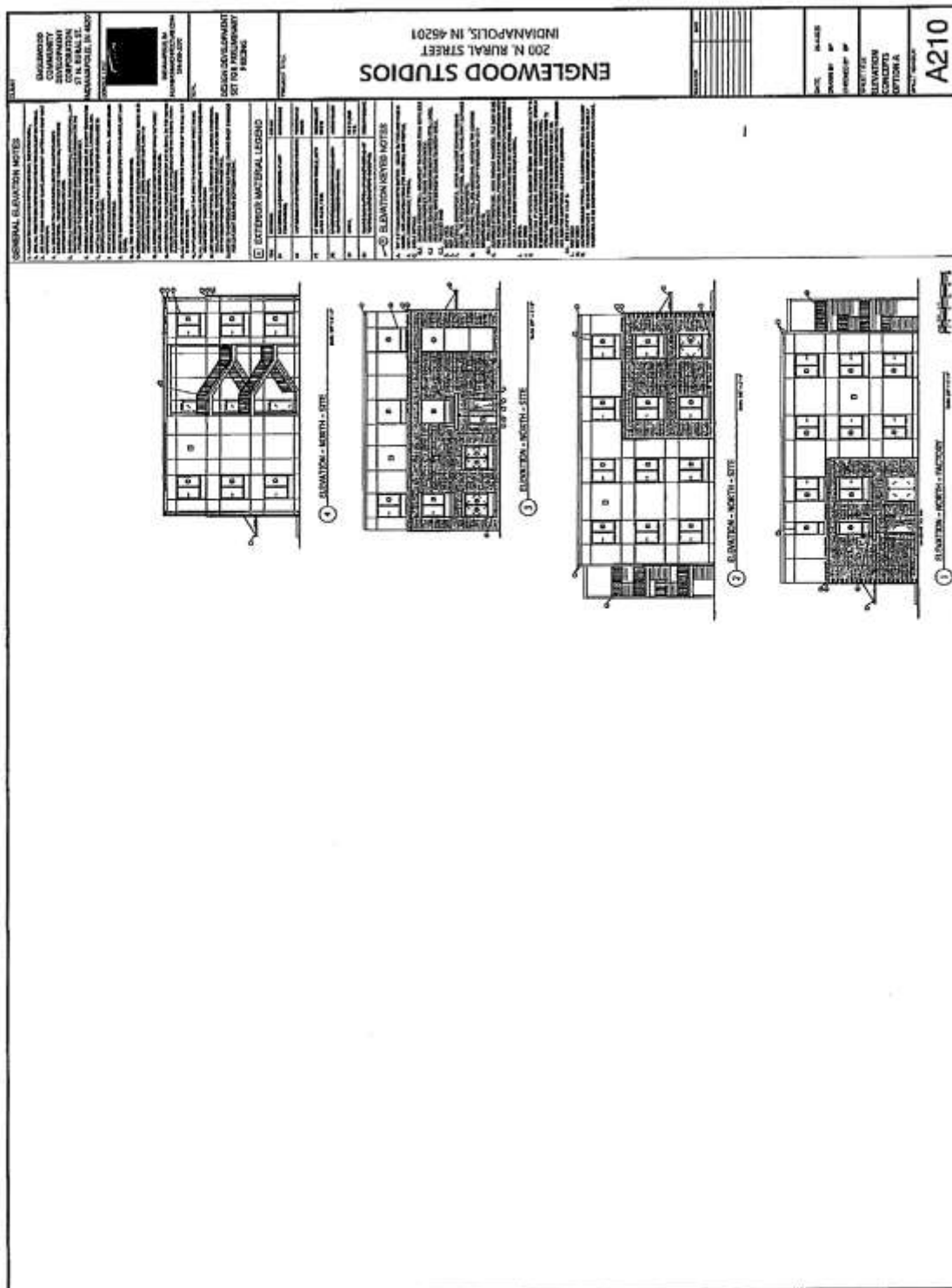






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View looking south along North Rural Street



View looking north along North Rural Street



View of site looking southwest across North Rural Street



View of site looking northeast from east / west alley



View of site looking north from east / west alley



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 28, 2025**

**Case Number:** 2025-CVR-835 / 2025-CPL-835  
**Property Address:** 622 South Keystone Avenue (Approximate Address)  
**Location:** Center Township, Council District #18  
**Petitioner:** Shelly Mills, by David Gilman  
**Zoning:** D-5  
**Request:** Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish an existing detached single-family dwelling and accessory structure (to be demolished), with a two-foot north side yard setback, and to provide for parking areas for three, multi-unit homes, with zero-foot side yard setbacks (minimum three-foot side yard required).  
Approval of a Subdivision Plat to be known as Turner Minor Subdivision, subdividing 0.82-acre into three lots  
**Waiver Requested:** None  
**Current Land Use:** Residential  
**Staff Recommendations:** Approval  
**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

This is the first hearing for this plat petition and variance.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the variance if amended to reflect the changes per the amended site plan, file dated August 12, 2025. The amendment would eliminate the variance to provide for parking areas for three, multi-unit homes with zero-foot side yard setbacks since this development standard would be met and there would not be shared parking proposed.

Staff recommends that the Hearing Examiner **approve** and find that the plat, file-dated May 6, 2025, 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.



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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.
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 final plat includes an access easement across the three properties to allow each property access to the rear parking areas with the removal of the common parking area language.
12. That the subdivision plat is not recorded until after the removal of the existing single-family dwelling on site.
13. That the final plat notes all D-5 development standards for Multi-Unit House -Compact Lot (2-4 units) if they will be called out.
14. A 24-foot half right-of-way shall be dedicated along the frontage of Mooresville Road, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).

## PETITION OVERVIEW

### VARIANCE OF DEVELOPMENT STANDARDS

The initial request included a variance for the parking areas for the multi-unit homes with zero-foot side yard setback since the parking spaces on the initial site plan noted the parking spaces would cross over the property boundaries. An amended site plan was submitted on August 12, 2025 to change this and remove the variance request altogether.

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The grant of the request once amended to reflect the updated site plan would legally establish an existing detached single-family dwelling (to be demolished) with a two-foot north side yard setback and an accessory structure.

The variance request would allow the existing single-family dwelling to remain as is until it is demolished or removed from the property prior to the recording of the subdivision plat.

### **SITE PLAN AND DESIGN**

The 0.82-acre site is zoned D-5 and would be subdivided into three lots (3) to be known as Turner Minor Subdivision. Lot 1 would measure approximately 12,984 square feet or 0.298-acre, Lot 2 would measure approximately 9,892 square feet or 0.227-acre and Lot 3 would measure approximately 10,735 square feet or 0.246-acre. Each lot would contain one four-unit multi-unit house with three rear parking spaces and one street parking space. The proposed plat would meet the setback standards of the D-5 zoning classification for a Multi-Unit House- Compact Lot (2-4 units) that requires a 35-foot lot width, 3,500 square-foot lot area, 10 to 19.9-foot front building line range, three-foot side setbacks, 10-foot rear setback, 20 percent open space.

### **STREETS**

Access to all three sites would come from the alley located south of Lot 3 with the recording of an access easement across the three proposed lots. No new streets are proposed as part of this petition.

### **SIDEWALKS**

Sidewalks exist along Keystone Avenue.

### **DEPARTMENT OF PUBLIC WORKS**

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 24-foot half right-of-way along Keystone Avenue. This dedication would also be consistent with the Marion County Thoroughfare Plan.

### **STAFF ANALYSIS**

Staff is supportive of the requests because the proposed subdivision of the site would allow for residential development within a residential neighborhood, would promote a variety of housing types, and would increase the housing stock. Additionally, the variance request would only be applicable until the property owner decides to demolish or remove the existing dwelling prior to the recording of the subdivision plat.

For these reasons, staff is recommending approval of the requests.

### **GENERAL INFORMATION**

|                           |                          |
|---------------------------|--------------------------|
| <b>Existing Zoning</b>    | D-5                      |
| <b>Existing Land Use</b>  | Residential              |
| <b>Comprehensive Plan</b> | Traditional Neighborhood |

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| <b>Surrounding Context</b>     | <b><u>Zoning</u></b> | <b><u>Land Use</u></b>   |
|--------------------------------|----------------------|--|
| North:                         | D-5                  | Residential (Single-family dwelling)                             |
| South:                         | D-5                  | Residential (Single-family dwelling)                             |
| East:                          | D-5                  | Residential (Single-family dwellings)                            |
| West:                          | D-5                  | Residential (Single-family dwelling)                             |
| <b>Thoroughfare Plan</b>       |                      |  |
| Keystone Avenue                | Local Street         | 48-foot proposed right-of-way and 45-foot existing right-of-way. |
| <b>Petition Submittal Date</b> | May 6, 2025          |  |

