



Metropolitan Development Commission (September 18, 2024) Meeting Notice

Meeting Details

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

Date: Wednesday, September 18, 2024 **Time:** 1:00 PM

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

Business:

Adoption of Meeting Minutes: September 4, 2024

Policy Resolutions:

REAL ESTATE:

1. 2024-R-017

Authorizes DMD to transfer real estate to facilitate redevelopment along the Monon Trail.

ECONOMIC DEVELOPMENT / INCENTIVES:

2. 2024-A-029 (For Public Hearing)

Final Economic Revitalization Area Resolution for OMR North America, Inc., located at 4755 Gilman Street, Council District #16, Wayne Township. (Recommend approval of six (6) years personal property tax abatement.)

Zoning Petitions:

Special Requests

PETITIONS OF NO APPEAL (RECOMMENDED FOR APPROVAL):

3. 2024-APP-009 | 1801, 1851, and 2001 West 86th Street, 8301, 8401, 8433, 8402, and 8501 Harcourt Road, 8220, 8240, 8260, 8326, 8330, 8333, 8414, 8424, and 8550 Naab Road

Washington Township, Council District #1 and #2

HD-1 / HD-2

St. Vincent Hospital and Health, by Brent Bennett

Hospital District One Approval and Hospital District Two Approval to provide for updated campus-wide wayfinding signage.

4. 2024-APP-015 | 7960 North Shadeland Avenue

Lawrence Township, Council District #3

HD-2

7660 Shadeland, LLC, by Scott Elpers

Hospital District Two Approval to provide for two building identification signs and one 4.67-foot-tall freestanding sign for a medical facility.

5. 2024-MOD-012 | 5943 Copeland Mills Drive

Decatur Township, Council District #21
D-3
Ronald Holland

Modification of the Commitments related to petition 97-Z-30 to modify Commitment #20 to allow for a six-foot tall privacy fence with 100% opacity along the side and rear property lines (current commitment limits privacy fencing to being used in conjunction with a porch, patio, deck, terrace, or pool, it must be located within fifteen feet of said structure and shall not encroach into the required building setbacks).

6. 2024-ZON-027 | 1101 and 1117 South Sherman Drive

Center Township, Council District #19
Liberty Commercial Investors, LLC., by Donald W. Fisher

Rezoning of 0.68-acre from the D-5 and C-3 districts to the C-5 district to provide for automobile sales.

7. 2024-ZON-039 | 3803, 3805, 3919, 4051, and 4233 Lafayette Road, 4262, 4266, 4270, and 4360 West 38th Street, 4702, 4750, and 4825 Century Plaza Road

Pike Township, Council District #5
PFFO QOZB LLC, by Alex Intermill and Tyler Ochs

Rezoning of 126.55 acres from the C-4, C-5, and MU-2 (FF) districts to the C-S (FF) district to provide for C-4 and MU-2 permitted uses, plus commercial retail, community center, athletic fields and courts, film production studios, hotels, multi-family dwellings, and educational uses.

8. 2024-ZON-062 | 1025 Jefferson Avenue

Center Township, Council District #13
Brookside Commercial, LLC, by Joseph D. Calderon

Rezoning of 0.15-acre from the D-5 district to the SU-38 district to provide for additional surface parking area for a community center and apartments.

9. 2024-ZON-084 | 3124 West 16th Street

Wayne Township, Council District #11
Marcos Perera

Rezoning of 0.83-acre from the D-5 and C-1 districts to the C-3 district to provide for commercial uses.

10. 2024-ZON-088 | 8101 and 8105 West Washington Street

Wayne Township, Council District #17
Indy Aerospace, Inc., by Brian J. Touhy

Rezoning of 4.77 acres from the SU-46 district to the 1-3 district to build a 30,000-square-foot building.

11. 2024-ZON-089 | 3527 North College Avenue

Center Township, Council District # 8
Walvan Investments, LLC, by David Gilman

Rezoning of 0.22 acre from the D-5 district to the D-8 district to provide for a (6-unit) small apartment use.

12. 2024-ZON-091 | 6530 and 6650 Bluff Road

Perry Township, Council District #22
Linda Group Indy, LLC, by David Kingen

Rezoning of 10.57 acres from the SU-16 district to the SU-1 district to provide for religious uses.

13. 2024-CAP-815 | 2439 and 2455 Dr. Martin Luther King, Jr. Street

Center Township, Council District #12
C-S (W-5)
NWQOL Holding Company LLC, by Brian J. Tuohy

Modification of Development Statement and Site Plan related to 2020-ZON-067 to provide for a four-story multi-family, with supportive services development, with 32 dwelling units for persons experiencing homelessness, community meeting space, mental health services, employment assistance, health and wellness programs, life skills training and development, and a food pantry for residents.

14. 2024-CZN-820 | 3107 East Sumner Avenue

Perry Township, Council District #19
Francisco Aleman, by Josh Smith

Rezoning of 0.924 acre from the D-A district to the D-5 district to provide for residential uses.

15. 2024-CAP-828 | 1013 West Morris Street

Center Township, Council District #18
C-7 (FF)

Indy Grille Family Restaurant, LLC, by Adam DeHart

Modification of Conditions and Site Plan related to 85-UV2-52 to delete Condition #3 which states that Morris Street shall be used for exit only and shall be properly identified as such and to modify the site plan related to 85-UV2-52 to provide for additions to the existing structure and additional surface parking area.

PETITIONS OF NO APPEAL (RECOMMENDED FOR DENIAL):

16. 2024-ZON-056 | 4545 East Michigan Street

Center Township, Council District #13
SJM Co. Inc., by Jamilah Mintze

Rezoning of 0.12-acre from the D-5 district to the C-5 district to provide for general commercial uses, including an automobile repair shop.

Petitions for Public Hearing

PETITIONS FOR PUBLIC HEARING:

17. MODIFICATION PETITION RECOMMENDED FOR DENIAL BY THE HEARING EXAMINER, APPEAL FILED BY PETITIONER:

2024-MOD-011 (Amended) | 4001 South Keystone Avenue

Perry Township, Council District #19
C-4

Aman, LLC, by Tyler Ochs

Modification of the Commitments related to 2016-ZON-083 to Modify Commitment #2 to remove "Automobile Fueling Station" from the list of prohibited uses.

18. COMPANION VACATION PETITION RECOMMENDED FOR APPROVAL, APPEAL FILED BY THE ADMINISTRATOR:

2024-CVC-828 (Amended) | 1013 West Morris Street

Center Township, Council District #18
C-7 (FF)

Indy Grille Family Restaurant, LLC, by Adam DeHart

Vacation of a portion of Drover Street (formerly a portion of Lot 85 in McCarty's Third West Side, an Addition to the City of Indianapolis), ranging from 31 to 33 feet (irregular) in width, from the south right-of-way line of Morris Street, south 109.2 feet to the first east-west alley south of Morris Street, with a waiver of the assessment of benefits.

19. REZONING PETITION FOR INITIAL HEARING:

2024-ZON-081 | 4310 North Carroll Road

Lawrence Township, Council District #15
Lennar Homes of Indiana, LLC, by Brian J. Tuohy

Rezoning of 30.85 acres from the D-P (FF) district to the D-P (FF) district to provide for a single-family residential development, consisting of 51 dwelling units and amenities, including open space and a nature trail.

Additional Business:

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

Real Estate
0 Monon Trail
Real Property Disposition

**METROPOLITAN DEVELOPMENT COMMISSION
OF
MARION COUNTY, INDIANA
Resolution No. 2024-R-017**

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

WHEREAS, the Department of Public Works ("DPW") is undertaking a project ("Project") to widen and improve the City of Indianapolis ("City") portions of the Monon Trail, a popular multi-use recreational trail; and

WHEREAS, by resolution 2024-R-008, approved by the MDC on 5/1/2024, DMD acquired a small (.08 acre) parcel of land more particularly described on Exhibits "A" and "B", attached ("Parcel") that would facilitate redevelopment of the Project; and

WHEREAS, DMD desires to transfer its ownership interest in the Parcel to Monon 32, LLC, to facilitate redevelopment including the Project; and

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

WHEREAS, accordingly, DMD desires to transfer the Parcel to Monon 32, LLC, to facilitate the Project.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. DMD is hereby authorized to transfer the Parcel to Monon 32, LLC, to facilitate redevelopment along the Monon Trail.
2. The DMD Director is hereby authorized to execute the necessary documents for the conveyance of the Parcel as described above in accordance with this Resolution and all actions heretofore taken by any such official toward the completion thereof are hereby ratified, confirmed and approved, for the conveyance of said Parcel in accordance with this Resolution.

Approved as to Adequacy & Legal Form

Sheila Kinney

Sheila Kinney, Asst. Corp Counsel
9/11/2024

Date: _____

Metropolitan Development Commission

John J. Dillon III, President

Date: _____

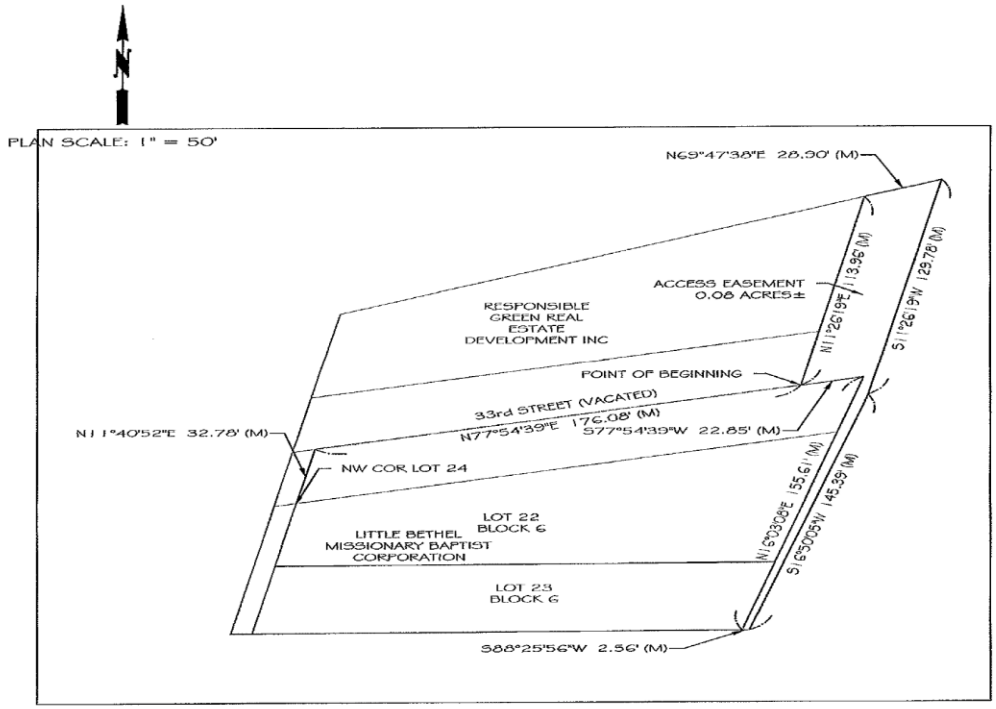
EXHIBIT "A"

LEGAL DESCRIPTION

PART OF BLOCK "K" AND VACATED COLLEGE AVENUE OF NORTH SIDE ADDITION TO CITY OF INDIANAPOLIS, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK 5, PAGE 25, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA, IN PART OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 16 NORTH, RANGE 4 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 22 IN BLOCK 6 OF SAID NORTHSIDE ADDITION; THENCE NORTH 11 DEGREES 40 MINUTES 52 SECONDS EAST (ASSUMED BEARING) ALONG THE EAST RIGHT-OF-WAY OF A 15 FOOT VACATED ALLEY 32.78 FEET TO A POINT ON THE CENTERLINE OF VACATED 33RD STREET; THENCE NORTH 77 DEGREES 54 MINUTES 39 SECONDS EAST ALONG SAID CENTERLINE 176.08 FEET TO THE POINT OF BEGINNING; THENCE NORTH 11 DEGREES 26 MINUTES 19 SECONDS EAST ON AND ALONG SAID WEST LINE 113.96 FEET TO THE SOUTH RIGHT-OF-WAY OF SUTHERLAND AVENUE; THENCE NORTH 69 DEGREES 47 MINUTES 38 SECONDS EAST ON AND ALONG THE SOUTH LINE OF SAID SUTHERLAND AVENUE 28.90 FEET; THENCE SOUTH 11 DEGREES 26 MINUTES 19 SECONDS WEST 129.78 FEET; THENCE SOUTH 16 DEGREES 50 MINUTES 05 SECONDS WEST 145.39 FEET; THENCE SOUTH 88 DEGREES 25 MINUTES 56 SECONDS WEST 2.56 FEET TO THE SOUTHEAST CORNER OF LOT 23 IN BLOCK 6; THENCE NORTH 16 DEGREES 03 MINUTES 08 SECONDS EAST ALONG THE EAST LINE OF SAID BLOCK 6 155.61 FEET; THENCE SOUTH 77 DEGREES 54 MINUTES 39 SECONDS WEST 22.85 FEET TO THE POINT OF BEGINNING, CONTAINING 0.08 ACRES, MORE OR LESS.

