



Metropolitan Development Commission Hearing Examiner (August 13, 2026) Meeting Agenda

Meeting Details

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

Date: Thursday, August 13, 2026

Time: 1:00 PM

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

Business:

Special Requests

[2025-ZON-123](#) | 8500 West 10th Street

Wayne Township, Council District #16

RSJ Holdings, LLC by NDZA, Inc.

Rezoning of 5.96 acres from the C-1 (FW)(FF) district to the D-7 (FW)(FF) district to provide for residential development.

****Petitioner has withdrawn the Petition**

[2026-ZON-049](#) | 5051 East 16th Street

Center Township, Council District #13

Kahlon Holdings LLC, by Joseph Csikos

Rezoning of 0.8-acre from the C-3 district to the C-4 district to provide for commercial uses.

****Petitioner has withdrawn the Petition**

[2025-CZN-865](#) (Amended) / [2025-CVR-865](#) (Amended) | 405, 409, and 411 South Shortridge Road

Warren Township, Council District #20

SRMK Realty, LLC, by Justin Kingen

Rezoning of 8.48 acres from C-S to C-S to provide for all I-1 uses, truck and trailer parking, auto-related service or repair, outdoor storage of contractor equipment, vehicles awaiting repair, and recreational vehicles.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 125-foot front yard setback (maximum front yard setback of 85 feet permitted); off-street parking area within the front yard with a zero-foot setback (not permitted, 10-foot front setback required); side yard setbacks from four and eight feet (10-foot side yard required); a ten-foot-tall chain link fence within the side and rear yards and a six-foot tall chain link fence in the front yard (maximum six-foot-tall fence permitted within the side and rear yards and maximum 3.5-foot-tall fence permitted in the front yard); and deficient landscaping in the rear transitional yard buffer (15-foot transitional yard landscape buffer required).

****Petitioner has withdrawn the Petitions**

PETITIONS REQUESTING TO BE CONTINUED:

[1.](#) 2026-APP-014 | 524 East 16th Street

Washington Township, Council District #13

PK-2
Kroger Limited Partnership I, by CJ McDonald

Park District Two Approval to provide for one freestanding sign and one building signs on existing building.

****Staff request for continuance for cause to September 24, 2026, with Notice.**

- 2. 2026-ZON-039 | 6501 Mann Road**
Decatur Township, Council District #21
Kittle Property Group, by Joseph D. Calderon

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

****Petitioner request for continuance for cause to September 24, 2026**

- 3. 2026-ZON-041 | 3553 Shelby Street**
Perry Township, Council District #23
Cameron & Caden Shake, by Mark & Kim Crouch

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

****Petitioner request for continuance for cause to September 10, 2026**

- 4. 2026-ZON-059 | 337 East Morris Street**
Center Township, Council District #18
Habitat for Humanity of Greater Indianapolis, Inc, by Chris Barnett

Rezoning of 0.093-acre from the SU-1 district to the D-8 district to provide for residential uses.

****Petitioner request for continuance for cause to August 27, 2026**

- 5. 2026-ZON-066 | 931 South East Street**
Center Township, Council District #18
AKAL Investments, Inc., by Josh Smith (RG Development, LLC)

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

****Staff request for continuance for cause to September 10, 2026**

- 6. 2026-CZN-829 / 2026-CVR-829 | 5430 West 86th Street**
Pike Township, Council District #1
RaceTrac Petroleum, Inc., by Jasvir Singh

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

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for commercial truck parking.

****Staff request for continuance for cause to September 10, 2026, with Notice**

- 7. 2026-CZN-834 / 2026-CPL-834 | 6509 Dean Road**
Washington Township, Council District #3
K and D Epic Holdings, LLC, by David Gilman

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

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

****Automatic Continuance to September 10, 2026, filed by a City-County Councilor**

PETITIONS TO BE EXPEDITED:

8. 2026-MOD-004 | 8133 East 96th Street

Lawrence Township, Council District #4

C-4

French Associates LLC, by Ashley Wallis

Modification of Commitments related to 95-Z-55 (#1995-0116318), to modify Commitment #2, to permit development that is consistent and generally in conformance with the submitted site plan, file-dated August 2, 2025 (current commitment limits development to site plan file dated August 22, 1995).

9. 2026-ZON-051 | 4150 North High School Road

Pike Township, Council District #5

Nica Auto & Fleet Repair, LLC, by David Dearing

Rezoning of 1.9 acres from the C-4 district to the C-7 district to provide for used car sales and heavy vehicle repair.

10. 2026-ZON-052 / 2026-APP-013 | 8700 West 30th Street

Wayne Township, Council District #11

Metropolitan School District of Wayne Township, by Benjamin Jackson

Rezoning of 28.53 acres from the SU-2 district to the PK-1 district for playground and sport court facilities with accessory parking.

Park District-One Approval to provide for the construction of a comfort shelter and for repaving and restriping of existing parking and sport court areas.

11. 2026-ZON-055 | 1624 East 46th Street

Washington Township, Council District #7

K & D Epic Holdings LLC, by David Gilman

Rezoning of 0.14-acre from the SU-1 district to the D-5 district to allow for residential uses.

12. 2026-ZON-062 | 1234 West 30th Street

Center Township, Council District #12

Trending Transpiration CL and Hauling, by Keith Radcliff

Rezoning of 0.13-acre from the C-3 district to the D-5 district to provide for single-family residential development.

13. 2026-ZON-063 | 3009 and 3015 North Gale Street

Center Township, Council District #8

REDX Group LLC, by Alex Sedique

Rezoning of two lots, totaling 0.35-acre, from the SU-1 district to the D-5 district to provide for residential purposes.

14. 2026-ZON-064 | 1004 South Keystone Avenue

Center Township, Council District #18

RET Holdings II LLC, by Madelynn Turner

Rezoning of 0.11-acre from the I-3 district to the D-5 district to legally establish an existing single-family dwelling and for construction of a detached accessory building.

15. 2026-CZN-828 / 2026-CVR-828 | 1170 Kentucky Avenue

Center Township, Council District #18

KM23 Property, LLC, by Justin Kingen

Rezoning of 1.569 acres, from the C-1 (FF) district to the C-4 (FF) district to provide for commercial uses.

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for a commercial and building contractor.

16. 2026-CZN-831 / 2026-CVR-831 | 1144 South Belmont Avenue

Center Township, Council District #18
Alex Kercheval, by Ryan M. Spahr

Rezoning of 0.25-acre from the D-5 district to the C-3 district to provide for commercial uses.

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a recording studio (not permitted), without required transitional side and rear yard setbacks (minimum 10-foot side and rear transitional yard setbacks required).

17. 2026-CZN-839 / 2026-CVR-839 | 947 Eastern Avenue

Center Township, Council District #13
Melissa Yurechko, by Justin Kingen

Rezoning of 0.08-acre from the C-3 district to the D-5 district to provide an attached garage for an existing detached single-family dwelling.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a proposed attached garage with a nine-foot rear setback (minimum 20-foot rear setback required).

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

18. 2026-MOD-001 | 7536 South Emerson Avenue

Perry Township, Council District #24
D-P
HSL Emerson, LLC, by Joseph D. Calderon

Modification of the site plan and Development Statement related to 2023-ZON-050 to remove age restriction of head of household (head of household being at least 55 years of age); allow multi-family units within five buildings (multi-family units limited to a single building); remove all references to Lot A; provide for a clubhouse and pool as a permitted accessory use; reduce accessory use setback along southern property line to 10 feet (accessory use setback along southern property line required 20 feet); provide for no less than 200 parking spaces (no less than 130 parking spaces allowed); provide for required bicycle parking spaces; and amend site plan in accordance with the amended Development Statement.

19. 2026-ZON-018 / 2026-VAR-004 | 5510 Millersville Road

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

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

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for an outdoor animal run/exercise area located 88 feet from a protected district (100-foot separation required).

20. 2026-ZON-043 | 7030 East 33rd Street

Center Township, Council District #9
Damion Wiggins

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

21. 2026-ZON-045 | 2003 North College Avenue

Center Township, Council District #13
Maigida Investment LLC, by David Gilman

Rezoning of 0.11-acre from the D-8 district to the MU-2 district to provide for a small mixed-use development.

PETITIONS FOR PUBLIC HEARING (New Petitions):

22. 2026-CVR-835 / 2026-CPL-835 | 3989 Meadows Drive

Washington Township, Council District #8
D-8
Temple of Praise Assembly Church, by Misha Rabinowitch

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a proposed multi-family development, consisting of 32 units (Medium Apartment), (maximum of 12 units or Small Apartment permitted), with 11 parking spaces (minimum of 32 spaces required), a building height of 40 feet (maximum building height of 35 feet permitted); and parking within the side yard setback (not permitted).

Approval of a Subdivision Plat to be known as The Meadows Replat of Block Q and part of Block P, subdividing 2.15 acres into two lots.

Additional Business:

23. Adoption of Negative Findings of Fact for Denied Variance Petition:

2026-VAR-002 | 4005 East Southport Road

Perry Township, Council District #24

Southport Road Development LLC, by David Gilman

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a commercial structure with zero feet of street frontage (minimum 50 feet of street frontage required), and for a zero-foot front setback (minimum ten-foot front setback required).

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

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

HEARING EXAMINER

for

METROPOLITAN DEVELOPMENT COMMISSION (MDC)

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

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

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2025-ZON-123
Property Address: 8500 West 10th Street
Location: Pike Township, Council District #16
Petitioner: RSJ Holdings, LLC, by NDZA, Inc.
Request: Rezoning of 5.96 acres from the C-1 (FW) (FF) district to the D-7 (FW) (FF) district to provide for residential development.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the April 9, 2026 hearing, to the May 14, 2026 hearing, at the request of the petitioner's representative, to provide additional time for further discussion with staff related to the request.

The Hearing Examiner continued this petition from the May 14, 2026 hearing, to the July 9, 2026 hearing, at the request of staff to provide time for the petitioner to provide documents supporting the feasibility of developing the site in accordance with the request.

The Hearing Examiner continued this petition from the July 9, 2026 hearing, to the August 13, 2026 hearing, at the request of the petitioner's representative to provide time to amend the request.

On August 4, 2026, the petitioner's representative forwarded an e-mail **withdrawing this petition**. This would require acknowledgement from the Hearing Examiner.

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-ZON-049
Address: 5051 East 16th Street (*Approximate Addresses*)
Location: Center Township, Council District #13
Petitioner: Kahlon Holdings LLC, by Joseph Csikos
Request: Rezoning of 0.8-acre from the C-3 district to the C-4 district to provide for commercial uses.
Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was previously automatically continued by a Registered Neighborhood Organization from the July 9, 2026, hearing, to the **August 13, 2026, hearing**.

The petitioner has requested that this petition **be withdrawn**.

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2025-CZN-865 / 2025-CVR-865

Property Address: 405, 409 and 411 South Shortridge Road

Location: Warren Township, Council District #20

Petitioner: SRMK Realty, LLC, by Justin Kingen

Request: Rezoning of 8.48 acres from C-S to C-S to provide for all C-1 and I-1 uses, truck and trailer parking, auto-related service or repair, outdoor storage of contractor equipment, vehicles awaiting repair, and recreational vehicles.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 140-foot front yard setback (maximum front yard setback of 85 feet permitted), off-street parking areas within the front yard (not permitted), and a ten-foot-tall chain link fence within the side and rear yards (maximum six-foot-tall fence permitted within the side and rear yards).

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued these petitions from the February 26, 2026 hearing, to the March 26, 2026 hearing, at the petitioner's representative request, to provide additional time for continued discussions with the neighborhood organization and staff.

The Hearing Examiner continued these petitions from the March 26, 2026 hearing, to the April 23, 2026 hearing, at the request of staff and the petitioner's representative, to provide time for discussions related to the requests.

The Hearing Examiner continued these petitions from the April 23, 2026 hearing, to the May 14, 2026 hearing, at the request of staff.

The Hearing Examiner continued these petitions from the May 14, 2026 hearing, the June 13, 2026 hearing and the August 13, 2026 hearing, at the request of staff and the petitioner's representative.

On August 4, 2026, the petitioner's representative forwarded an e-mail **withdrawing the requests**. This would require acknowledgement from the Hearing Examiner.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-APP-014
Property Address: 524 East 16th Street (*Approximate Addresses*)
Location: Center Township, Council District #13
Petitioner: Kroger Limited Partnership I, by Alex Barnett
Request: Park District Two Approval to provide for one freestanding sign and one building signs on existing building
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

Staff is requesting a **continuance of this petition from the August 13 2026 hearing, to the September 24, 2026 hearing**, to provide additional time to file a variance of development standards and provide new notice..



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-ZON-039
Property Address: 6501 Mann Road
Location: Decatur Township, Council District # 21
Petitioner: Kittle Property Group, by Joseph D. Calderon
Request: Rezoning of 26.83 acres from the SU-1 (FF) (FW) and D-A (FF) (FW) districts to the D-7 (FF) (FW) district to provide for a multi-family residential development.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the timely automatic continuance filed by a registered neighborhood organization that continued this petition from the June 11, 2026 hearing, to the July 9, 2026 hearing.

The Hearing Examiner continued this request from the July 9, 2026 hearing, to the August 13, 2026 hearing, at staff's request to provide time for continued discussions related to this request.

The petitioner's representative is requesting a continuance **from the August 13, 2026 hearing to the September 24, 2026 hearing**, to provide additional time to address some issues. Staff would not object to the continuance.



Department of Metropolitan Development
Division of Planning
Current Planning

MDC HEARING EXAMINER**August 13, 2026**

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

PETITION OVERVIEW

- Petitioner previously requested a 2-month continuance from the June 11, 2026, Hearing Examiner hearing to the August 13, 2026, Hearing Examiner hearing to allow for additional time to acquire property that could result in changing the scope and request of the project. Staff was in support of this continuance.
- The petitioner is requesting an additional one-month continuance to the September 10th, 2026, Hearing Examiner hearing to finalize plans related to the changed scope of the project. This is the final continuance that staff will support.



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

August 13, 2026

Case Number: 2026-ZON-059
Address: 337 East Morris Street (Approximate Address)
Location: Center Township, Council District #18
Petitioner: Habitat for Humanity of Greater Indianapolis, Inc, by Chris Barnett
Request: Rezoning of 0.093-acre from the SU-1 district to the D-8 district to provide for residential uses.

PETITION HISTORY

The petitioner has requested that this petition be continued for cause from the August 13, 2026, hearing, to the August 27, 2026, hearing, due to a previously scheduled conflict.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-ZON-066
Property Address: 931 South East Street (*Approximate Addresses*)
Location: Center Township, Council District #18
Petitioner: AKAL Investments, Inc., by Josh Smith (RG Development, LLC)
Request: Rezoning of 0.222-acre, from the C-5 (RC) district to the D-8 (RC) district to provide for residential development.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

Staff is requesting a **continuance of this petition from the August 13 2026 hearing, to the September 10, 2026 hearing**, to provide additional time to confirm the legal description.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-CZN-829 / 2026-CVR-829

Property Address: 5430 West 86th Street

Location: Pike Township, Council District # 1

Petitioner: RaceTrac Petroleum, Inc., by Jasvir Singh

Request: Rezoning of 3.05 acres from the C-4 district to the C-7 district to provide for a high-intensity commercial uses.
Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for commercial truck parking.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the timely automatic continuance filed by a registered neighborhood organization that continued this petition from the June 25, 2026 hearing, to the July 23, 2026 hearing; and continued these petitions from the July 23, 2026 hearing to the August 13, 2026 hearing.

On July 31, 2026, the petitioner's representative indicated that the rezoning would be withdrawn and would request a refund / transfer of filing fees to the amended variance petition. The submittal of the variance petition is under review. Staff will provide an update at the hearing.

Staff would request a **continuance from the August 13, 2026 hearing to the September 10, 2026 hearing**, with notice.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

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

Property Address: 6509 Dean Road (*Approximate Addresses*)

Location: Washington Township, Council District #3

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

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

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

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

A timely automatic continuance has been filed by a City-County Councilor that would **continue this petition from the August 13 2026 hearing, to the September 10, 2026 hearing**. This would require acknowledgement from the Hearing Examiner.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-MOD-004
Address: 8133 East 96th Street (approximate addresses)
Location: Lawrence Township, Council District #4
Zoning: C-4
Petitioner: French Associates LLC, by Ashley Wallis
Request: Modification of Commitments related to 95-Z-55 (1995-0116318), to modify Commitment #2, to permit development that is consistent and generally in conformance with the submitted site plan, file-dated August 2, 2025 (current commitment limits development to site plan file dated August 22, 1995).
Staff Recommendations: Approval
Current Land Use: Vacant commercial building
Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was continued from the June 25, 2026, hearing, to the August 13, 2026 hearing, so that legal notice requirements can be met.

STAFF RECOMMENDATION

Staff recommends **approval** of the request.

PETITION OVERVIEW

LAND USE

This 1.55-acre site is comprised of a vacant commercial building on a parcel zoned C-4. The site is surrounded by commercial uses, all zoned C-4 in Marion County.

This site was included in petition 95-Z-55 that rezoned 49.60 acres from the C-6 and I-2-S districts to the C-4 district to provide for office and commercial uses.

Petition 95-Z-55 was subject to commitments. Commitment #2 required “the site shall be developed in substantial compliance with the site plan, file dated August 22, 1995.”



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

MODIFICATION

The request would modify Commitment #2 and the site plan file-dated August 22, 1995, related to 95-Z-55, to allow for the proposed development and the associated site plan file-dated August 2, 2025.

STAFF ANALYSIS

Staff is supportive of the modification because it would allow for development in line with the context of the surrounding area.

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Vacant Commercial Building	
Comprehensive Plan	Regional Commercial	
Overlay	N/A	
Surrounding Context	Zoning	Surrounding Context
	North: Hamilton County	Commercial
	South: C-4	Commercial
	East: C-4	Commercial
	West: C-4	Commercial
Thoroughfare Plan		
	East 96 th Street	Local Street 48-foot existing and proposed right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	N/A	
Wellfield Protection Area	N/A	
Site Plan	August 7, 2025	
Elevations	N/A	
Landscape Plan	N/A	
Commitments	April 27, 2026	
Findings of Fact	N/A	
C-S / D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

Marion County Land Use Plan Pattern Book.

Pattern Book / Land Use Plan

The Marion County Land Use Plan Pattern Book recommends this site to the Regional Commercial working typology for provide for general commercial and office uses that serve a significant portion of the county rather than just surrounding homes. Uses are typically in large freestanding buildings or integrated centers and should provide pedestrian connection between buildings.



Department of Metropolitan Development
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Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

Not Applicable to the Site.

ZONING HISTORY

2026-DV3-004; 8133 East 96th Street (subject site) Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an automobile fueling station and convenience store with deficient facade transparency, per plans submitted, **granted**.

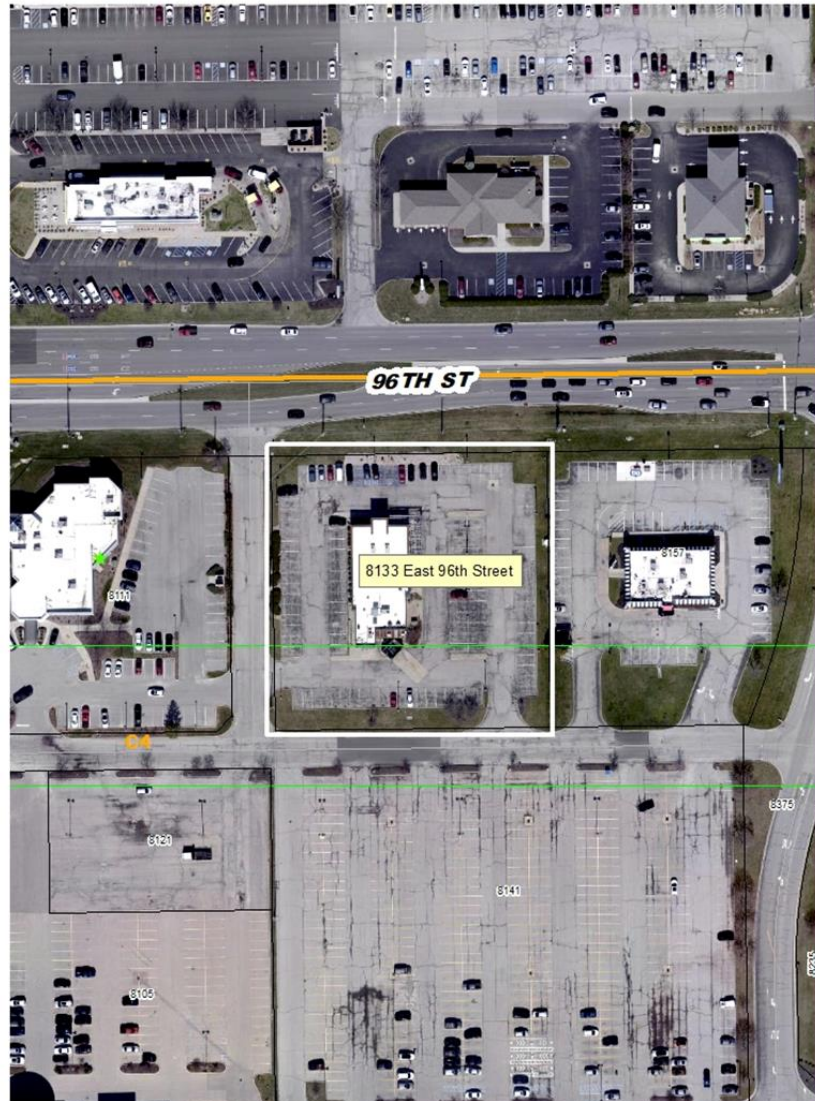
2025-CPL-861 / 2025-CVR-861; 9425 Hague Road (west of site), Approval of a Subdivision Plat, to be known as Waffle House Addition, dividing 1.65 acres into two lots, and a Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the development of a restaurant with 32 parking spaces, **approved**.

1995-Z-55; 8377 East 96th Street (includes subject site); Rezone 36.82 acres from I-2-S to the C-4 District, **approved**.