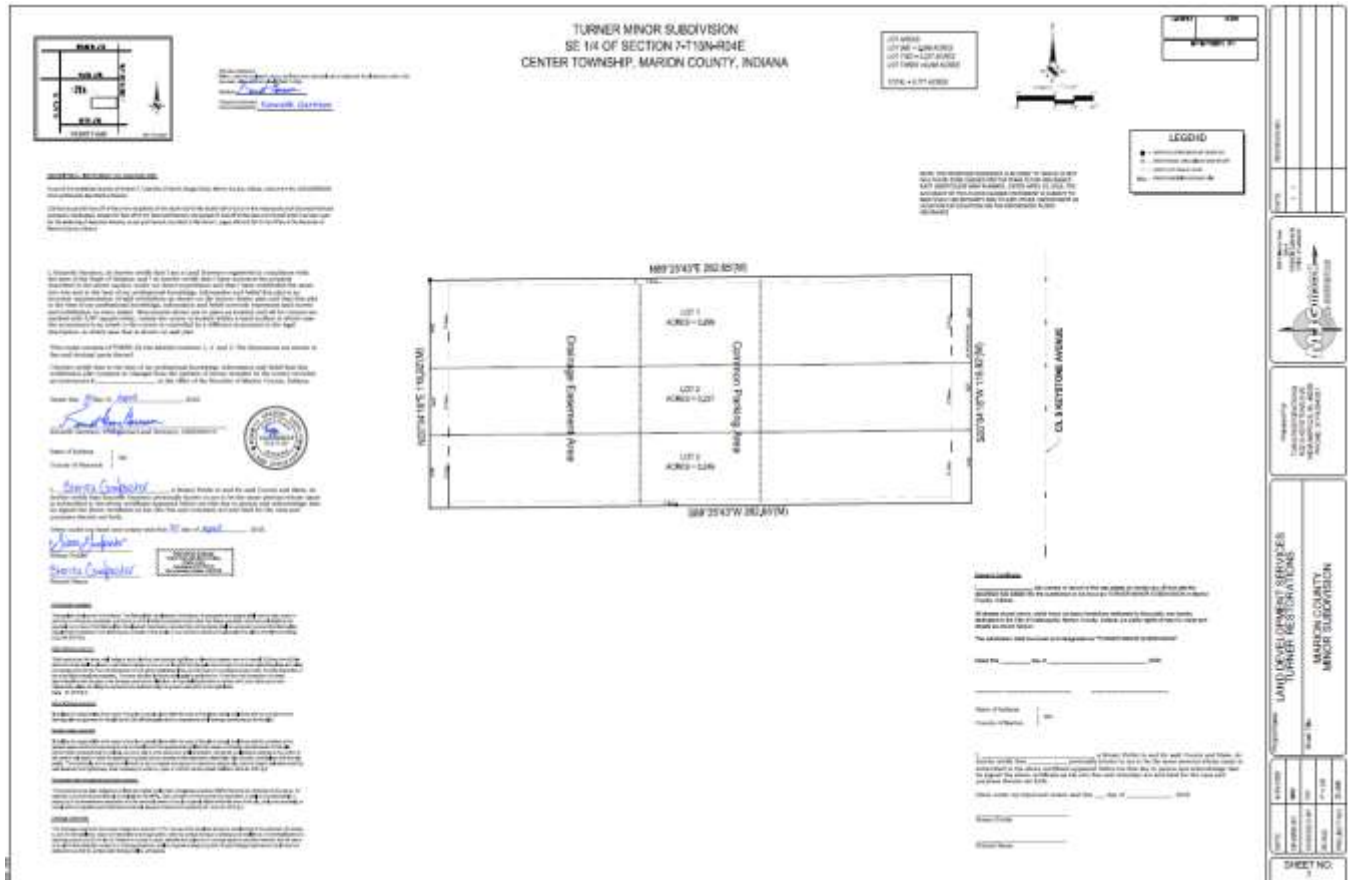
EXHIBITS



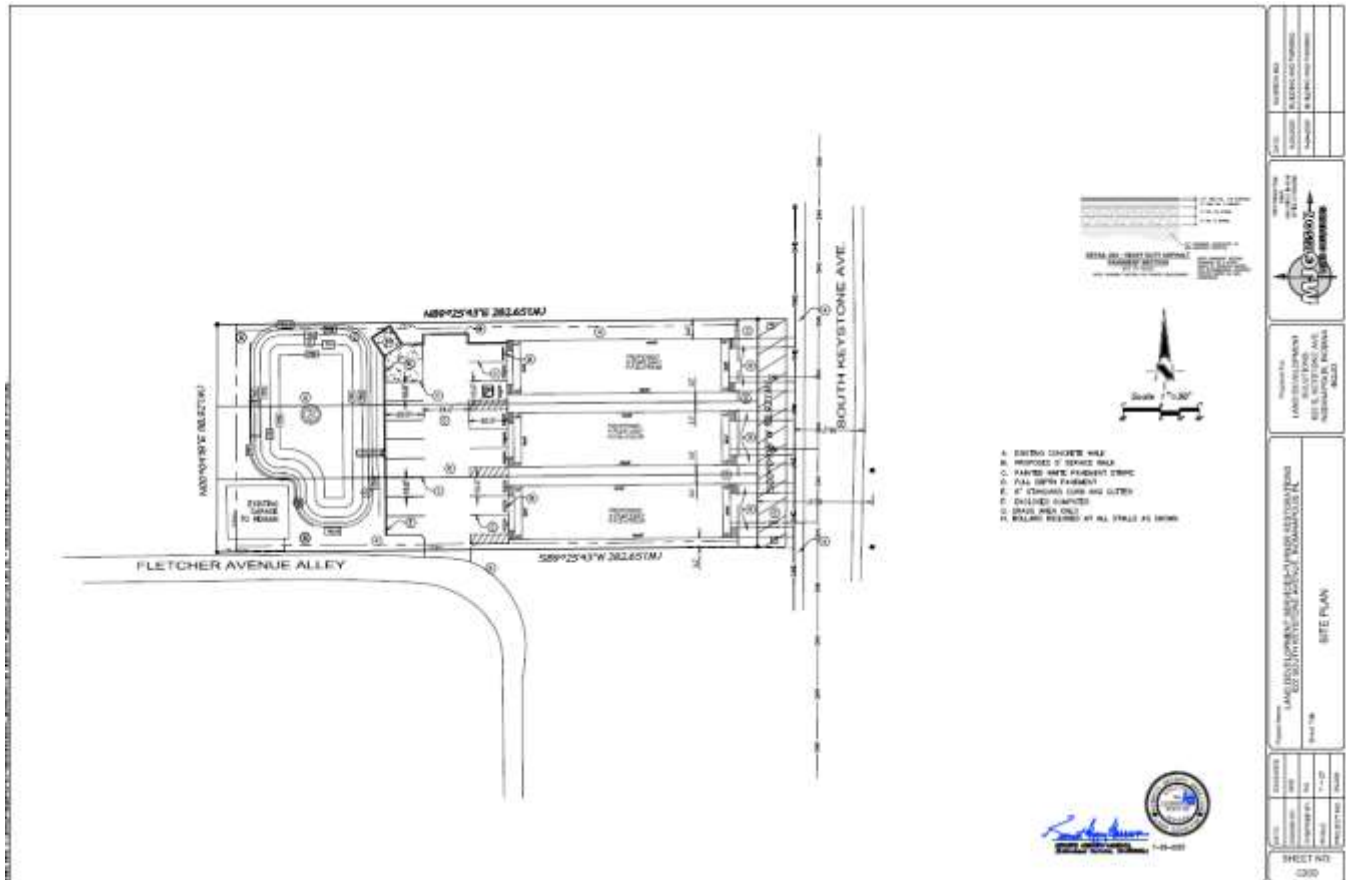
AERIAL MAP

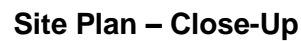


## Preliminary Plat



## Site Plan





Department of Metropolitan Development  
Division of Planning  
Current Planning

Petition Number \_\_\_\_\_

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

The existing residence will only encroach preliminary lot lines and will be razed before the plat is recorded and new lot lines are established.

The Owners will submit a recorded commitment that the existing residence will be removed before the plat is recorded and prior to the issuance of an Improvement Location Permit.

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 existing residence will only encroach preliminary lot lines and will be razed before the plat is recorded and new lot lines are established.

The Owners will submit a recorded commitment that the existing residence will be removed before the plat is recorded and prior to the issuance of an Improvement Location Permit.

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

The existing residence will only encroach preliminary lot lines and will be razed before the plat is recorded and new lot lines are established.

The Owners will submit a recorded commitment that the existing residence will be removed before the plat is recorded and prior to the issuance of an Improvement Location Permit.

DECISION

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

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



## PHOTOS



Photo of the subeject site proposed Lot 3.



Photo of the subeject site proposed Lot 2.



Photo of the subject site proposed Lot 1.



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Photo of the southern alley looking north where all three lots would gain access from.



Photo of the southern alley looking east towards the fenced in subject site on the left.



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



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





Photo of the existing garage on site to remain.



Photo of a single-family dwelling north of the site.





Photo of single-family dwellings east of the site.



Photo of a single-family dwelling south of the site.

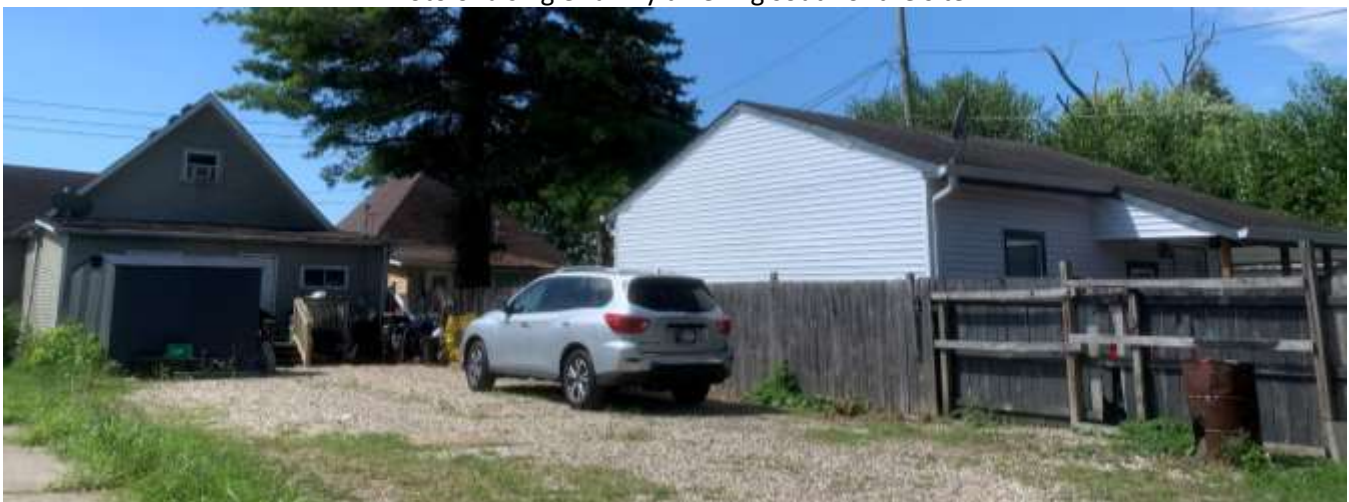


Photo of the single-family dwellings south of the site.



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 14, 2025**

**Case Number:** 2025-APP-003  
**Property Address:** 620 East 21<sup>st</sup> Street  
**Location:** Center Township, council District #13  
**Petitioner:** DeQuan Branch, by Jorge Gonzales  
**Current Zoning:** PK-2  
**Request:** Park District Two Approval to provide for a three-story single-family dwelling with an attached garage.  
**Current Land Use:** Vacant  
**Staff Recommendations:** Denial.  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

The Hearing Examiner continued this petition from the July 24, 2025 hearing, to the August 14, 2025 hearing, to provide additional time for further discussions with the petitioner's representative.