EXHIBIT "B"



ROGER WARD ENGINEERING INCORPORATED
 6555 CARROLLTON AVENUE
 Indianapolis, IN 46220
 (317) 251-1738 (Fax) 251-1923

PROJECT NAME: MONON 32
 PLAN SCALE: 1" = 50'
 DATE: 01-18-2024
 DESCRIPTION: ACCESS EASEMENT EXHIBIT "B"

**METROPOLITAN DEVELOPMENT COMMISSION OF
MARION COUNTY, INDIANA
FINAL ECONOMIC REVITALIZATION AREA RESOLUTION**

Resolution No. 2024-A-029

PERSONAL PROPERTY TAX ABATEMENT

OMR North America, Inc.

4755 Gilman Street

WHEREAS, I.C. 6-1.1-12.1 allows a partial abatement of property taxes attributable to the installation of new equipment (hereinafter the "Project") in Economic Revitalization Areas; and

WHEREAS, I.C. 6-1.1-12.1 empowers the Metropolitan Development Commission (hereinafter "Commission") to designate Economic Revitalization Areas and determine the length of the abatement period and annual deduction schedule during the term of the abatement for such property by following a procedure involving adoption of a preliminary resolution, provision of public notice, conducting of a public hearing, and adoption of a resolution confirming the preliminary resolution or a modified version of the preliminary resolution; and

WHEREAS, the Commission has established in Resolution No. 01-A-041, 2001, certain standards and procedures for the designation of Economic Revitalization Areas for the partial abatement of property taxes attributable to the installation of new equipment; and

WHEREAS, I.C. 6-1.1-12.1 empowers the Commission, at the time an Economic Revitalization Area is designated, to limit the dollar amount of the deduction that will be allowed with respect to a project; and

WHEREAS, I.C. 6-1.1-12.1 requires an applicant for Economic Revitalization Area designation to provide a Statement of Benefits and requires the Commission, before it makes a decision to designate such an area as an Economic Revitalization Area, to determine that the Project can be reasonably expected to yield the benefits identified in the Statement of Benefits and determine that the totality of benefits arising from the Project is sufficient to justify Economic Revitalization Area designation; and

WHEREAS, a business (hereinafter "Applicant") named in the attachment to this Resolution, which attachment is hereby incorporated by reference, has an ownership interest in the geographical area (hereinafter "Subject Real Estate") described in such attachment; and

WHEREAS, the Applicant has requested that the Subject Real Estate be designated as an Economic Revitalization Area for the purpose of achieving property tax savings in connection with the installation on the Subject Real Estate of certain new manufacturing, logistical distribution,

information technology, and/or research and development equipment (hereinafter "Specified New Equipment"); and

WHEREAS, during a preliminary hearing at 1:00 p.m. on Wednesday, August 21, 2024, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and the Commission adopted **Preliminary Resolution No. 2024-A-028 (“Preliminary Resolution”)**, preliminarily designating the Subject Real Estate as an Economic Revitalization Area subject to the adoption of a confirming resolution by the Commission and subject to limiting conditions, and it fixed 1:00 p.m. on Wednesday, **September 18, 2024** in the Public Assembly Room of the City-County Building for the public hearing of remonstrances and objections from persons interested in whether the Subject Real Estate should be designated as an Economic Revitalization Area to allow for the installation of the Specified New Equipment; and

WHEREAS, a copy of such Preliminary Resolution was properly filed with the Marion County Assessor and proper legal notices were published indicating the adoption and substance of such Preliminary Resolution and stating when and where such final hearing would be held; and

WHEREAS, pursuant to IC 6-1.1-12.1-2(k), a Statement of Benefits for property located within an allocation area, as defined by IC 36-7-15.1-26, may not be approved unless the Town Council of the Town of Speedway, Indiana, (hereinafter referred to as “Speedway Council”) adopts a resolution approving the Statement of Benefits; and

WHEREAS, the Speedway Council adopted a Resolution approving the Applicant’s Statement of Benefits associated with the Project on August 26, 2024; and

WHEREAS, pursuant to Commission Resolution No. 01-A-041, 2001, the Applicant and City have entered into a Memorandum of Agreement which shall be utilized to measure compliance with the proposed Project described in the attachment to this resolution; and

WHEREAS, at such final hearing, evidence and testimony, and Assertions 1 through 6 stated on the attachment to the Preliminary Resolution, (along with all written remonstrances and objections previously filed) were considered by the Commission.

NOW, THEREFORE, IT IS RESOLVED:

1. The Commission now amends, confirms, adopts, and approves such Preliminary Resolution and thereby designates, finds, and establishes the Subject Real Estate as an Economic Revitalization Area. This designation is subject to the conditions that designation allows abatement of property taxes only relative to the installation of the Specified New Equipment on the Subject Real Estate. However, on the written request of the Applicant, the Director of the Department of Metropolitan Development is allowed to authorize in writing, substitutions, modifications, and additions which are not substantial in nature to the specified New Equipment, prior to March 1 of the year in which the initial certified deduction application for the Specified New Equipment is filed with the County Assessor.

2. **The Economic Revitalization Area designation terminates December 31, 2026. Accordingly, partial abatement of property taxes is allowed relative to Specified New Equipment installed and in operation on the Subject Real Estate during the period September 18, 2024, to December 31, 2026.** However, termination of this designation does not limit the time the Applicant or successor owner is entitled to receive a partial abatement of property taxes, relative to Specified New Equipment installed on the subject real estate before termination of such designation, to a period of less than six (6) years.
3. The partial abatement of property taxes attributable to the installation of the Specified New Equipment is subject to limitations contained in I.C. 6-1.1-12.1-4.5 (c) and (d).
4. This Economic Revitalization Area designation is limited to allowing partial abatement of property taxes attributable to the installation of the Specified New Equipment on the Subject Real Estate and does not allow the abatement of real property taxes attributable to redevelopment or rehabilitation activities under I.C. 6-1.1-12.1-3. Pursuant to I.C. 6-1.1-12.1-2(i), the Commission hereby limits the dollar amount of the deduction that will be allowed, with respect to installation of specified new equipment in the Economic Revitalization Area, to those respective tax savings attributable to an equipment investment of not greater than \$10,000,000.00.
5. The Commission has determined that the Project can reasonably be expected to yield the benefits identified in the attached Statement of Benefits and that the Statement of Benefits is sufficient to justify the partial abatement of property taxes requested, based on the following findings:
 - A. The estimate of the cost of the Specified New Equipment is reasonable for equipment of that type.
 - B. The estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed installation of the Specified New Equipment.
 - C. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed installation of the Specified New Equipment.
 - D. Other benefits about which information was requested are benefits which can reasonably be expected to result from the proposed installation of the Specified New Equipment.
 - E. The "Totality of Benefits" is sufficient to justify the deduction.
6. Under the authority of I.C. 6-1.1-12.1, the Commission directs the Department of Metropolitan Development to survey projects receiving Economic Revitalization Area designation for compliance with job creation/retention figures, salaries associated with these figures and investment figures contained in the Applicant's approved Final Economic Revitalization Area Resolution, the Memorandum of Agreement executed by and between the Applicant and the City, and/or the Statement of Benefits form. The Commission may reduce the dollar amount, or rescind the deduction in its entirety, and/or require repayment of all or a portion of the deductions received by the applicant for failure to achieve the benefits identified in the attached

Memorandum of Agreement and/or "Statement of Benefits" or failure to respond to the mandatory survey.

- 7. The Commission directs the Department of Metropolitan Development to survey the Project described in the attachment to this resolution annually for twelve (8) years. The dates of the eight (8) surveys shall be on or about the following dates: 2024, 2025, 2026, 2027, 2028, 2029, 2030, and 2031.
- 8. The Subject Real Estate and Project area are approved for an abatement period of **six (6) years**.
- 9. The six (6) year personal property tax abatement shall utilize the following deduction schedule:

YEAR OF DEDUCTION	PERCENTAGE
1 st	100%
2 nd	100%
3 rd	100%
4 th	75%
5 th	50%
6 th	25%

- 10. The tax abatement deductions enabled by this Resolution and Resolution 2024-A-028, shall be limited in accordance terms of the Memorandum of Agreement executed between the Commission and the Applicant. The Department of Metropolitan Development shall certify to the Marion County Auditor and Marion County Assessor when the deduction limit has been realized, and further abatement deductions under this Resolution and Resolution 2024-A-028 shall be disallowed without need for further Commission action.
- 11. A copy of this Resolution shall be filed with the Marion County Auditor.

METROPOLITAN DEVELOPMENT
COMMISSION

John J. Dillion III, President

Date

Approved as to Legal Form
and Adequacy this 5th day
of September 2024.

Ethan L. Hudson,
Assistant Corporation Counsel

STAFF COMMENT
PERSONAL PROPERTY TAX ABATEMENT

Street Address:.....4755 Gilman Street

New Jobs Created: 45

Jobs Retained: 95

Estimated Cost of Equipment:.....\$10,000,000.00

STAFF ANALYSIS

OMR North America, Inc. is the North American division of Italian firm Officine Meccaniche Rezzatesi, a leading manufacturing of automotive components for use in engines, suspensions, gears, braking systems and chassis. In 2017 OMR establish a North American headquarters and production facility on a five-acre vacant site owned by the Town of Speedway.

The proposed OMR project would require an investment of at least \$10,000,000.00 in new equipment in an expansion of its existing 44,000-square foot facility built for production for the company’s North American operations. As a result of the project, OMR would retain 95 jobs with an average wage of \$24.73/hr. and create 45 new full-time permanent jobs at an average wage of \$25.50/hr. Notably, 67% of the retained workforce are current residents of Marion County.

In addition to job creation, OMR is committed to workforce development and training. The company has pledged to donate \$30,000 to a Youth Apprenticeship Program in partnership with a third-party trainer to be determined. This program aims to provide certifications in essential employment areas such as Welding, Quality Control, Maintenance Technology, Safety, and Specialized Administrative roles. This investment in the future workforce, demonstrates OMR’s dedication to fostering skill development and ensuring a pipeline of qualified professionals to support the automotive industry’s evolving needs within Marion County.

The Town of Speedway and the Speedway Redevelopment Commission (SRC) have negotiated the proposed incentives with OMR. The proposed tax abatements would eliminate OMR’s property tax obligations on eligible investments for a six-year period. Staff supports the incentive offer, as any incremental taxes generated by this project would otherwise be collected by the underlying TIF District, which is controlled by the Town and the SRC, rather than the MDC and City-County Council.

The applicant is requesting tax abatement to assist in off-setting the high costs of investment associated with this proposed project. The granting of property tax abatement will assist the petitioner in making this project more economically feasible by phasing in the increased tax liability resulting from the investments. In staff’s opinion, a project such as this would not be economically feasible without the tax abatement incentive. Staff believes that the use of tax abatement is an appropriate tool to assist with this project and support continued development within Marion County. For these reasons, staff believes tax abatement to be an appropriate tool for development.

Staff believes this project does comply with the requirements of Metropolitan Development Commission Resolution No. 01-A-041, 2001 concerning the granting of property tax abatement.

RECOMMENDATION: Staff recommends approval of six (6) years personal property tax abatement.

TOTALITY OF BENEFITS

PETITIONER: **OMR North America, Inc.**

INVESTMENT: Staff estimates that the proposed investment of \$10,000,000.00 should result in an increase to the tax base of approximately \$4,000,000.00 of assessed value in the first year of operation. Staff estimates that over the six (6) year personal property tax abatement period the petitioner will realize savings of approximately \$509,822.00 (a 76.7% savings). During the abatement period, the petitioner is expected to pay an estimated \$155,246.00 in personal property taxes related to the new equipment. After the tax abatement expires, the petitioner can be expected to pay an estimated \$86,748.00 in personal property taxes annually related to the new equipment.

EMPLOYMENT: The petitioner estimates that this project will create forty-five (45) jobs at an average wage of \$25.50/hr. Staff finds these figures to be reasonable for a project of this nature.

OTHER BENEFITS: Staff believes this project is significant for Wayne Township in terms of new taxes and potential job creation and retention. Furthermore, staff believes the petitioner's project will lead to continued future investment in Marion County.

STAFF COMMENT: Staff believes the "Totality of Benefits" arising from the project are sufficient to justify the granting of the tax abatement.

PROJECT SUMMARY

Applicant: OMR North America, Inc.