RU

EXHIBITS

LOCATION MAP



PROPOSED SITE PLAN - FILE DATED AUGUST 2, 2025





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

PROPOSED COMMITMENTS

**STATEMENT OF MODIFICATION OR TERMINATION
OF COVENANTS OR COMMITMENTS**

**COVENANTS OR COMMITMENTS MODIFYING OR TERMINATING EXISTING COVENANTS OR
COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN
CONNECTION WITH AN APPROVAL PETITION, REZONING OF PROPERTY, A VARIANCE PETITION
OR SPECIAL EXCEPTION PETITION**

In accordance with I.C. 36-7-4-918.8 and I.C. 36-7-4-1015, the owner of the real estate located in Marion County, Indiana, which is described below, makes the following modification(s) or termination(s) of covenants or commitments concerning the use and development of that parcel of real estate:

Legal Description:

The Land referred to herein below is situated in the County of Marion, State of Indiana, and is described as follows:

Part of the Northwest Quarter of Section 13, Township 17 North, Range 4 East located in Lawrence Township, Marion County, Indiana, being bounded as follows:

Commencing the Northeast corner of the Northwest Quarter of Section 13, Township 17 North, Range 4 East; thence South 88 degrees 45 minutes 30 seconds West (assumed bearing) 12.41 feet along the North line of said Northwest quarter; thence South 01 degree 29 minutes 09 seconds East 54.07 feet to the point of curvature of curve to the right, said point of curvature being North 88 degrees 30 minutes 51 seconds East 697.50 feet from the radius point of said curve; thence Southerly 15.93 feet along said curve to a point being 70.00 feet (measured perpendicular in a Southerly direction) from the North line of said Northwest quarter, said point being North 89 degrees 49 minutes 22 seconds East 697.50 feet from the radius point of said curve; thence South 88 degrees 45 minutes 30 seconds West 245.00 feet parallel with the North line of said Northwest quarter to the point of beginning of this description; thence South 88 degrees 45 minutes 30 seconds West 261.900 feet parallel with the North line of said Northwest quarter; thence South 01 degree 14 minutes 30 seconds East 245.00 feet perpendicular to the North line of said Northwest quarter; thence South 46 degrees 14 minutes 30 seconds East 21.21 feet to a point being 330.00 feet (measured perpendicular in a Southerly direction) from the North line of said Northwest quarter; thence North 88 degrees 45 minutes 30 seconds East 246.00 feet parallel with the North line of said Northwest quarter to a point being South 01 degree 14 minutes 30 seconds East (perpendicular to the North line of said Northwest quarter) of the point of beginning; thence North 01 degree 14 minutes 30 second West 260.00 feet perpendicular to the North line of said Northwest quarter to the point of beginning.

The property described above is one and the same as contained in First American Title Insurance Company's Commitment No. NCS-1286466-PHIL, dated November 21, 2025. Prior Instrument Reference: Instrument Number A201900064914

Statement of MODIFICATION OR TERMINATION of Covenants or Commitments:

1. Modify commitment number 2 in the Statement of Commitments recorded as Instrument 1995-0116318 at the Office of the Recorder of Marion County, Indiana; original commitments; to permit the development consistent and generally in conformance with the submitted site plan. The site plan is dated August 7, 2025.

2. _____

MDC's Exhibit C - - page 1 of 3



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ORIGINAL COMMITMENTS

COMMITMENTS

NOTE: Article VII, Section 3(b) of the rules of the Metropolitan Development Commission requires use of this form in recording Commitments made with respect to zoning and approval cases in accordance with I.C. 36-7-4-605. Resolution No. 85-R-69, 1985 and Article III, Section 4 of the Metropolitan Development Commission requires the owner to make Commitment #1.

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. 36-7-4-605, 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: SET OUT IN ATTACHMENT "B" HERETO

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 site shall be developed in substantial conformance with the site plan, file dated August 22, 1995, a copy of which is attached hereto as Attachment "C".
3. All public roadway improvements required by the Memorandum of August 16, 1995, from Maurice Geisendorff shall be completed prior to the opening of any business, a copy of which is attached hereto as Attachment "D".
4. All semi-trucks shall be required to enter and exit the subject real estate by way of 96th Street, Hague Road or Castlegate Drive. Except as otherwise permitted in paragraph 5, no such traffic shall be permitted to access Village Way.
5. Construction traffic shall not be permitted on Village Way except for the completion of the east end of the thru-street proposed from Castlegate Drive to Village Way, and any road utility or landscaping improvements to be made to Village Way.
6. The site shall be developed in accordance with the transportation-related commitments outlined in the memorandum from the Department of Capital Asset Management (DCAM) to the Department of Metropolitan Development (DMD), dated August 16, 1995, authored by Maurice Geisendorff and directed to Maury Plambeck. However, per the request of DCAM and the Town of Fishers the following provisions shall amend the corresponding provisions of the August 16, 1995 memorandum:
 - II.a. the median shall be designed to provide access at the signalized intersection/entrance to the site (shown as Meijer Drive on site plan)
 - IV.a. the signal shall also be at no cost to the Town of Fishers.

However, owner shall dedicate up to 55' from the centerline of Hague Road where necessary and up to 70' from the centerline of East 96th Street to the appropriate governmental entities. All final details shall be subject to DCAM approval.

09/18/95 10:25AM JOAN N. SOMERIL MARION CTY RECORDER ALM 35.00 PAGES: 1

Inst # 1995-0116318

MP



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7. Site drainage and erosion shall be in conformance with the requirements of the DCAM, as outlined in the memorandum from DCAM to DMD, dated August 7, 1995, a copy of which is attached hereto as Attachment "E".

8. A final landscaping plan shall be submitted for Administrator's review and approval prior to obtaining an Improvement Location Permit. The landscaping plan shall indicate the location, species and number of trees and shrubs proposed at time of planting, as well as the dimensions of proposed berms. The landscaping on the site may be phased, but landscaping for each individual site shall be installed prior to opening of any individual business within each phase. Landscaping shall be maintained and replaced at all times after installation when necessary.

9. A lighting plan shall be submitted for review prior to obtaining any Improvement Location Permits. The plan shall be designed to achieve an average measurement of zero foot-candles generated by artificial light from the property along the east property line except as otherwise reasonably required for public safety.

10. The building elevations for the Meijer store including the 13 foot wall shall be submitted for Administrator's review and approval prior to obtaining an Improvement Location Permit for their facility. The exterior shall be a brick facade similar to the Meijer store located in Carmel, Indiana. The mechanical equipment to be located on the roof of the Meijer store shall be located so that it is not visible from Village Way. A parapet wall, at least three (3') feet in height shall be installed along the east and south roof line of the Meijer store. The decibel level of the roof top HVAC units, as measured from the east side of Village Way, will be no higher than the existing ambient levels along the east side of Village Way.

11. Outside speakers (not including speakers for gas stations, restaurants and drugstores) shall be expressly prohibited, however, speakers shall be permitted inside of the garden center structure. Those garden center speakers shall be directed away from the residential development on Village Way. The decibel level of the speakers, as measured from the east side of Village Way, will be no higher than the existing ambient levels along the east side of Village Way.

12. A sign program for the entire site shall be submitted for Administrator's review and approval prior to obtaining an Improvement Location Permit for any signs. Separate sign programs may be submitted for the C-4 and the C-1 sites. Each of the C-4 and C-1 sites shall be considered an integrated center. For the C-4 site, only incidental and directional signs (freestanding or wall types permitted) shall be permitted to be oriented toward Village Way. There shall be no business identification or advertising signs on the east side of the Meijer building.

13. There shall be a six foot (6') landscape mound installed along the west side of Village Way behind the proposed Meijer store. Said mound shall be landscaped per the landscape plan reviewed by the Administrator as referred to in paragraph 8 above.

14. Outside sale of motor vehicles shall be prohibited.

15. All construction and/or reconfiguration of confirmed wetland, if any, shall be prohibited during the water fowl migratory season.

16. Outside unenclosed storage shall only be permitted in front of the Meijer store.



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17. The access to Village Way shall be limited to ingress only and shall not be opened for vehicular traffic until the opening of the Meijer store. If requested by DCAM, owners shall install a traffic signal at the access point on Village Way. The southwest corner of the Village Way entrance shall be terraced and landscaped per the landscape plans to be approved.

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 persons 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.

COMMITMENTS contained in this instrument shall be effective upon the adoption of rezoning petition #95-Z-54 by the City-County Council changing the zoning classification of the real estate from a C-6/I-2-S zoning classification to a C-4 zoning classification 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; and
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 the 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); and
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 Development Services 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 #95-Z-54.

IN WITNESS WHEREOF, owner has executed this instrument this 11 day of Sept, 1995.

Signature Kevin McKesson Signature _____

BY: Printed Kevin McKesson Printed _____
AUTHORIZED AGENT

Glendale Partners at Fairfield Crossing, LLC



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STATE OF INDIANA)
)SS:
COUNTY OF MARION)

Before me, a Notary Public, in and for said County and State, personally appeared Kevin D. McKasson agent (s) of the real estate who acknowledged the execution of the foregoing instrument and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 11th day of SEPT.

Signature Thomas Michael Quinn

Printed Thomas Michael Quinn

County of Residence:
Hamilton

My Commission Expires:
12-6-95

This instrument prepared by Thomas Michael Quinn, Attorney at Law
tmq\doc\bm04.com

PHOTOS



Subject site, existing building to be demolished, looking southeast.



Subject site, existing building to be demolished, looking southeast.



Adjacent commercial to the west of subject site.



Adjacent commercial to the east of subject site.



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**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-ZON-051
Property Address: 4150 North High School Road
Location: Pike Township; Council District #5
Petitioner: Nica Auto & Fleet Repair, by David Dearing
Current Zoning: C-4
Request: Rezoning of 1.9 acres from the C-4 district to the C-7 district to provide for used car sales and heavy vehicle repair.
Current Land Use: Automobile repair
Staff Recommendations: Recommends approval, subject to the commitment
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the timely automatic continuance file by a registered neighborhood organization that continued this petition from the July 9, 2026 hearing, to the August 13, 2026 hearing.

STAFF RECOMMENDATION

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

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

PETITION OVERVIEW

This 1.75-acre site is developed with a 15,000-square-foot commercial building and associated parking. It is surrounded by multi-family dwellings to the north, zoned D-7; commercial uses to the south across Gateway Drive (private street), zoned C-3; commercial uses to the east, zoned C-3; and truck / trailer parking to the west, zoned C-S.

Petition 2025-ZON-001 rezoned the site to the C-4 district to provide for an automobile repair shop.



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Rezoning

This request would rezone the site to the C-7 district. “The C-7 (High Intensity) District is designed to provide specific areas for commercial uses which have unusually incompatible features relative to other commercial uses, such as major outdoor storage or display of sizeable merchandise and the outdoor parking and storage of trucks, materials or equipment essential to the operation of these uses. Many of these uses generally are not visited by customers but rather involve service operations from headquarters with some on-site fabrication of parts. The nature of operation or appearance is more compatible with industrial than retail commercial activities. Because of the character and intensity of these uses, this district should be appropriately located on major commercial arterial thoroughfares and near interstate freeways, but not in close association with those commercial activities involving shopping goods, professional services, restaurants, food merchandising, and the like. Due to the intensity of uses, location of this district should never be adjacent to protected districts.”

The Comprehensive Plan recommends heavy commercial typology.

Permitted land uses in this typology include heavy commercial uses; small-scale offices, retailing, and personal or professional services; surface parking; and wind or solar farms.

As proposed, the rezoning request would be consistent with the Comprehensive Plan recommendation of heavy commercial.

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;



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

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

Planning Analysis

The Comprehensive Plan recommends this area for heavy commercial use, making the proposed automotive repair and sales consistent with the area's intended purpose. The site plan includes access via a public entry off High School Road, with automotive display along the southern building facade. Staff would note there are five overhead doors on the southern façade, so location of the automobile display would need to be changed in order to provide for on-site maneuverability for the current and proposed uses.

The property is visually obscured by two existing commercial centers along a private drive, reducing potential aesthetic conflicts with surrounding businesses. Moreover, rezoning to C-7 would establish a transition buffer between commercial operations and warehouse activities, ensuring a more cohesive land-use pattern.

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Automotive repair	
Comprehensive Plan	Heavy Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	Multi-family dwellings	D-7
South:	Commercial uses	C-3
East:	Commercial uses	C-3
West:	C-S	Truck / trailer parking
Thoroughfare Plan		
North High School Road	Primary Collector	Existing 105-foot right-of-way and a proposed 78-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	N/A	
Overlay	N/A	



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Wellfield Protection Area	N/A
Site Plan	June 3, 2026
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends heavy commercial typology for the site.

Pattern Book / Land Use Plan

The Heavy Commercial typology provides for consumer-oriented general commercial and office uses that tend to exhibit characteristics that are not compatible with less intensive land uses. They are often dominated by exterior operations, sales, and display of goods. Examples include vehicle sales and commercial lumber yards.

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

The following elements of the Pattern Book apply to this site:

Heavy Commercial Uses

- Should be located along an arterial or collector streets.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan



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Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

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



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ZONING HISTORY

2005-ZON-001; 4150 North High School Road, requested rezoning of 1.90 acres from the C-3 district to the C-4 district to allow for an automobile repair shop, **approved**.

70-Z-6; 4002 North High School Road, requested rezoning of 23.30 acres, being the B-3 district to C-3 classification to provide for sales, service and office facilities, **approved**.

70-Z-5; 6450 Gateway Drive, requested rezoning of 28 acres from the B-3 to C-S to provide for a distribution center inclusive of warehousing, small assembly and packing, computer center, technical data processing and offices, **approved**.

64-Z-139; North of 38th Street, requested rezoning of 66.77 acres parcel of ground, being in an A-2 (Agricultural) district to a B-3 (business) Classification, to provide for the construction of a regional shopping Center, located north of 38th street between High School Road and I-465 in Pike Township, **approved**.

VICINITY

2014-ZON-060; 6450 Gateway Drive (west of site), rezoning of 9.127 acres from the C-S district to the C-S classification to provide for an indoor warehouse, offices, wholesale display and distribution of grocery-related items, and an indoor sports education and training complex, including soccer, boxing and karate, **approved**.

2011-ZON-042; 6150 Gateway Drive (east of site), rezoning of 10 acres from the D-4 and PK-1 (FF) Districts to the SU-2 (FF) classification to provide for educational uses, **approved**.

2010-ZON-069; 6150 Gateway Drive (east of site), rezoning of 10.00 acres, from the D-4 (FF) and PK-1 (FF) Districts to the SU-2 (FF) classification to provide for public school uses, **withdrawn**.

2011-CZN-827 / 2011-CVR-827; 6450 Gateway Drive; (west of site), requested rezoning of 9.17 acres, from the C-S District, to the C-S classification to provide for all C-5 uses and a portable storage container business and distribution center and a variance of development standards of the Commercial Zoning Ordinance to provide for outdoor storage higher than the fence, within zero feet of a protected district, **approved**.

99-Z-150; 4141 North High School Road (east of site), requested rezoning 5.79 acres from D-4 to SU-1 to provide for an existing church and parking lot, **approved**.

90-Z-42; 4261 North High School Road (east of site), requested rezoning 6.31 acres from D-A District to C-S classification to provide for the development of self-storage warehouses, **approved**.

86-Z-27; 4002 North High School Road (west of site), requested rezoning of 10.73 acres, being in the C-S district to the C-5 classification to provide for the construction of a night club, **approved**.

85-Z-148; 6450 Gateway Drive (west of site), requested rezoning to C-S to allow for all C-5 uses and whole sales, **approved**.



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79-Z-176; 6500 Gateway Drive (west of site), requested rezoning of seven acres from C-S to C-5 to provide for construction of a multipurpose recreation center, **approved**.

70-Z-7; 4102 North High School Road (north of site) requested rezoning of 1.36 acres, being in A-2 & D-7 districts to D-7 classification to provide for apartments, **approved**.

77-Z-87 (77-DP-1); 6363 Commons Drive (north of site), requested rezoning of approximately 6 acres located at 6363 Commons Drive be rezoned from D-7 to DP, **approved**.

kb

EXHIBITS



4150 North High School Road

00.00 0.015 0.03 0.045 0.06 Miles



View of site looking northwest



View looking north along eastern boundary



View of site looking west



View of site looking southwest



View of site (background) looking north from adjacent property to the south



View of site (background) looking north from adjacent property to the south

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-ZON-052 / 2026-APP-013
Property Address: 8700 West 30th Street (*Approximate Address*)
Location: Wayne Township, Council District #11
Petitioner: Metropolitan School District of Wayne Township, by Benjamin Jackson
Current Zoning: SU-2

Request: Rezoning of 28.53 acres from the SU-2 district to the PK-1 district for playground and sport court facilities with accessory parking.
 Park District-One Approval to provide for the construction of a comfort shelter and for repaving and restriping of existing parking and sport court areas.

Current Land Use: Park
Staff Reviewer: Michael Weigel, Principal Planner I

PETITION HISTORY

7/9/26: The petition was continued with new notice from the July 9th Hearing Examiner date to allow for the request to be amended for inclusion of the Park District-One Approval.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

LAND USE

8700 West 30th Street (parcel number 9004476) is a parcel with a size of 28.53 acres currently utilized as a public park (Robey Park). Surrounding land uses include residences to the north and northwest, undeveloped park area to the south, a rail line to the east, and a school (Robey Elementary) to the north. The subject parcel and school parcel were zoned SU-2 for educational uses in 1972.

REZONING

Approval of the rezoning petition would change the property's zoning designation from SU-2 to PK-1. The SU-2 zoning district is intended for educational uses such as schools.

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The PK-1 district limits allowable uses to parks, playgrounds, and greenways. Support structures such as shade canopies, parking areas, or sport courts related to park usage would also be permitted.

PARK DISTRICT APPROVAL

The PK-1 (Park District One) zoning district permits a variety of sizes and ranges of parkland and facilities. PK-1 is a Development Plan District that requires Metropolitan Development Commission approval of all uses and site/development plans.

The subject site is currently improved with an accessory parking area and two sport courts (one for basketball and one for tennis). The approval of this petition would allow for those existing areas to be restriped, repaved, and would allow for the addition of a comfort shelter area as shown on the site plan within Exhibits below.

COMPREHENSIVE PLAN

The Comprehensive Plan recommends this site for Suburban Neighborhood uses. This typology envisions predominantly residential uses but with support from a variety of neighborhood-serving businesses, institutions, and amenities where appropriate. The site is also located within the Environmentally Sensitive (ES) Overlay. Additional information is within the Comprehensive Plan Analysis section below.

STAFF ANALYSIS

Staff would note that this parcel is currently used as a park and that the existing improvements at the site appear to have existed for at least 35 years. No large expansion of the Park is currently planned based on provided documentation, but if future structures or paved areas encroaching further south onto the large parcel were to be pursued, it would be subject to an approval petition and public hearing.

Since the proposed rezoning and improvements would align with Comprehensive Plan guidance, would match the current land use and intensity, and would be harmonious to surrounding areas, staff views the requests to be within the public interest and recommends **approval** of both petitions.

GENERAL INFORMATION

Existing Zoning	SU-2	
Existing Land Use	Park	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	SU-2	North: School
South:	PK-1	South: Park
East:	D-5	East: Railroad
West:	D-A / D-4	West: Residential
Thoroughfare Plan		
30 th Street	Local Street	25-foot existing right-of-way and 48-foot proposed right-of-way

Context Area	Metro
Floodway / Floodway Fringe	No
Overlay	Yes ; Environmentally Sensitive
Wellfield Protection Area	No
Site Plan	05/19/2026
Findings of Fact	Not provided prior to publication

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The **Suburban Neighborhood typology** is predominantly made up of single-family housing, but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing system for development. Streets should be well-connected and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a ¼-mile of a frequent transit line, greenway, or park.
- The **Environmentally Sensitive Areas (ES) Overlay** is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected. The purpose of this overlay is to prevent or mitigate potential damage to these resources caused by development. This overlay is also appropriate for areas that present an opportunity to create a new environmental asset. This overlay is not intended for the preservation of open space.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2008DV2066, Variance of Development Standards of the Sign Regulations to provide for a 6.083-foot tall, 33.33-square foot pylon sign (maximum four-foot tall ground sign permitted), containing a 24-square foot electronic variable message sign component (not permitted) being 72 percent of the total sign area (maximum 13.3 square feet or 40 percent of the total sign area permitted), within approximately fifteen feet of a protected district (minimum 600-foot separation required), **approved**.

72-Z-63, rezoning of 41.16 acres, being in A-2 district, to SU-2 classification to provide for construction of a junior high school, **approved**.

ZONING HISTORY – VICINITY

93-Z-43 ; 2807 Tansel Road (west of site), Rezoning of 32.9 acres, being in the D-A District, to the D-4 classification to provide for single-family development by platting, **approved**.

EXHIBITS

2026ZON052 / 2026APP011 ; Aerial Map





2026ZON052 / 2026APP011 ; Aerial Map (Zoomed)



2026ZON052 / 2026APP011 ; Findings of Fact

Not provided prior to publication; will need to be submitted prior to hearing

2026ZON052 / 2026APP011 ; Photographs



Photo 1: Existing Tennis Courts Viewed from Northwest



Photo 2: Existing Parking Area Viewed from Northwest

2026ZON052 / 2026APP011 ; Photographs (continued)



Photo 3: Existing Basketball Court Viewed from Northwest



Photo 4: Adjacent Property to North

2026ZON052 / 2026APP011 ; Photographs (continued)



Photo 5: Adjacent Property to Northwest



Photo 6: Adjacent Property to West

MDC HEARING EXAMINER

August 13, 2026

Case Number: 2026-ZON-055
Property Address: 1624 East 46th Street (*approximate address*)
Location: Washington Township, Council District #7
Petitioner: K & D Epic Holdings LLC, by David Gilman
Request: Rezoning of 0.14-acre from the SU-1 district to the D-5 district to allow for residential uses.
Current Land Use: Single-family home
Staff Recommendations: Staff recommends **approval** of this petition.
Staff Reviewer: Josh Levesque, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- 1624 East 46th Street is a lot totaling roughly 0.277-acre. The western half of the lot is zoned D-5. In 2005, the eastern half of the lot was zoned SU-1. Staff reports and site plans seem to show that the eastern portion of 1624 was at one point part of the parking area for the church that once stood at 1636 East 46th Street. Warranty deeds show that parcels previously known as 1630 and 1632 East 46th Street were conveyed to the church in 2000. The lot appears to have reached its current size/dimensions in March of 2026 with a warranty deed.
- Properties to the north, south, and west are zoned D-5. The most immediately adjacent eastern parcel is zoned SU-1 (though it is undeveloped) though D-5 continues on east across Ralston Avenue.
- The petitioner is requesting a rezone from the SU-1 district to the D-5 district to allow for residential uses (specifically for the construction of a duplex).
- Records indicate that this parcel has historically been zoned D-5 along with the rest of the homes on this block and in the larger neighborhood. The eastern portion of the lot and the parcel to the east were rezoned to SU-1 in 2005 (2005-ZON-054) for the purposes of the aforementioned church.
- The Ordinance states that the D-5 district “is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situation in established urban areas, including both low density and medium density

residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood and Traditional Neighborhood Typologies of the Land Use Pattern Book.”

- The Comprehensive Plan has identified this parcel as part of the “Traditional Neighborhood” typology. As indicated in the paragraph above, the D-5 district fits well within the residential recommendations of the Traditional Neighborhood typology. The Traditional Neighborhood typology “includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.”
- Rezoning the property to D-5 would correct the current split zoning on the property. Split zoning a property generally goes against planning best practices as it means the same property must meet different sets of standards. Rezoning this parcel would give the petitioner the ability to create a unified development across the lot,
- Based on the land use typology contemplated in the Comprehensive Plan, the residential context of the surrounding area, and the opportunity to correct a split-zoned property, staff recommends approval of this petition. Staff will note that approval of this petition merely approves a rezone to the D-5 district. Approval of this petition would not grant any relief from the applicable D-5 use or development standards. Any development would be required to meet the standards of the D-5 district or seek relief via the appropriate land-use petition.
- Staff will note that 2005-ZON-054 (the petition which rezoned the eastern portion of the lot to SU-1) came with a commitment that the public alley abutting the north property line was to be paved within one year of approval of the petition. The alley does not appear to have been paved but seems to be in relatively good condition. The petitioner has indicated that they will subsequently seek to terminate this commitment.