The Hearing Examiner continued this petition from the August 14, 2025 hearing, to the August 28, 2025 hearing, at staff's request, to provide additional time for submittal and review of amended documents. Staff has reviewed the amended documents and continues to **recommend denial** because the site plan does not provide site access in terms of sidewalk and a driveway. Staff believes that the development does not align with the Ordinance requirements for the PK-2 development district that would provide appropriate integration into the neighborhood development pattern.

**STAFF RECOMMENDATION**

Denial.

**PETITION OVERVIEW**

This 0.03-acre site, zoned PK-2, is vacant and surrounded by single-family dwellings to the east and west and a detached garage to the north, all zoned PK-2 and a park to the south, across East 21<sup>st</sup> Street, zoned PK-1.

This site was included in Petition 70-Z-260 that rezoned 80 acres to the PK-2 district.

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**Park District One Approval**

The Ordinance classifies Park District One and Two as Development Plan Districts. “No use, building or structure shall hereafter be established, constructed or used on any land in a Development Plan district for any purpose, until a Site and Development Plan for such land, including the proposed use or uses, has been filed with and approved by the Commission in accordance with this zoning ordinance.”

“The Commission may consider and act upon any such proposed use and Site and Development Plan, approve the same in whole or in part, and impose additional development standards, requirements, conditions, or commitments thereon at any public hearing of the Commission.”

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

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

The Site and Development Plan must include layout and elevation plans for all proposed buildings and structures, and must indicate:

- a. Proposed uses, buildings and structures.
- b. All existing uses, buildings, and structures, in addition to any proposed to be demolished.
- c. Proposed buildings and structures and the use of each.
- d. Elevations of all sides of each building.
- e. Zoning and existing land uses of adjacent properties.
- f. Off-street vehicle and bicycle parking layouts with summary table of the number of required off-street parking, loading, and stacking spaces.



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Because the proposed dwelling would not be compatible with the surrounding neighborhood and the established architectural character, the Infill Housing Guidelines should be reviewed and considered as this site is redeveloped. Staff would note that historically the dwelling occupied the entire parcel, which would not be acceptable but the request, as submitted, would not be supportable.

The dwellings in this area are typically two-story with detached garages and larger footprints than the proposed dwelling. Admittedly, the site presents development challenges but in staff's opinion, the proposed site plan and elevations are not acceptable and do not align with the Ordinance or the Infill Housing Guidelines.

**GENERAL INFORMATION**

|                                   |                          |  |
|-----------------------------------|--------------------------|--|
| <b>Existing Zoning</b>            | PK-2                     |  |
| <b>Existing Land Use</b>          | Vacant                   |  |
| <b>Comprehensive Plan</b>         | Traditional Neighborhood |  |
| <b>Surrounding Context</b>        | <b><u>Zoning</u></b>     | <b><u>Land Use</u></b>   |
| North:                            | PK-2                     | Detached garage  |
| South:                            | PK-1                     | Park   |
| East:                             | PK-2                     | Single-family dwelling   |
| West:                             | PK-2                     | Single-family dwelling   |
| <b>Thoroughfare Plan</b>          |                          |  |
| East 21 <sup>st</sup> Street      | Local Street             | Existing 60-foot right-of-way and proposed 48-foot right-of-way. |
| <b>Context Area</b>               | Compact                  |  |
| <b>Floodway / Floodway Fringe</b> | No                       |  |
| <b>Overlay</b>                    | No                       |  |
| <b>Wellfield Protection Area</b>  | No                       |  |
| <b>Site Plan</b>                  | June 16, 2025            |  |
| <b>Site Plan (Amended)</b>        | August 9, 2025           |  |
| <b>Elevations</b>                 | June 27, 2025            |  |
| <b>Elevations (Amended)</b>       | August 9, 2025           |  |
| <b>Landscape Plan</b>             | N/A                      |  |
| <b>Findings of Fact</b>           | May 15, 2025             |  |
| <b>Findings of Fact (Amended)</b> | N/A                      |  |
| <b>C-S/D-P Statement</b>          | N/A                      |  |

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

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

### Pattern Book / Land Use Plan

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

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

- *Conditions for All Land Use Types – Traditional Neighborhood Typology*
  - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
  - All development should include sidewalks along the street frontage.
  - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- *Conditions for All Housing*
  - A mix of housing types is encouraged.
  - Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
  - Primary structures should be no more than one and a half times the height of other adjacent primary structures.
  - Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.

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- Developments with densities higher than 15 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.
- *Detached Housing* (detached housing refers to detached single-family homes. While this type of housing may include a secondary dwelling unit (such as a mother-in-law suite or carriage house), the secondary dwelling unit is usually smaller than the primary home and the entire property is under a single ownership).
  - The house should extend beyond the front of the garage. Garages should be loaded from an alley or side street when possible and should be detached if located on the side of the house.
  - Secondary units are encouraged.
  - Lots should be no larger than one and a half times the adjacent lots.

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

Not Applicable to the Site.

**Neighborhood / Area Specific Plan**

Not Applicable to the Site.

**Infill Housing Guidelines**

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

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 of adjoining houses and the block, but to the sense of place of the entire neighborhood.”

**Indy Moves**

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

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

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

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

## ZONING HISTORY

**70-Z-40; Park Avenue / Broadway Street and 17<sup>th</sup> / 21<sup>st</sup> Streets**, requested rezoning of 12.88 acres, being in the D-8 and PK-1 districts to the PK-1 classification to provide for park use, **approved**.

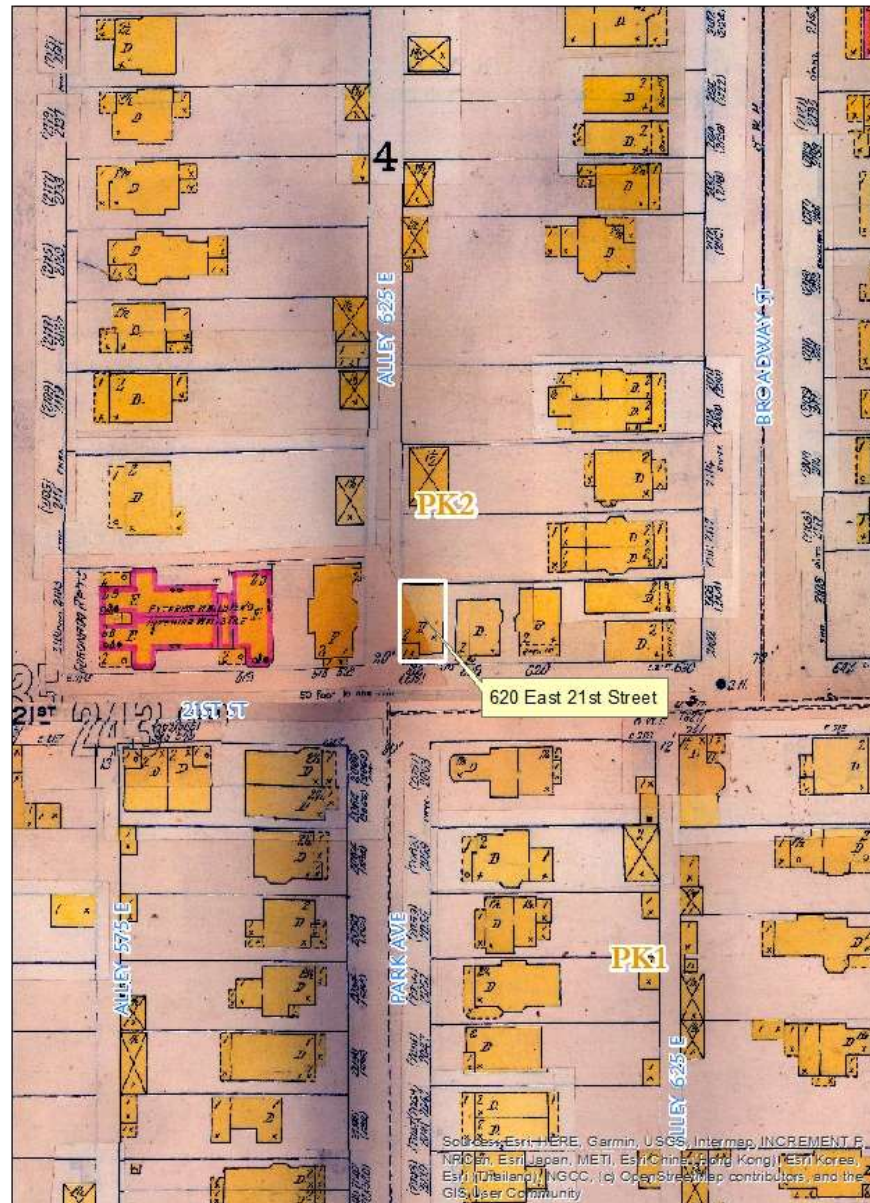
**70-Z-260; 16<sup>th</sup> / 22<sup>nd</sup> Streets and Central Avenue / College Avenue**, requested rezoning of 8-0 acres, being in the C-3, C-3, C-4 and D-8 districts, to the PK-2 classification, **approved**.