Subject Real Estate: 4655 Gilman Street aka

Wayne Township Parcel Number: 9002138

Project Description:

OMR North America, Inc., established in 2017, currently serves as the only North American division of the renowned Italian firm Officine Meccaniche Rezzatesi. OMR specializes in manufacturing critical automotive components, including those used in engines, suspensions, gears, braking systems, and chassis, catering to a diverse range of automotive needs with high precision and quality.

OMR has proposed an expansion to add an oil pump line to its existing facility at the North American headquarters in Speedway, Indiana. This expansion project is significant as it requires an investment of at least \$10,000,000 in new equipment, enhancing the production capabilities and supporting the company's growth in the region. The facility is located within a redevelopment area and TIF District established by the Town of Speedway.

As a result of this project, OMR will retain its current workforce of 95 employees, who earn an average wage of \$24.73/hr. providing job security and stability to its existing team. The expansion is expected to create 45 new full-time permanent jobs, with an average wage of \$25.50/hr. In addition to job creation, OMR is committed to workforce development and training. The company has pledged to donate \$30,000 to a Youth Apprenticeship Program in partnership with a third-party trainer to be determined.

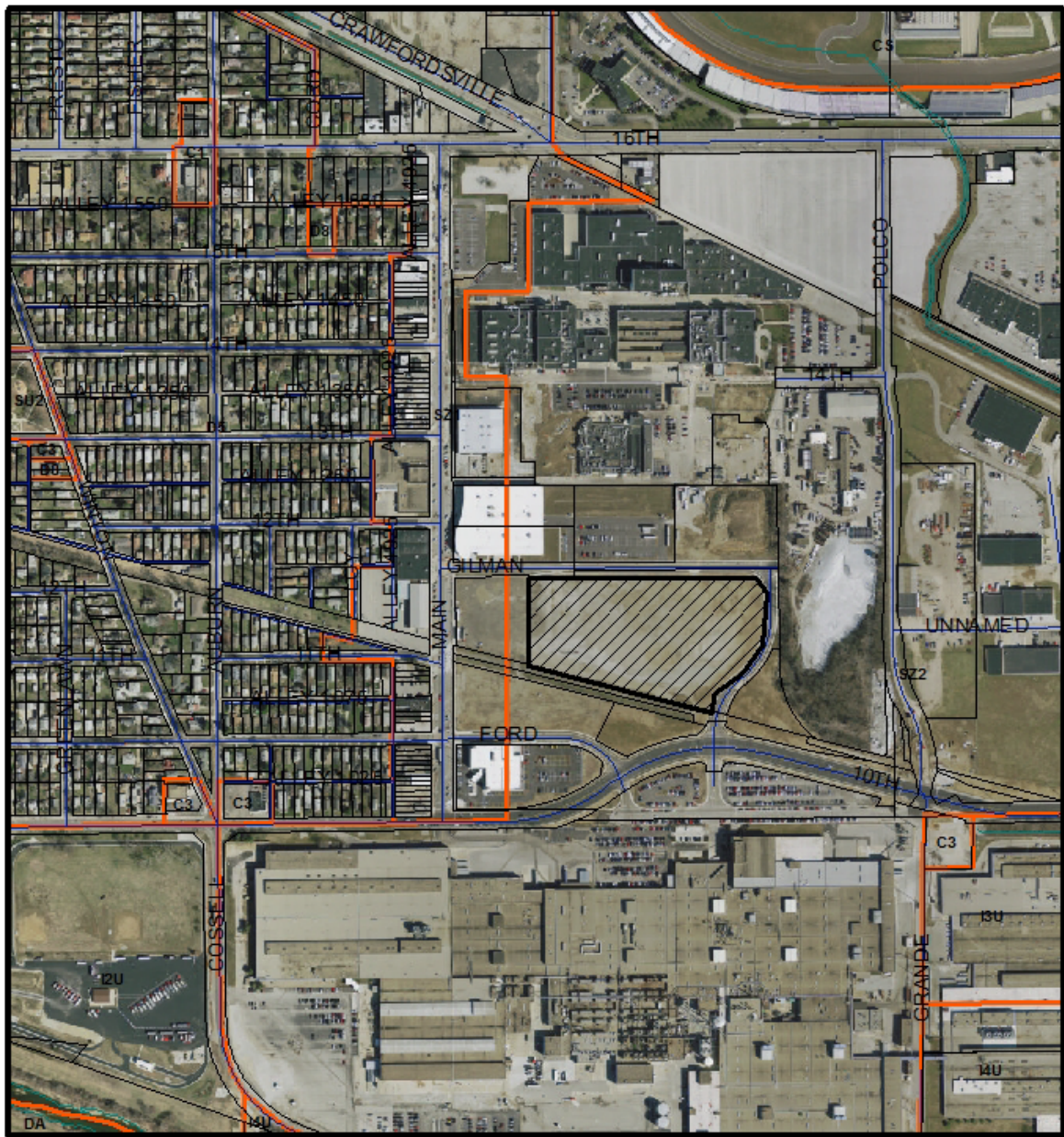
New Jobs Created: 45 at \$25.50/hr.

Job Retained: 95 at \$24.73/hr.

Estimated Cost of Project: \$10,000,000.00

RECOMMENDATION: Staff recommends approval of six (6) years personal property tax abatement.

OMR North America, Inc.
4755 Gilman Street



- Legend**
- Parcels
 - Centerlines
 - Zoning
 - Project Location



Produced by DMD/CED, March 16, 2015



METROPOLITAN DEVELOPMENT COMMISSION **September 18, 2024**

Case Number: 2024-MOD-011 (Amended)
Property Address: 4001 South Keystone Avenue
Location: Perry Township, Council District #19
Petitioner: Aman, LLC, by Tyler Ochs
Current Zoning: C-4
Request: Modification of the Commitments related to 2016-ZON-083 to Modify Commitment #2 to remove “Automobile Fueling Station” from the list of prohibited uses.
Current Land Use: Commercial uses (vacant)
Staff Recommendations: Denial.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the automatic continuance that was filed by a remonstrator that continued this petition from the July 11, 2024 hearing, to the August 15, 2024 hearing.

This petition was heard by the Hearing Examiner on August 15, 2024, who acknowledged the petitioner’s representative’s withdrawal of the portion of the request that would remove “automobile / light vehicle wash” from the list of prohibited uses. After a full hearing, the Hearing Examiner recommended denial of the modification of the 2016 commitments to remove “automobile fueling station” from the list of prohibited uses. Subsequently, the petitioner’s representative filed an appeal of the Hearing Examiner’s decision. A memorandum of her recommendation is attached.

The Metropolitan Development Commission continued this petition at the request of the petitioner’s representative, from the September 4, 2024 hearing, to the September 18, 2024 hearing, due to a scheduling conflict. There was no objection from the remonstrator’s representative or staff.

On September 11, 2024, the petitioner’s representative submitted an updated site plan that would eliminate two of the five access drives. If approved, staff would recommend that approval be subject to the updated site plan, file-dated September 11, 2024.

The petitioner’s representative also indicated during the September 4, 2024 hearing, that a traffic analysis would be conducted. Staff contacted the Department of Public Works (DPW) and inquired whether a traffic engineer had been in contact with them regarding this analysis. Staff was informed that no one had contacted the DPW regarding a traffic analysis of this site.



STAFF RECOMMENDATION

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

1. A 60-foot half right-of-way shall be dedicated along the frontage of South Keystone Avenue; a 59.5-foot half right-of-way shall be dedicated along the frontage of Hanna Avenue, and a 40-foot half right-of-way shall be dedicated along Carson Avenue as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
2. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.
3. The two access drives in proximity of the intersection of South Keystone Avenue and East Hanna Avenue (the northernmost access drive along South Keystone Avenue and the westernmost access drive along East Hanna Avenue) (Exhibit B) shall be eliminated, unless the DPW agrees that the access drives are necessary for operation of a automobile fueling station, including servicing the underground tanks.

PETITION OVERVIEW

MODIFICATION

This 1.075-acre site, zoned C-4, is developed with a vacant commercial building and associated unpaved parking. It is surrounded by commercial uses to the north, across East Hanna Avenue, zoned C-4; commercial uses to the south, across Carson Avenue, zoned C-3; a single-family dwelling to the east, zoned D-3; and commercial uses to the west, across South Keystone Avenue, zoned C-3.

Petitions 2016-ZON-083 / 2016-VAR-003 rezoned the site from the C-3 district to the C-4 classification and a variance of development standards to allow for a liquor store with reduced separation from a protected district. These petitions were approved.

Petition 2022-MOD-010 requested modification of the Commitments related to 2016-ZON-083 to Modify Commitment #2 to remove "Automobile Fueling Station" and "Automobile and Light Vehicle Wash" from the list of prohibited uses. This petition was denied.

Once again, this request would modify commitments related to 2016-ZON-083, Commitment #2, to remove "automobile fueling station" and "automobile / light vehicle wash" from the list of prohibited uses. See Exhibit A.



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

The Comprehensive Plan recommends Village Mixed-Use typology. “Mixed-Use Typologies have a balance of places where people live and places where people work. Generally, only **uses that are compatible with residential uses are recommended in these typologies**. More intense uses, such as hospitals or universities in the ‘Institution-Oriented Mixed-Use’ have conditions attached to them that mitigate their impact on nearby residential neighborhoods.”

As proposed this modification would not be consistent with the Comprehensive Plan recommendation of village mixed-use.

Staff recommended denial of the 2016 rezoning request because the Plan recommendation at that time specifically recommended the C-3 district / community commercial. Additionally, staff was concerned with the impact on the adjacent neighborhood of the C-4 district permitted uses, including the liquor store and the potential fueling station / convenience store.

Staff recommended denial of the 2022 modification of the Commitments related to the 2016-ZON-083 to modify Commitment #2 to remove “Automobile Fueling Station” and “Automobile and Light Vehicle Wash” from the list of prohibited uses.

The current plan recommendation of village mixed-use would be consistent with the C-3 District and provide for more small-scale and pedestrian-friendly uses and activities. The introduction of an automobile fueling station, a 2,800 square foot convenience store, and an automobile and light vehicle wash would not be appropriate for this site and would negatively impact the residential uses.

After the denial of the 2022 modification to permit an automobile fueling station, a 2800 square-foot convenience store, and an automobile and light vehicle wash, the petitioner has taken the liberty of constructing the 2800 square-foot convenience store. When staff visited the site, the convenience store was not operational, and the parking area was in disrepair.

The addition of an automobile and light vehicle wash would further intensify the use of the site and would be more impactful on surrounding property owners and land uses, particularly the residential neighborhood to the east. Car wash operations typically include the need for drive-through lanes, which are not permitted within 100-feet of a protected district or in the front yards and the exit drive as measured from the vehicle exit of the washing mechanism or activity to the pavement edge of the street would require a minimum of 100 feet in length. These use specific development standards provide the appropriate buffer and separation to minimize the impact on adjacent land uses that can be detrimental and adversely affect surrounding land uses.

The site plan only provides for a convenience store and fuel canopy. Based upon the use specific standards for an automobile and light vehicle wash, it is very likely that variances would be required. Staff believes the need for variances would be a clear indication that the proposed uses would result in over development of the site and negatively impact surrounding land uses because the appropriate buffers would not be provided.

Staff believes that the convenience store is an improvement to the site that had fallen in disrepair and neglect. However, allowing further development of the site for an automobile fueling station and car wash would increase the commercial intensity and be detrimental to the surrounding land uses by introducing increased traffic, noise, lighting and trash into this area.



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

Furthermore, the five access drives depicted on the site plan, filed-dated June 9, 2024, seemed excessive so staff contacted the Department of Public Works (DPW) regarding the impact of the five access drives on vehicular and pedestrian safety. DPW recommended that the two access drives in proximity of the intersection of South Keystone Avenue and East Hanna Avenue be eliminated (the northernmost access drive along South Keystone Avenue and the westernmost access drive along East Hanna Avenue). See Exhibit B.

If approved, staff would request a commitment requesting that the two access drives depicted on Exhibit B be eliminated, unless the DPW agrees that the access drives are necessary for operation of an automobile fueling station, including servicing the underground tanks.

There have been no changes in the surrounding land uses since the 2022 denial of a similar request that would cause staff to support the modification to provide for an automobile fueling station and automobile and light vehicle wash. In other words, an automobile fueling station and vehicle wash at this location would negatively impact surrounding land uses, particularly the residential uses to the east.

Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 60-foot half right-of-way along South Keystone Avenue, the dedication and conveyance of a 59.5-foot half right-of-way along East Hanna Avenue and the dedication and conveyance of a 40-foot half right-of-way along Carson Avenue. These dedications would also be consistent with the Marion County Thoroughfare Plan.