GENERAL INFORMATION

Existing Zoning	D-5 / SU-1	
Existing Land Use	Single-family home	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Surrounding Context
North:	D-5	North: Residential
South:	D-5	South: Residential
East:	SU-1	East: Vacant
West:	D-5	West: Residential
Thoroughfare Plan		
46th Street	Primary Arterial	51-foot existing right-of-way and 56-foot proposed right-of-way

Context Area	Compact
Floodway / Floodway Fringe	No
Overlay	No
Wellfield Protection Area	No
Site Plan	4/2/2026
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2005-ZON-054; 1630 and 1634 East 46th Street (1630 has been combined with current property address), Rezoning of 0.27-acre, being in the D-5 district, to the SU-1 classification to legally establish religious uses and to provide for construction of a new church facility, **approved subject to commitments.**

ZONING HISTORY – VICINITY

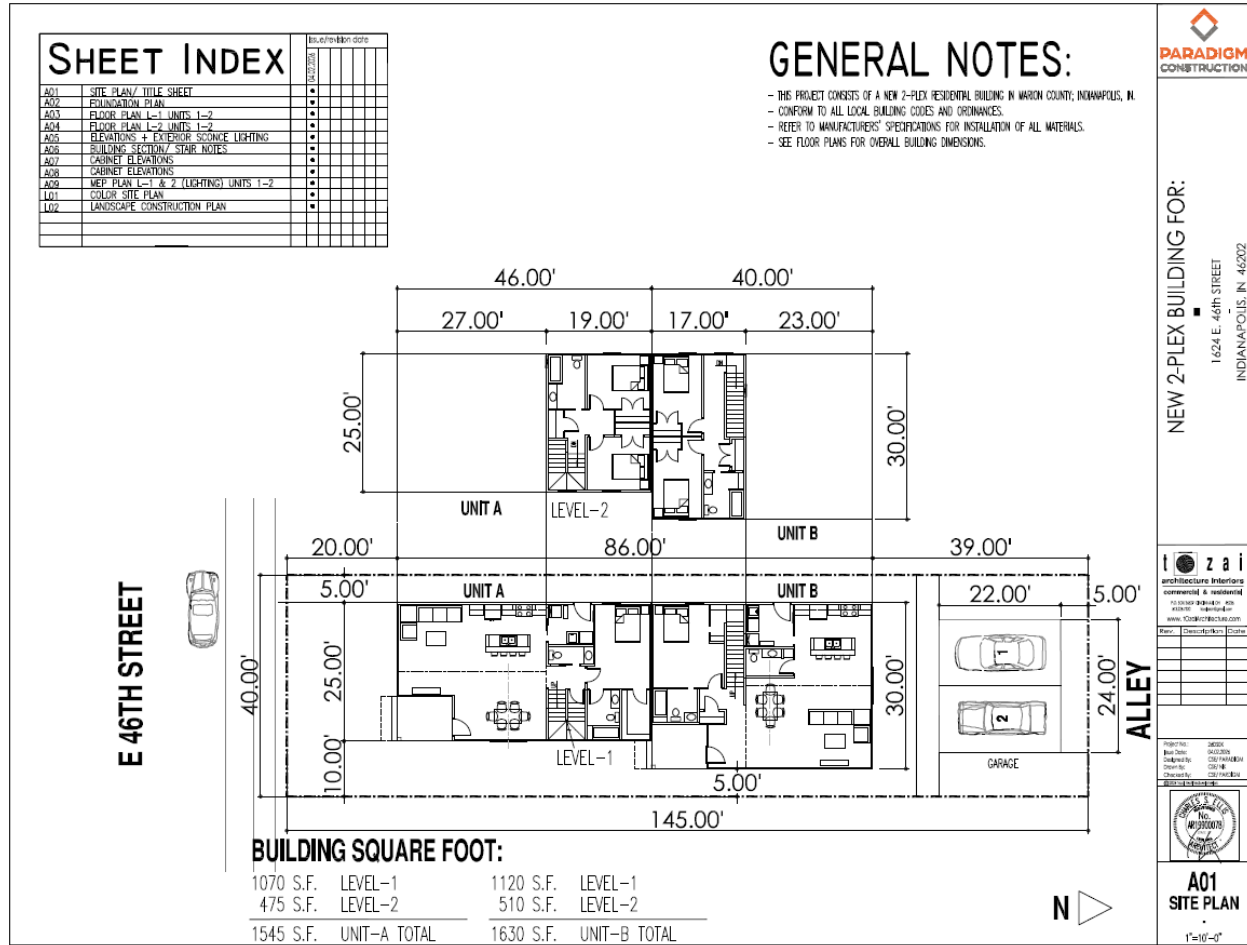
97-V1-73; 1536 East 46th Street, Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 28 by 54 foot single-family residence with: a) a 6-foot-tall privacy fence along East 46th Street (maximum height 42 inches permitted in the front yard); b) 57% of the lot area devoted to open space (minimum 655 open space required); c) a 30 by 40-foot detached garage which would be 79% of the main floor area of the primary building (maximum 75% allowed), **approved subject to conditions.**

EXHIBITS

2026ZON055; Aerial Map



2026ZON055; Site Plan



2026ZON055: Photographs



Photo 1: Undeveloped part of combined lot

2026ZON055: Photographs (cont'd)



Photo 2: Single-family home on western portion of combined lot

2026ZON055: Photographs (cont'd)



Photo 3: Looking west on 46th Street

2026ZON055: Photographs (cont'd)



Photo 4: Looking south across 46th Street

2026ZON055: Photographs (cont'd)



Photo 5: Looking east along 46th Street

2026ZON055: Photographs (cont'd)



Photo 6: Alley behind subject site

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-ZON-062
Property Address: 1234 West 30th Street (*Approximate Address*)
Location: Center Township, Council District #12
Petitioner: Trending Transportation CI and Hauling, by Keith Radcliff
Current Zoning: C-3
Request: Rezoning of 0.13-acre from the C-3 district to the D-5 district to provide for single-family residential development.
Current Land Use: Undeveloped
Staff Recommendation: Staff recommends **approval** of the request.
Staff Reviewer: Michael Weigel, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of the request.

PETITION OVERVIEW

LAND USE

1234 West 30th Street is a 0.13-acre parcel with a width of approximately 40 feet. The property is currently undeveloped, and does not appear to have been developed within the past 40 years. Surrounding land uses are residential in nature in each direction, except for an auto repair use to the southeast. The property is currently zoned C-3 for commercial usage.

REZONING

Approval of this petition would rezone the property from the C-3 designation to the D-5 zoning district to allow for residential use. The petitioner has indicated that they would pursue development of a single-family residence with a height of 2 stories, which would be allowed for a lot of this width within D-5.

The C-3 District is for the development of an extensive range of retail sales and personal, professional and business services required to meet the demands of a fully developed residential neighborhood, regardless of its size. Examples of allowed uses include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail, and service establishments.

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The D-5 district is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in new strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situations in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan.

STAFF ANALYSIS

Staff would note that the D-5 zoning district would align with the United Northwest Neighborhood Plan recommendation for residential development of 3.5-5 dwelling units per acre, and that the size and dimensions of the existing property would not make standalone commercial development likely at the site. Several properties along the north side of 30th Street have been similarly rezoned from C-3 to D-5 in the past, and except for the auto repair use to the southeast all surrounding land use is also residential. The property is also surrounded by residential zoning on all 4 sides. Staff recommends **approval** of the rezoning request, with the caveat that no site plan was provided for staff review. This approval recommendation should not serve as indication of support for variances at the property.

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Undeveloped	
Comprehensive Plan	Dwellings 3.5 – 5 Units per Acre	
Surrounding Context	<u>Zoning</u>	Surrounding Context
	North: D-5	North: Residential
	South: C-3	South: Residential
	East: C-3	East: Undeveloped
	West: D-5	West: Residential
Thoroughfare Plan		
30 th Street	Primary Arterial	61-foot existing right-of-way and 78-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	Not provided	
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	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- United Northwest Neighborhood Plan

Pattern Book / Land Use Plan

- Not Applicable to the Site. See Neighborhood Plan below.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- The United Northwest Neighborhood Plan recommends this site for Low Density Residential development (typically 3.5 to 3 dwelling units per gross acre for single family dwellings).

Infill Housing Guidelines

- Not Applicable to the Request.

ZONING HISTORY

ZONING HISTORY – SITE

N/A

ZONING HISTORY – VICINITY

2018ZON114 ; 2534 Burton Avenue (west of site), Rezoning of 1.6 acres from the C-1 (W-5), C-3, C-3 (W-5) I-2 (W-5) and I-3 (W-5) districts to the D-5 and D-5 (W-5) classifications, **approved**.

2001ZON127 ; 1242 West 30th Street (west of site), Rezone 0.10 acre, from C-3 to D-5 to provide for residential development, **approved**.

98-Z-60 / 98-CV-12 ; 1169 West 30th Street (southeast of site), Rezoning of 0.08 acre from C-3 to D-5, with a companion variance to provide for the construction of a single-family residence with: **(a)** a front yard setback of 10 feet from 30th Street (minimum 40 feet required); **(b)** a front yard setback of 5 feet from Barnes Avenue (minimum 25 feet required; and **(c)** a minimum main floor area of 560 square feet (minimum 660 square feet required for dwelling higher than one story), **approved**.

EXHIBITS

2026-ZON-062 ; Aerial Map



2026-ZON-062 ; Photographs



Photo 1: Subject Site Viewed from South



Photo 2: Subject Site Viewed from South (July 2007)

2026-ZON-062 ; Photographs (continued)



Photo 3: Adjacent Property to West



Photo 4: Adjacent Property to East

2026-ZON-062 ; Photographs (continued)



Photo 5: Adjacent Property to Southwest



Photo 6: Adjacent Property to Southeast

MDC HEARING EXAMINER

August 13, 2026

Case Number: 2026-ZON-063

Property Address: 3009 and 3015 North Gale Street (*approximate address*)

Location: Center Township, Council District #8

Petitioner: Redx Group LLC, by Alex Sedique

Request: Rezoning of two lots, totaling 0.35-acre, from the SU-1 district to the D-5 district to provide for residential purposes.

Current Land Use: Vacant

Staff Recommendations: Staff recommends **approval** of this petition.

Staff Reviewer: Josh Levesque, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- 3009 and 3015 North Gale Street are two contiguous lots totaling roughly 0.35-acre. Both parcels are zoned SU-1. The parcel immediately to the north is zoned D-5II while parcels further to the north are zoned D-5. Parcels to the west are zoned D-5. Parcels to the east are zoned a combination of D-5 and C-3. Parcels to the south are zoned C-3.
- The petitioner is requesting a rezone from the SU-1 district to the D-5 district to allow for residential uses. D-5 allows for residential development up to 4 units.
- Records indicate that these two parcels, along with another parcel to the south, were rezoned in 1975 (75-Z-147) from C-3 and D-5 to the SU-1 district to allow for the construction of a child care facility associated with a church.
- The Ordinance states that the D-5 district “is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situation in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood and Traditional Neighborhood Typologies of the Land Use Pattern Book.”
- The Comprehensive Plan has identified this parcel as part of the “Traditional Neighborhood” typology. As indicated in the paragraph above, the D-5 district fits well within the residential recommendations of the Traditional Neighborhood typology. The Traditional Neighborhood typology “includes a full spectrum of housing types, ranging from single family homes to large-

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

- Based on the land use typology contemplated in the Comprehensive Plan and the residential context of the surrounding area, staff recommends approval of this petition. Staff will note that approval of this petition merely approves a rezone to the D-5 district. Approval of this petition would not grant any relief from the applicable D-5 use or development standards. Any development would be required to meet the standards of the D-5 district or seek relief via the appropriate land-use petition.

GENERAL INFORMATION

Existing Zoning	SU-1	
Existing Land Use	Undeveloped	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
	North: D-5II / D-5	North: Residential
	South: SU-1	South: Religious Use
	East: D-5 / C-3	East: Residential / Commercial
	West: D-5	West: Residential
Thoroughfare Plan		
	Gale Street	Local Street
		50-foot existing right-of-way and 48-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	N/A	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE



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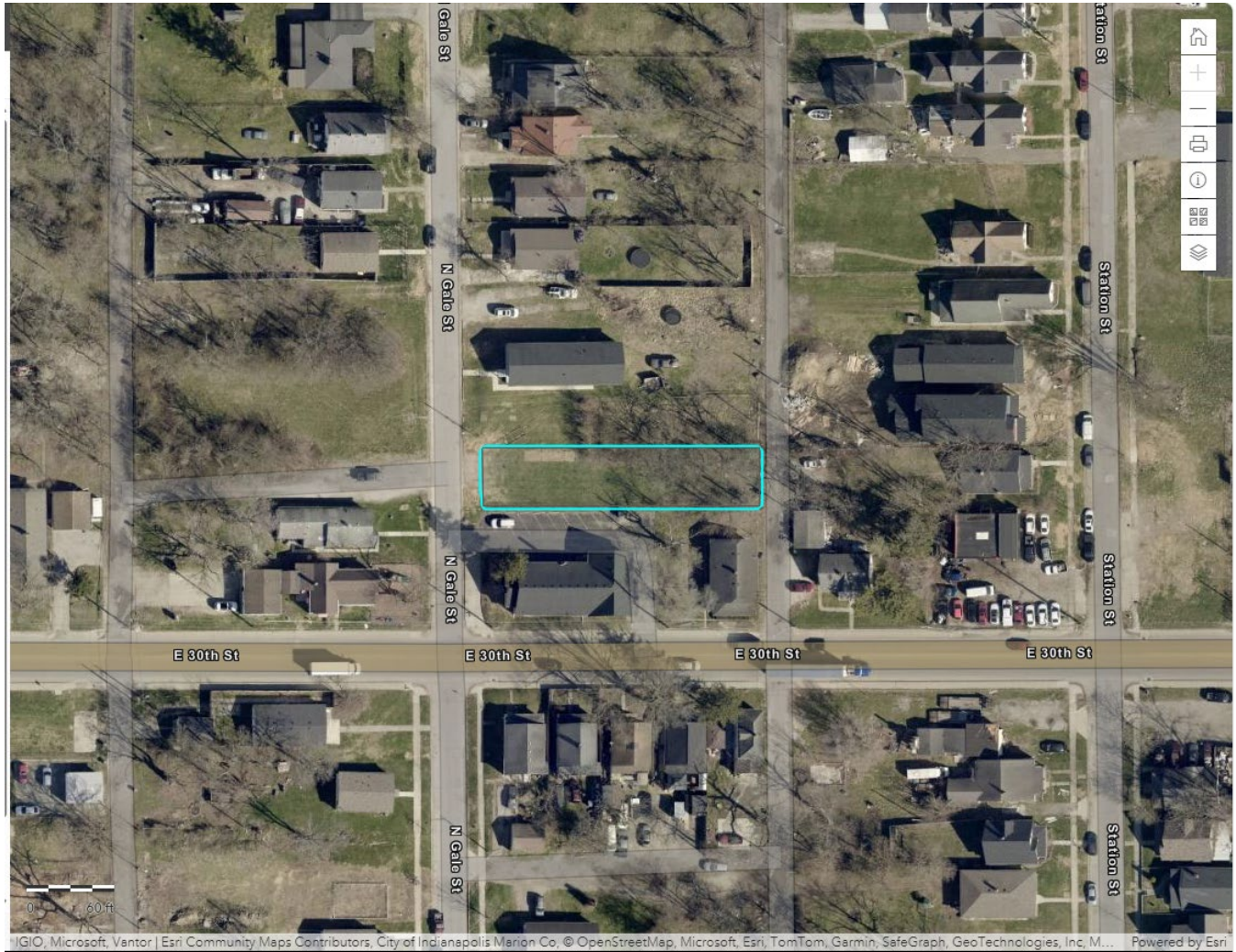
75-Z-147; 3001, 3009, and 3019 North Gale Street, Rezoning of 0.85-acre from the C-3 and D-5 districts to the SU-1 district, **approved**.

ZONING HISTORY – VICINITY

2023-ZON-011; 3019 North Gale Street (north of site), Rezoning of 0.14-acre from the SU-1 district to the D-5II district to provide for residential uses, **approved**.

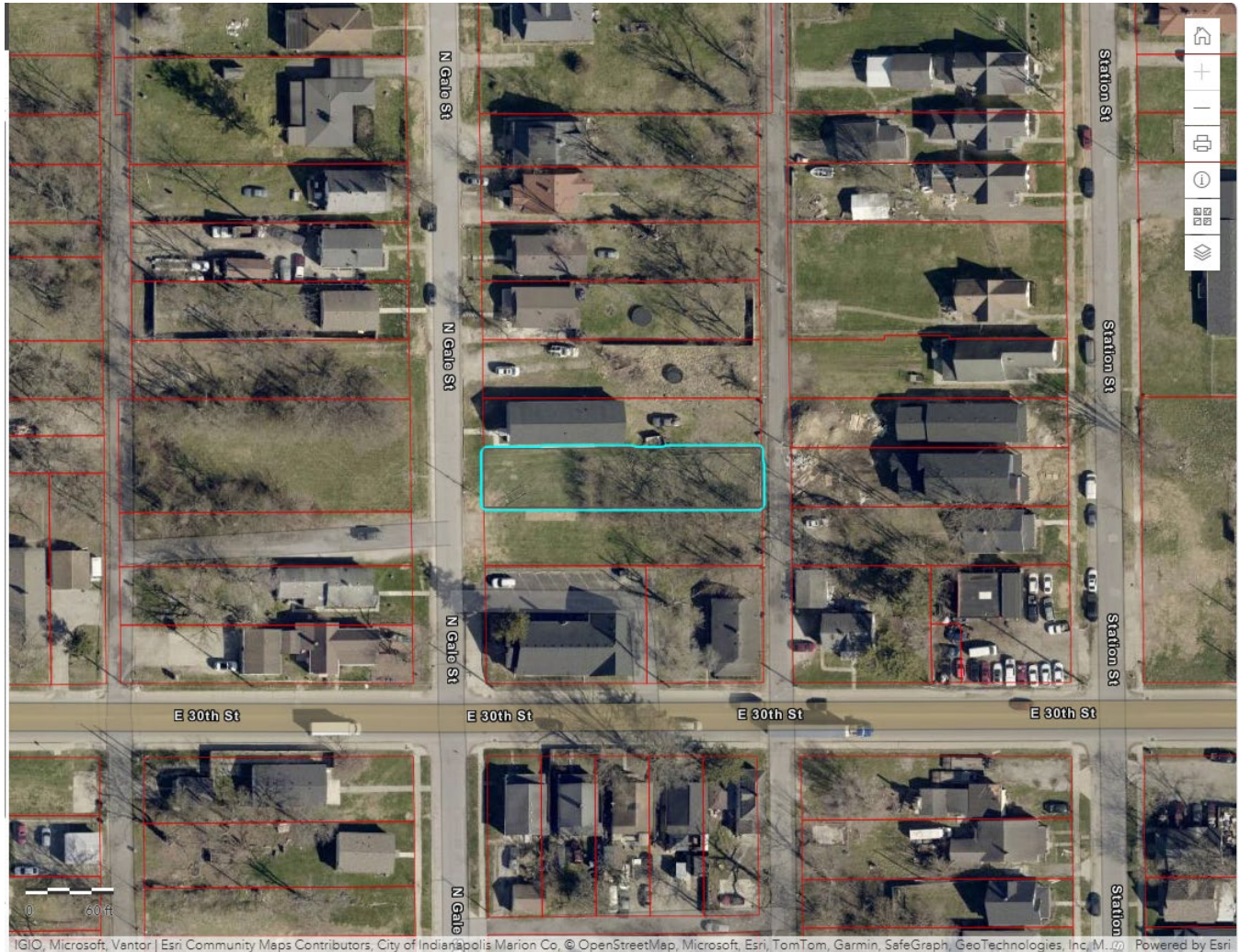
EXHIBITS

2026ZON063; Aerial Map



3009 North Gale Street

2026ZON063; Aerial Map (Continued)



3015 North Gale Street

2026ZON063; Photographs



Photo 1: Looking at subject site from Gale Street

2026ZON063; Photographs (cont'd)



Photo 2: 3019 North Gale St (subject of 2023 rezone from SU-1 to D-5II)

2026ZON063: Photographs (cont'd)



Photo 3: Church property to the south of subject site

2026ZON063: Photographs (cont'd)



Photo 4: Looking south down Gale Street

2026ZON063; Photographs (cont'd)



Photo 5: Looking across Gale Street

2026ZON063; Photographs (cont'd)



Photo 6: Looking north along Gale Street

2026ZON063; Photographs (cont'd)



Photo 7: Looking north along alley parallel to Gale Street; alley entrance of 30th Street

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-ZON-064
Property Address: 1004 South Keystone Street (*Approximate Address*)
Location: Center Township, Council District #18
Petitioner: RET Holdings II LLC, by Madelynn Turner
Current Zoning: I-3
Request: Rezoning of 0.11-acre from the I-3 district to the D-5 district to legally establish an existing single-family dwelling and for construction of a detached accessory building.
Current Land Use: Undeveloped
Staff Recommendation: Staff recommends **approval** of the request.
Staff Reviewer: Michael Weigel, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of the request.

PETITION OVERVIEW

LAND USE

1004 South Keystone Avenue is a 0.11-acre parcel with a width of approximately 32 feet. It is located at the southwest corner of the intersection of Keystone to the east and Woodlawn Avenue to the north. The property is currently developed with a single-family residence that was initially constructed in 1925 per the property card. Surrounding land uses are residential to the west and south, and heavy commercial in nature to the north and east. The property is currently zoned I-3 for industrial usage, despite the existing residence on the property (a legally non-conforming use).

REZONING

Approval of this petition would rezone the property from the I-3 designation to the D-5 zoning district to allow for continued residential use as well as for potential future construction of a detached accessory garage and carriage house (permitted within the D-5 zoning district, though subject to dimensional standards per the Indianapolis Zoning Ordinance).

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Per the Ordinance, the I-3 district is an intermediate district for industries that present moderate risks to the general public. Wherever practical, this district should be away from protected districts and buffered by intervening lighter industrial districts. Where this district abuts protected districts, setbacks are large and enclosure of activities and storage is required.

Per the Ordinance, the D-5 district is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in new strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situations in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan.

STAFF ANALYSIS

Staff would note that application documents and a previous structural permit application for this property indicated the addition of a rear-yard detached structure that would contain a rear-loaded detached garage and secondary dwelling unit on the second floor. Additionally, in 2025 a gravel driveway was added to the western portion of the property with direct access from Woodlawn Avenue (without a driveway permit). Approval of this petition would not grant permission for the non-conforming driveway to remain in its current layout. It also would not exempt any future garage construction from relevant Ordinance regulations on height, corner side setbacks, or clear-sight triangle encroachment.