EXHIBITS

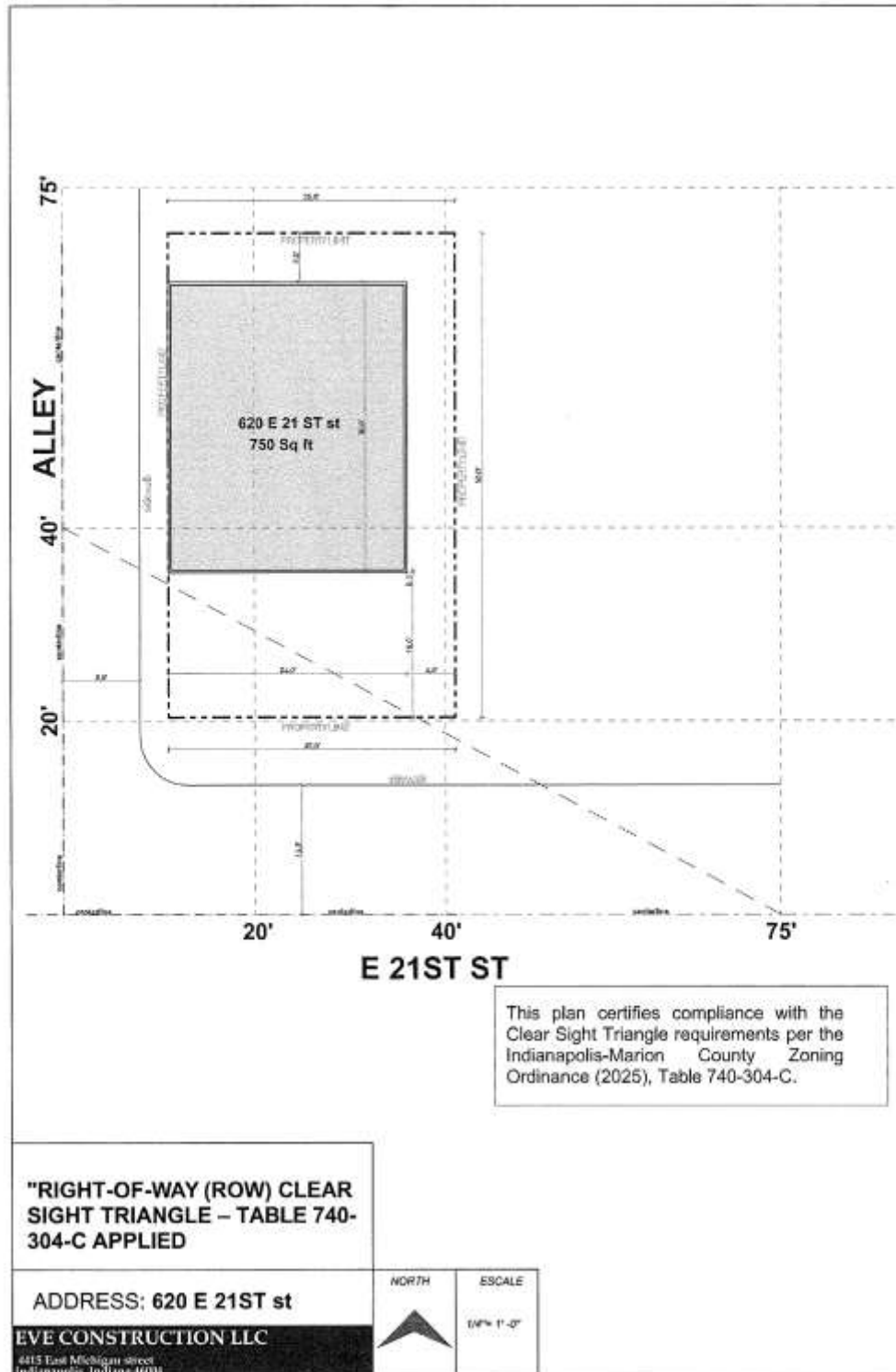




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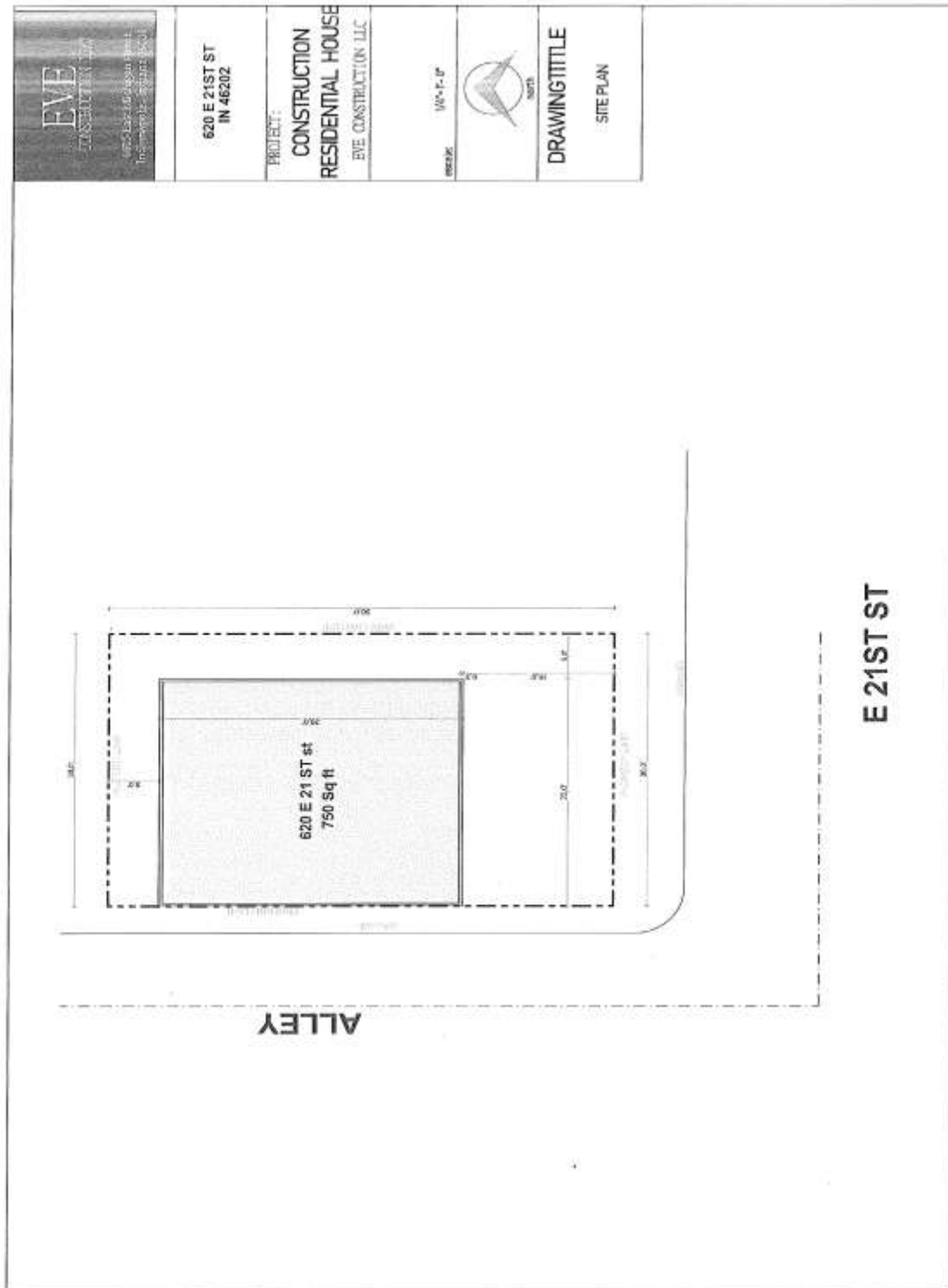
Site Plan - June 27, 2025



Elevations -June 24, 2025

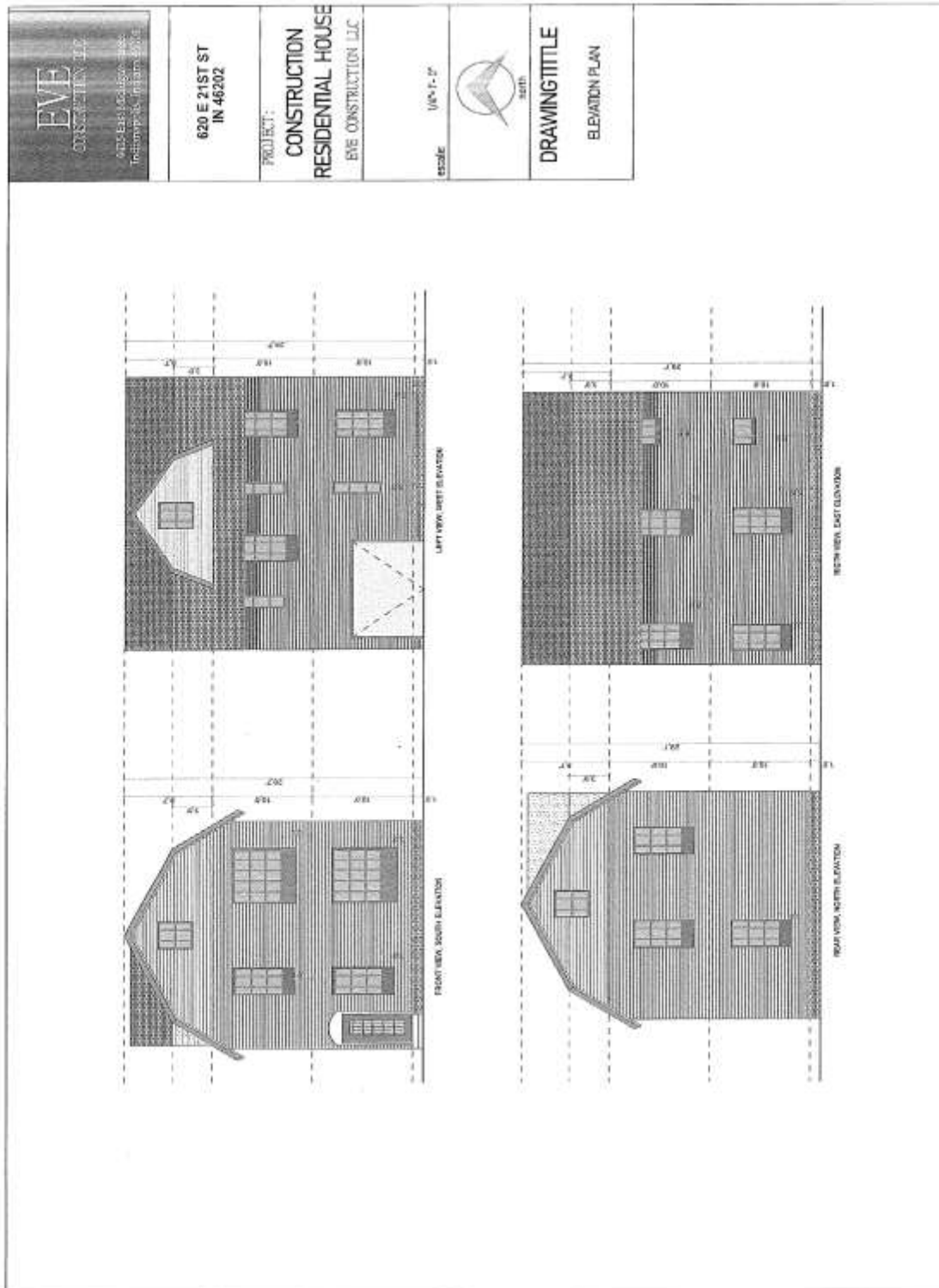


Site Plan – August 9, 2025





Elevations – August 9, 2025



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

Petition Number \_\_\_\_\_

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

**FINDINGS OF FACT**

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

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

The project aligns with the Comprehensive Plan by maximizing efficient land use and integrating harmoniously with the nearby park. This location enhances the quality of life for residents by providing direct access to green space and promoting a healthy, sustainable environment.