Environmental Public Nuisances

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

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

Environmental public nuisance means:

1. Vegetation on private or governmental property that is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and that has attained a height of twelve (12) inches or more;
2. Vegetation, trees or woody growth on private property that, due to its proximity to any governmental property, right-of-way or easement, interferes with the public safety or lawful use of the governmental property, right-of-way or easement or that has been allowed to become a health or safety hazard;



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

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

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

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Convenience store	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	Zoning	Land Use
North:	C-4	Commercial uses
South:	C-3	Commercial uses
East:	D-3	Single-family dwelling
West:	C-3	Commercial uses
Thoroughfare Plan		
South Keystone Avenue	Primary Arterial	Existing 90-foot right-of-way and proposed 120-foot right-of-way.
Hanna Avenue	Primary Arterial	Existing 84-foot right-of-way and proposed 119-foot right-of-way.
Carson Avenue	Secondary Arterial	Existing 60-foot right-of-way and proposed 80-foot right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	June 9, 2024	
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 Village Mixed-Use typology. “The Village Mixed-Use typology creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contribute to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.”

Pattern Book / Land Use Plan

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

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

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



Department of Metropolitan Development
Division of Planning
Current Planning

- *Small-Scale Offices, Retailing, and Personal or Professional Services (defined as “commercial uses with minimal outdoor operations, storage, or display on lots of less than 1.5 acres and a height of less than 35 feet.”)*
 - Mixed-use structures are preferred.
 - **Automotive uses (such as gas stations and auto repair) and uses with drive-through lanes are excluded.**
 - **Should not include outdoor display of merchandise.**

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

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



ZONING HISTORY

2022-MOD-010; 4001 South Keystone Avenue, requested modification of the commitments related to 2016-ZON-083 to Modify Commitment #2 to remove “Automobile Fueling Station” and “Automobile and Light Vehicle Wash” from the list of prohibited uses, **denied**.

2016-ZON-083 / 2016-VAR-003; 4001 South Keystone Avenue, requested rezoning of 1.075 acres from the C-3 district to the C-4 classification and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a liquor store, within 70 feet of a protected district, **approved and granted**.

VICINITY

2006-ZON-138; 2616 East Hanna Avenue (north of site), requested rezoning of 1.82 acres, from the D-4 District, to the C-1 classification to provide for the expansion of a nursing home, **approved**.

99-UV1-126; 4031-4051 Carson Avenue (south of site), requested a variance of use of the Commercial Zoning Ordinance to provide for outdoor sales of produce, flowers, plants and other seasonal good, **granted**.

98-UV2-92, 2602 East Hanna Avenue (north of site); requested variance of use of the Dwelling Districts Zoning Ordinance, to provide for mini-warehouses, **granted**.

95-Z-83/95-Z-84, 2401 National Avenue (north of subject site); requested a rezoning of 9.02 acres, being in the D-7 Dwelling District, to the C-S Commercial Special classification, to provide for a catering hall, offices and warehousing, **approved**.

87-UV1-111, 3950 South Keystone Avenue (north of site); requested a variance of use of the Commercial and Dwelling Districts Zoning Ordinances to provide for a car wash, **granted**.

83-Z-215, 3647 South Keystone Avenue (north of site); requested a rezoning of 0.77 acre, being in the D-4 Dwelling District, to the C-1 classification, to provide for office uses, **approved**.

74-Z-196, 2540 East Hanna Avenue (west of site); requested a rezoning of 5.18 acres, being in the C-3 Commercial District, to the C-4 classification, to provide for a supermarket and retail commercial uses, **approved**.

70-Z-232, 2600 East Hanna Avenue (north of site); requested a rezoning of 17.4 acres, being in the D-4 District, to the D-7 classification, to provide for apartments, **approved**.

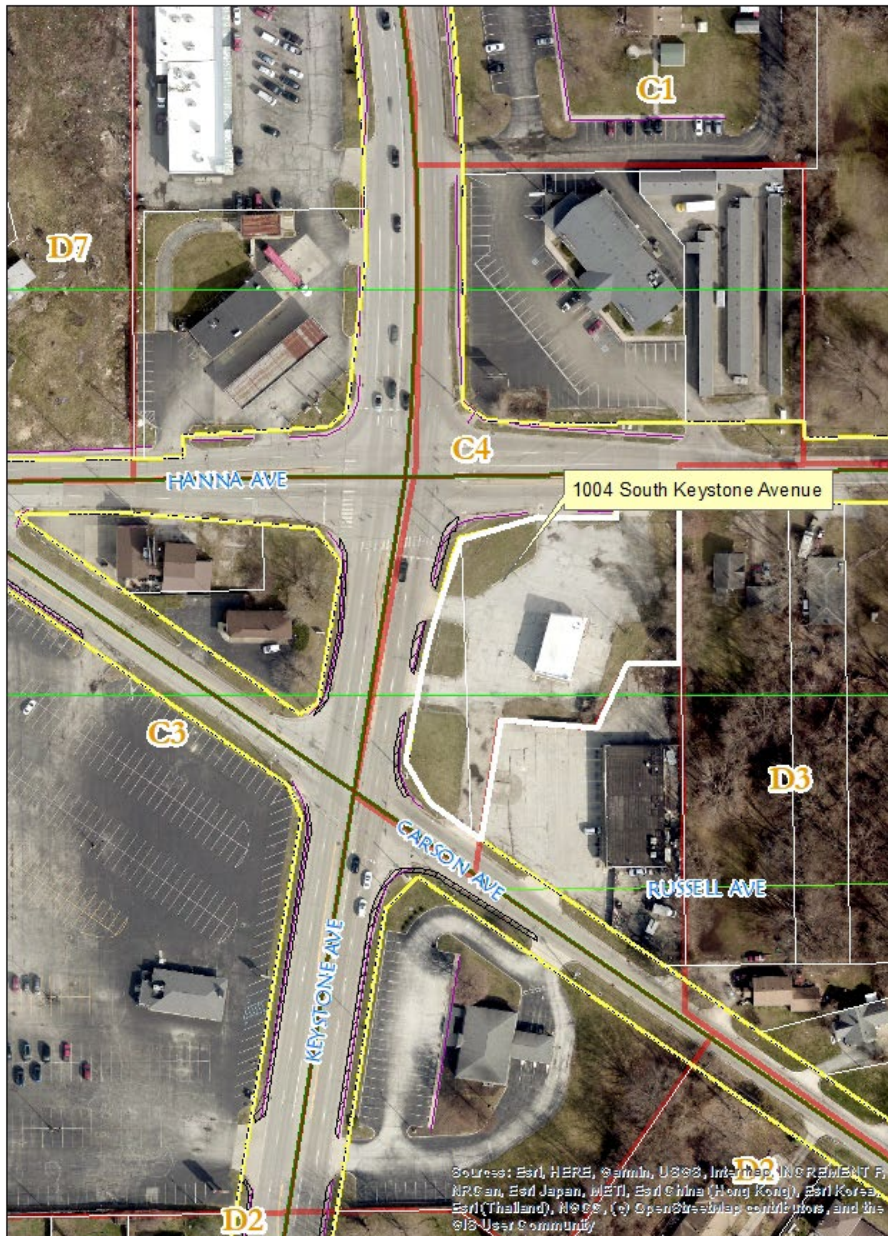


**Department of Metropolitan Development
Division of Planning
Current Planning**

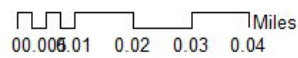
70-Z-23, 2400 East Hanna Avenue (west of site); requested a rezoning of 7.25 acres, being in the D-4 District, to the C-3 classification, to provide for office and retail uses, **approved.**

69-Z-246, 3838 South Keystone Avenue (north of site); requested a rezoning of 1.97 acres, being in the D-4 Dwelling District, to the C-3 classification, to provide for retail uses, **approved..**

EXHIBITS



4001 South Keystone Avenue



MEMORANDUM OF EXAMINER'S DECISION

2024-MOD-011

4001 South Keystone Avenue

The petition requests the modification of commitments related to 2016-ZON-083 to modify commitment #2 to remove “automobile fueling station” from the list of prohibited uses.

Your Hearing Examiner visited the site prior to the hearing and noted the vacant commercial building and unpaved parking on it. Commercial uses are north, south, and west of the site, and residential use is to the east.

The petitioner’s representative explained that the site was rezoned to C-4 in 2016 to allow a liquor store to move across the street to the site, with commitments including the prohibition of an automobile fueling station. The relocation did not happen, and the site has been vacant for about 6 years. Petition 2022-MOD-010 also requested a modification of commitments to remove “Automobile Fueling Station” and “Automobile and Light Vehicle Wash” from the list of prohibited uses, and it was denied. The petitioner’s representative stated that neighbors support the current modification, and presented a petition of support and a letter of support from the City-County Councillor. About 10 supporters attended the hearing.

About 10 remonstrators attended the hearing, and the primary remonstrator represented an automobile fueling station with convenience store in the area. There was also a petition of opposition. Concerns expressed included the number of businesses owned by the petitioner, enforcement action on this site, and the addition of another automobile fueling station and convenience store in the area.

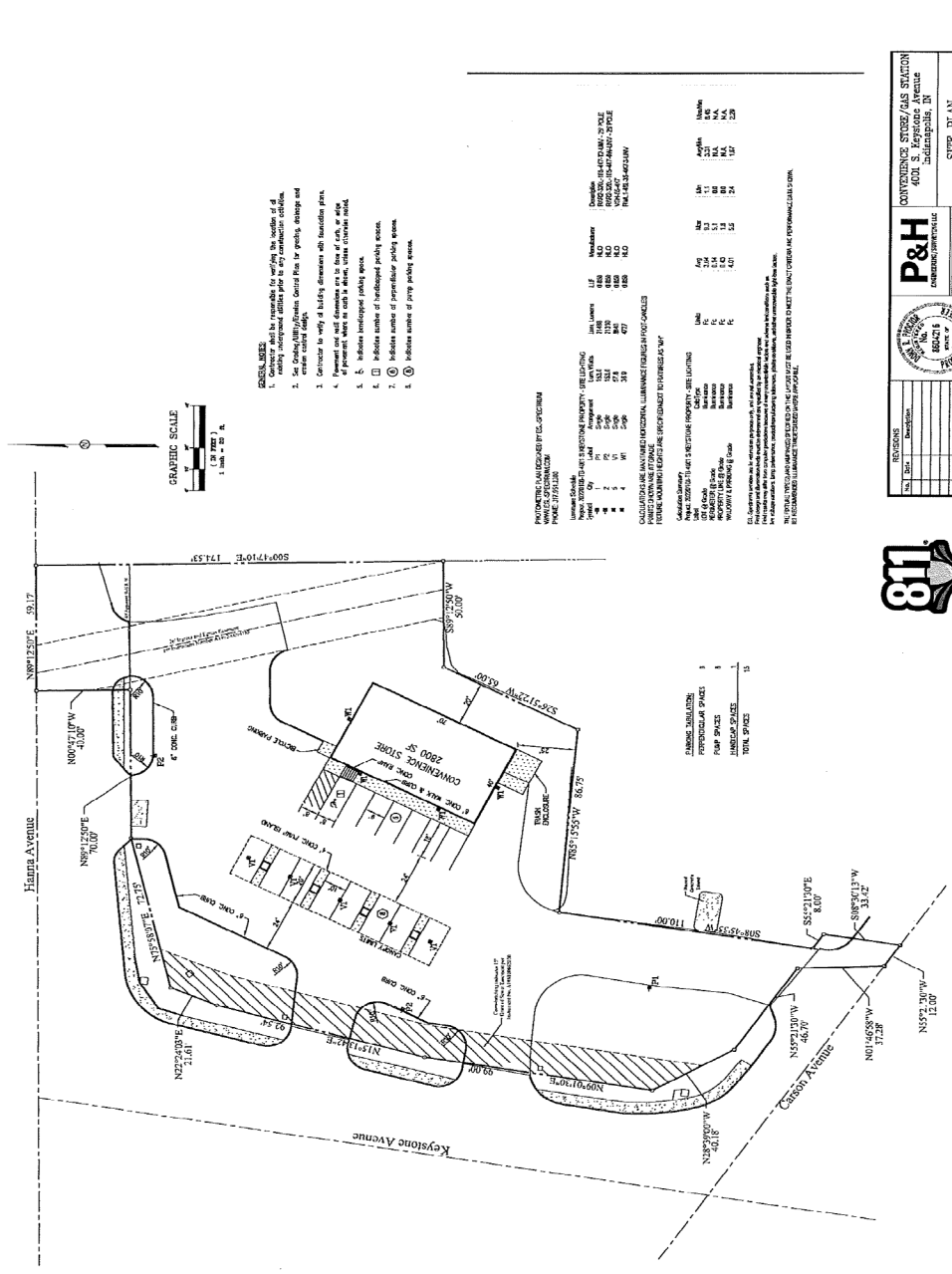
Staff explained that, based on the Comp Plan and Pattern Book, the use of the site should be pedestrian oriented and should exclude automobile fueling stations. Staff also opined that the proposed use would likely generate noise, trash, and bright lights.