The Comprehensive Plan Pattern Book recommendation for this property and adjacent land to the south is for Traditional Neighborhood uses (see Comprehensive Plan Analysis below). This would align with the legally established, legally non-conforming single-family residential land use at the property. Additionally, the size of this property would make industrial use unlikely, and adjacent land uses to the south and west are also residential. For these reasons, staff recommends **approval** of the rezoning request from I-3 to D-5 to allow for residential uses.

GENERAL INFORMATION

Existing Zoning	I-3	
Existing Land Use	Residential	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Surrounding Context
North:	I-3	North: Commercial
South:	I-3	South: Residential
East:	I-3	East: Commercial
West:	D-5	West: Residential
Thoroughfare Plan		
Keystone Avenue	Primary Arterial	48-foot existing right-of-way and 56-foot proposed right-of-way
Woodlawn Avenue	Local Street	51-foot existing right-of-way and 48-foot proposed right-of-way
Context Area	Compact	

Floodway / Floodway Fringe	No
Overlay	No
Wellfield Protection Area	No
Site Plan	06/23/2026
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

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

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 Request.

ZONING HISTORY

ZONING HISTORY – SITE

N/A

ZONING HISTORY – VICINITY

2022CZN844 ; 2545 East Pleasant Run Parkway NDR (east of site), Rezoning of 17.92 acres from the I-4 (FF) district to the SU-9 (FF) district to provide for Marion County Forensic Laboratory and Coroner's office, **approved**.

2022DV2019 ; 914 Saint Peter Street (northwest of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a duplex on a 40-foot wide, 5,000-square foot lot (60-foot lot width, 7,200 square feet required), with 55% open space (60% required), **approved**.

2019DV3019 ; 1048 Saint Peter Street (southwest of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached garage creating an open space of 47% (60% required), **approved**.

2018DV2045 ; 2314 Woodlawn Avenue (west of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a dwelling addition to a single-family dwelling, with a two-foot north side setback and six feet between primary dwellings, a 13-foot front setback, and creating 48% open space (three-foot side setback, 10 feet between dwellings, 18-foot front setback and 60% open space), **approved**.

2018DV3004 ; 1017 Saint Paul Street (southwest of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a two-family dwelling, with an 11-foot front setback, seven feet between primary dwellings, and 44% open space on a 5,000-square foot, 40-foot wide lot (18-foot front setback, ten feet between dwellings, 60% open space, 7,200-square foot lots, 70-foot lot width), **approved**.

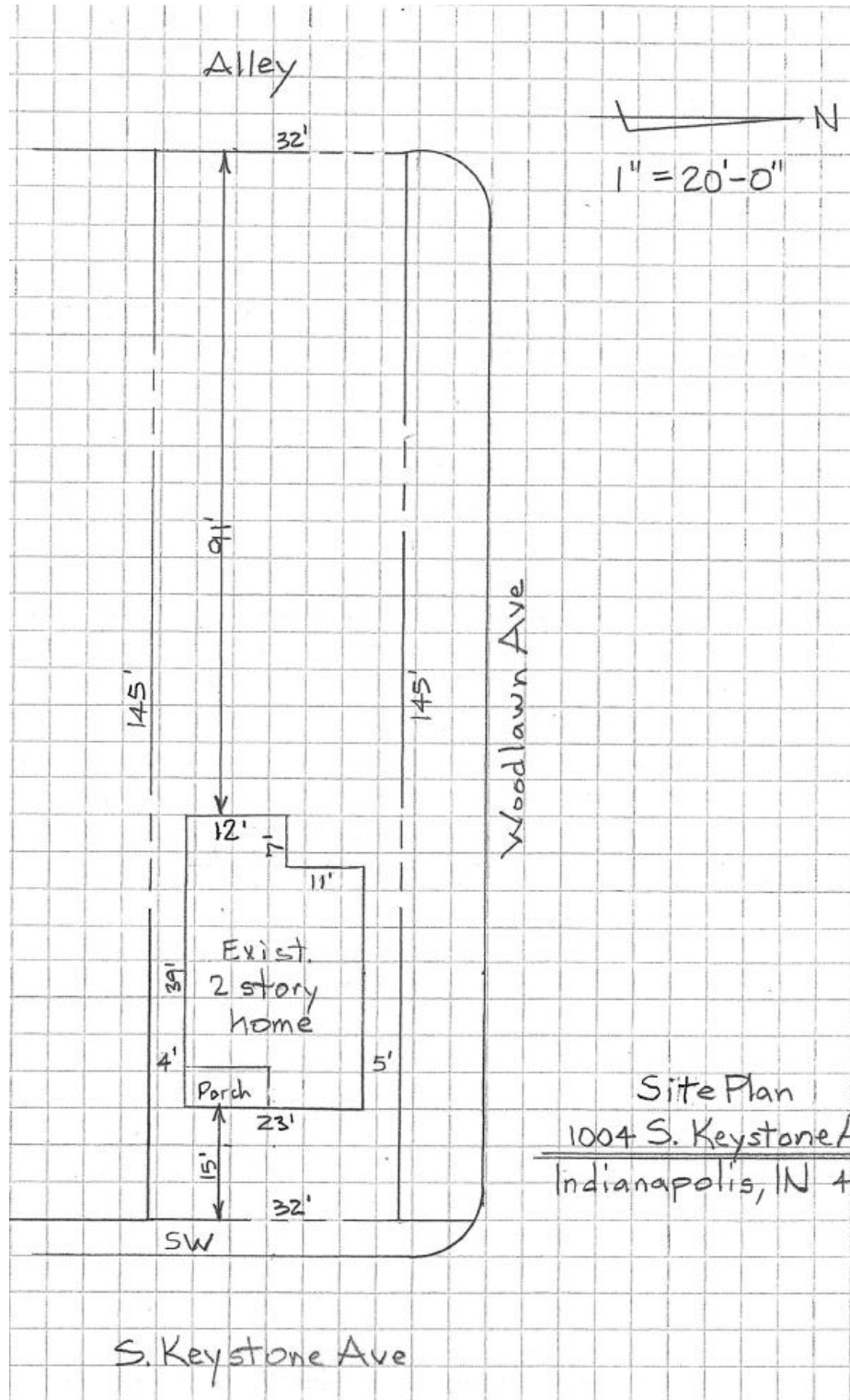
2010CVR805 ; 1035 South Keystone Avenue (east of site), Special Exception and variance of development standards of the Industrial Zoning Ordinance to provide for an automobile crushing business with **(a)** a 10-foot tall wood privacy fence, a storage area for crushed automobiles and vehicle parking, with a one-foot setback, without landscaping, from Keystone Avenue (100-foot front setback from the centerline of Keystone Avenue, with landscaping, required); and **(b)** with existing buildings with one and five-foot south side setbacks, without landscaping (20-foot side setback, with landscaping required), **approved**.

EXHIBITS

2026-ZON-064 ; Aerial Map



2026-ZON-064 ; Site Plan



2026-ZON-064 ; Photographs



Photo 1: Subject Site Viewed from Northeast



Photo 2: Subject Site Viewed from North

2026-ZON-064 ; Photographs (continued)



Photo 3: Subject Site Viewed from Northwest



Photo 4: Subject Site Viewed from West

2026-ZON-064 ; Photographs (continued)



Photo 5: Adjacent Property to Northwest



Photo 6: Adjacent Property to North

2026-ZON-064 ; Photographs (continued)



Photo 7: Adjacent Property to East



Photo 8: Adjacent Property to South

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-CZN-828 / 2026-CVR-828

Property Address: 1170 Kentucky Avenue

Location: Center Township, Council District #18

Petitioner: KM23 Property, LLC, by Justin Kingen

Current Zoning: C-1 (FF)

Request: Rezoning of 1.569 acres, from the C-1 (FF) district to the C-4 (FF) district to provide for commercial uses.

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for a commercial and building contractor.

Current Land Use: Commercial uses

Staff Recommendations: Approval of the rezoning request and special exception.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued these petitions from the June 25, 2026 hearing, to the August 13, 2026 hearing, at the request of the petitioner's representative for additional time to meet with the neighborhood.

STAFF RECOMMENDATION

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

1. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.
2. Operations on this site shall be in accordance with the Plan of Operation, dated April 21, 2026.

PETITION OVERVIEW

This 1.569-acre site, zoned C-1 (FF), is developed with a vacant commercial building and associated parking lot. It is surrounded by commercial uses to the north, zoned C-1 (FF); parking lot / outdoor storage to the south, zoned I-3 (FF); commercial uses to the east, across Kentucky Avenue, zoned C-7 (FF); and industrial uses to the west, zoned I-3 (FF).



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Current Planning**

REZONING

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

The Comprehensive Plan recommends community commercial typology for the site.

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

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

Because this site is surrounded by heavy commercial and industrial uses, staff believes that a C-4 would be supportable.

Staff would note that the abutting property to the south (Parcel #1017456 - approximately 1.57 acres) is under the same ownership as this site and zoned I-3. This site is currently used for outdoor storage and parking.

Plan of Operation – See Exhibit A

The Plan of Operation states that the use of the site would be for a commercial contractor that specializes in building contracting including, but not limited to concrete, carpentry / millwork, earthwork and construction management.

There would be a maximum of 40 employees on site at any given time.

Hours of operation would be Monday through Friday from 6:00 a.m. to 6:00 p.m., with emergency projects as required.

The existing building (approximately 11,283 square-feet) and parking lot with approximately 57 parking spaces would serve as the headquarters for the business. Building renovation and site upgrades are anticipated.

Floodway / Floodway Fringe – White River

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

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

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (C-4 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance and all other applicable City Ordinances.

The entire site is located within the unregulated 500-year floodplain of White River to the east of the site.

Environmental Public Nuisances

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

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

Environmental public nuisance means:

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

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

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

SPECIAL EXCEPTION

The Ordinance requires the grant of a special exception in the C-4 district for a commercial and building contractor.

A Special Exception may be granted following public hearing of the petition and only upon the Board's determination that:

1. The proposed use meets the definition of that use in Chapter 740, Article II.
2. The proposed use will not injure or adversely affect the adjacent area or property values in that area.
3. The grant will not materially and substantially interfere with the lawful use and enjoyment of adjoining property.
4. The proposed use will be compatible with the character of the district, land use authorized therein and the Comprehensive Plan for Marion County.
5. The proposed use conforms to the development standards in Chapter 744 applicable to the zoning district in which it is located.
6. The proposed use conforms to all provisions of the Zoning Ordinance, including the performance standards in Chapter 740 and the development standards in Chapter 744 applicable to the zoning district in which it is located.
7. The proposed use conforms to all of the use-specific standards in Chapter 743 for that use, including any Special Exception standards for that use.

The Board may impose reasonable restrictions or conditions in connection with the grant of any Special Exception, including restrictions and conditions that are more restrictive than the applicable development standards, to ensure compliance with the standards above. All such conditions shall be imposed by the Board to ensure compliance with standards above. Such conditions may include any reasonable site, development, operational and performance standards, requirements and restrictions. The grant of the Special Exception may be for a limited period of time, as specified by the Board.

The grant of such Special Exception shall be conditioned upon conformance all provisions of the Zoning Ordinance, including the performance standards in Chapter 740 and the development standards in Chapter 744 applicable to the zoning district in which it is located, except as specifically modified by the grant of the Special Exception.

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As proposed and described in the petition submittal documents, the use would meet the definition of a commercial and building contractor and would not adversely affect adjacent properties or interfere with the surrounding land uses, that consist of heavy commercial and industrial uses. Consequently, the proposed use would be compatible with the existing character of the surrounding land uses in the area.

For these reasons staff supports Special Exception request.

GENERAL INFORMATION

Existing Zoning	C-1 (FF)	
Existing Land Use	Commercial uses (vacant)	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-1	Commercial uses (vacant)
South:	I-3	Paved parking
East:	C-7	Commercial uses
West:	I-3	Industrial uses
Thoroughfare Plan		
Kentucky Avenue	Primary Arterial	Existing 140-foot right-of-way and proposed 88-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	Yes – 500-year unregulated floodplain of White River	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	April 22, 2026	
Site Plan (Amended)	N/A	
Elevations	April 22, 2026	
Elevations (Amended)	N/A	
Landscape Plan	April 22, 2026	
Findings of Fact	May 1, 2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	Plan of Operation, dated April 21, 2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Community Commercial. The Community Commercial typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops,

personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.

Pattern Book / Land Use Plan

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

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

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

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

ZONING HISTORY

2024-ZON-012; 1170 Kentucky Avenue, requested rezoning of Rezoning of 1.38 acres from the C-1 district to the I-3 district to provide for industrial uses, **withdrawn**.

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

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

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

81-V3-136; 1170 Kentucky Avenue, requested a variance of Sign Regulations Ordinance, 71-AO-4, as amended, to provide for new standardized signage replacing existing signage, **granted**.

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

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

EXHIBITS

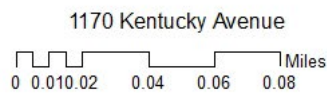


EXHIBIT A

1170 Kentucky Avenue – Plan of Operation

- Use:
 - Commercial Contractor - Schuck Corporation
 - Specializes in building contracting including, but not limited to: concrete; carpentry & millwork; earthwork; and construction management.
- Staff:
 - Maximum of 40 employees on site at any given time
- Hours of Operation:
 - Monday through Friday: 6AM-6PM
 - Emergency projects as necessary
- Building:
 - Existing 11,283-square foot industrial building
 - Surface parking lot
- Clients & Customers:
 - Use open to the general public, typically by appointment
- Safety & Security Measures:
 - The existing building has security cameras, an alarm system, and lighting elements.
- Materials Used:
 - Materials to include general typical construction materials such as lumbar, concrete, nails, drywall, sheetrock etc.

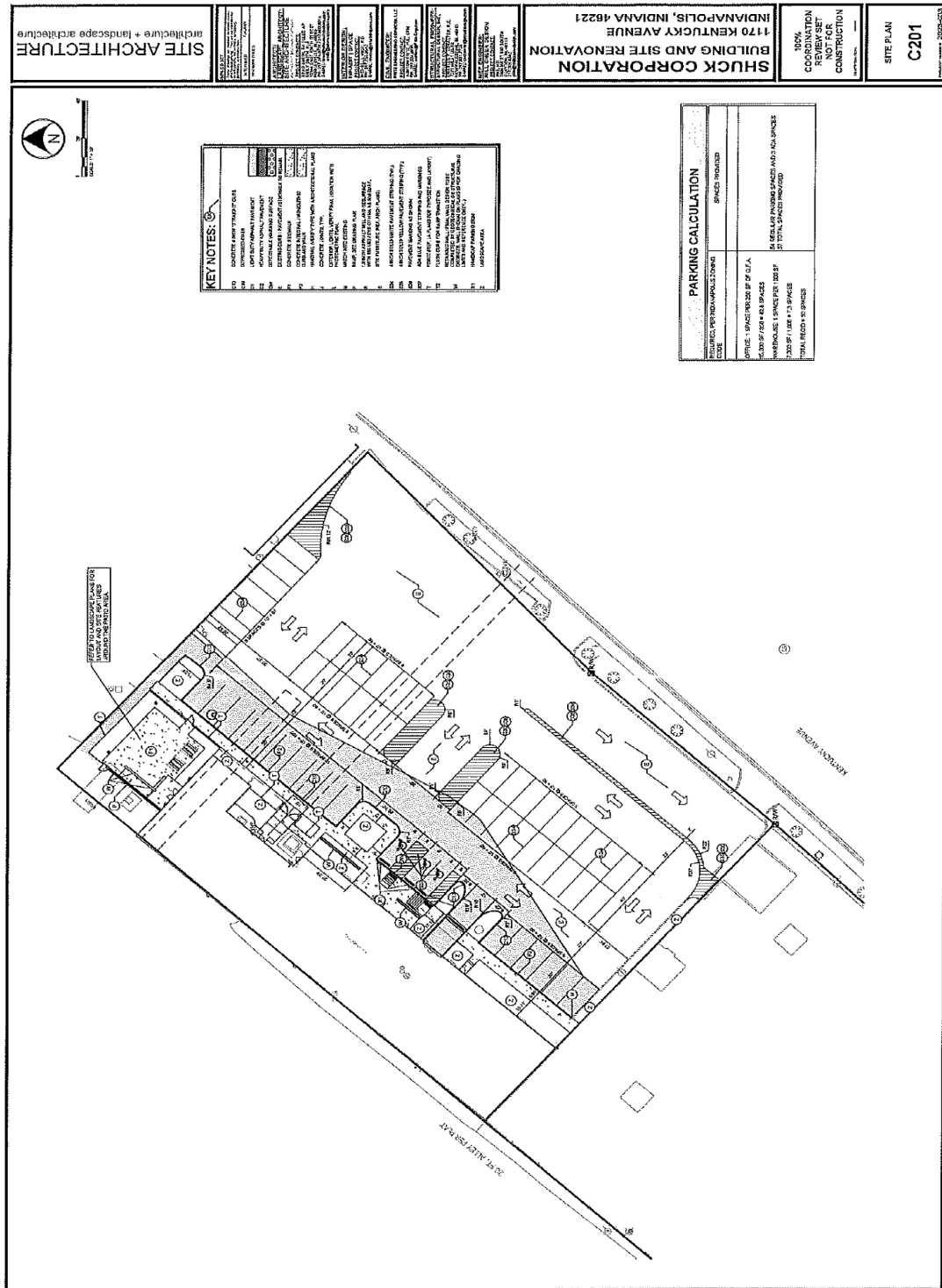
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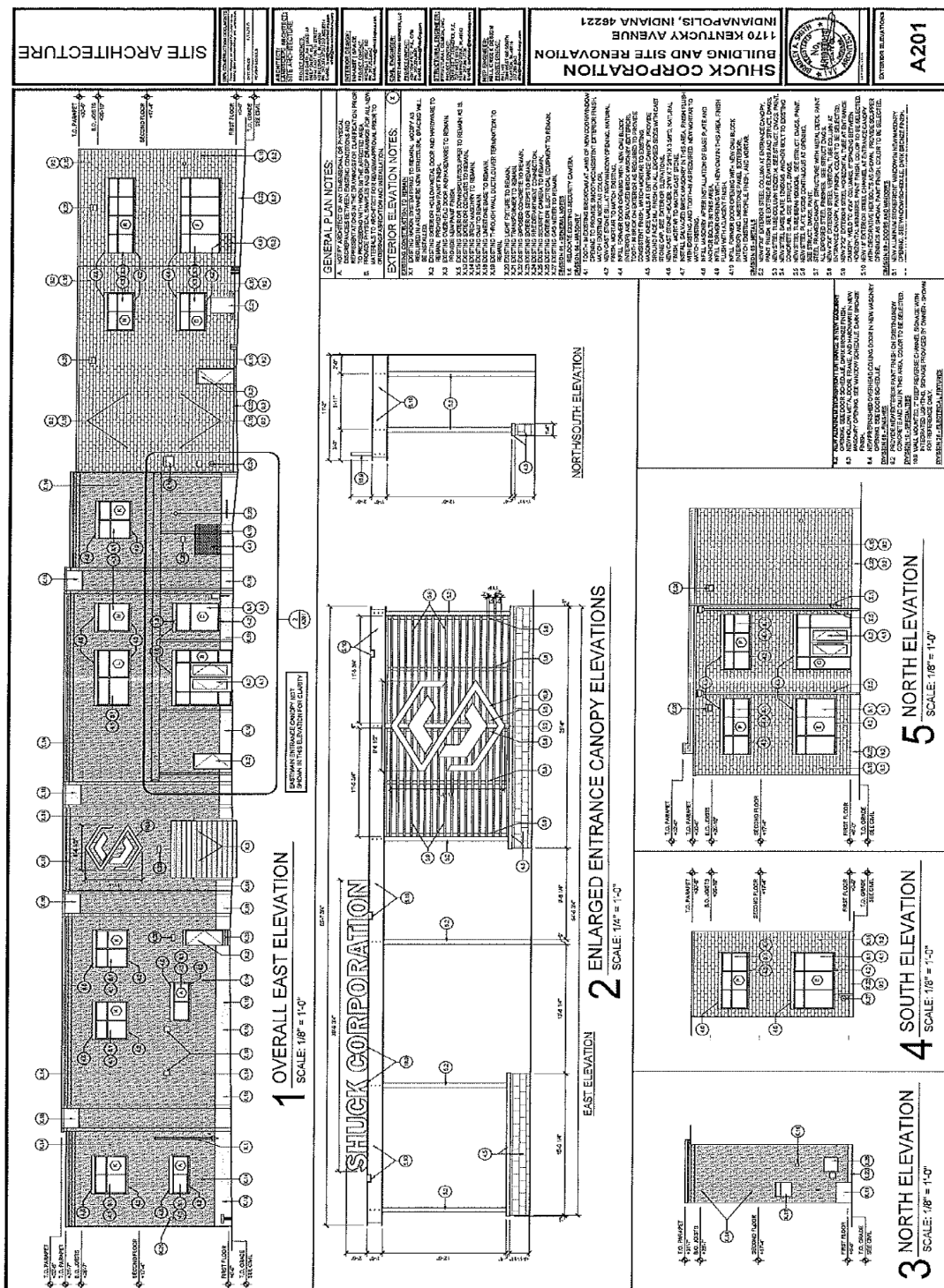
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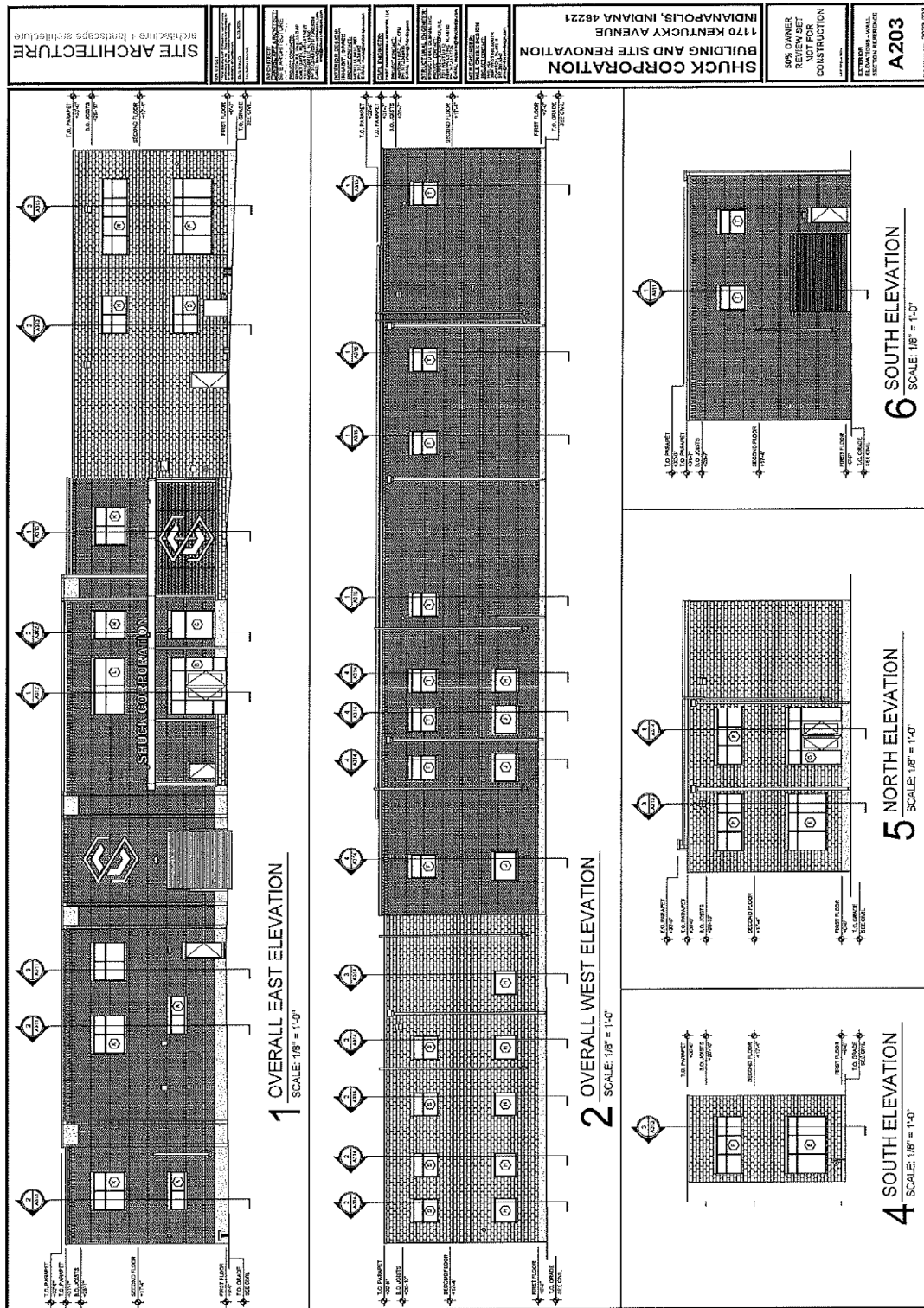
- Shipping, Receiving & Storage:
 - Deliveries will be made via box-truck and use existing service areas.
- Waste:
 - Commercial dumpsters will be sited and screened in accordance with the requirements of the zoning ordinance
- Parking:
 - There are 57 parking spaces (54 regular spaces, 3 ADA)