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

The project optimizes land use by combining efficiency and aesthetics. Being near a park ensures compatibility with adjacent uses, creating an attractive and functional environment for residents and the community, loading areas, and nearby public transit options. Additionally, bicycle facilities are incorporated, promoting sustainable and accessible transportation choices for all users.

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

The project is designed to ensure easy and efficient access through various modes of transportation, including adequate parking, loading areas, and nearby public transit options. Additionally, bicycle facilities are incorporated, promoting sustainable and accessible transportation choices for all users.

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

The project design ensures the integration of a multi-modal transportation network by effectively linking with existing and planned public streets as well as internal roads. Traffic control measures, both active and passive, are included to ensure smooth and safe traffic flow, enhancing accessibility and connectivity within and outside the development.

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

The project is designed to meet sanitation, drainage, and public utility requirements using sustainable, low-impact solutions. Efficient stormwater management systems, proper drainage infrastructure, and reliable public utility services will be implemented without compromising the natural environment, promoting responsible and environmentally respectful development.

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

The project is designed so that the sites allocated for each proposed use are appropriately located, considering existing and proposed topographical conditions and other environmental factors. The design, orientation, and character of each area are suitable for the intended uses, ensuring harmonious integration with the surrounding environment. Additionally, the layout follows the principles of the Comprehensive Plan, promoting a coherent and sustainable development.

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

The project ensures efficient and safe pedestrian connectivity through the installation of paths, trails, and sidewalks in accordance with required regulations. Pedestrian accessibility to public transit and internal spaces of the development is prioritized, promoting sustainable and accessible transportation options for all users. Additionally, sidewalks along eligible public streets are provided, ensuring barrier-free accessibility and safe movement for pedestrians.

**DECISION**

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

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

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



Department of Metropolitan Development  
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View looking east along East 21<sup>st</sup> Street



View of site looking northeast across East 21<sup>st</sup> Street



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View of site looking north across East 21<sup>st</sup> Street



View of site looking east across abutting north / south alley

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

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 28, 2025**

**Case Number:** 2025-CZN-830 / 2025-CVR-830 (Amended)  
**Property Address:** 9110 and 9150 West 10th Street (approximate addresses)  
**Location:** Wayne Township, Council District #16  
**Petitioner:** Raceway Development Partners, by Misha Rabinowitch  
**Current Zoning:** C-3 (FF)  
 Rezoning of 10.62 acres from the C-3 (FF) district to the D-8 (FF) district for multi-family dwellings.  
**Request:** Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a medium apartment in a D-8 zoning district (not permitted), with a 7' rear yard setback (minimum rear yard setback 10' required).  
**Current Land Use:** Undeveloped  
**Staff Recommendations:** Approval  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

**PETITION HISTORY**

**ADDENDUM AUGUST 28, 2025**

The Hearing Examiner continuance these petitions from the August 14, 2025 hearing to the August 28, 2025 hearing to meet the amended legal notice date.

The petitioner has submitted an updated site plan, filed on August 21, 2025. The revisions include:

- **Building 1:** Changed from apartments to townhomes with an updated façade.
- **Sidewalk Connection:** Added a connection from Building 1 to the public sidewalk.
- **Transit Accessibility:** Included an ADA-compliant Indigo stop pad.

Staff recommends approval, subject to the commitments outlined in the staff recommendation.

**ADDENDUM AUGUST 14, 2025**

The Hearing Examiner continuance these petitions from the July 10, 2025 hearing to the August 14, 2025 hearing without notice, to provide additional time to review a traffic study and updated site plan.

Following the July 10<sup>th</sup> hearing the petitioner amended the request as follows:

- Withdrew the variance request for a minimum livability space ratio of 0.35 (0.66 required).
- Reduced the variance of use request from a large apartment to a medium apartment in a D-8 District

**July 10<sup>th</sup> 2025**

This is the first public hearing for this petition.

## STAFF RECOMMENDATION

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

1. A tree inventory, tree assessment, and preservation plan prepared by a certified arborist shall be submitted for Administrator Approval prior to Preliminary Plat approval or site disturbance. The plan shall identify all existing trees, delineate preserved areas, and indicate all heritage trees.
2. The site shall be maintained in a clean and orderly condition during and after development. Trash receptacles shall be provided throughout the site.
3. A 7-foot internal pedestrian trail shall be installed as illustrated on the site plan file-dated July 15, 2025
4. Right-of-way shall be dedicated to accommodating the future construction of the roundabout at 10th Street and Raceway Road, as coordinated with the Department of Public Works.
5. A 59.5-foot half right-of-way shall be dedicated along the frontage of 10<sup>th</sup> Street, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
6. A traffic study shall be performed within three (3) months of the approval of this petition. If the findings of the traffic study recommend the construction of an acceleration and/or deceleration lane, the petitioner shall install such improvements in accordance with the study's recommendations and to the satisfaction of the Department of Public Works.

Staff recommends **approval** of the variance of Development Standards to provide for a 7-foot rear yard setback.

Staff recommends **approval** of the Variance of Use to provide for a medium apartment.

## PETITION OVERVIEW

### LAND USE

The subject site comprises 10.62 acres of undeveloped land located on the north side of West 10th Street, near its intersection with Raceway Road. The property is currently zoned C-3 (FF), which allows for neighborhood-serving commercial uses. Surrounding land uses include a manufactured home community (West Glen Village) zoned D-11 to the north; a commercial gas station (Marathon) zoned C-3 to the east; a mix of commercial and residential uses to the south, including Cutters Landscaping, 90th Street Sports, and Northwood Apartments (zoned C-3 and D-7); and single-family residential development within the Town of Avon (Linden Square) to the west. A public bus stop is located directly



south of the site at the intersection of 10th Street and Winding Brook Parkway, providing access to frequent transit.

The site is accessible from two (2) arterial streets and is served by a public transit stop at 10th Street and Winding Brook Parkway. The site was previously rezoned in 1966 (66-Z-164) to the B-2 classification for a commercial center. At the time the commercial corridor was surrounding by high density residential rezone petition in the north (66-Z-163) and the east (66-Z-164)

## **REZONING**

The current C-3 zoning classification is the Neighborhood Commercial District, which permits a wide range of retail, office, and personal service uses intended to serve nearby residential areas. These uses are limited to indoor operations and exclude outdoor sales, storage, or activity. While this district is appropriate in suburban commercial corridors, the proposed transition to residential zoning reflects recent trends in higher-density development along the corridor and aligns with the evolving land use context.

The petitioner proposes to rezone the property to the D-8 (FF) District to allow for the development of six (6), 3-story medium apartment buildings containing a total of 261 dwelling units

The D-8 (Walkable Neighborhood) District encourages a mix of housing formats in compact, pedestrian-friendly neighborhoods, and is intended for areas with access to transit and major thoroughfares. The proposed development is well-suited to this district, with arterial access, adjacency to residential and commercial land uses, and an internal layout that supports pedestrian circulation.

## **STREAM PROTECTION CORRIDOR**

Cox Ditch runs along the western edge of the site and is classified as a Category Two Stream within the Metro Context Area. Per the Zoning Ordinance, a 50-foot stream protection corridor is required on both sides of the stream, measured from the top of bank. The ordinance allows limited encroachments such as crossings, trails, and passive recreation.

## **FLOODWAY FRINGE**

This site has a secondary zoning classification of a Floodway Fringe (FF). 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 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 (D-8 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance and would be addressed during the permitting progress.

## **OVERLAYS**

### **Environmentally Sensitive Areas**

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

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

In the environmentally Sensitive area, the recommendation for multi-family is that development should preserve or add at least 20% of the entire parcel as tree canopy or natural area. The petitioner is providing a trail along the stream

**Tree Preservation / Heritage Tree Conservation**

There is significant mature vegetation along the perimeter of the site. Staff recommends a commitment that a tree inventory, tree assessment, and preservation plan be prepared by a certified arborist prior to any site disturbance or plat approval. The plan must identify existing trees, indicate preservation areas, and identify any heritage trees, defined as trees over 18 inches in diameter from a specified list of native species, including Sugar Maple, Shagbark Hickory, Tulip Poplar, and all species of Oak. If any heritage trees are removed or damaged, the petitioner must comply with the replacement standards in Table 744-503-3 of the Ordinance.

**VARIANCE OF USE- Medium Apartment Buildings**

Two (2) variances are included with this request. First, the petitioner seeks permission to construct medium apartment buildings (13-50 units per building) within the D-8 district, which typically permits only small apartments (3-12 units per building). Medium apartment buildings normally require D-9 or D-10 district zoning. Given the site's arterial context, surrounding development density, and proposed site design, staff supports this variance as consistent with Walkable Neighborhood typology objectives.

**VARIANCE OF DEVELOPMENT STANDARDS – Setback Reduction**

The second variance requests reduction of the required rear yard setback from 10 feet to 7 feet along the northern property line to accommodate three (3) parking structures providing 42 spaces total. This three-foot encroachment appears minimal and remains internal to the site without anticipated adverse impacts on adjacent uses. The parking structures serve a legitimate site function while maintaining reasonable separation from neighboring properties.

**SITE PLAN**

The conceptual site plan, file dated July 15, 2025, provides for six, three-story buildings containing 261 dwelling units with 420 total bedrooms, The resulting is density of 23.51 units per acre. A clubhouse and amenity facilities will anchor the southern site entrance along Raceway Road, providing community gathering space and recreational opportunities for residents. The site also features, two pickleball courts, trails, pools and a dog park.

**Department of Metropolitan Development  
Division of Planning  
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Site access would be from two driveways: one along Raceway Road and another via West 10<sup>th</sup> Street. The site proposes approximately 369 parking spaces, resulting in 1.41 space per unit (0.88 spaces per bedroom) exceeding the minimum ordinance requirement of 261 spaces (1:1 ratio).

The Ordinance would require 26 bicycle parking spaces, of which 60% should be enclosed. Consequently, staff believes the proposed parking spaces should be decreased and the parking area reduced to provide for more open space, landscaping, and amenities for the residents.

## STAFF ANALYSIS

The Pattern Book recommends for this site the Suburban Neighborhood Typology. This typology is primarily composed of single-family housing but allows for compatible multi-family development where appropriate, particularly near transit or major corridors. The proposed project meets several conditions of the Plan, including arterial access, access to transit, and provision of sidewalks and trails. While no neighborhood or corridor-specific plan applies, the proposed development supports the goals of Indy Moves by providing internal pedestrian connectivity and aligning with long-term mobility planning.