In your Hearing Examiner’s opinion, this public hearing is still not the proper forum to address the issue of competition between like businesses in the area. As your Hearing Examiner opined in 2022, the extremely limiting commitments approved as part of 2016-ZON-083 were made intentionally to lessen the impact of the C-4 zoning district. The reasons for the denial recommendation made in 2022 remain valid today. Denial of this petition was recommended.

For Metropolitan Development Commission Hearing on September 4, 2024



Department of Metropolitan Development
Division of Planning
Current Planning



- GENERAL NOTES:**
1. Contractor shall be responsible for verifying the location of all existing utilities and structures on the site.
 2. See General Notes (General Notes) for grading, drainage and erosion control details.
 3. Contractor to verify all building dimensions with foundation plans.
 4. Payment for all work shall be for the full amount, or else the amount, when work is done, unless otherwise noted.
 5. All building footprints shall be shown.
 6. All building footprints shall be shown.
 7. All building footprints shall be shown.
 8. All building footprints shall be shown.



PROPOSED CALCULATED TOTALS BY USE CATEGORY

Use Category	Area (sq. ft.)	Volume (cu. ft.)	Weight (lb.)	Volume (cu. yd.)
Concrete	10,000	10,000	150,000	1,000
Rebar	1,000	1,000	10,000	100
Gravel	5,000	5,000	75,000	500
Soil	10,000	10,000	150,000	1,000
Other	1,000	1,000	10,000	100
TOTAL	27,000	27,000	405,000	2,700

PERMITS REQUIRED

Permit Type	Number
Excavation	1
Foundation	1
Other	1
TOTAL PERMITS	3

P&H
Professional & Home Inspection Services, Inc.
3031 S. 44th Street
Indianapolis, IN 46217
Phone: 317-577-8888
Fax: 317-577-8889
www.pandh.com

CONVENIENCE STORE/GAS STATION
4401 S. Cassio Avenue
Indianapolis, IN

SITE PLAN

ENGINEERS
SUPERVISORS
PLANNERS

S2





Department of Metropolitan Development
Division of Planning
Current Planning

EXHIBIT A

A201700053736 *JS*

05/09/2017 10:32 AM
KATHERINE SWEENEY BELL
MARION COUNTY IN RECORDER
FEE: \$ 31.50
PAGES: 7
By: SC

STATEMENT OF COMMITMENTS

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

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

Legal Description: *See the attached "Exhibit A".*

Statement of COMMITMENTS:

1. The owner agrees to abide by the Open Occupancy and Equal Employment Opportunity Commitments required by Metropolitan Development Commission Resolution No. 85-R-69, 1985, which commitments are attached hereto and incorporated herein by reference as Attachment "A".
2. The following uses, as defined in the Zoning Ordinance for Marion County, Indiana, shall be prohibited as permitted uses on the subject property: Methadone Clinic or Treatment Facility; Substance Abuse Treatment Facility; Adult Entertainment Business, including retail; Night Club or Cabaret; Automobile Fueling Station; Automobile, Motorcycle and Light Vehicle Service, Repair, Sales or Rental; Temporary or portable Video Boards advertising for sale services or products not available on the subject real estate; Automobile and Light Vehicle Wash; Blood Plasma Center; Tattoo Parlor; Power Generating Facility; Pawn Shop; Firearm Sales; Firework Sales; Seasonal sales unless associated with a business that is open year around; Emergency Shelter; Check Cashing or Validation Services; the sale of merchandise in tents or trailers; and Recycling Station.

These COMMITMENTS shall be binding on the owner, subsequent owners of the real estate and other persons acquiring an interest therein; provided that Commitment #1 (Open Occupancy and Equal Opportunity Commitments) shall not be binding on an owner, subsequent owners or other person acquiring an interest therein if such persons are exempt persons or are engaged in an exempt activity as defined on Attachment "A" which is attached hereto and incorporated herein by reference. These COMMITMENTS may be modified or terminated by a decision of the Metropolitan Development Commission made at a public hearing after proper notice has been given.

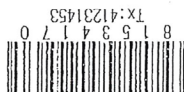
MDC's Exhibit B -- page 1 of 7

M11224070.3

Metropolitan Development

MAR 29 2017

Division of Planning



Metropolitan Development
Jun 27 2022
Division of Planning





Department of Metropolitan Development
Division of Planning
Current Planning

COMMITMENTS contained in this instrument shall be effective upon:

- (a) the adoption of rezoning petition #2016-ZON-083 by the City-County Council changing the zoning classification of the real estate from a C-3 zoning classification to a C-4 zoning classification; or
- (b) the adoption of approval petition # _____ by the Metropolitan Development Commission;

and shall continue in effect for as long as the above-described parcel of real estate remains zoned to the C-4 zoning classification or until such other time as may be specified herein.

These COMMITMENTS may be enforced jointly or severally by:

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

The undersigned hereby authorizes the Division of Planning of the Department of Metropolitan Development to record this Commitment in the office of the Recorder of Marion County, Indiana, upon final approval of petition #2016-ZON-083.

IN WITNESS WHEREOF, owner has executed this instrument this 20 day of March, 2017.

Q S L COMPANY

By: Mary Deborah Turnerford

MDC's Exhibit B - - page 2 of 7

111224070.3

Metropolitan Development

MAR 29 2017

Division of Planning

Metropolitan Development
Jun 27 2022
Division of Planning



View of site looking south



View of site looking east



View of site looking northwest



View from site looking northwest across South Keystone Avenue



View from site looking west across South Keystone Avenue and Carson Avenue



View from site looking northwest across intersection of East Hanna Avenue and South Keystone Avenue



View from site looking north across East Hanna Avenue



View from site looking northeast across East Hanna Avenue



View from site looking east at adjacent property



View from site looking southeast at adjacent property



View from site looking south at adjacent commercial property



View from site looking south at adjacent parking lot



METROPOLITAN DEVELOPMENT COMMISSION **September 18, 2024**

Case Number: 2024-CAP-828 / 2024-CVR-828 / 2024-CVC-828 (Amended)

Property Address: 1013 West Morris Street

Location: Center Township, Council District #18

Petitioner: Indy Grille Family Restaurant, LLC, by Adam DeHart

Current Zoning: C-7 (FF)

Modification of Conditions and Site Plan related to 85-UV2-52 to delete Condition #3 which states that Morris Street shall be used for exit only and shall be properly identified as such and to modify the site plan related to 85-UV2-52 to provide for additions to the existing structure and additional surface parking area.

Request:

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 2.2-foot front setback from Morris Street, a 6.7-foot front setback from Bridge Street, a five-foot front setback from Drover Street (minimum 10-foot front setback required along all streets), no landscaping along Drover Street (landscaping required), and no interior landscaping within the proposed parking area (minimum 9% of all uncovered vehicle areas required).

(Amended) Vacation of a portion of Drover Street (formerly a portion of Lot 85 in McCarty’s Third West Side, an Addition to the City of Indianapolis), ranging from 31 to 33 feet (irregular) in width, from the south right-of-way line of Morris Street, south 109.2 feet to the first east-west alley south of Morris Street, with a waiver of the assessment of benefits.

Current Land Use: Commercial uses (vacant)

Staff Recommendations: Approval of the modification and variance, subject to the commitment noted below.

Approval of the vacation request and waiver of benefits.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued these petitions from the July 25, 2024 hearing, to the August 15, 2024 hearing, at the request of the petitioner’s representative to provide additional time to resolve the issues related to proposed the right-of-way vacation.



Department of Metropolitan Development
Division of Planning
Current Planning

The petitioner's representative submitted amended documents that included adjustments to the right-of-way vacation and the site plan. Based on this updated information and approval from the Department of Public Works, staff now recommends approval of all three requests, subject to the commitment noted below

The Hearing Examiner recommended approval of 2024-CVC-828 on August 15, 2024 hearing, and forwarded the petition onto the Metropolitan Development Commission for final approval for their hearing on September 18, 2024. It was discovered that the petition had to be amended to request a waiver of the assessment of benefits. Consequently, the amended notice was mailed on August 22, 2024, for hearing by the Metropolitan Development Commission.

Because the area proposed to be vacated has not been improved with any hard surface or material, staff supports the waiver of the assessment of benefits and offers the recommended motion below:

RECOMMENDED MOTION (Approval): That the Metropolitan Development Commission finds that the proposed vacation is in the public interest; that a hearing upon the assessment of benefits be waived; that the Metropolitan Development Commission confirm and ratify the adoption of Declaratory Resolution 2024-CVC-828; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

STAFF RECOMMENDATION

Approval of the modification and variances, subject to the following commitment being reduced to writing on the Commission's Exhibit "C" form at least three days prior to the MDC hearing:

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

Denial of the vacation request.

RECOMMENDED MOTION (Denial): That the Hearing Examiner finds that the proposed vacation is not in the public interest; that a hearing upon the assessment of benefits be waived.

RECOMMENDED MOTION (Approval): That the Hearing Examiner finds that the proposed vacation is in the public interest; that a hearing upon the assessment of benefits be waived; that the Hearing Examiner confirm and ratify the adoption of Declaratory Resolution 2024-CVC-828; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.



PETITION OVERVIEW

MODIFICATION

This 0.330-acre site, zoned C-7 (FF), is developed with a commercial building that is currently vacant. It is surrounded by commercial uses to the north, across West Morris Street, zoned C-7 (FF); commercial uses to the east, across Drover Street, zoned C-7 (FF); and industrial uses to the south and west, zoned I-3 (FF).

Petition 85-UV2-52 provided for a building addition for restaurant uses, with insufficient parking. As proposed the modification would remove the condition that required an exit only drive on West Morris Street. See Exhibit A (site plan and letter of grant).

This request would modify the site plan and Condition Number 3 of the grant of the 1985 variance to provide for a building addition and reconfiguration of the parking and access drives. See Exhibit B for details.

Staff supports the modification request because the use would be consistent with the Comprehensive Plan recommendation of community commercial, and it would activate a vacant commercial property.

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;



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

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

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

VARIANCE OF DEVELOPMENT STANDARDS

This request would provide for reduced setbacks along the three frontages (West Morris Street, Bridge Street and Drover Street), ranging from 2.2 feet to 6.7 feet when the Ordinance requires 10 feet. Because of the lot configuration and the three street frontages, staff believes there is a practical difficulty from which relief should be granted.

The variance request would also eliminate the required parking lot landscaping. It appears from the site plan notations that the required perimeter landscaping would be met, which would provide green space and buffering for surrounding land uses. Staff understands that this site presents challenges in redevelopment efforts and supports the reduced landscaping on this site.

VACATION

This request would vacate a portion of Drover Street ranging from 31 to 33 feet from the south right-of-way line of Morris Street, south 109.2 feet to the first east-west alley south of West Morris Street.

Staff and the petitioner's representative consulted with the Department of Public Works (DPW) regarding the proposed vacation of a portion of Drover Street. DPW staff agreed to a maximum of a 22-foot-wide vacation, which would align with the right-of-way to the south of this site. However, this request exceeds what would be supported by staff between nine and 11 feet. Consequently, staff recommends denial of the vacation request.

The area of proposed vacation is unimproved. If the vacation would be approved, staff would not object to a waiver of benefits despite the lack of the request from the petitioner's representative to waive the assessment of benefits.

Staff finds that the vacation, as requested, **would not be in the public interest**, and the vacation **should be denied**,

GENERAL INFORMATION

Existing Zoning	C-7 (FF)	
Existing Land Use	Commercial uses (vacant)	
Comprehensive Plan	Community Commercial	
Surrounding Context	Zoning	Land Use
North:	C-7 (FF)	Commercial uses
South:	I-3 (FF)	Industrial uses
East:	C-7 (FF)	Commercial uses
West:	I-3 (FF)	Industrial uses
Thoroughfare Plan		
West Morris Street	Primary Arterial	Existing 88-foot right-of-way and proposed 78-foot right-of-way.
Drover Street	Primary Collector	Existing 100-foot right-of-way and proposed 56-foot right-of-way.
Bridge Street	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	Yes – 500-year unregulated floodplain	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	June 2, 2024	
Site Plan (Amended)	August 1, 2024	
Elevations	June 2, 2024	
Elevations (Amended)	N/A	
Landscape Plan	June 2, 2024	
Findings of Fact	June 2, 2024	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	June 2, 2024 (Project Narrative)	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

ZONING HISTORY

85-UV2-52; 1013 West Morris Street, requested a variance of development standards of the Commercial Zoning Ordinance to provide for a building addition within the required setbacks and to use the site for a restaurant without sufficient on-site parking, **granted**.