4.21.2026

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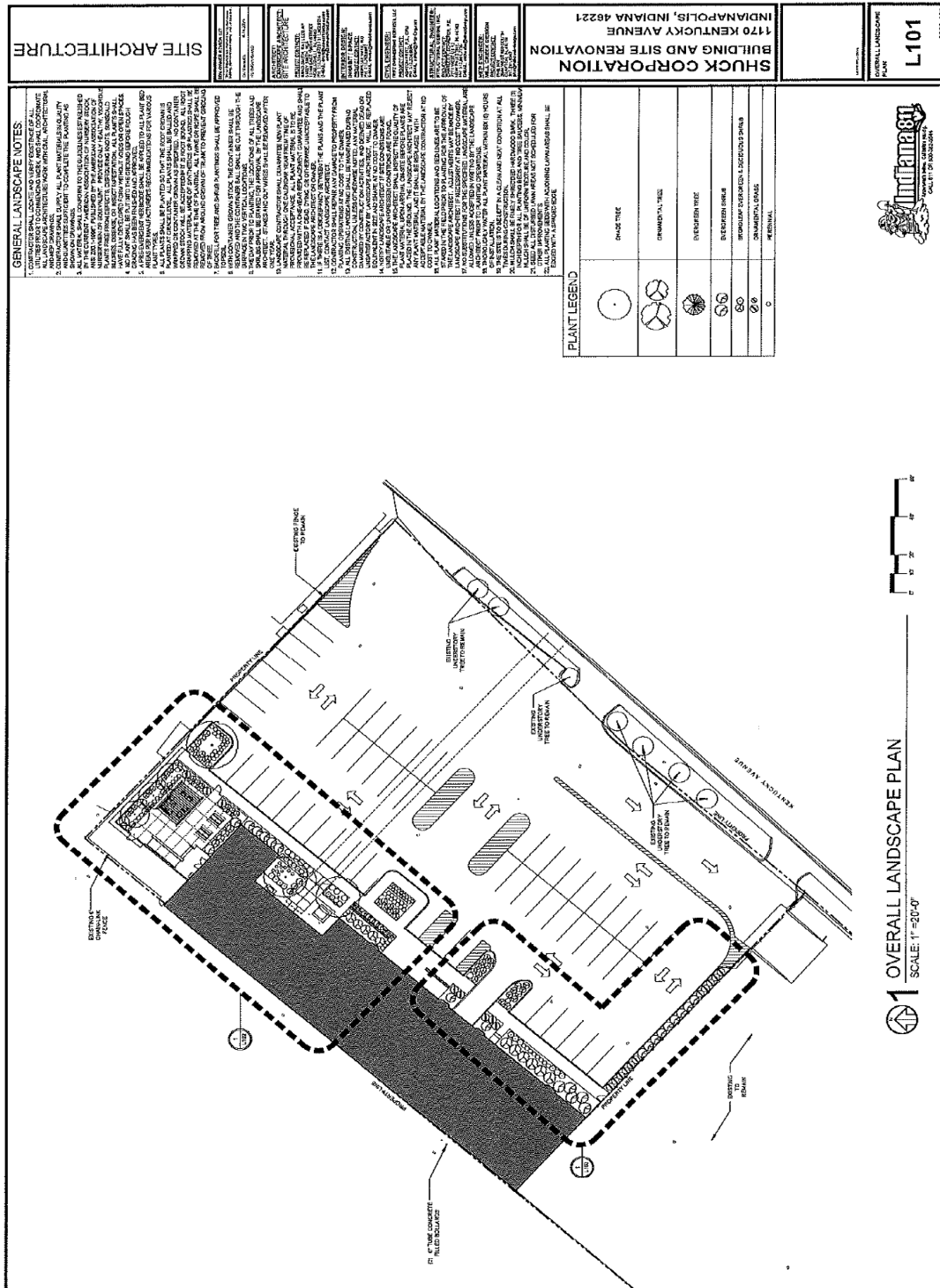






SHUCK CORPORATION
BUILDING AND SITE RENOVATION
90% OWNER REVIEW CONSTRUCTION DOCUMENTS
AUGUST 11, 2025

[illegible]





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Petition Number _____

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

**PETITION FOR SPECIAL EXCEPTION
FINDINGS OF FACT**

1. The proposed use meets the definition of that use in Chapter 740, Article II because
The current owner and operator at the subject site is a professional building contractor within the constr.
and is actively engaged in providing services, materials and labor from the remote subject site to other s
work orders and contractual agreements.

2. The proposed use will not injure or adversely affect the adjacent area or property values in that
area because
The bulk of the immediate area is zoned I 3, C 7 and I 4, all of which permit the proposed use as well as
that may be characterized by more impactful externalities.

3. The grant will not materially and substantially interfere with the lawful use and enjoyment of
adjoining property because
The immediate areas are improved with either industrial or campus style developments, all of which prov
yards. The proposed improvements would not represent a deviation from this well developed industrial a
aesthetic.

4. The proposed use will be compatible with the character of the district, land use authorized therein
and the Comprehensive Plan for Marion County because
The land use recommendation of community commercial would not be harmed or negatively impacted a
for the continued operation of a long standing business and not represent an overall change of use or int
to rezone to the C 4 District would be supported by this plan designation.

5. The proposed use conforms to the development standards in Chapter 744 applicable to the
zoning district in which it is located because
The proposed site plan is in conformity with all of the development standards.



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6. The proposed use conforms to all provisions of the Zoning Ordinance, including the performance standards in Chapter 740 and the development standards in Chapter 744 applicable to the zoning district in which it is located because
None of the performance standards are being sought relief from, and the use would otherwise be in conformance with applicable use specific standards.

7. The proposed use conforms to all of the use-specific standards in Chapter 743 for that use, including any Special Exception standards for that use because
The proposed use meets all other applicable use specific standards, including the requirement to fulfill the

DECISION

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

Adopted this _____ day of _____, 20 ____

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



View looking east along West Morris Street



View looking east across intersection of West Morris Street and Kentucky Avenue

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View of site looking southeast from adjacent property to the north



View of site looking east from north / south alley along the western boundary



View of site looking east from north / south alley along the western boundary



View of site looking east from north / south alley along the western boundary



View of site looking east from north / south alley along the western boundary



View of site looking west across Kentucky Avenue

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View of site looking west across Kentucky Avenue



View of site looking west across Kentucky Avenue

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View of site and adjacent property to the north looking northwest across Kentucky Avenue



View from site south along Kentucky Avenue

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View from site looking northwest



View from site looking north

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View from site looking northeast across Kentucky Avenue



View from site looking east across Kentucky Avenue



View from site looking southeast along Kentucky Avenue

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-CZN-831 / 2026-CVR-831

Property Address: 1144 South Belmont Avenue

Location: Center Township, Council District #18

Petitioner: Alex Kercheval, by Ryan M. Spahr

Current Zoning: D-5

Rezoning of 0.25-acre from the D-5 district to the C-3 district to provide for commercial uses.

Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a recording studio (not permitted), without required transitional side and rear yard setbacks (minimum 10-foot side and rear transitional yards setbacks).

Current Land Use: Commercial uses

Staff Recommendations: Approval of the rezoning and variance requests.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued these petitions from the June 25, 2026 hearing, to the August 13, 2026 hearing, at the request of the petitioner's representative and staff.

STAFF RECOMMENDATION

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

1. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.
2. The shipping container shall be placed on a permanent foundation within one year from the date of final approval of the rezoning request.
3. The following uses will be prohibited: check cashing or validation service; firearm sales; fireworks sales; liquor store; logistics R&D; pawn shop; heavy retail; substations and utility distribution nodes; automobile and light vehicle wash; automobile fueling station; auto, motorcycle, and light vehicle services or repair; parking lot; parking garage; transit center; and recycling station.

PETITION OVERVIEW

This 0.25-acre site, zoned D-5, is developed with a governmental building and associated parking. It is surrounded by residential uses to the north, zoned D-5; commercial uses to the south, zoned C-4; religious uses to the east, across South Belmont Avenue, zoned D-5; and a parking lot and residential uses to the west, zoned D-5.

Petition 46-V-113 provided for a variance to allow for construction of a building to be used as the West Indianapolis Branch of the United States Post Office.

REZONING

The request would rezone the site from the D-5 district to the C-3 (Neighborhood Commercial) district to provide for commercial uses. The C-3 District is for the development of an extensive range of retail sales and personal, professional and business services required to meet the demands of a fully developed residential neighborhood, regardless of its size. Examples of such types of use include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail and personal and professional service establishments. At this neighborhood scale of retail, a fine-grain of accessibility requisite for all modes of travel must be provided and maintained. It does not make provision, however, for those businesses that draw customers insignificant numbers from well beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators, such as theaters.

It does not allow those businesses that require the outdoor display, sale or storage of merchandise; or require outdoor operations. In general, to achieve maximum flexibility of permitted land use, the C-3 District makes possible a highly varied grouping of indoor retail and business functions.”

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

As proposed, this request would be consistent with the Comprehensive Plan recommendation of village mixed-use.

Site Plan – May 12, 2026

The site plan, file-dated May 12, 2026, depicts the 2,914-square-foot historic building with a parking lot to the north and a 40-foot by 8-foot shipping container to the rear (west).

Access to the site is derived from South Belmont Avenue, with a privacy fence that secures the parking lot.

Plan of Operation – May 12, 2026

The Plan of Operation describes the operation of the business as appointment-only from Monday through Saturday between the hours of 10:00 a.m. and 6:00 p.m.

Employees consist of one full-time engineer and a part-time business manager, with three on-call engineers.

Environmental Public Nuisances

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

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

Environmental public nuisance means:

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

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

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VARIANCE OF USE / DEVELOPMENT STANDARDS

This request would allow for conversion of the building to a commercial use, which staff supports because reuse of a historic building for neighborhood commercial uses would maintain the neighborhood character, with minimal impact on surrounding land uses.

This request would legally establish the transitional yard setbacks to the north and west. Because of the historical development of this site, staff believes a practical difficulty exists due to the current Ordinance provisions requiring 10-foot transitional setbacks.

Staff also believes that relief from the Ordinance should be granted because of the changing needs that occur and the closing of the postal operation.

Planning Analysis

As proposed, staff supports the rezoning because it would be consistent with the Comprehensive Plan recommendation of village mixed-use typology that maintains the surrounding character of the neighborhood by converting the use within the existing building.

Initially staff was concerned with the shipping container on the site, but the petitioner has agreed to place this container on a permanent foundation that would continue to be used for storage. Staff believes it would be reasonable to support additional storage space for commercial uses, given the change in use.

Furthermore, the petitioner's agreement to limit some C-3 uses would minimize the impact on the surrounding neighborhood. See Exhibit A.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Recording Studio	
Comprehensive Plan	Village mixed-use	
Surrounding Context	Zoning	Land Use
North:	D-5	Single-family dwelling
South:	C-4	Commercial uses
East:	D-5	Religious uses
West:	D-5	Parking lot / single-family dwelling
Thoroughfare Plan		
South Belmont Avenue	Secondary Arterial	Existing 47-foot right-of-way and proposed 56-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	

Wellfield Protection Area	No
Site Plan	May 12, 2026
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	May 12, 2026
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. “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.

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:

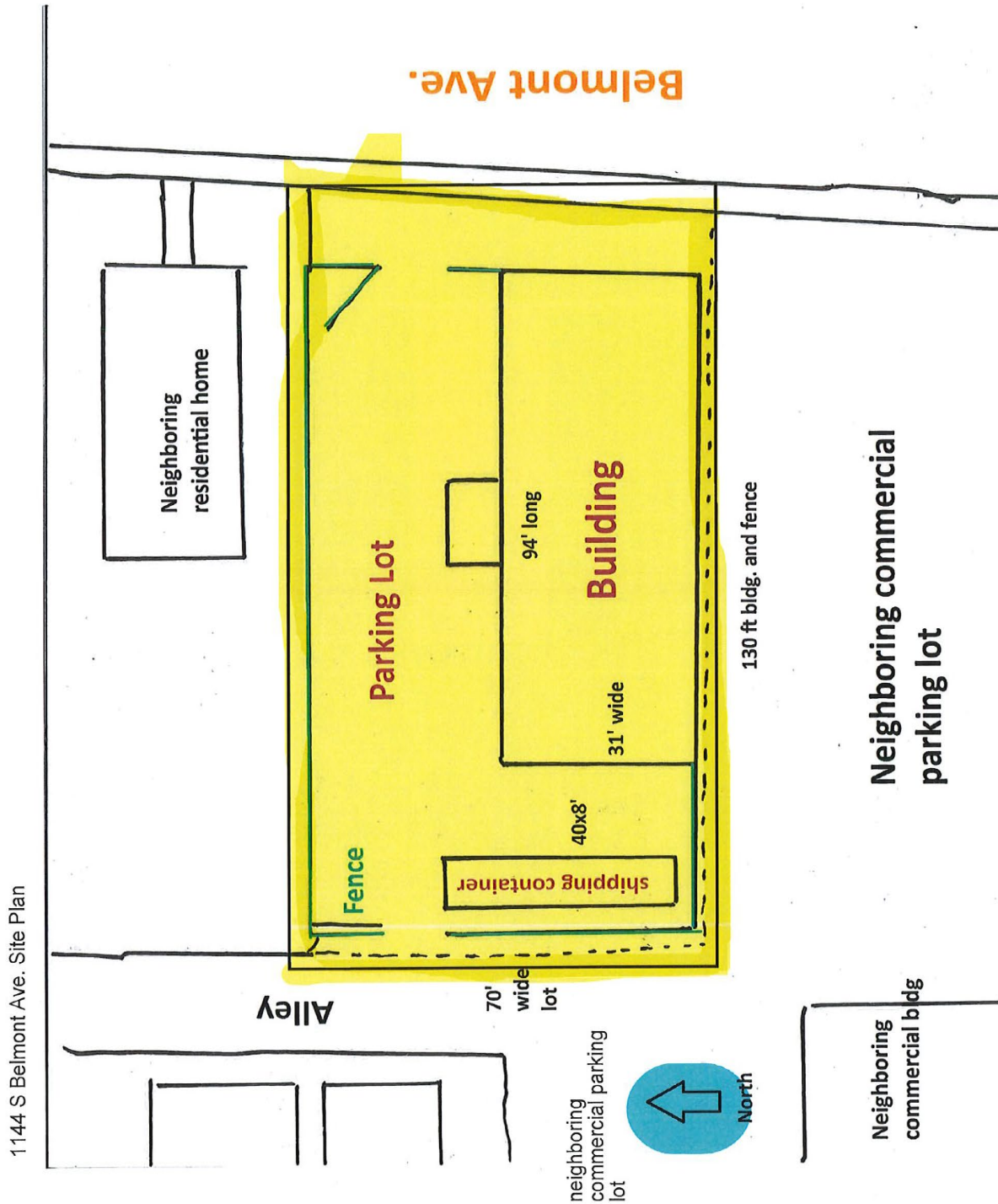
- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways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

ZONING HISTORY

46-V-113;1130-40 and 1142-44 South Belmont Avenue, requested a variance to allow for the construction of a building to be used as the West Indianapolis Branch of the United States Post Office, **granted**.

EXHIBITS





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Plan of Operations – 1144 S. Belmont Ave., Indianapolis, IN 46221

Subject: Proposed Rezoning and Variance for use of a former post-office building as a recording studio. For the purposes of clarity: nothing is proposed to change about operations from the way the business has operated for over a decade. These petitions are being filed to bring the zoning classification into-line with the current and history use.

Proposed Facilities: The building is used as an appointment-only recording studio for musicians of all kinds of music, as well as podcasting and the like. The studio records artists ranging from national musicians to local individuals wanting to record their first song.

Employees

- **Engineers:** One full time engineer on site daily and 3 part time engineers who work as needed .
 - **Support staff:** One part-time business manager who works on site as needed, as well as working from home.
-

Building Use

The main building serves as an appointment-only recording studio. There are two sound-baffled recording spaces (where the musicians actually play the music), a control room where (an) engineer(s) manage the recording on vintage tape equipment, bathroom, and kitchenette spaces for staff and clients. This is a low-capacity process, as only one musician/band can record at one time in a studio. Additionally, a shipping container, which is proposed to be set on a permanent foundation, is used for equipment storage and a small workshop for the repair and restoration of the vintage sound equipment, using primarily small hand tools. The property also contains a small parking lot, and a painted metal privacy fence which encloses the parking lot and shipping container, due to crime, theft, and vandalism in the area.

Typical Operating Hours

Appointment only, but generally available to be booked between 10AM-6PM, Monday through Saturday.

Security Provisions

Because the business is appointment-only, total control is maintained over who is coming to-and-from the building. Additionally, crime, vandalism, and theft in the area have caused the owner to add a fence enclosing the parking lot, and a secured-access door to the building.

No hazardous or explosive materials

The business does not involve the use of hazardous or explosive materials, and no such materials are ever on-site.

Traffic

Traffic to and from the facility is minimal. Only one employee is typically on site at a time, and only one musician/group at a time. Because of the nature of recording music, there is very little coming-and-going while appointments are in-session.

Noise and Outdoor Activity

Outdoor activity is minimal. All activity takes place inside of the building, and the concrete construction of the building, as well as the sound-baffling needed for recording, mean that little to no sound from inside the building can be heard outside the building. Additionally, cars are parked in a private fenced lot. Overall, operations are low-impact, generating minimal noise and congestion.

EXHIBIT A

Petition **2026-CMP-831** at **1144 S Belmont Avenue, Indianapolis, 46221**

Proposed Commitments as of July 29, 2026

1. The existing shipping container storage structure shall be set on a permanent foundation.
2. The permitted uses shall be limited to C-3 uses, except that the following C-3 uses shall not be permitted:
 - Check Cashing or Validation Service
 - Firearm Sales
 - Fireworks Sales
 - Liquor Store
 - Logistics R&D
 - Pawn Shop
 - Heavy Retail
 - Substations and Utility Distribution Nodes
 - Automobile and Light vehicle Wash
 - Automobile fueling station
 - Auto, motorcycle, and light vehicle service or repair
 - Parking Lot
 - Parking Garage
 - Transit Center
 - Recycling Station

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

Petition Number _____

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

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

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

The proposed use will not cause pollution, traffic congestion, unsanitary conditions or negatively impact drainage.

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

The property had been used as a post office going back to the 1950s. The proposed use is lower impact than a post-office,

as it is lower volume and lower traffic. Additionally, the properties to the south, south east, and south west are all commercial use.

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

Due to the prior (1950s) conversion of the property to a post office (under a variance), it is no long suited for residential use.

Additionally, the existing, historic sign is original the the attractive 1950s post-war building aesthetic, and its retention is a unique feature to be retained.

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

The proposed use of a recording studio does not explicitly fall it into any existing zoning classifications.

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

The plan calls for uses similar to this proposal in the area.

DECISION

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

Adopted this _____ day of _____, 20 ____

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

Petition Number 2026 CVR 831

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

The requested variance concerns only the existing transitional side and rear yard setbacks applicable to an existing commercial building that has occupied its present location for more than forty (40) years. The structure was originally constructed and operated as a United States Post Office and has long been utilized for commercial purposes. The requested variance does not authorize any expansion of the existing building footprint or any increase in the intensity of the site's development. The proposed appointment-only recording studio is a low-impact commercial use characterized by limited employees, minimal customer traffic, indoor operations within sound-insulated recording rooms, and no hazardous materials. Accordingly, approval of the variance will not be injurious to the public health, safety, morals, or general welfare.

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

The existing building has coexisted with surrounding properties for decades, and the requested variance merely recognizes the longstanding location of that structure. The proposed use generates minimal traffic, noise, and outdoor activity, with clients served by appointment only and generally only one recording session occurring at a time. The variance will not materially alter the character of the area, create additional impacts on neighboring properties, or diminish the use or value of adjacent property.

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

The existing building predates the current transitional yard requirements and was lawfully established in its present location long before adoption of the current development standards. Strict application of the transitional setback requirements to this existing structure would unnecessarily impede the continued productive use of an established commercial building without advancing the underlying purpose of the ordinance. The requested variance recognizes the historical placement of the building, does not create a new encroachment or expand the building footprint, and permits the continued reasonable commercial use of the property while preserving the intent of the Consolidated Zoning and Subdivision Ordinance.