In conclusion, staff finds that the requested rezoning and variances are consistent with the Comprehensive Plan, compatible with surrounding land uses, and appropriate given the context of the site. The project promotes higher-density housing near transit, preserves significant natural features.

Therefore, staff recommends **approval** of the rezoning and variance requests.

## GENERAL INFORMATION

|                                   |                                  |  |
|-----------------------------------|----------------------------------|--|
| <b>Existing Zoning</b>            | C-3 (FF)                         |  |
| <b>Existing Land Use</b>          | Undeveloped                      |  |
| <b>Comprehensive Plan</b>         | Suburban Neighborhood            |  |
| <b>Surrounding Context</b>        | <u><b>Zoning</b></u>             | <u><b>Land Use</b></u>                         |
| North:                            | D-11                             | Residential (Mobile Dwelling)                  |
| South:                            | C-3/D-7                          | Residential (Apartments)                       |
| East:                             | C-3                              | Commercial (Gas Station)                       |
| West:                             | C-3                              | Commercial (Retail)                            |
| <b>Thoroughfare Plan</b>          |                                  |  |
| Raceway Road                      | Primary Arterial                 | 102-foot Existing ROW vs 119-foot Proposed ROW |
| West 10 <sup>th</sup> Street      | Primary Arterial                 | 102-foot Existing ROW vs 119-foot Proposed ROW |
| <b>Context Area</b>               | Metro                            |  |
| <b>Floodway / Floodway Fringe</b> | Yes                              |  |
| <b>Overlay</b>                    | Yes, Airspace Secondary District |  |
| <b>Wellfield Protection Area</b>  | No                               |  |
| <b>Site Plan</b>                  | April 15,2025                    |  |

|                            |               |
|----------------------------|---------------|
| Site Plan (Amended)        | July 15, 2025 |
| 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 (2019)

### Pattern Book / Land Use Plan

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

The **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

#### Conditions for All Land Use Types

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



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- 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.

**Multifamily Housing**

- Should be located along arterial or collector streets, parks, or greenways.
- 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**

- **Infill Housing Guidelines (2021)**
- These guidelines apply to infill development in residential areas within the Compact Context Area and include the following features:
  - **Site Configuration**
    - Front Setbacks
    - Building Orientation
    - Building Spacing
    - Open Space
    - Trees, Landscaping, and the Outdoors
  - **Aesthetic Considerations**
    - Building Massing
    - Building Height
    - Building Elevations and Architectural Elements
- 1. **Additional Topics**
  - Secondary Dwelling Units, Garages, and Accessory Structures
  - Adapting to the Future

### **Indy Moves**

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

- IndyMoves 2018
  - Recommends Off-Street Multiuse Path

## ZONING HISTORY

### Zoning History- Site

**66-Z-164** (subject site), Request rezoning of 15.99 acres being in A-2 district to the B-2 classification to provide for a service-type shopping center, **approved**.

### Zoning History- Vicinity

**2014-ZON-013; 9185 W 10<sup>th</sup> Street, (southwest of site)** Rezoning of 0.92 acres, from the C-3 (FF) district to the C-S (FF) classification to provide for C-3 uses and automobile sales, **approved**.

**2008-ZON-069; 9101 West 10th Street (southeast of site)**, Rezoning of five acres, from the SU-1 District, to the C-1 classification to provide for office-buffer commercial uses.

**2002-UV2-044; 905 North Raceway Road (southwest of site)**, Variance of Use of the Commercial Zoning Ordinance to provide for an automobile detailing shop, and a variance of development standards of the Commercial Zoning Ordinance to provide for a zero-foot front yard setback, **granted**.

**2000-UV1-029; 9207 West 10th Street (southeast of site)**, Variance of Use of the Commercial Zoning Ordinance to provide for a landscaping contractor business, **granted**.

**97-HOV-45; 9001 West 10th Street (southeast site)**, requested variance of development standards of the Sign Regulations to provide for a 5. 75-foot tall, 50-square foot illuminated pylon sign within 108 feet of a protected district, and with an eight-foot setback from West 10th Street., **Granted**

**95-UV1-82; 9225 West 10th Street (south of site)**, Variance of Use of the Commercial Zoning Ordinance to provide for the construction of a building for indoor soccer and basketball, **granted**.

**94-UV2-27; 9175 West 10th Street (east of site)**, Variance of Use and development standards of the Commercial Zoning Ordinance to provide for a garden center and landscaping business, with outdoor sales and storage, **granted**.

**76-A1-58; 9195 West 10th Street (subject site)**, Appeal of the denial of an ILP to allow the construction of a double-faced pole sign, **granted**.

**72-2-105; 9101 West 10th Street (east of site)**, Rezoning of 5 acres from the A-2 District to the SU-1 District for the development of a church, **granted**.

**71-2-238; 9201 West 10th Street (east site)**, Rezoning of 4.1 acres from the D-7 District to the C-3 District to allow for a retail commercial center, **granted**.

**70-Z-151; 8902 West 10th Street (north of site)**; request rezoning of 85.215 acres, being in the d-11 & d-6 districts to a D-11 classification for continued mobile home development, **approved**.



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**68-Z-219; 9201 West 10th Street (west of site)**, Rezoning of 7.04 acres from the A-2 District to the B-2 District for commercial uses, **approved**.

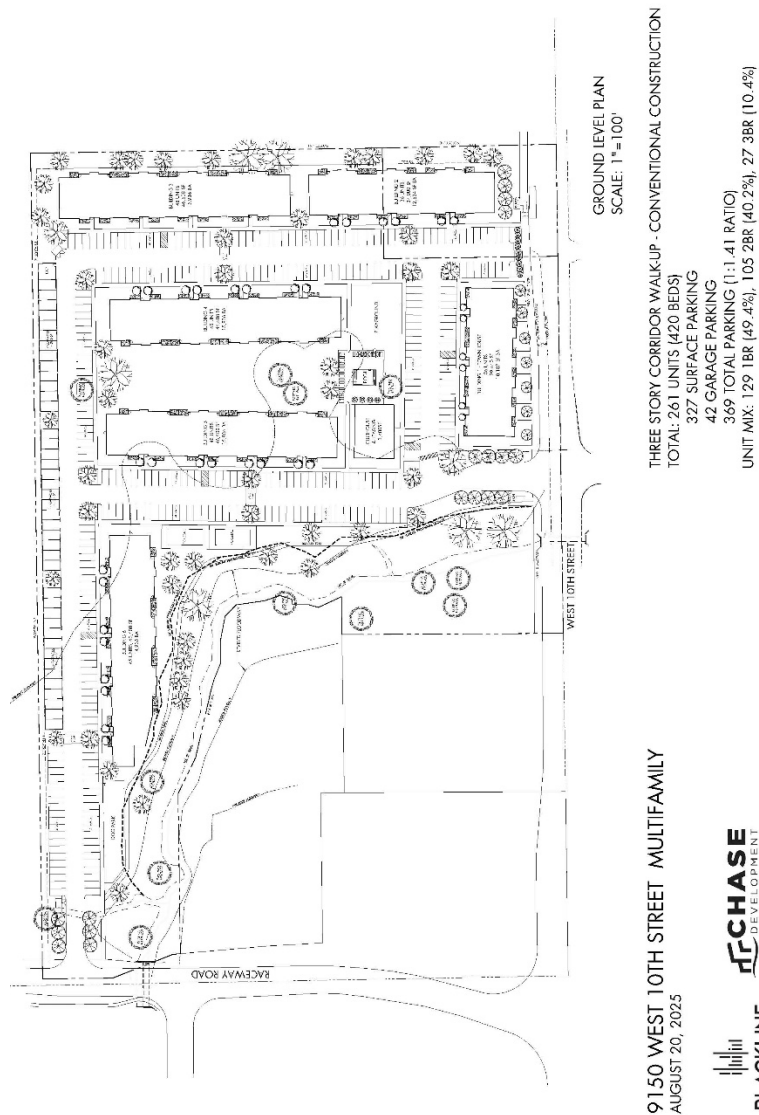
**66-Z-163;** (north of site), Request rezoning of 76.70 acres being in A-2 district to the D-11 classification to provide for the development of a mobile home park, **approved**

**66-Z-165;** (Northeast of site), Request rezoning of 70.66 acres being in A-2 district to the D-6 classification to provide for the construction of apartments and cluster housing, **approved**