VICINITY

2006-ZON-011; 1306, 1312, 1314, 1315, 1318, 1319, 1321, 1322, 1324, 1328, 1329, 1332, 1333, 1334, 1339, 1349, 1340, 1342, 1343, 1346, 1347, 1348, 1349, 1350, 1353, 1357, 1361, 1365, 1367 and 1375 SILVER AVENUE AND 1233, 1235, 1239, 1241, 1242, 1245, 1249, 1250, 1251, 1301, 1303, 1305, 1307, 1309, 1315, 1317, 1321, 1327, 1335 and 1339 Bridge Street and 1102 York Street (west of site), requested rezoning of 8.692 acres, being in the C-1 and D-5 districts to the I-3-U classification to provide for the expansion of industrial uses, **approved**.

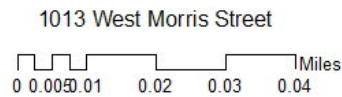
91-Z-103; 1312 Kentucky Avenue (west of site), requested the rezoning of 12.1 acres, being in the C-7 and D-5 districts, to the I-3 U classification to conform zoning to existing and future industrial use, **approved**.

88-UV2-144; 1301 Kentucky Avenue, (west of site), requested a variance of use and development standards to provide for a pedestrian bridge over Kentucky Avenue, with stair towers to the right-of-way, **granted**.

77-UV2-177; 1304-1330 Nordyke Avenue (west of site), requested a variance of use, setbacks of side, rear and transitional yards to provide for accessory off-street parking, **granted**.

77-Z-177; 1240 Nordyke Avenue (west of site), requested rezoning of 1.79 acres, being in the D-5 district to the C-7 classification to provide for commercial uses, **approved**.

EXHIBITS

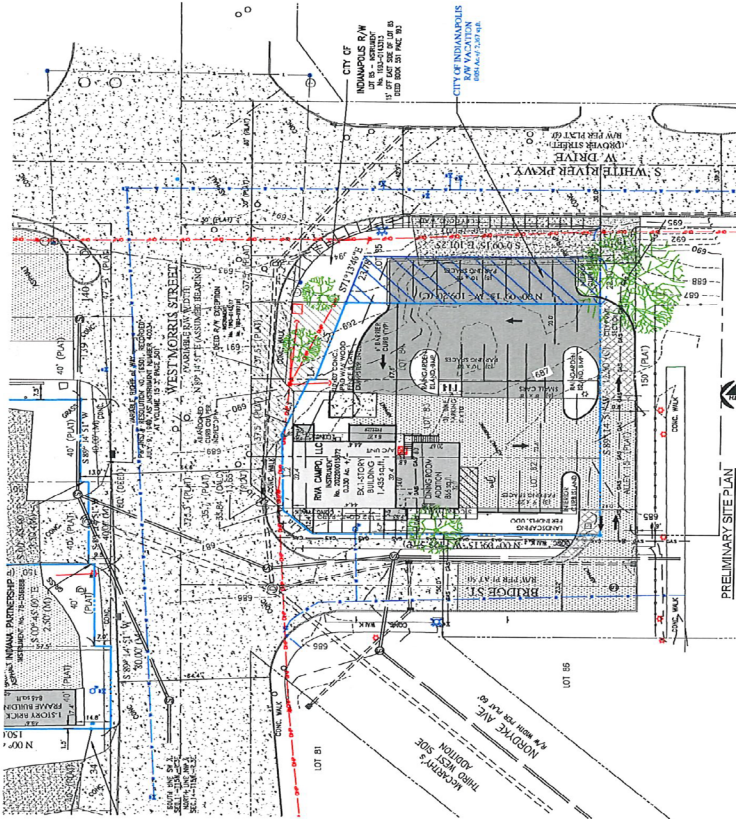




Department of Metropolitan Development
Division of Planning
Current Planning

Amended Site Plan - August 1, 2024

Project information header including: RIVA CAMPO, LLC; PANCAKE HOUSE RESTAURANT; KEELER-WEBB ASSOCIATES; DATE: 08/01/24; and contact information for RIVA CAMPO, LLC.



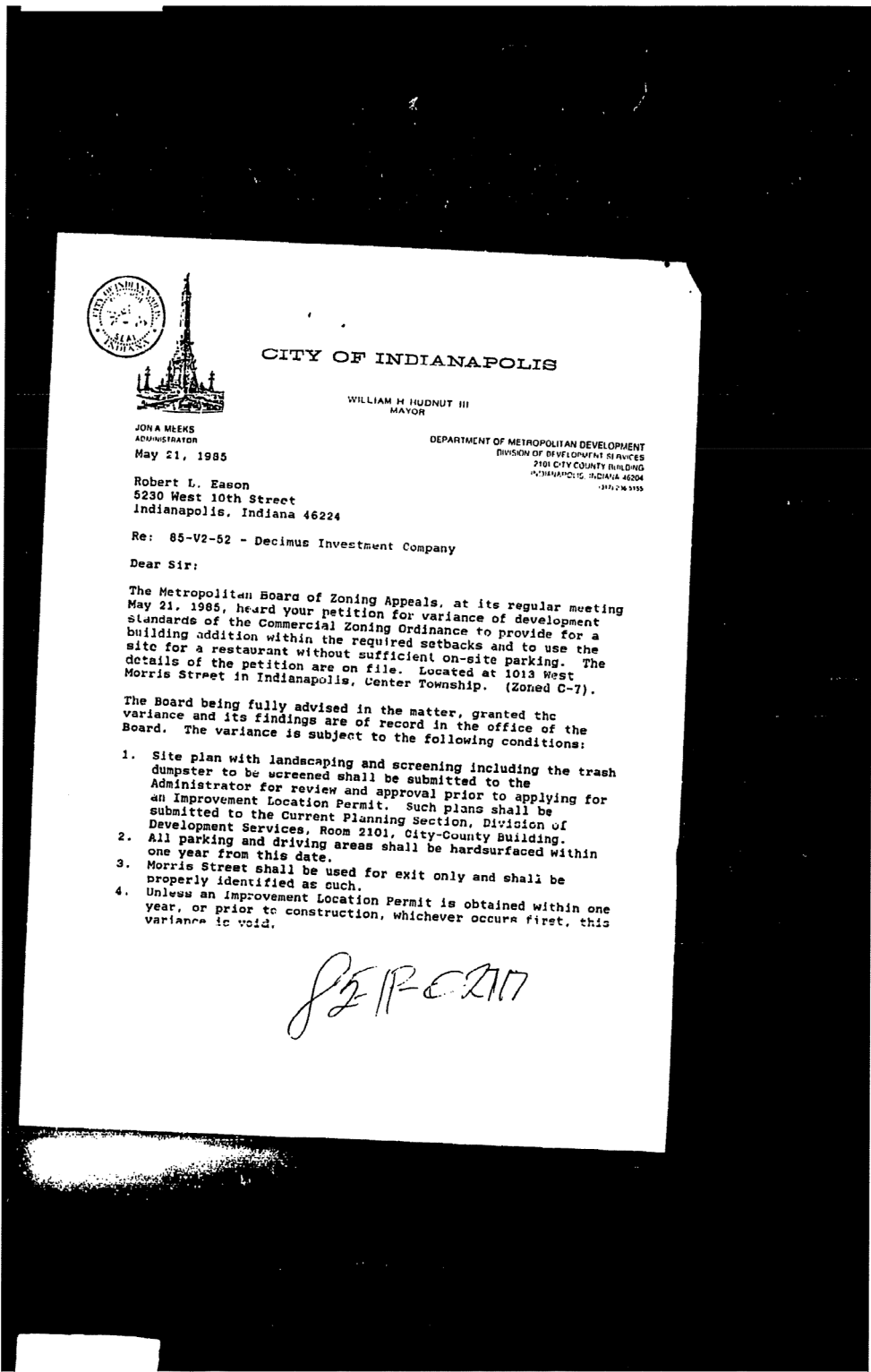
Technical drawing details including: LEGEND (listing symbols for walls, windows, doors, etc.); GRAPHIC SCALE (1 inch = 20 feet); and various notes regarding survey data and legal descriptions.

PROPOSED SURVEY NOTES
1. Survey was conducted on 07/11/24...
2. The subject property is located at the intersection of West Morris Street and White River Drive...
3. The survey was conducted in accordance with the standards of the International Surveying Standards...
4. Location of utility lines shown on this plan are based on records and field verification...
5. The survey was conducted in accordance with the standards of the International Surveying Standards...



Department of Metropolitan Development
 Division of Planning
 Current Planning

EXHIBIT A



CITY OF INDIANAPOLIS

WILLIAM H HUDNUT III
 MAYOR

JON A MEEKS
 ADMINISTRATOR
 May 21, 1985

DEPARTMENT OF METROPOLITAN DEVELOPMENT
 DIVISION OF DEVELOPMENT SERVICES
 2101 CITY COUNTY BUILDING
 INDIANAPOLIS, INDIANA 46204
 317-276-3155

Robert L. Eason
 5230 West 10th Street
 Indianapolis, Indiana 46224

Re: 85-V2-52 - Decimus Investment Company

Dear Sir:

The Metropolitan Board of Zoning Appeals, at its regular meeting May 21, 1985, heard your petition for variance of development standards of the Commercial Zoning Ordinance to provide for a building addition within the required setbacks and to use the site for a restaurant without sufficient on-site parking. The details of the petition are on file. Located at 1013 West Morris Street in Indianapolis, Center Township. (Zoned C-7).

The Board being fully advised in the matter, granted the variance and its findings are of record in the office of the Board. The variance is subject to the following conditions:

1. Site plan with landscaping and screening including the trash dumpster to be screened shall be submitted to the Administrator for review and approval prior to applying for an Improvement Location Permit. Such plans shall be submitted to the Current Planning Section, Division of Development Services, Room 2101, City-County Building.
2. All parking and driving areas shall be hardsurfaced within one year from this date.
3. Morris Street shall be used for exit only and shall be properly identified as such.
4. Unless an Improvement Location Permit is obtained within one year, or prior to construction, whichever occurs first, this variance is void.

J. H. Eason



Department of Metropolitan Development
Division of Planning
Current Planning

Robert F. Eason
May 21, 1985
Page 2

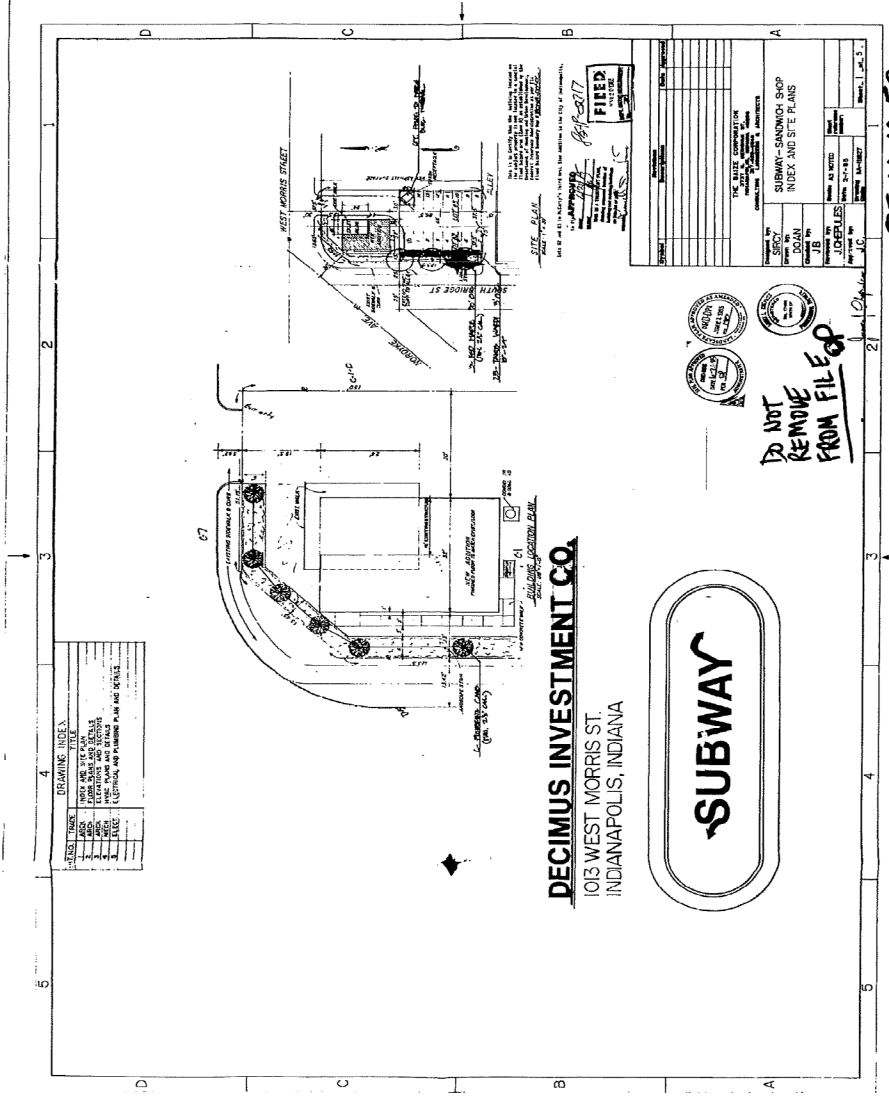
Under the Board's rules of procedure, a completion affidavit showing compliance with the approved plan is to be filed with the Board within thirty (30) days after completion.