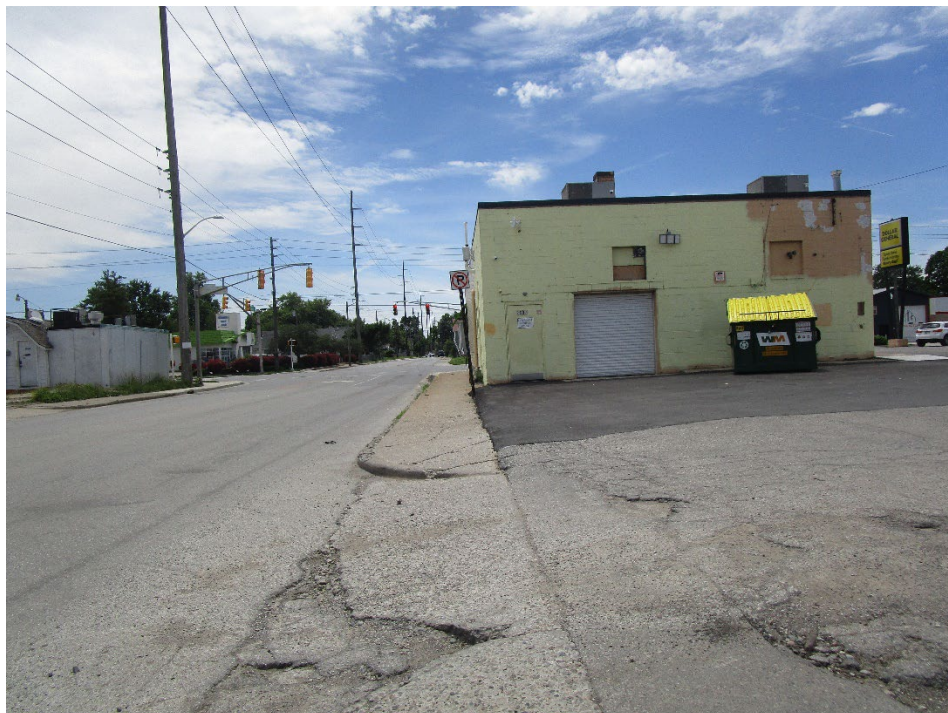
DECISION

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

Adopted this _____ day of _____, 2026.



View looking north along South Belmont Avenue



View looking south along South Belmont Avenue



View of site looking northwest across South Belmont Avenue



View of site looking west across South Belmont Avenue

Department of Metropolitan Development
Division of Planning
Current Planning



View of site looking southwest across South Belmont Avenue



View of site looking northwest across east / west alley along the southern site boundary



View of site looking northeast across east / west alley along the southern site boundary



View of site looking east across intersections of alleys to the west and south of site



View of site looking northeast across north / south alley along the rear of site



View looking north along north / south alley to the rear of the site

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-CZN-839 / 2026-CVR-839

Property Address: 947 Eastern Avenue

Location: Center Township, Council District #13

Petitioner: Melissa Yuechko, by Justin Kingen

Current Zoning: C-3

Request: Rezoning of 0.08 acre from C-3 district to the D-5 district to provide an attached garage for an existing detached single-family dwelling.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a proposed attached garage with a nine-foot setback (minimum 20-foot rear setback required).

Current Land Use: Residential uses

Staff Recommendations: Approval of the rezoning and variance requests.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing for these petitions.

STAFF RECOMMENDATION

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

Development shall be in substantial compliance with the site plan, file-dated June 18, 2026.

PETITION OVERVIEW

This 0.08-acre site, zoned C-3, is developed with a single-family dwelling. It is surrounded by a single-family dwelling to the north, zoned C-3; single-family dwelling to the south, zoned D-5; single-family dwelling to the east, zoned-5; and a single-family dwelling to the west, zoned C-3.

Petition 2006-LNU-005 legally established the single-family residential structure as a legal non-conforming use within a commercial district. The Certificate of Legal Non-Conforming Use was issued on February 6, 2006.

REZONING

The request would rezone the site to the D-5 district to provide for residential uses and an attached garage. “The D-5 district is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situations in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood and Traditional Neighborhood Typologies of the Land Use Pattern Book.”

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

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

The Comprehensive Plan recommends traditional neighborhood typology for the site.

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

As proposed, this request would be consistent with the Comprehensive Plan recommendation and would also result in the alignment of the zoning district with the historical residential use of the site.

VARIANCE OF DEVELOPMENT STANDARDS

As proposed, this request would allow construction of an attached garage with a nine-foot setback when the Ordinance requires a minimum 20-foot setback.

Staff supports this variance request because the deficient lot size creates a practical difficulty making improvements to the property that responds to current needs under the current Zoning Ordinance. Staff would note that historical maps indicate a detached garage existed when site was initially developed but has since been demolished.

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Staff also believes that the grant of this variance would be compatible with the neighborhood character and would have minimal impact on the surrounding residential uses because the proposed addition aligns with the Infill Housing Guidelines.

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Single-family dwelling	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-3	Single-family dwelling
South:	D-5	Single-family dwelling
East:	D-5	Single-family dwelling
West:	C-3	Single-family dwelling
Thoroughfare Plan		
Eastern Avenue	Local Street	Existing 35-foot right-of-way and proposed 48-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	June 18, 2026	
Site Plan (Amended)	N/A	
Elevations	June 18, 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Traditional Neighborhood typology. “The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings

when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.”

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types – Traditional Neighborhood Typology

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

Conditions for All Housing

- A mix of housing types is encouraged.
- Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
- Primary structures should be no more than one and a half times the height of other adjacent primary structures.
- Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
- Developments with densities higher than 15 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks

Detached Housing (Detached housing refers to detached single-family homes. While this type of housing may include a secondary dwelling unit (such as a mother-in-law suite or carriage house), the secondary dwelling unit is usually smaller than the primary home and the entire property is under a single ownership).

- The house should extend beyond the front of the garage. Garages should be loaded from an alley or side street when possible and should be detached if located on the side of the house.

- Secondary units are encouraged.
- Lots should be no larger than one and a half times the adjacent lots.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

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

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

Site Configuration

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

Aesthetic Considerations

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

Additional Topics

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

“As established neighborhoods experience new development, infill residential construction will provide housing options for new and existing residents. Increased population contributes positively to the local tax base, economic development, lively neighborhoods, and an interesting city. As infill construction occurs, it is important to guide development in a way that complements current neighborhoods. Each

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home in a neighborhood not only contributes to the existing context of adjoining houses and the block, but to the sense of place of the entire neighborhood.”

Indy Moves

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

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

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

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

ZONING HISTORY

2006-LNU-005; 947 Eastern Avenue, requested a certificate of non-conforming use that would legally establish the single-family dwelling, **granted**.

VICINITY

2021-CZN-838 / 2021-CPL-838 / 2021-CVR-838, 2603, 2607 and 2611 East 10th Street and 945 North Temple Avenue (north of site), requested rezoning of 0.4 acre from the C-3 district to the MU-2 district; approval of a subdivision plat to be known as Temple Square, dividing 0.4 acre into six lots, including four single-family attached lots, and common area; and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for residential development, with building awnings with reduced setbacks from the right-of-way of Temple Avenue and trash containers, **approved and granted**.

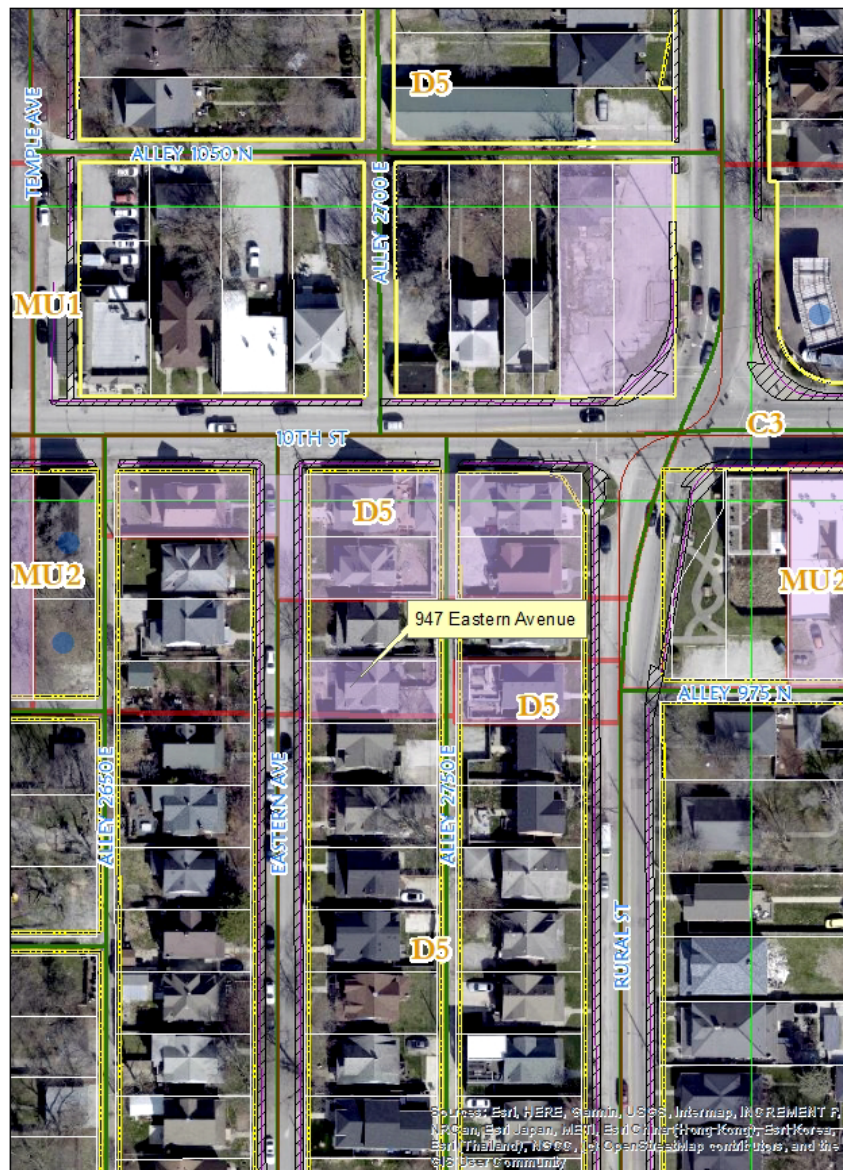
2019-DV3-021; 837 North Temple Avenue (west of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a front porch with a 5.5-foot front setback and a six-foot separation between dwellings and to legally establish a dwelling with a two-foot south side setback and four feet between dwellings, **granted**.

2017-ZON-079; 948, 956 and 960 North Rural Street and 955, 959 and 960 Eastern Avenue, requested the rezoning of 0.46 acre from the C-3 district to the D-5 classification, **approved**.

2005-UV2-001; 2626 East 10th Street (north of site), requested a variance of use of the Commercial Zoning Ordinance to legally establish a 1,949-square foot, two-story single-family dwelling, with a 189-square foot attached front porch, with a 576-square foot detached garage and a 140-square foot shed, and to provide for a 396-square foot carport attached to the south side of the existing garage, **granted**.

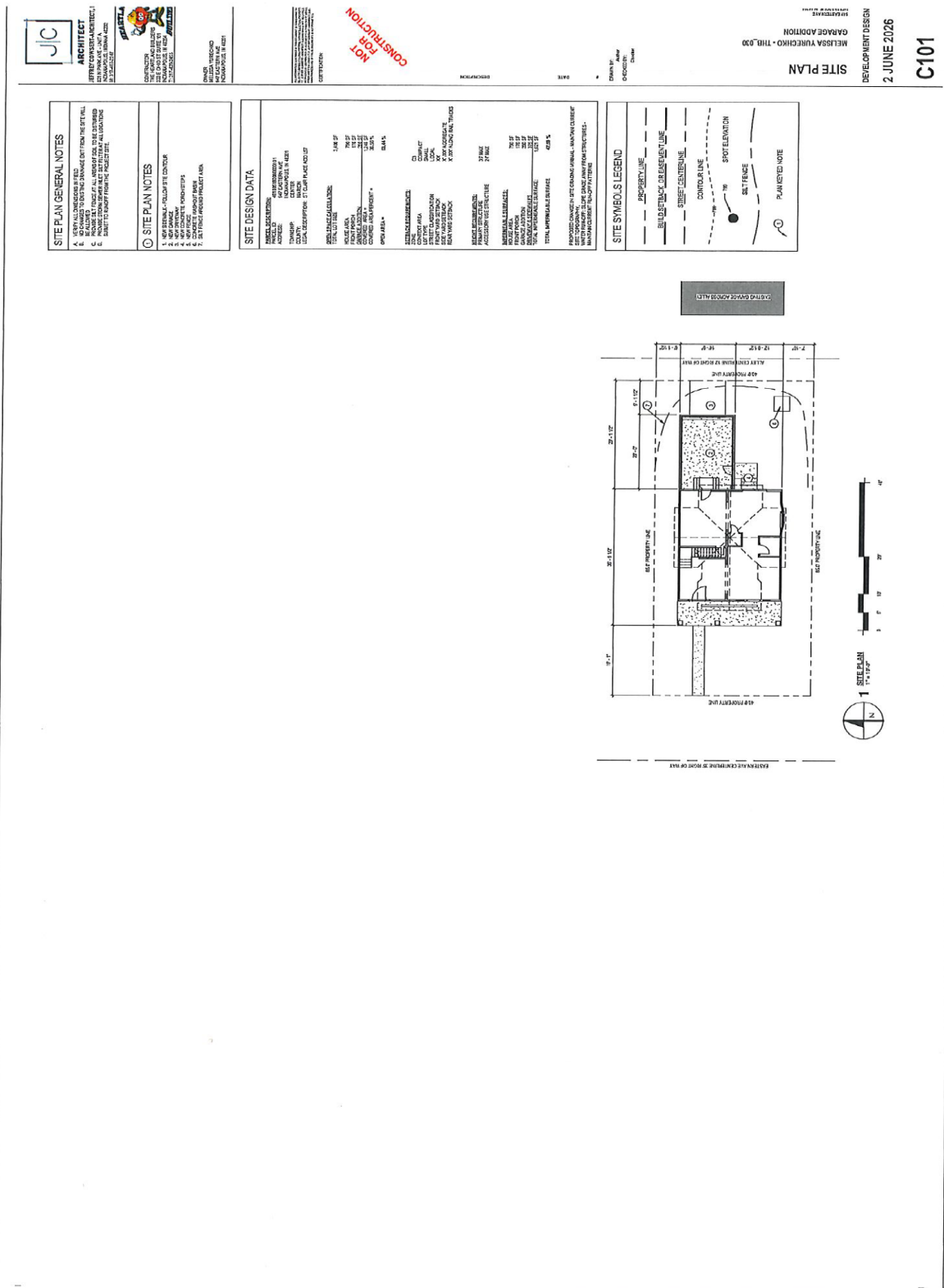
2001-ZON-802 / 2001-VAR-802; 2811-2819 East 10th Street and 946 and 956 North Oxford Street (north of site), requested a rezoning of 0.30 acre from the C-3 District to the C-3C classification to provide for commercial and residential uses and a variance of development standards of the Commercial Zoning Ordinance, to provide for off-street parking and an interior access drive located within the rear transitional yard, and 25 off-street parking spaces, **approved / granted**.

94-UV3-114; 2530, 2532 and 2534 East 10th Street (north of site), requested a variance of use of the Commercial Zoning Ordinance to provide for the conversion of one unit in a four-plex from an antique store to a dwelling unit and legally establish two single-family residences, **granted**.





0.004 0.0095 0.019 0.0285 0.038 Miles





HEARTLAND BUILDERS

**MELISSA YURECHKO
GARAGE ADDITION**

947 EASTERN AVE
INDIANAPOLIS, IN 46201

DEVELOPMENT DESIGN - 2 JUNE 2026

**NOT FOR
CONSTRUCTION**

SHEET LIST	
1711	SHEET 001
1712	FOUNDATION
1713	FOUNDATION
1714	FOUNDATION
1715	FOUNDATION
1716	FOUNDATION
1717	FOUNDATION
1718	FOUNDATION
1719	FOUNDATION
1720	FOUNDATION

BUILDING AREA SUMMARY	
UPPER LEVEL	775 SQ FT
LOWER LEVEL	775 SQ FT
FOUNDATION	775 SQ FT
FOUNDATION	775 SQ FT
FOUNDATION	775 SQ FT
FOUNDATION	775 SQ FT
FOUNDATION	775 SQ FT
FOUNDATION	775 SQ FT
FOUNDATION	775 SQ FT
FOUNDATION	775 SQ FT

SUMMARY OF WORK	
NOTED BY GARAGE OWNER OF HOME	



ARCHITECT
J.C. ARCHITECT, INC.
1111 EAST 10TH AVE, SUITE 100
INDIANAPOLIS, IN 46201
TEL: 317.555.1111
WWW.JCARCHITECT.COM



**MELISSA YURECHKO
CONSTRUCTION**
1111 EAST 10TH AVE, SUITE 100
INDIANAPOLIS, IN 46201
TEL: 317.555.1111
WWW.MYCONSTRUCTION.COM