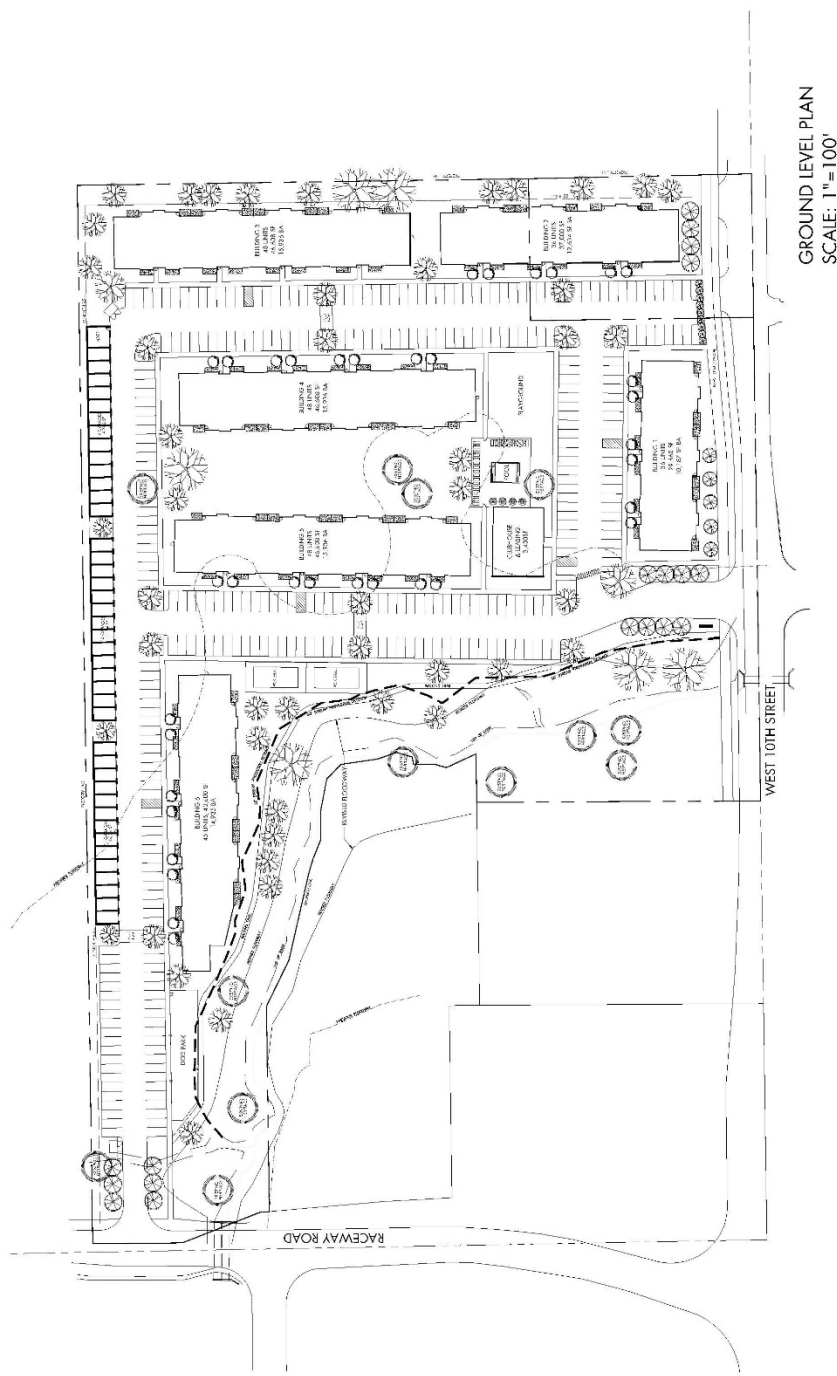


## EXHIBITS

### 2025-CZN-830/ 2025CVR-830 Updated Site Plan 8.21.2025



### 2025-CZN-830/ 2025CVR-830 Site Plan



9150 WEST 10TH STREET MULTIFAMILY  
JULY 15, 2025

THREE STORY CORRIDOR WALK-UP - CONVENTIONAL CONSTRUCTION  
TOTAL: 261 UNITS (420 BEDS)  
363 PARKING (1:1.39 RATIO)  
UNIT MIX: 129 1BR (49.4%), 105 2BR (40.2%), 27 3BR (10.4%)



**BLACKLINE**



Department of Metropolitan Development  
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2025-CZN-830/ 2025CVR-830 Building 1 Townhome Elevations



2 REAR ELEVATION  
1/16" = 1'-0"



INSET BRICK ACCENT

10th & Raceway

1 10TH ST ELEVATION  
1/16" = 1'-0"

Exterior Elevations - 10th St - Conceptual Design  
08/20/25



**2025-CZN-830/ 2025CVR-830 Building 1 Renderings**



10th & Raceway

**3D View - 10th St Building - Conceptual Design**  
 08/20/25

BLACKLINE

**2025-CZN-830/ 2025CVR-830 Building 1 Renderings cont.**



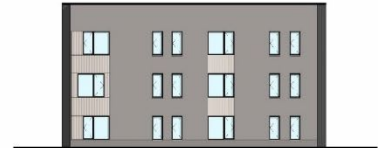
10th & Raceway

**3D View - 10th St Building - Conceptual Design**  
 08/20/25

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## 2025-CZN-830/ 2025CVR-830 Building Elevations



**1 North Elevation**  
 1" = 20'-0"

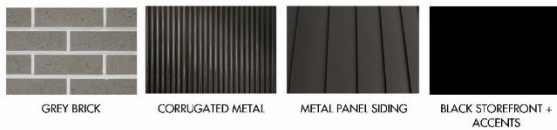


10th & Raceway

Exterior Elevations - Multifamily - Conceptual Design  
 06/24/25

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## 2025-CZN-830/ 2025CVR-830 Clubhouse Elevations



**1 Amenity - South Elevation**  
 3/32" = 1'-0"



**2 Amenity - East Elevation**  
 3/32" = 1'-0"



**3 Amenity - North Elevation**  
 3/32" = 1'-0"



**4 Amenity - West Elevation**  
 3/32" = 1'-0"

10th & Raceway

Exterior Elevations - Amenity Building - Conceptual Design  
 06/24/25

BLACKLINE

**20205-CZN-830/2025-CVR-830 building renderings.**



10th & Raceway

**3D View - Typical Multifamily - Conceptual Design**  
06/24/25

BLACKLINE



10th & Raceway

**3D View - Amenity Building - Conceptual Design**  
06/24/25

BLACKLINE

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

Petition Number 2025-CVR-830

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER  
METROPOLITAN BOARD OF ZONING APPEALS, Division \_\_\_\_\_  
OF MARION COUNTY, INDIANA  
PETITION FOR VARIANCE OF USE**

**FINDINGS OF FACT**

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

The site is over 10 acres and conducive to a development that is denser and exceeds the  
development standards for small apartments under the D-8 zoning ordinance.

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

The site is over 10 acres and conducive to a development that is denser and exceeds the  
development standards for small apartments under the D-8 zoning ordinance.

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

The site is over 10 acres and awkwardly configured with a stream protection corridor on the  
property.

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

Although the over 10-acre site is conducive to multifamily development in accordance with the  
D-8 zoning classification, the ordinance, as written, does not permit the large apartment  
standards to be applied to D-8.

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

The Suburban Neighborhood typology contemplates multifamily housing like the proposed  
development which is compatible with surrounding uses.

**Findings of Fact 7' Buffer**

Petition Number **2025-CVR-830**

**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 variance will permit more complete development of the site to include covered parking along the northern boundary while still providing a sufficient 7' buffer from the adjacent mobile home park.

**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 variance will permit more complete development of the site to include covered parking along the northern boundary while still providing a sufficient 7' buffer from the adjacent mobile home park.

**3. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WILL RESULT IN PRACTICAL DIFFICULTIES IN THE USE OF THE PROPERTY BECAUSE:**

The are inherent limitations to the existing site including a stream protection area that limits development on the site. The development parcels are also uniquely configured which presents practical difficulty in complying with the setback requirement while still bringing necessary density to the site.



## **2025-CZN-830/ 2025-CVR830 Petitioners Commitments**

### Heritage Tree Commitment:

A tree inventory, tree assessment and preservation plan prepared by a certified arborist shall be submitted for Administrator Approval prior to preliminary plat approval and prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum:

- a. indicate proposed development:
- b. delineate the location of the existing trees,
- c. characterize the size and species
- d. of such trees,
- e. indicate the wooded areas to be saved by shading or some other means of
- f. indicating tree areas to be preserved and
- g. 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.

**Looking west from subject property across Raceway Road**



**Looking at the intersection of Raceway and 10th Street**

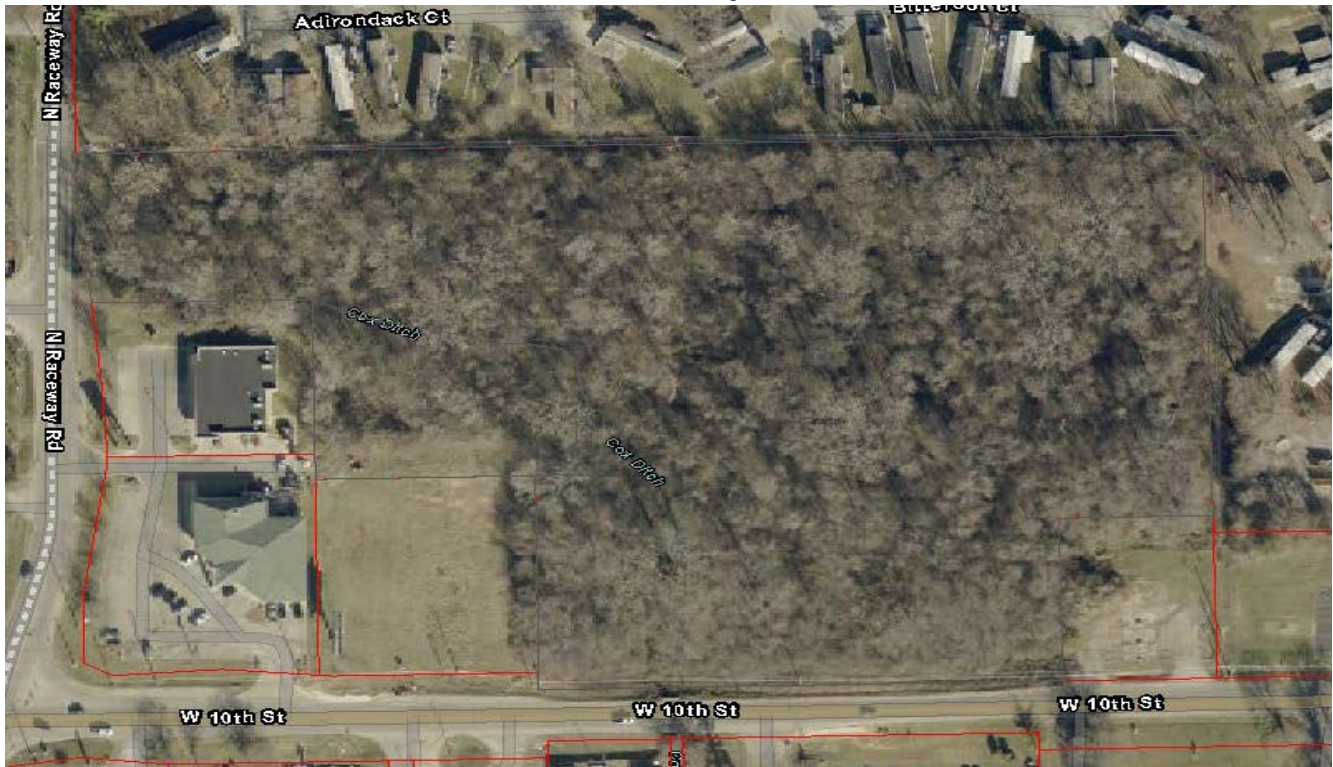




Looking east at the subject property across Raceway Road



2025-CZN-830/ 2025-CPL-830 Site Location Map.



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**August 28, 2025**

**Case Number:** 2025-CVR-838 / 2025-CPL-838  
**Property Address:** 8356 Masters Road (approximate address)  
**Location:** Lawrence Township, Council District #4  
**Petitioner:** Masters Road 8356, LLC, by Russell L. Brown  
**Zoning:** C-4 (FF)  
**Request:** Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for two lots without public street frontage (minimum 50 feet of public street frontage required).  
Approval of a Subdivision Plat, to be known as Masters Road 8356 Plat, dividing 1.07 acres into two lots.  
**Waiver Requested:** None  
**Current Land Use:** Commercial Building  
**Staff Recommendations:** Denial  
**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

This is the first hearing for this plat petition and variance.