Very truly yours,

METROPOLITAN BOARD OF ZONING APPEALS

Joan Gibbs sp

Joan Gibbs, Secretary
JG:bg



DECIMUS INVESTMENT CO.
 1013 WEST MORRIS ST.
 INDIANAPOLIS, INDIANA

SUBWAY

DO NOT REMOVE FROM FILE

85-UVa-52

The reproduction of this Drawing cannot be in printed Due to the Condition of the Original

DRAWING INDEX	
NO.	DESCRIPTION
1	PLANS
2	ELECTRICAL
3	Mechanical
4	Structural
5	Grading
6	Site
7	Other

THE STATE COMPTROLLER
 DEPARTMENT OF METROPOLITAN DEVELOPMENT
 INDIANAPOLIS, INDIANA

SUBWAY - SANNOCH SHOP
 INDEX AND SITE PLANS

DATE AS NOTED
 2-1-85

JOB NO.
 85-118

DATE
 2-1-85

BY
 J.C.

SCALE
 1" = 10'

PROJECT
 1013 WEST MORRIS ST. INDIANAPOLIS, INDIANA

APPROVED
 [Signature]

FILED
 [Stamp]



Department of Metropolitan Development
Division of Planning
Current Planning

EXHIBIT B

KEELER-WEBB ASSOCIATES



Consulting Engineers · Planners · Surveyors
TELEPHONE (317) 574-0140 www.keelerwebb.com
486 Gradle Drive
Carmel, Indiana 46032

May 17, 2024

Attn: Plan Reviewer
City of Indianapolis Department of Metropolitan Development
200 East Market Street, Room 1842
Indianapolis, IN 46204

Re.: Pancake House Restaurant
1013 W. Morris Street, Indianapolis, Indiana
KWA Project No. 2401-010

PROJECT NARRATIVE

Keeler-Webb Associates is acting as agent surveyor/engineer for Mr. Steve Alexander AIA with Riva Campo, LLC, the owners of the above vacant property and petitioner Indy Grille Family Restaurant, LLC. We are proposing to completely remodel the existing old Subway restaurant containing (1,435 sq.ft.). We plan on four small building additions for the Pancake House to be able to bring the structure into compliance with IBC which will include the following: and new front entry vestibule 5.8'x9.83', an 8'x9' cooler, a 8'x20' freezer, and 866 Dining Room addition on the south side of the structure. The current site plan reflects several submittals and review of the site plans with Kathleen Blackham at DMD and Jill Palmer at DPW regarding the site access, previous approvals, development standards variances, and request for vacating part of Lot 85.

This property is affected by an approved zoning petition 85-UV2-52 for the previous Subway Restaurant. The variance was for a building addition which did not meet the required setbacks and sufficient on-site parking. Our plan is requesting a Modification of Site Plan and Modification the following Conditions:

3. Morris Street shall be used for exit only and shall be properly identified as such.

We are requesting the following development standards variances; *Chapter 742, Article 1, Section 4 Commercial Districts, F High Intensity Commercial (C7), 10-foot minimum depth of front yard (Compact)*:

1. The new entry building addition will be set back 6.7 feet from the Bridge Street right-of-way line.
2. The new cooler building addition will be set back 2.2 feet from the Morris Street right-of-way line.

Lastly, in order to maximize the redevelopment of the site we are requesting a partial vacation of Lot 85 in McCarty's Third West Side Addition. The last reconstruction of Morris Street in 1995 took all of Lot 85 along with the cross-hatched area of Lots 82-84 as shown on the Site plan for additional right-of-way. All utilities and public improvements have been located as a part of this plan. This proposed right-of-way vacation will not affect any known utilities or City of Indianapolis



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

infrastructure. We are requesting the Western 31-33 feet of Lot 85 be vacated for parking once all approvals have been obtained.

Upon approval of this Development Standard Variance, Modification of Site Plan/Conditions, and Vacation, we will be submitting to BNS for ILP and Infrastructure/Drainage/Flood permit review and approval of the site. The overall disturbed area for the New Building Additions and parking improvements is 7,960 sq.ft. +/- . We plan to use green infrastructure rain gardens for stormwater quality treatment/detention, and the post developed site will have a very small increase of impervious area.

Construction is planned to begin immediately upon approval by all appropriate agencies with the intention of completing the addition by the end of 2024. The design of the building additions will meet requirements set in local and state building codes, and it will not be a fire hazard to the public. Strict application of the UDO is burdensome to this property due to the size and locations of the existing structure, existing parking, curb cuts, and proximity to the right-of-way lines on all four sides of the property. Compliance with the UDO would not allow for the construction of an updated restaurant on the property. There is sufficient capacity of all the utilities available to this site. No other off-site utility or road improvements will be necessary to construct or operate this facility. This project is being submitted for your review and comment. If there are any questions or concerns, please do not hesitate to contact us at any time.

Respectfully,
KEELER-WEBB ASSOCIATES

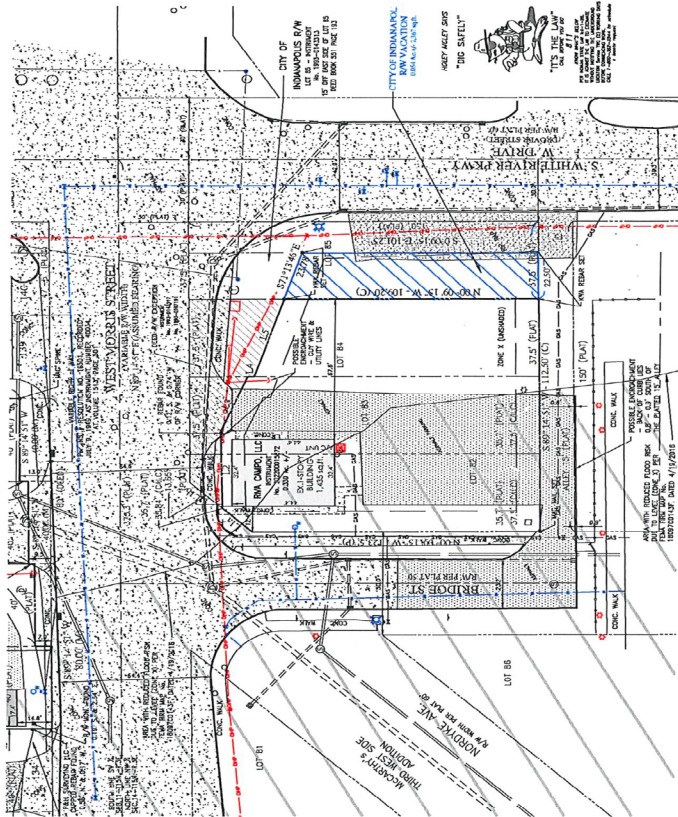
Adam DeHart, PS, EMT-P, CPESC, CESSWI
Project Manager



Department of Metropolitan Development Division of Planning Current Planning

Amended Proposed Vacation - August 1, 2024

Project information header including City of Indianapolis, R/W Vacation, and consultant details for Riva Campo, LLC and Keibel-Webb Associates.



Legend, graphic scale, and notes section of the survey plan, including symbols for easements and utility lines.

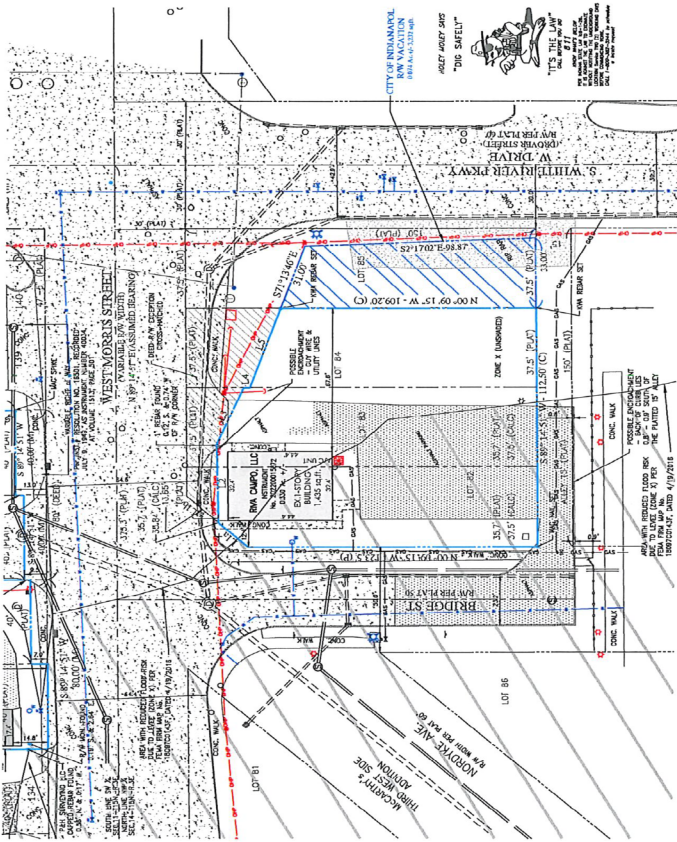
Surveyors Report: This document is prepared for the City of Indianapolis... It contains detailed survey data, including bearings, distances, and area calculations for the proposed vacation.



Department of Metropolitan Development
Division of Planning
Current Planning

Proposed Vacation

KEELER-WEBB ASSOCIATES Consulting Engineers-Planners-Surveyors
RIVA CAMPO, LLC
CITY OF INDIANAPOLIS R/W VACATION



LEGEND
SCALE
GRAPHIC SCALE
1" = 100'
1" = 200'

ALTMANSPLS LAND TITLE SURVEY
VACATION OF PART OF LOTS 86, 87 AND 88
SECTION 12, TOWNSHIP 12 N., RANGE 10 E., CO. 2 E., IND. CO.

ACCORDANCE WITH SECTION 12-1-1-1 OF THE INDIANA MUNICIPALITY CODE, THE CITY OF INDIANAPOLIS HAS REVIEWED THIS VACATION APPLICATION AND HAS DETERMINED THAT THE PROPOSED VACATION IS IN ACCORDANCE WITH THE CITY OF INDIANAPOLIS ORDINANCES AND THE CITY OF INDIANAPOLIS CHARTER.

APPROVED FOR THE CITY OF INDIANAPOLIS
DATE: 11/15/2021
BY: [Signature]

SEVENTH REPORT
SECTION 12-1-1-1
The purpose of this survey is to provide an ALTMANSPLS Land Title Survey for the City of Indianapolis for the R/W Vacation of a part of lots 86, 87, and 88, more commonly known as 1515 West Morris Street, Indianapolis, Indiana.



Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

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

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

FINDINGS OF FACT

1. THE PROPOSED VACATION IS IN THE PUBLIC INTEREST because:
the subject real estate is not being used by City of Indianapolis nor any known utilities. The vacation of the land provides additional
space to the petitioner for increased parking and site circulation.