OWNER
MELISSA YURECHKO
1111 EAST 10TH AVE, SUITE 100
INDIANAPOLIS, IN 46201
TEL: 317.555.1111
WWW.MYCONSTRUCTION.COM



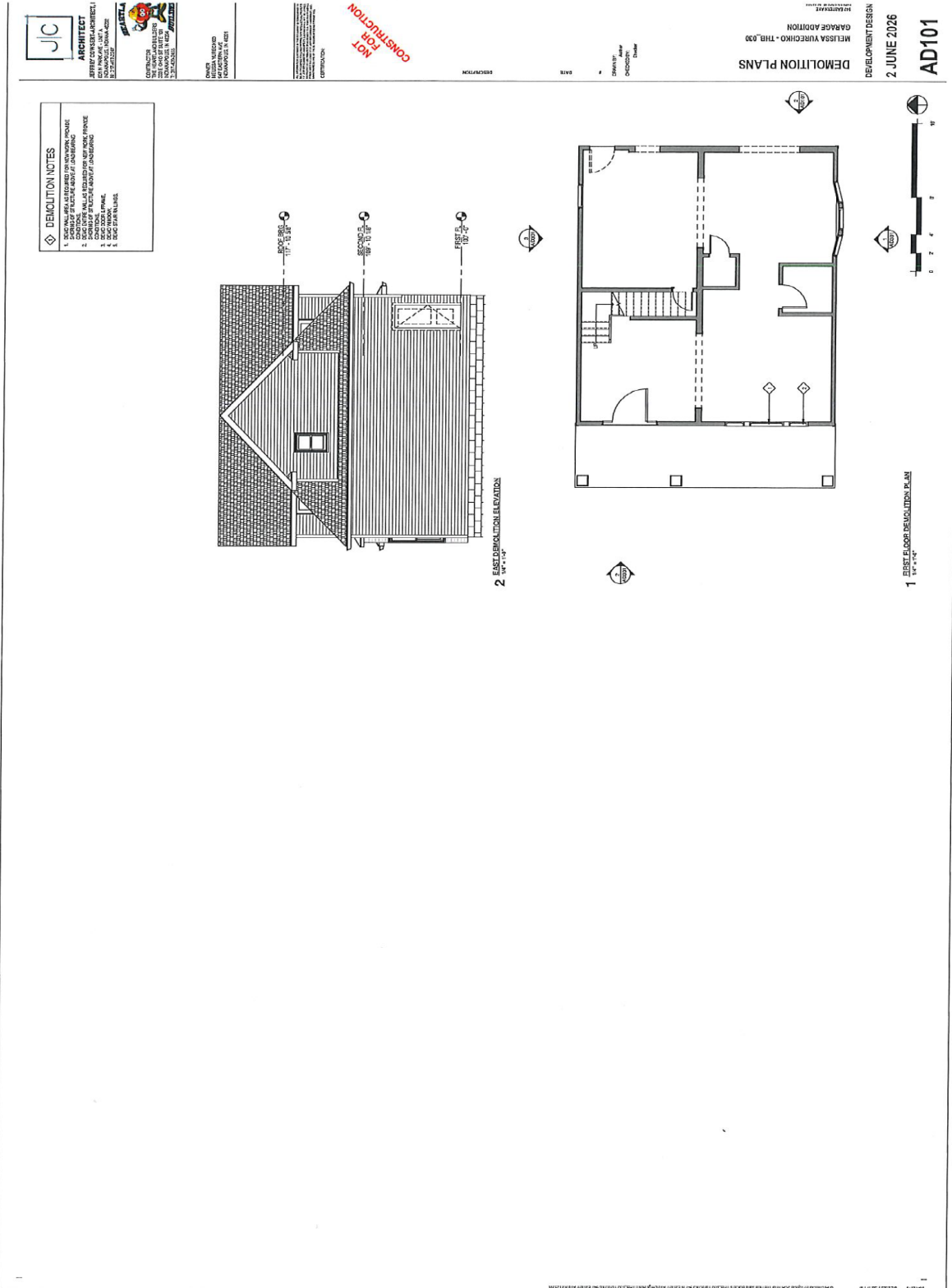
MELISSA YURECHKO - THB_030

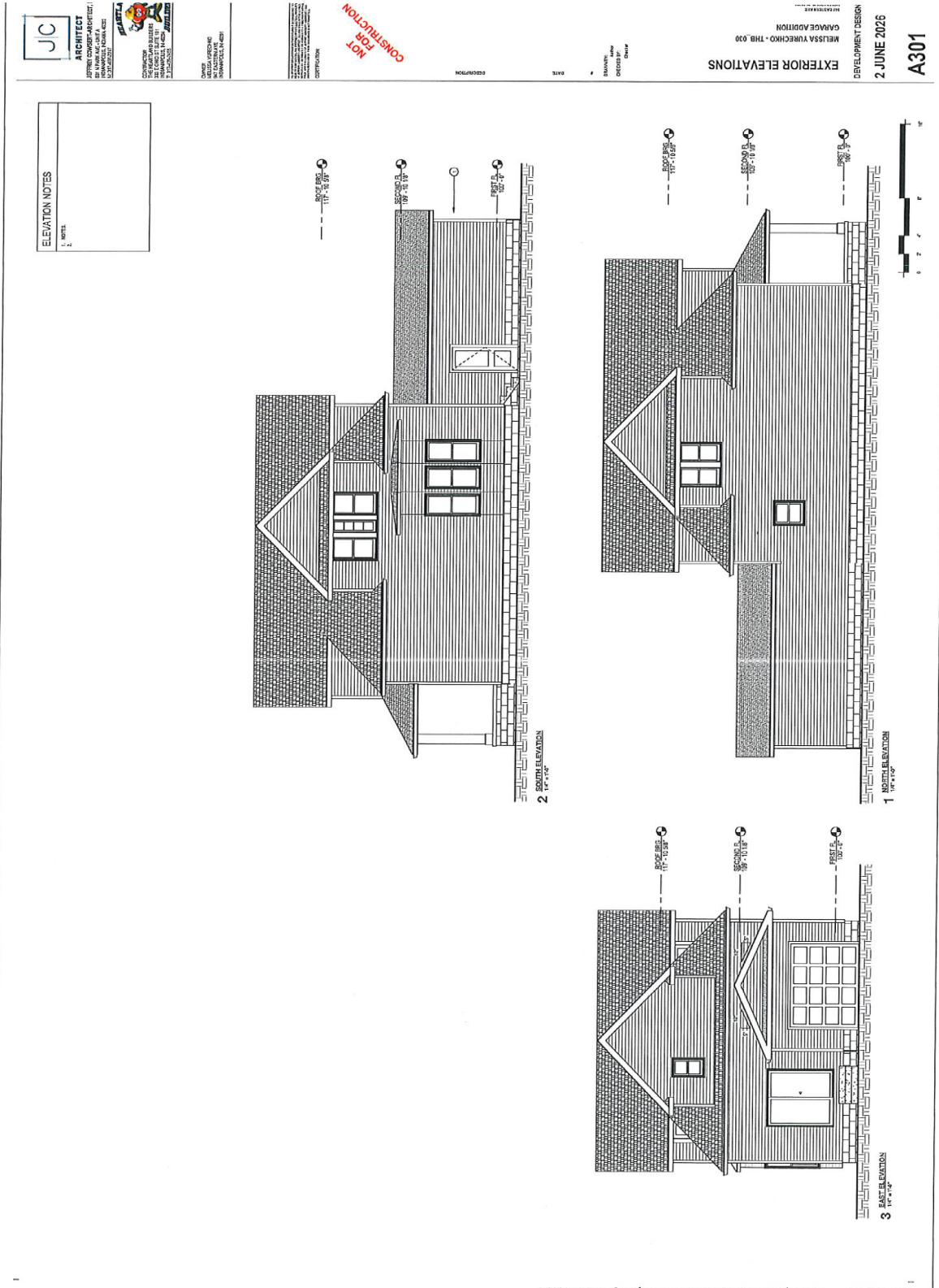
GARAGE ADDITION

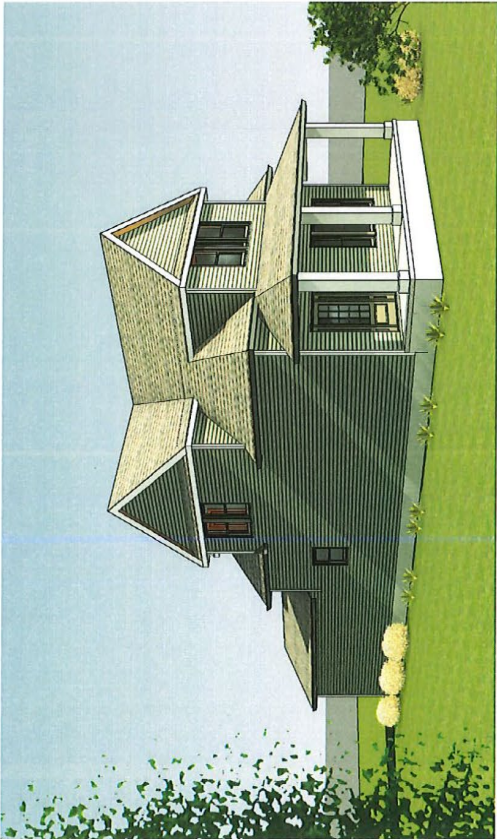
947 EASTERN AVE
INDIANAPOLIS, IN 46201



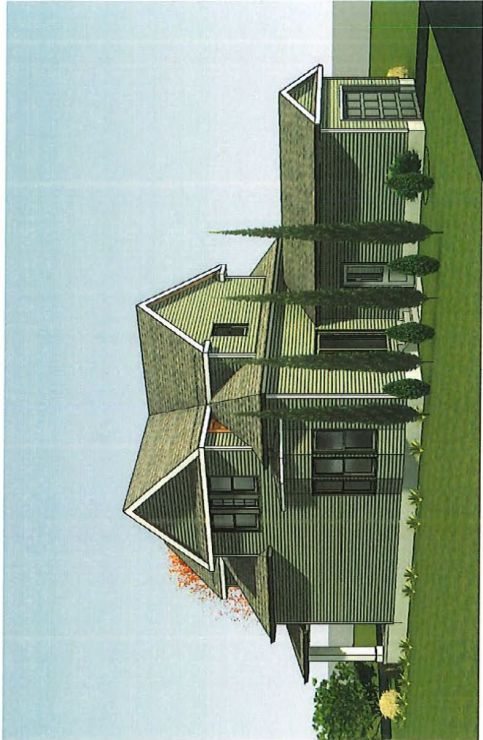
149







2 3D VIEW 2



1 3D VIEW 1

NOT FOR CONSTRUCTION

ARCHITECT: JJC ARCHITECT
 JEFFREY CONNOR ARCHITECT, LLC
 1000 N. 10TH AVE., SUITE 100
 MINNEAPOLIS, MN 55412
 TEL: 612.338.1111
 WWW.JJCARCHITECT.COM

CONTRACTOR: JJC ARCHITECT
 JEFFREY CONNOR ARCHITECT, LLC
 1000 N. 10TH AVE., SUITE 100
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 WWW.JJCARCHITECT.COM

OWNER: JJC ARCHITECT
 JEFFREY CONNOR ARCHITECT, LLC
 1000 N. 10TH AVE., SUITE 100
 MINNEAPOLIS, MN 55412
 TEL: 612.338.1111
 WWW.JJCARCHITECT.COM

DATE: 06/01/2026

3D EXTERIOR VIEWS
 MELISSA VURECHKO - THB_000
 GARAGE ADDITION

DEVELOPMENT DESIGN
 2 JUNE 2026
 G002



View looking north along Eastern Avenue



View looking south along Eastern Avenue



View of site looking east across Eastern Avenue



View of site looking west from north / south alley

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-MOD-001
Property Address: 7536 South Emerson Avenue
Location: Perry Township, Council District #24
Petitioner: HSL Emerson, LLC, by Joseph D. Calderon
Current Zoning: D-P

Request: Modification of the site plan and Development Statement related to 2023-ZON-050 to remove age restriction of head of household (head of household being at least 55 years of age); allow multi-family units within five buildings (multi-family units limited to a single building); remove all references to Lot A; provide for a clubhouse and pool as a permitted accessory use; reduce accessory use setback along southern property line to 10 feet (accessory use setback along southern property line required 20 feet); provide for no less than 200 parking spaces (no less than 130 parking spaces allowed); provide for required bicycle parking spaces; and amend site plan in accordance with the amended Development Statement.

Current Land Use: Undeveloped.

**Staff
Recommendations:** Approval;

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the automatic continuance filed by a registered neighborhood organization that continued this petition from the March 26, 2026 hearing, to the April 23, 2026 hearing.

The Hearing Examiner continued this petition from the April 23, 2026 hearing, to the May 28, 2026 hearing, and to the August 13, 2026 hearing, at the request of the petitioner's representative.

On August 5, 2026, the petitioner's representative submitted an updated traffic study related to a Traffic Impact Study (TIS) in March 2022, that would respond to changes in the proposed development. See Exhibit C.

The study indicated that a "slightly higher number of trips" would occur with this proposed development, but the "difference is not significant enough to warrant additional improvements" than recommended with the 2022 TIS.

STAFF RECOMMENDATION

Approval.

PETITION OVERVIEW

This 5.67-acre site, zoned D-P, is developed with parking lots and accessory buildings associated with the religious uses to the south. It is surrounded by multi-family dwellings to the north, zoned D-6; religious uses to the south, zoned SU-1; the right-of-way of South Emerson Avenue to the east, zoned C-S; and open space and parking lots to the west, zoned D-6II.

MODIFICATION

The request would modify site plan and Development Statement related to 2023-ZON-050. See Exhibit A.

The site plan would be modified to provide for development of the site for 132 multi-family units within five buildings, rather than one building with 135 units. See Exhibit B.

Setbacks along the southern property line would be reduced from 20 feet to 10 feet.

Parking spaces would be increased from no less than 130 parking spaces to no less than 200 parking spaces, with the required bicycle parking spaces.

The amenities for this development would include a clubhouse and pool, in addition to games courts, playgrounds, community garden, pathways, sidewalks, benches and open space. The previous Development Statement included active / passive recreation space and a community room with a kitchenette.

The 2023 Development Statement required that the head of the household be at least 55 years of age. The use, as it relates to a multi-family development, would remove the age restriction of head of household.

Finally, all references to Lot A would be removed from the 2023 Development Statement

Planning Analysis

The proposed modification request would continue to be consistent with the Comprehensive Plan recommendation of Suburban Neighborhood. Additionally, development would be compatible with surrounding development that consists of single-family dwellings and multi-family dwellings. It should also be noted that the abutting site to the west is zoned D-6II, which would anticipate multi-family development.

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Furthermore, nearby commercial development to the north would provide for convenient services for the proposed residential uses.

Staff would note that infrastructure improvements, including sidewalks and additional drive lanes, along this portion of the South Emerson Avenue have been completed. Additionally, the development should provide for internal sidewalks that would connect to those located within the public rights-of-way to provide for safe pedestrian access and connections.

Staff would also note that IndyGo, Route #16, would provide transit service to this development via the route along South Emerson Avenue and a bus stop south of this development.

GENERAL INFORMATION

Existing Zoning	D-P	
Existing Land Use	Accessory buildings and parking lot	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
North:	D-6	Multi-family development
South:	SU-1	Religious uses
East:	C-S	South Emerson Avenue right-of-way
West:	D-6II	Open space / parking lots
Thoroughfare Plan		
McFarland Boulevard	Local Street	Existing 68-foot right-of-way and proposed 50-foot right-of-way.
South Emerson Avenue	Primary arterial	Existing 168-foot right-of-way and proposed 119-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	February 6, 2026	
Site Plan (Amended)	N/A	
Elevations	February 6, 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	February 6, 2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types

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

Conditions for All Housing

- A mix of housing types is encouraged.
- Developments of more than 30 housing units must have access to at least one arterial street of three or more continuous travel lanes between the intersections of two intersecting arterial streets.
- Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.

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- Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
- Developments with densities higher than five dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.

Multi-family Housing

- Should be located along arterial or collector streets, parks, or greenways.
- Parking should be either behind or interior to the development.
- Individual building height, massing, and footprint should gradually transition from adjacent developments. Specifically, buildings located adjacent to existing residential developments should be no more than one and a half times the height and no more than twice the average footprint of the existing adjacent residential buildings.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

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

ZONING HISTORY

2023-ZON-050; 7525 McFarland Boulevard, requested rezoning of 6.43 acres from the SU-1 district to the D-P classification to provide for a senior independent living facility, **approved**.

2021-ZON-146; 7525 McFarland Boulevard, requested rezoning of 13.614 acres from the SU-1 district to the D-P classification to provide for a senior independent living facility and multifamily housing, **denied**.

90-Z-201; 7610 South Emerson, requested rezoning of 27.92 acres, being in the D-6 and C-1 Districts, to the SI-1 classification to provide for the development of a church, **approved**.

VICINITY

2025-ZON-047; 7525 McFarland Boulevard (west of site), requested rezoning of 7.46 acres from the SU-1 district to the D-6II district to provide for a multi-family residential development, **approved**.

88-Z-217; 7451 McFarland Boulevard (north of site), requested rezoning of 1.413 acre, being in the D-3 District, to the D-6 classification to provide for residential development, **approved**.

88-Z-216; 7439 McFarland Boulevard, (north of site), requested rezoning of 1.24 acres, being in the D-3 District, to the D-7 classification to provide for residential development, **approved**.

88-Z-7; 7702 South Emerson Avenue (south of site), requested rezoning of 20 acres, being in the A-2 District, to the C-1 classification to provide for kindergarten, day nursery, nursing and convalescent home uses, **approved**.

88-Z-6; 5002 East Stop Eleven Road (south of site), requested rezoning of 11.64 acres, being in the A-2 District, to the C-2 classification to provide for neighborhood retail development, **approved**.

88-Z-5; 4601 East Southport Road (north of site), requested rezoning of 51.89 acres, being in the A-2 District, to the D-7 classification to provide for multi-family residential development, **approved**.

88-Z-4; 7502 South Emerson Avenue (south of site), requested rezoning of 21.53 acres, being in the A-2 District, to the D-6 classification to provide for multi-family residential development, **approved**.

88-Z-3; 4802 Stop Eleven Road (west of site), requested rezoning of 174.73 acres, being in the A-2 District, to the D-3 classification to provide for single-family residential development, **approved**.

[illegible]

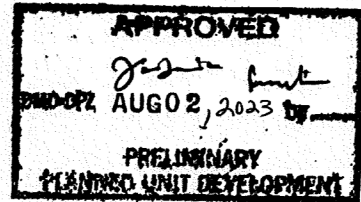
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EXHIBIT A - 2023 DEVELOPMENT STATEMENT

Preliminary DP Plan

7525 McFarland Boulevard

Sub **Introduction**



2023-201-050

Homestead Development LLC ("Homestead") is seeking to develop a portion of property commonly addressed as 7525 McFarland Boulevard (the "Subject Property"). Homestead's development is proposed on a 6.43 acre parcel fronting on South Emerson Avenue and is shown on the preliminary site plan and referred to herein as Lot A. The Subject Property is zoned SU-1, and is partially improved. Homestead is proposing a senior multifamily community on Lot A, as generally shown on the preliminary site plan submitted with and attached to this Preliminary DP Plan as Exhibit "A" (the "Preliminary Site Plan").

The Proposed Development/Permitted Uses

A. **Lot A Permitted Uses:** The Lot A development proposes approximately 135 attached multifamily residential units located in a single building containing three (3) stories and a footprint of approximately 47,600 s.f. on a parcel of approximately 6.43 acres. Both primary and accessory uses permitted by this Preliminary DP Plan are those which are either referenced or defined in Chapter 743, Article II, Table 743-1 "Use Table" of the Consolidated Zoning/Subdivision Ordinance of the City of Indianapolis, Marion County (the "Zoning Ordinance").

Permitted Primary uses on Lot A shall include:

1. Attached Multifamily units, limited to a single building and restricted for senior living, defined as the head of household being at least 55 years of age, in compliance with federal housing laws.

Permitted Accessory uses for Lot A may include:

1. Outdoor Recreation, which may include a green space, game courts, playgrounds, etc.
2. Community Garden.
3. Minor Residential Features, including pathways, sidewalks, benches and the like.
4. Surface Parking and Garages

Lot A Development Standards/Setbacks: Attached multifamily buildings and accessory structures (other than sidewalks, pathways and similar features) constructed on Lot A shall meet the following minimum setbacks:

1. Front Yard (East Property Line): Buildings: Fifty feet (50') from the proposed right-of-way line of Emerson Avenue;
Accessory Uses: Ten feet (10') from proposed right-of-way line of Emerson Avenue, except that a portion of the access driveway near the south property line may be located as close as three feet (3') from the proposed right-of-way line of Emerson Avenue as shown on the Preliminary Site Plan.
2. North and South Property Lines: Buildings: Fifty feet (50');
Accessory Uses: Ten feet (10') from north property line; Twenty feet (20') from south property line;
3. West Property Line: Buildings: Forty feet (40'); and
Accessory Uses: Ten (10) feet

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4. Maximum Height of Multifamily Building: Forty-Five feet (45'), measured from grade to roof peak.

Utilities/Drainage: All utilities are available to the site. There will be no utility poles located on the Subject Property, unless already existing and financially impractical to bury. Storm drainage will be professionally engineered to meet all City of Indianapolis requirements with respect to runoff rate and quantity, as well as water quality. A retention pond with more than sufficient capacity for the improvements proposed on Lot A is shown on the Preliminary Site Plan.

Signs: The following signs shall be permitted:

1. Freestanding (for the benefit of Lot A):
One (1) monument sign, not to exceed 6 feet in height and 13' in length, to be located near the Emerson Avenue entrance, as shown on the Preliminary Site Plan.
2. Secondary:
 - a) Vehicle Entry Point;
 - b) Incidental.
3. Wall

Where not specified herein, sign dimensions and locations shall be governed by the Sign Regulations of Marion County, as applied to mixed use districts, set forth in Chapter 744, Art. XI of the Zoning Ordinance.

Landscaping: A detailed landscaping plan for Lot A shall be submitted for Administrator's Approval prior to obtaining an Improvement Location Permit. In addition to the perimeter yards, areas between the building and parking lots shall feature landscaping and the interior of the parking lot shall meet the requirements for interior parking lot landscaping as set forth in the Zoning Ordinance.

Miscellaneous

Amenities: The development of Lot A, at a minimum, shall provide the following amenities:

1. Active and passive recreation space, on-site management office, secure entry, community room with kitchenette.

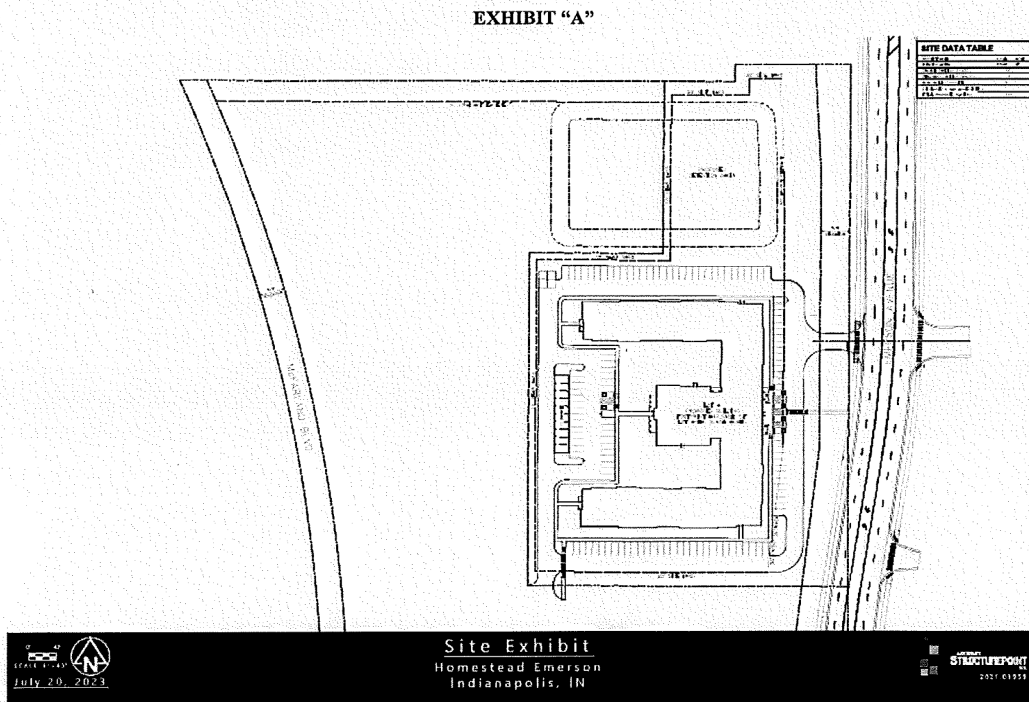
Parking:

1. There shall be no less than 130 on-site parking spaces (surface and garage).

Access: One (1) proposed curb cut on Emerson Avenue.

Administrative Approval of Final Site Plan: The Administrator shall have the right to issue final approval of a final site and development plan so long as the final site and development plan is consistent with the permitted uses, development standards, and landscaping requirements set forth in this Preliminary DP Plan.

23618675.5



A-1

EXHIBIT B – 2026 AMENDED DEVELOPMENT STATEMENT

Amended and Restated Preliminary DP Plan

7536 South Emerson Avenue

Introduction

HSL Emerson LLC (“Homestead”) is seeking to develop a portion of property commonly addressed as 7536 South Emerson Avenue (the “Subject Property”). Homestead’s development is proposed on a 5.67 acre parcel fronting on South Emerson Avenue and is a platted lot. The Subject Property is zoned DP pursuant to 2023-ZON-050. In 2023, Homestead proposed a senior multifamily community on the Subject Property, but has not found a market for senior restricted housing in the area, and is now requesting a multifamily community without the senior leasing restriction. The proposed multifamily community will share virtually the same development requirements submitted with and attached to this Preliminary DP Plan as Exhibit “A” (the “Preliminary Site Plan”).

The Proposed Development/Permitted Uses

A. Permitted Uses: The development proposes approximately 132 attached multifamily residential units located in 5 separate buildings containing three (3) stories. A separate clubhouse building is also planned. Both primary and accessory uses permitted by this Preliminary DP Plan are those which are either referenced or defined in Chapter 743, Article II, Table 743-1 “Use Table” of the Consolidated Zoning/Subdivision Ordinance of the City of Indianapolis, Marion County (the “Zoning Ordinance”).

Permitted Primary uses on the Subject Property shall include:

1. Attached Multifamily units.

Permitted Accessory uses for Lot A may include:

1. Outdoor Recreation, which may include a green space, game courts, playgrounds, etc.
2. Community Garden.
3. Minor Residential Features, including pathways, sidewalks, benches and the like.
4. Surface Parking and Garages
5. Clubhouse and pool

Development Standards/Setbacks: Attached multifamily buildings and accessory structures (other than sidewalks, pathways and similar features) constructed on the Subject Property shall meet the following minimum setbacks:

1. Front Yard (East Property Line): Buildings: Fifty feet (50’) from the proposed right-of-way line of Emerson Avenue;
Accessory Uses: Ten feet (10’) from proposed right-of-way line of Emerson Avenue.
2. North and South Property Lines: Buildings: Fifty feet (50’);
Accessory Uses: Ten feet (10’) from north and south property lines;
3. West Property Line: Buildings: Forty feet (40’); and
Accessory Uses: Ten (10) feet
4. Maximum Height of Multifamily Buildings: Forty-Five feet (45’), measured from grade to roof peak.

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Utilities/Drainage: All utilities are available to the site. There will be no utility poles located on the Subject Property, unless already existing and financially impractical to bury. Storm drainage will be professionally engineered to meet all City of Indianapolis requirements with respect to runoff rate and quantity, as well as water quality. A retention pond is shown on the Preliminary Site Plan.

Signs: The following signs shall be permitted:

1. Freestanding:
One (1) monument sign, not to exceed 6 feet in height and 13' in length, to be located near the Emerson Avenue entrance, as shown on the Preliminary Site Plan.
2. Secondary:
 - a) Vehicle Entry Point;
 - b) Incidental.
3. Wall

Where not specified herein, sign dimensions and locations shall be governed by the Sign Regulations of Marion County, as applied to mixed use districts, set forth in Chapter 744, Art. XI of the Zoning Ordinance.

Landscaping: The Preliminary Site Plan shows intended areas of landscaping. A detailed landscaping plan for the Subject Property shall be submitted for Administrator's Approval prior to obtaining an Improvement Location Permit. In addition to the perimeter yards, areas between the building and parking lots shall feature landscaping and the interior of the parking lot shall meet the requirements for interior parking lot landscaping as set forth in the Zoning Ordinance.