**STAFF RECOMMENDATION**

Staff recommends that the Hearing Examiner **deny** and find that the plat, file-dated July 3, 2025 does not comply with the standards of the Subdivision regulations.

If approved against staff's denial recommendation, approval shall be 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.
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.

## PETITION OVERVIEW

### VARIANCE OF DEVELOPMENT STANDARDS

The grant of the request would allow for two proposed lots to have zero feet of street frontage when a minimum of 50 feet is required.

### SITE PLAN AND DESIGN

The 1.07-acre site is zoned C-4 and would be subdivided into two lots (2) to be known as Masters Road 8356 Plat. Lot 1 would be an undeveloped lot measuring 39,847 square feet or 0.915 acre and Lot 2 would measure 6,778 square feet or 0.156 acre with an existing building on site. The proposed plat would meet the setback standards of the C-4 zoning classification.

### STREETS

Lot One and Lot Two would gain access to Bash Street by means of an existing 36-foot ingress/egress and utility easement. An additional 10-foot access and utility easement would run through Lot 1 along the western property boundary to provide access for Lot 2. No new streets are proposed as part of this petition.

### SIDEWALKS

A sidewalk exists along Masters Road and sidewalks do not exist along Bash Street. However, the property does not front on either of these public streets.

Sidewalks do not exist along the existing 36-foot ingress/egress and utility easement. Sidewalks are not required as a part of this plat.

### STAFF ANALYSIS

The subject site contains one parcel having zero street frontage. Because the intent of the subdivision plat is to create an additional non-compliant parcel, staff determined that the approval of plat would not

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

be appropriate or supportable. One issue with having no street frontage is the inability to have direct access to the site in case of emergency. Another issue arises when future tenants of the site propose signage where the lack of street frontage creates difficulties with visibility of the site and anticipated signage.

The existing non-compliant parcel can remain due to its existing status, but it would go against good planning practice to further exacerbate the noncompliance. Instead, the plat could be amended to provide for the minimum 50-foot street frontage, which would eliminate the need for the variance. The plat would, therefore, meet the Ordinance and would be supportable. This could be accomplished with the purchase of a 100-foot-wide section of the western neighboring property that has street frontage along Bash Street and combining it with the subject site to rearrange the proposed property lines for both lots to have the required 50-foot street frontage.

For these reasons, staff is recommending denial of the plat and variance requests.

**GENERAL INFORMATION**

|                                |                      |  |
|--------------------------------|----------------------|--|
| <b>Existing Zoning</b>         | C-4                  |  |
| <b>Existing Land Use</b>       | Commercial Building  |  |
| <b>Comprehensive Plan</b>      | Community Commercial |  |
| <b>Surrounding Context</b>     | <b><u>Zoning</u></b> | <b><u>Land Use</u></b>   |
| North:                         | C-4                  | Commercial and Building Contractor                               |
| South:                         | C-4                  | Hotel  |
| East:                          | C-4                  | Indoor Recreation and Entertainment                              |
| West:                          | C-4                  | Restaurant   |
| <b>Thoroughfare Plan</b>       |                      |  |
| Masters Road                   | Local Street         | 50-foot proposed right-of-way and 40-foot existing right-of-way. |
| <b>Petition Submittal Date</b> | July 3, 2025         |  |

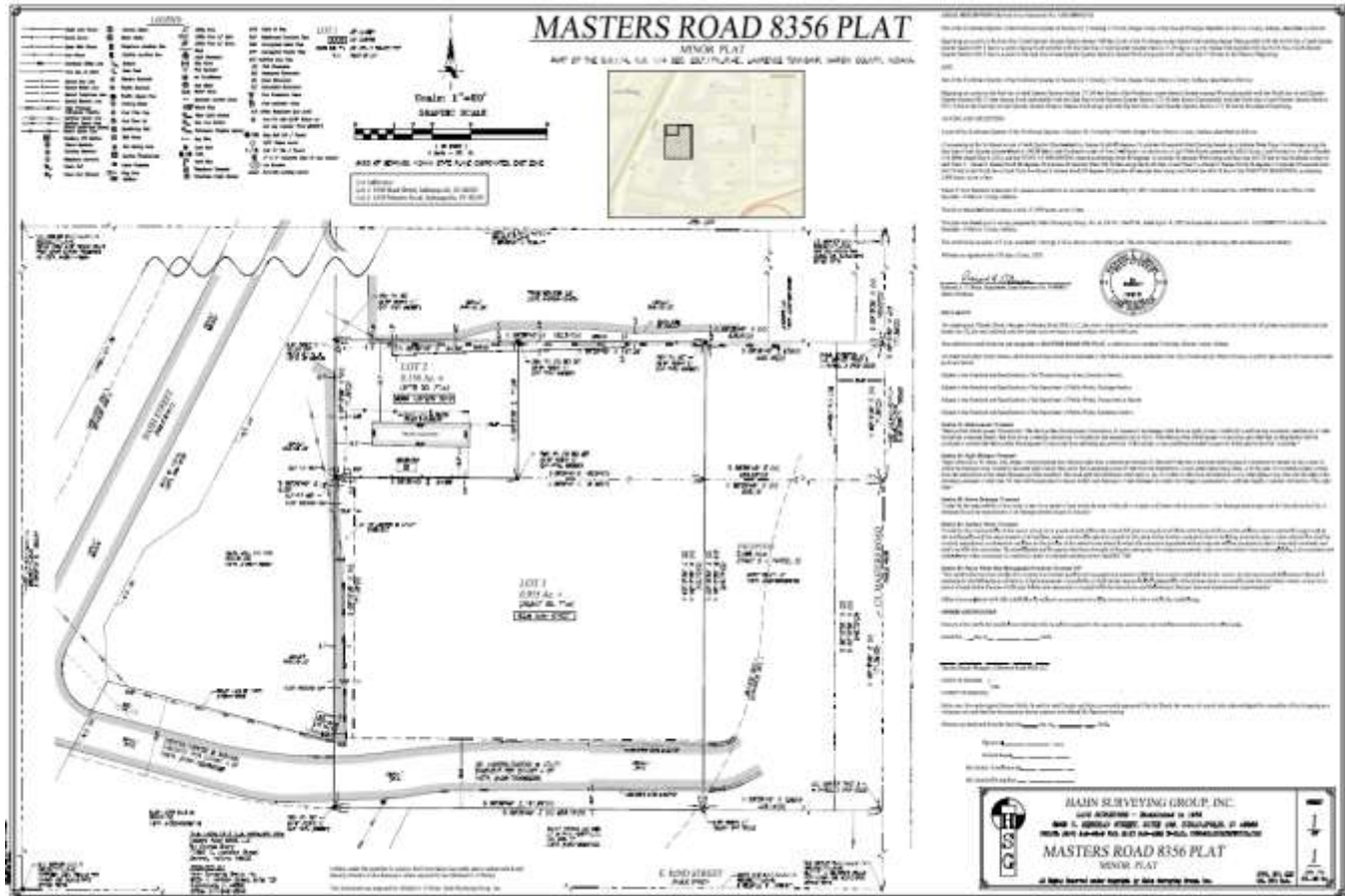
EXHIBITS



AERIAL MAP

Department of Metropolitan Development  
 Division of Planning  
 Current Planning

Preliminary Plat





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

Petition Number \_\_\_\_\_

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

**PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS**

**FINDINGS OF FACT**

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

The proposal fulfills the intent of provisions of the zoning and subdivision control ordinances with regard to public street frontage because there is an existing 36' access and utility easement improved with an asphalt drive from Bash Street to Masters Road. The only change is subdividing the subject property into two lots.

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:

Because the existing access easement and paved drive, approved by Instrument A201700066258, will remain unchanged, providing access from Bash Street to Masters Road. Development of the property as two lots will add value to the area.

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

Granting of the variance request will accommodate the development of two lots. The property is subject to access by way of a recorded easement. Without use of the existing access easement and granting of the requested variance this property cannot be subdivided,

**DECISION**

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## PHOTOS



Photo of the subeject site and proposed Lot 2 at the rear.



Photo of the subject site and proposed Lot 1.





Photo of the commercial property west of the site.



Photo of the commercial property east of the site.



Photo of a hotel south of the site.



METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER  
PETITION FOR VARIANCE OF USE  
NEGATIVE FINDINGS OF FACT

- 1. BASED ON THE EVIDENCE SUBMITTED THE PETITIONER FAILED TO MEET ITS BURDEN OF PROOF TO SHOW THAT THE GRANT OF THE VARIANCE WOULD NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY. The expansion of an existing mini warehouse operation within the Transit-Oriented Development (TOD) overlay would not align with the purpose of the TOD overlay to maximize the economic development and public benefit by creating walkable urban villages and promoting economic mobility.
- 2. BASED ON THE EVIDENCE SUBMITTED THE PETITIONER FAILED TO MEET ITS BURDEN OF PROOF TO SHOW THAT THE GRANT OF THE VARIANCE WOULD NOT CAUSE THE USE OR VALUE OF THE AREA ADJACENT TO THE PROPERTY TO BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER. The expansion of an existing mini warehouse operation within the TOD overlay that exceeds the maximum 0.5-acre would substantially affect the surrounding land uses in an adverse manner.
- 3. BASED ON THE EVIDENCE SUBMITTED THE PETITIONER FAILED TO MEET ITS BURDEN OF PROOF TO SHOW THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED AND THE CONDITION IS NOT DUE TO THE GENERAL CONDITION OF THE NEIGHBORHOOD. The site can continue to operate as a mini warehouse business as permitted by petitions 2018-ZON-001 and 2017-ZON-057.
- 4. BASED ON THE EVIDENCE SUBMITTED THE PETITIONER FAILED TO MEET ITS BURDEN OF PROOF TO SHOW THAT THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WOULD CONSTITUTE AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT. The site can continue to operate as a mini warehouse business as permitted by petitions 2018-ZON-001 and 2017-ZON-057.
- 5. BASED ON THE EVIDENCE SUBMITTED THE PETITIONER FAILED TO MEET ITS BURDEN OF PROOF TO SHOW THAT THE GRANT OF THE VARIANCE WOULD NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN. The expansion of an existing use within the Transit-Oriented Development (TOD) overlay would not align with the purpose of the TOD overlay to maximize the economic development and public benefit by creating walkable urban villages and promoting economic mobility.

DECISION

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_