DECISION

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

Adopted this _____ day of _____, 20 ____



View looking east along West Morris Street



View looking west along West Morris Street



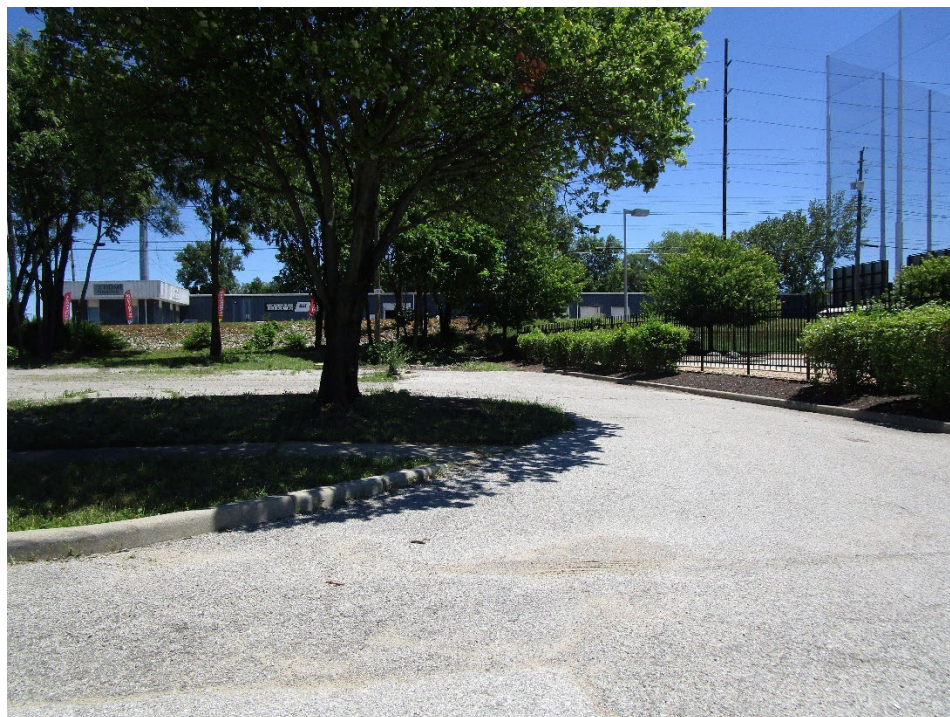
View looking south along Bridge Street



View of site looking east across Bridge Street



View of site looking east across Bridge Street



View of site looking east



View of site looking north



View of site looking north



View of vacation area looking northeast



View of vacation area looking east



View from site looking north across Bridge Street



View from site looking east



View from site looking southeast



View from site looking south



View from site looking north across West Morris Street



METROPOLITAN DEVELOPMENT COMMISSION **September 18, 2024**

Case Number: 2024-ZON-081

Property Address: 4310 North Carroll Road

Location: Lawrence Township, Council District #15

Petitioner: Lennar Homes of Indiana, LLC, by Brian J. Tuohy

Current Zoning: D-P (FF)

Request: Rezoning of 30.85 acres from the D-P (FF) district to the D-P (FF) district to provide for a single-family residential development, consisting of 51 dwelling units and amenities, including open space and a nature trail.

Current Land Use: Undeveloped land

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 the D-P Statement, file-dated July 7, 2024.

PETITION OVERVIEW

This 30.85-acre site, zoned D-P (FF), is undeveloped and was included in the 2004-ZON-070 / 2004-DP-004 petitions that rezoned approximately 193 acres to the D-P (FF) district to provide for 600 single-family dwellings with a density of 3.11 units per acre. It is surrounded by retention ponds to the north and west, a single-family dwelling to the east; and residential development currently under development to the south, all zoned D-P (FF).

This request would rezone approximately 30 acres from the D-P (FF) district to the D-P (FF) district to provide for 51 single-family dwellings.

As proposed, the request would be consistent with the 38th Street Corridor Plan recommendation of residential development at 1.75 to 3.5 units per acre. The density of this development would be 1.65 units per acre. Staff, therefore, supports this request, subject to the D-P Statement.



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

D-P Statement

The D-P Statement, file dated July 7, 2024, describes the proposed development of residential development with 51 homes and approximately four acres of natural area. An eight-foot-wide nature trail would connect to existing and proposed trails in the adjacent neighborhoods of Loudon Place to the north, Clifton Trace to the south and Winding Ridge to the west.

This development would be an expansion of Clifton Trace to the south. Approximately eight acres of natural area would be preserved and provide open space for this southern development. In other words, a total of 12 acres of natural area, that includes Steele Ditch that bisects these two Clifton Trace (north and south) developments would be preserved.

Site Plan

The site plan, file-dated July 7, 2024, provides for site access via Kylemore Drive (a public street) at the northwest corner of the site.

There would be an eight-foot-wide trail along the southern and eastern perimeter that would connect to the Winding Ridge Trail at the southwest corner of the site, the Clifton Trace Trail along the eastern boundary and the Loudon Place Trail at the northeast corner of the site.

Based on the site plan, development would not impact the existing wooded areas along the southern and eastern boundaries, which would be preserved as natural areas.

Staff would note that support of this request is only for the rezoning and not the proposed site plan and future platting petitions, which would be required to comply with the Subdivision provisions of the Ordinance.

Floodway Fringe

This site has a secondary zoning classification of a Floodway Fringe (FF), which 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-P in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance.



GENERAL INFORMATION

Existing Zoning	D-P (FF)	
Existing Land Use	Undeveloped	
Comprehensive Plan	The 38th Street Corridor Plan – density of 1.75-3.5 units per acre	
Surrounding Context	Zoning	Land Use
	North:	D-P (FF) Retention pond
	South:	D-P (FF) Residential development
	East:	D-P (FF) Single-family dwelling
	West:	D-P (FF) Retention pond
Thoroughfare Plan		
North Carroll Road	Primary Collector	Existing 36-foot right-of-way and proposed 106-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	July 7, 2024	
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	July 7, 2024.	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Not applicable to this site.

Pattern Book / Land Use Plan

- Not applicable to this site.



Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not applicable to the site.

Neighborhood / Area Specific Plan

- The 38th Street Corridor Plan (2012) recommends residential uses at a density of 1.75 to 3.5 units per acre.
 - This density is consistent with single-family residential development in transitional areas between rural and suburban development patterns and is the typical density for single-family residential development in suburban areas of the city. Development at this density should not take place in rural and suburban areas where surrounding development patterns exhibit characteristics suitable for higher densities (property on mass transit corridors, near concentrations of employment, or near major commercial centers, for example).

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

2004-ZON-070 / 2004-DP-004; 4310 North Carroll Road and 11440 and 11717 East 42nd Street, requested rezoning of 193 acres, being in the D-A (FF) district to the D-P (FF) classification to provide for 600 single-family dwellings with a density of 3.11 units per acres, **approved**.

VICINITY

2024-MOD-014; 11601 Melnick Lane (north of site), requested modification of the Development Statement related to petition 96-Z-124 (96-DP-12) to modify the Plan for Winding Ridge – A Master Planned Community, to allow for resident amenities, including a pool, pool house, playground, picnic area and a surface parking area, as depicted on an Amenity Center Area Landscape Plan, **approved**.

2002-ZON-094; 6410 Carroll Road (adjacent to north), requests the rezoning of 49.64 acres, being in the D-A (FF) District, to the D-2 (FF) classification to provide for residential development, **approved**.

97-Z-64; 11350 East 38th Street (adjacent to south), requests the rezoning of 40.167 acres, being in the D-A (FF) District, to the D-5II (FF) classification to provide for residential development, **approved**.

96-Z-124 / 96-DP-12; 11750 and 11501 East 46th Street and 5201 North German Church Road (north of site), requested rezoning of 857 acres, being in the D-A Districts, to the D-P classification to provide for the construction of a residential golf course development, consisting of single- / multi-family residential uses, neighborhood commercial retail, day care facility, self-storage facility, fire station and recreational amenities including an 18-hole golf course, pool and tennis facility, **approved**.

93-Z-115; 11102 East 38th Street (adjacent to south), requests the rezoning of 49.7 acres, being in the D-2, D-P, D-7, and C-4 Districts, to the D-5II classification to provide for residential development, **approved**.



CLIFTON TRACE NORTH

PRELIMINARY PLAN AND DP STATEMENT

Petitioner:
Lennar Homes of Indiana, LLC
11555 N Meridian St. #400
Carmel, IN 46032

Attorney:
Brian J. Tuohy
Tuohy Bailey & Moore LLP
50 South Meridian Street, Suite 700
Indianapolis, Indiana 46204

Property Address:
Part of 4310 N. Carroll Road
Indianapolis, IN 46235



Table of Contents:

	Page
Overview of Proposed Development	3
Project Standards.....	4
 <u>Exhibits</u>	
Exhibit A - Site Location Map	
Exhibit B - Conceptual Site Plan	
Exhibit C - Sample Renderings	



Department of Metropolitan Development
 Division of Planning
 Current Planning

Project Standards

1. **Density:** There shall be no more than 51 single-family homes on the Site.
2. **Permitted Uses:** All permitted, accessory, temporary and special exception uses as permitted in the Dwelling District Four (D-4) zoning district as set forth in the Zoning Ordinance for Marion County, Indiana in effect at the time this Development is approved by the City-County Council (the “Zoning Ordinance”) shall be permitted on the Site.
3. **Development Standards:** The following development standards shall apply to the Site:

Maximum Dwelling Units	51
Minimum Lot Area	5,750 sf
Minimum Lot Width	50 ft
Minimum Lot Depth	115 ft
Minimum Total Open Space (per lot)	15 %
Maximum Height	35 ft
Minimum Street Frontage (home)	50 ft
Minimum Floor Area for Dwellings	
Main Floor One Story Dwelling	1,100 sq ft
Main Floor Two Story Dwelling	650 sq ft
Total Floor Area Two Story Dwelling	1,350 sq ft
Minimum Front Yard Building Setback	20 ft
Minimum Side Yard Setback	5 ft
Minimum Rear Yard Setback	20 ft
Minimum Distance Between Homes	10 ft

If any development standard is not set forth in this Clifton Trace North Preliminary Plan and DP Statement, the D-4 zoning district standards within the Zoning Ordinance shall apply.

4. **Architectural Standards:** The homes will be made up of a mix of one-story and two-stories with attached two-car garages. Sample renderings of proposed homes are attached hereto as Exhibit C.
5. **Homeowners’ Association/Covenants:** The maintenance and upkeep of common areas as approximately shown on the attached Concept Plan, including retention ponds, open space, and amenities within the Development shall be the responsibility of a homeowners’ association (“HOA”), to be established pursuant to the terms of a Declaration of Covenants, Conditions and Restrictions (“Covenants”) to be recorded prior to final plat approval for the Development. The Covenants shall apply to all real estate within the Development.
6. **Time of Development:** Petitioner estimates that the Development will be constructed in a single-phase over an 18-month period.

Exhibit A
Site Location Map

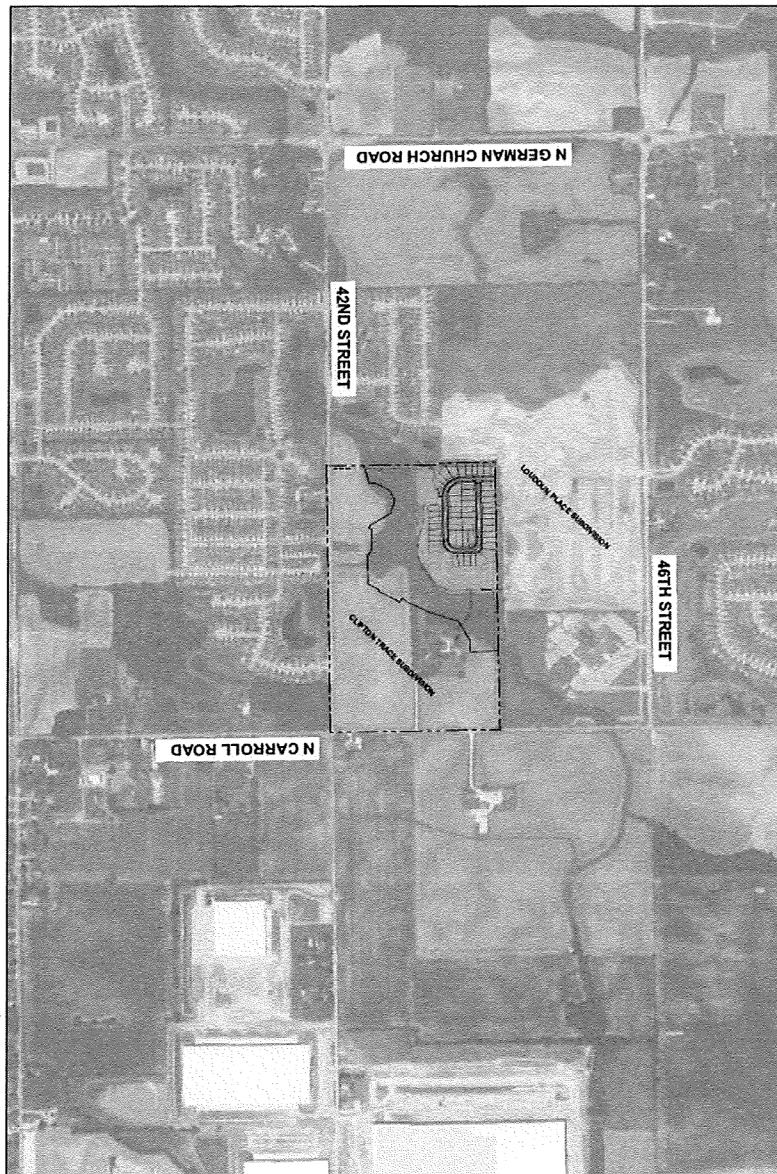


Exhibit B
 Conceptual Site Plan
 (Subject to Change)



Exhibit C
Sample Renderings





View looking north along North Carroll Road



View looking south along North Carroll Road



View looking north at school northeast from site



View looking northwest at site (beyond the tree line)



View looking northwest into site (beyond the tree line)