Miscellaneous

Amenities: The development of Lot A, at a minimum, shall provide the following amenities:

1. Clubhouse with pool.

Parking:

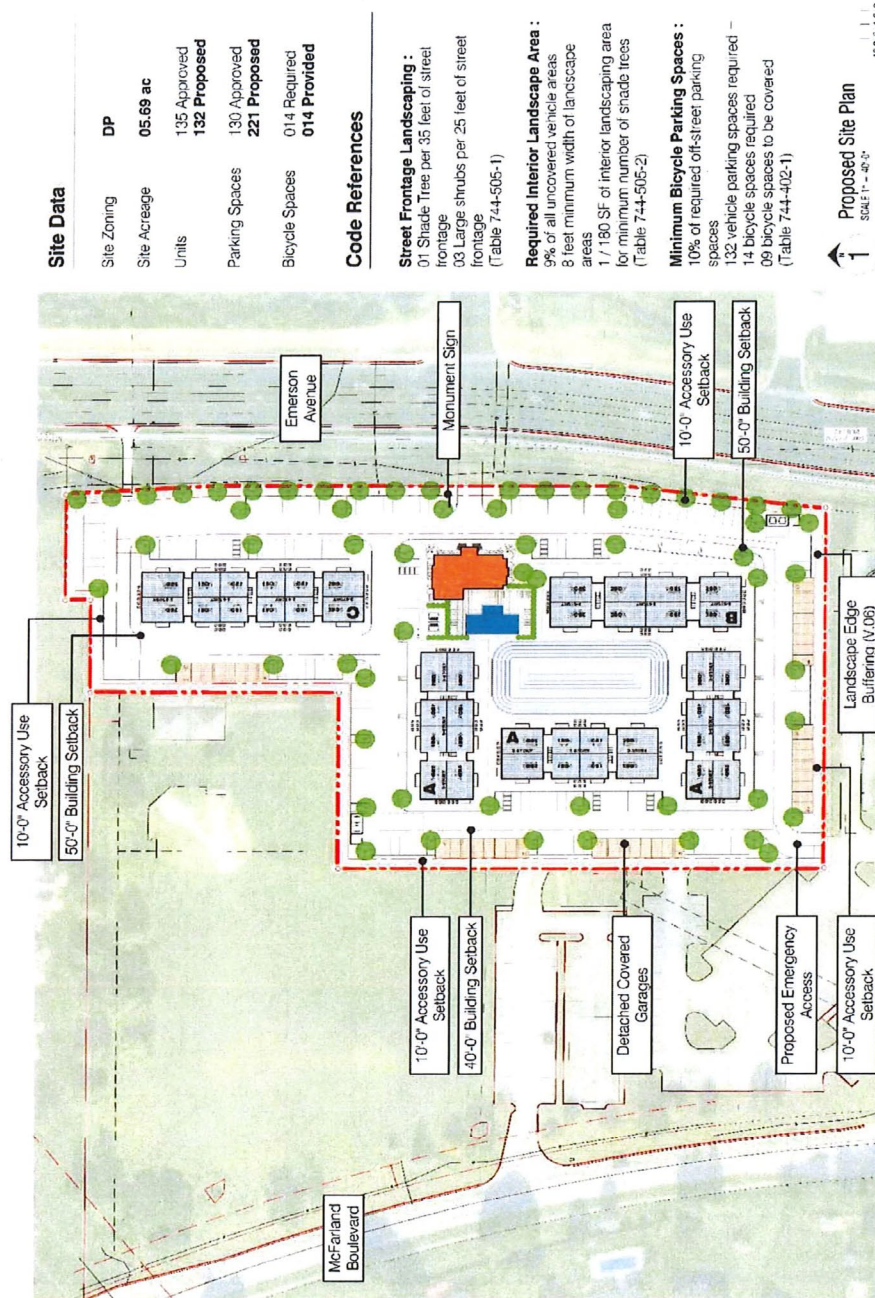
1. There shall be no less than 200 on-site parking spaces (surface and garage).
2. There shall be no less than the minimum number of bicycle parking spaces.

Access: One (1) proposed curb cut on Emerson Avenue.

Administrative Approval of Final Site Plan: The Administrator shall have the right to issue final approval of a final site and development plan so long as the final site and development plan is consistent with the permitted uses, development standards, and landscaping requirements set forth in this Preliminary DP Plan.

50617838.1

EXHIBIT "A"



Homestead - Emerson Indianapolis // Proposed Site Plan
 JANUARY 22, 2025
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Proposed Site Plan
 SCALE 1" = 40'-0"
 10' 0" 20' 0" 30' 0" 40' 0"

HOMESTEAD COMPANIES **archall**

A-1

EXHIBIT C



9025 RIVER ROAD, SUITE 200
INDIANAPOLIS, INDIANA 46240
TEL 317.547.5580
FAX 317.543.0270

TECHNICAL MEMORANDUM

DATE: July 31, 2026
TO: Doug Falor, Homestead Development
FROM: Shashad Gujuran, P.E., PTOE, RSP₁, American Structurepoint Inc.
Nathan Stevens, American Structurepoint Inc. Inc.
RE: Homestead Emerson - Trip Generation and Capacity Analysis Comparison
CC: Ross Nixon, P.E., American Structurepoint Inc.

Introduction

A traffic impact study (TIS) was prepared by American Structurepoint, Inc. in March 2022 for the proposed Homestead Emerson development. The 2022 study evaluated the transportation impacts associated with the full build-out of the overall development and identified several roadway and intersection improvements to accommodate future traffic demand.

Since the completion of the 2022 TIS, the proposed developments evaluated in that study have not advanced beyond the planning stage and have not been constructed. This memorandum documents a comparison between the base trips generated for the approved site plan, and the base trips generated for the current site plan along with a comparison of potential capacity analysis changes. The purpose of this memo is to confirm that the previous recommendations identified in the previously completed Traffic Impact Study remain appropriate and valid for the current site plan.

Trip Generation Comparison

Previously, the 2022 TIS for the Homestead Emerson development included an Institute of Transportation Engineers (ITE) Land Code Use of 220 Multi-Family Housing (Low-Rise) and 252 Senior Living (Attached) with a proposed total of 188 Multi-Family Housing dwelling units and 130 Senior Adult Housing dwelling units. Since then, the developer has abandoned the initial Land Code Use and has proposed an updated Land Code Use of Multi-Family Housing (Low-Rise) 220 only. This update includes a total of 262 dwelling units of Multi-Family Housing (Low-Rise). This update and adjustment to the development have been reflected in the proposed Trip Generation. The ITE *Trip Generation Manual*, 12th Edition was used to estimate the peak hour trips for the previously approved and the current site plan. The developer also provided quantities of the newly proposed



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a direct correlation to driver discomfort, frustration, fuel consumption, and lost travel time. **Table 2.0** provides the LOS criteria as defined in HCM.

Table 2.0 – LOS Thresholds

LOS	Delay per Vehicle (seconds)	
	Signalized Intersections	Unsignalized Intersections
A	≤ 10	≤ 10
B	> 10 and ≤ 20	> 10 and ≤ 15
C	> 20 and ≤ 35	> 15 and ≤ 25
D	> 35 and ≤ 55	> 25 and ≤ 35
E	> 55 and ≤ 80	> 35 and ≤ 50
F	> 80	> 50

The operating conditions of intersections were considered to be acceptable if found to operate at LOS D or better for the overall intersection, with no approach operating worse than LOS E.

The capacity analysis for Scenario 1 is based on opening year (2024) no-build traffic volumes. Any operational deficiencies identified in Scenario 1 are considered to be attributed to the existing conditions and will be addressed by the City of Indianapolis. The capacity analysis for Scenario 2 is based on opening year (2024) build traffic volumes. Any improvements identified in Scenario 2 will be attributed as improvements required by the developer.

The capacity analysis results are summarized for both scenarios in the following tables for the AM and PM peak hours, respectively. The Synchro capacity analysis output is provided in **Appendix C**.



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Table 2.1 – Capacity Analysis Results: Previous 2022 TIS Opening Year (2024) Build - Scenario 2

No.	Intersection	Proposed Intersection Control	Approach	AM Peak Hour			PM Peak Hour		
				Delay (sec/veh)	LOS	95% Queue Length (ft.)	Delay (sec/veh)	LOS	95% Queue Length (ft.)
1	Emerson Ave & Rosegate Ave / Proposed Driveway-A	Two-Way Stop Control	NB †	10.4	B	*	9.6	A	*
			SB †	9.6	A	*	11.0	B	*
			EB	23.5	C	25	20.6	C	*
			WB	17.4	C	*	22.2	C	25
			Overall	-	-	-	-	-	-
2	Emerson Ave & McFarland Blvd / Commerce Square Dr	Traffic Signal	NB	7.6	A	100	8.5	A	150
			SB	8.2	A	125	8.3	A	125
			EB	15.5	B	75	15.2	B	75
			WB	14.6	B	50	15.5	B	75
			Overall	9.6	A	-	10.0	A	-
3	McFarland Blvd & Proposed Driveway-B	One-Way Stop Control	NB	-	-	-	-	-	-
			SB †	7.6	A	*	7.8	A	*
			WB	10.0	B	*	10.4	B	*
			Overall	-	-	-	-	-	-
4	Southport Rd & McFarland Blvd	Traffic Signal	NB	18.1	B	75	31.2	C	175
			SB	17.6	B	50	28.7	C	75
			EB	17.1	B	200	26.5	C	375
			WB	6.8	A	100	11.0	B	225
			Overall	13.6	B	-	19.5	B	-

Note:

* Queue length < 25 feet

† Delay reported for left-turning traffic

25 feet = 1 vehicle



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Table 2.2 – Capacity Analysis Results: Updated Opening Year (2024) Build - Scenario 2

No.	Intersection	Proposed Intersection Control	Approach	AM Peak Hour			PM Peak Hour		
				Delay (sec/veh)	LOS	95% Queue Length (ft.)	Delay (sec/veh)	LOS	95% Queue Length (ft.)
1	Emerson Ave & Rosegate Ave / Proposed Driveway-A	Two-Way Stop Control	NB †	10.4	B	*	9.6	A	*
			SB †	9.6	A	*	11.0	B	*
			EB	24.5	C	*	20.7	C	*
			WB	17.4	C	*	22.2	C	*
			Overall	-	-	-	-	-	-
2	Emerson Ave & McFarland Blvd / Commerce Square Dr	Traffic Signal	NB	7.2	A	125	8.4	A	175
			SB	7.8	A	150	8.2	A	150
			EB	16.4	B	100	18.7	B	75
			WB	14.9	B	50	18.0	B	75
			Overall	9.4	A	-	10.0	A	-
3	McFarland Blvd & Proposed Driveway-B	One-Way Stop Control	NB	-	-	-	-	-	-
			SB †	7.6	A	*	7.8	A	*
			WB	9.9	A	*	10.4	B	*
			Overall	-	-	-	-	-	-
4	Southport Rd & McFarland Blvd	Traffic Signal	NB	20.8	C	100	27.6	C	125
			SB	17.5	B	50	23.0	C	75
			EB	19.3	B	200	31.7	C	375
			WB	6.7	A	100	10.8	B	250
			Overall	14.9	B	-	20.4	C	-

Note:

* Queue length < 25 feet

† Delay reported for left-turning traffic

25 feet = 1 vehicle

Emerson Avenue & Rosegate Avenue / Proposed Driveway-A

The capacity analysis results for Scenario 2 show that both the eastbound and westbound approaches at the study intersection (Proposed Driveway-A and Rosegate Avenue, respectively) are expected to operate at LOS C during the AM and PM peak hours for the opening year (2024) build conditions. No intersection improvements were required for Scenario 2.



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Emerson Avenue & McFarland Blvd / Commerce Square Drive

The capacity analysis results for Scenario 2 show that all approaches at the study intersection are expected to operate at LOS B or better during both the AM and PM peak hours for the opening year (2024) build conditions. No intersection improvements were required for Scenario 2.

McFarland Blvd & Proposed Driveway-B

Based on the capacity analysis results at the intersection of McFarland Blvd & Proposed Driveway-B for Scenario 2, the westbound approach (Proposed Driveway-B) is expected to operate at LOS B during both the AM and PM peak hours for the opening year (2024) build conditions. No intersection improvements were required for Scenario 2.

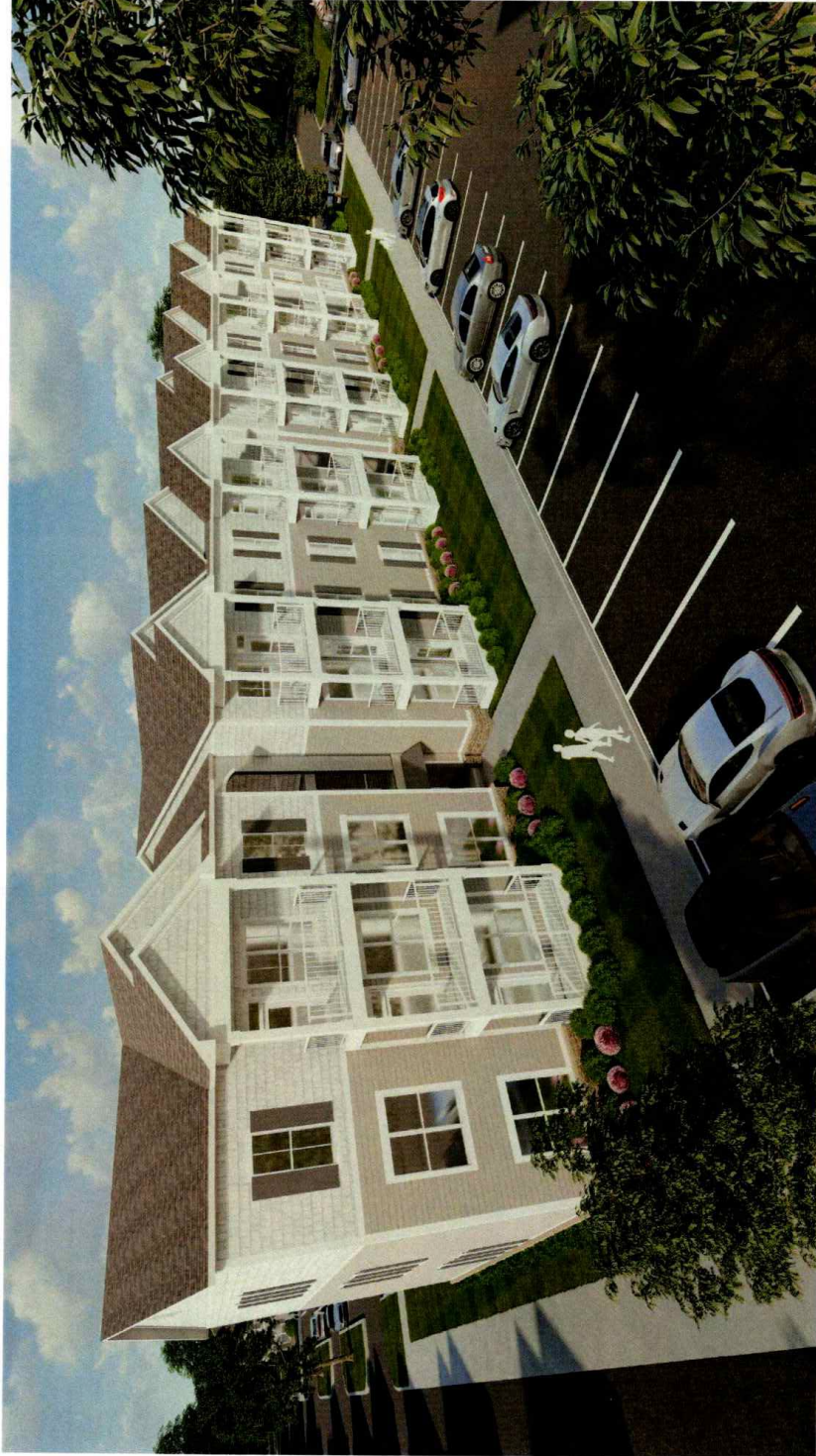
Southport Road & McFarland Blvd

The capacity analysis results for Scenario 2 show that all approaches at the study intersection are expected to operate at LOS B or better during the AM peak hour and at LOS C or better during the PM peak hour for the opening year (2024) build conditions. No intersection improvements were required for Scenario 2.

Summary of Findings

As shown in Table 1, the proposed site plan is expected to generate a slightly higher number of trips than the previously approved site plan evaluated in the 2022 TIS. This increase is primarily due to the revised land use mix, which has a marginally higher trip generation potential. However, the difference is not significant enough to warrant additional improvements, and the transportation improvements identified in the 2022 TIS remain appropriate and sufficient to accommodate the projected traffic associated with the revised site plan.

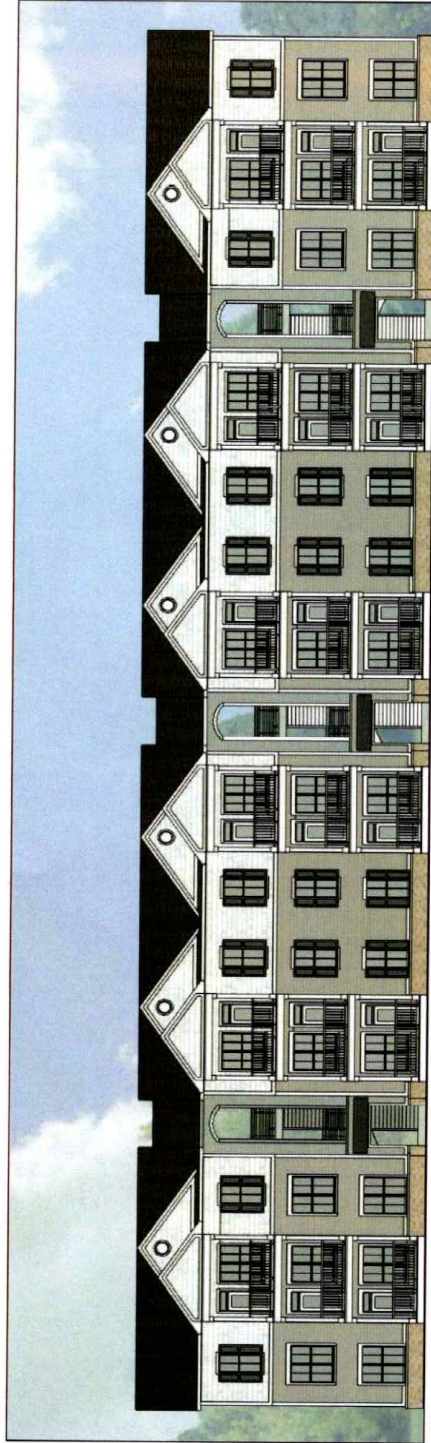
Residential Building Aerial View



Homestead - Emerson Indianapolis
 DECEMBER 22, 2025

HOMESTEAD COMPANIES
archall

Building Elevations



① Front / Back Elevation



② Side Elevation

Materials

SIDING 03

PRODUCT: VINYL SIDING
MANUFACTURER: ALSIDE ARCHITECTURAL CLASSICS
STYLE: SHINGLE SIDING
COLOR: GLACIER WHITE
INSTALL: -

SIDING 02

PRODUCT: VINYL SIDING
MANUFACTURER: ALSIDE CO/VENTRY
STYLE: LAP SIDING
COLOR: GLACIER WHITE
INSTALL: DOUBLE 5" CLAPBOARD

SIDING 01

PRODUCT: VINYL SIDING
MANUFACTURER: ALSIDE CO/VENTRY
STYLE: LAP SIDING
COLOR: PLATINUM GRAY
INSTALL: DOUBLE 5" CLAPBOARD

STONE 01

PRODUCT: STONE
MANUFACTURER: PRESTIGE
STYLE: LIMESTONE
COLOR: BREWSTER
INSTALL: WHITE GROUT

TRIM

PRODUCT: VINYL SIDING
MANUFACTURER: ALSIDE CO/VENTRY
STYLE: GLACIER WHITE
COLOR: GLACIER WHITE
INSTALL: -

SHUTTERS

PRODUCT: ASPHALT SHINGLE
MANUFACTURER: TAMKO
STYLE: WEATHERED WOOD
COLOR: NIGHT OWL (BW7061)
INSTALL: -

ROOF

PRODUCT: ASPHALT SHINGLE
MANUFACTURER: TAMKO
STYLE: WEATHERED WOOD
COLOR: NIGHT OWL (BW7061)
INSTALL: -



View looking south along Mc Farland Boulevard



View looking north along Mc Farland Boulevard

Department of Metropolitan Development
Division of Planning
Current Planning



View of site looking north



View of site looking north

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Current Planning



View of site looking north



View of site looking northwest

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View of site looking west



View of site looking west

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View of site looking west



View of site looking south



View looking northeast at proposed location of retention pond



View of site looking east at approximate location of proposed building



View of sidewalk looking east at approximate location of proposed building



View of site looking east at approximate location of proposed building

Department of Metropolitan Development
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Current Planning



View of site looking southeast at adjacent church

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-ZON-018 / 2026-VAR-004
Address: 5510 Millersville Road (approximate address)
Location: Washington Township, Council District #3
Petitioner: R. Michael Thomas, by Ted Nolting
Request: Rezoning of 2.75-acres from the D-3 and C-4 districts to the C-3 district to provide for a veterinary hospital.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for an outdoor animal run/exercise area located 88 feet from a protected district (100-foot separation required).

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

PETITION HISTORY

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

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

The petitioner has amended the site plan by removing the rear access to DeQuincy Street and the outdoor dog run. The revised site plan is now included in the staff report. The petitioner has also requested that the variance petition be withdrawn. The Hearing Examiner will need to acknowledge the withdrawal.

STAFF RECOMMENDATION

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

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

PETITION OVERVIEW

LAND USE

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

REZONING

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

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

VARIANCE OF DEVELOPMENT STANDARDS

The request would allow for an outdoor animal run / exercise area to be located approximately 88 feet from a protected district.

The proposed outdoor animal run. exercise area would be used primarily for the animal patients to relieve themselves under staff supervision. No run structure would be part of the area, instead it would consist of a fenced in grassy area.

STAFF ANALYSIS

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

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

Staff is supportive of the variance request as it would act as an accessory use to the hospital and would primarily be used for the animal's relief under supervision.

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

GENERAL INFORMATION

Existing Zoning	C-4 / D-3	
Existing Land Use	Veterinary Hospital and Office Building	
Comprehensive Plan	Village Mixed Use	
Overlay	N/A	
Surrounding Context	<u>Zoning</u>	Surrounding Context
	North: C-3 / C-1	Commercial retail, office, and daycare
	South: D-3	Single-family dwellings
	East: C-3	Commercial retail
	West: D-3	Single-family dwelling
Thoroughfare Plan		
Millersville Road	Local Street	30-foot existing right-of-way and 50-foot proposed right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	N/A	
Wellfield Protection Area	N/A	
Site Plan - Updated	August 4, 2026	
Elevations	N/A	
Landscape Plan	N/A	
Commitments	N/A	
Findings of Fact	March 17, 2026	
C-S / D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

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

Conditions for All Land Use Types – Village Mixed Use Typology

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

Not Applicable to the Site.

ZONING HISTORY

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

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

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



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

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

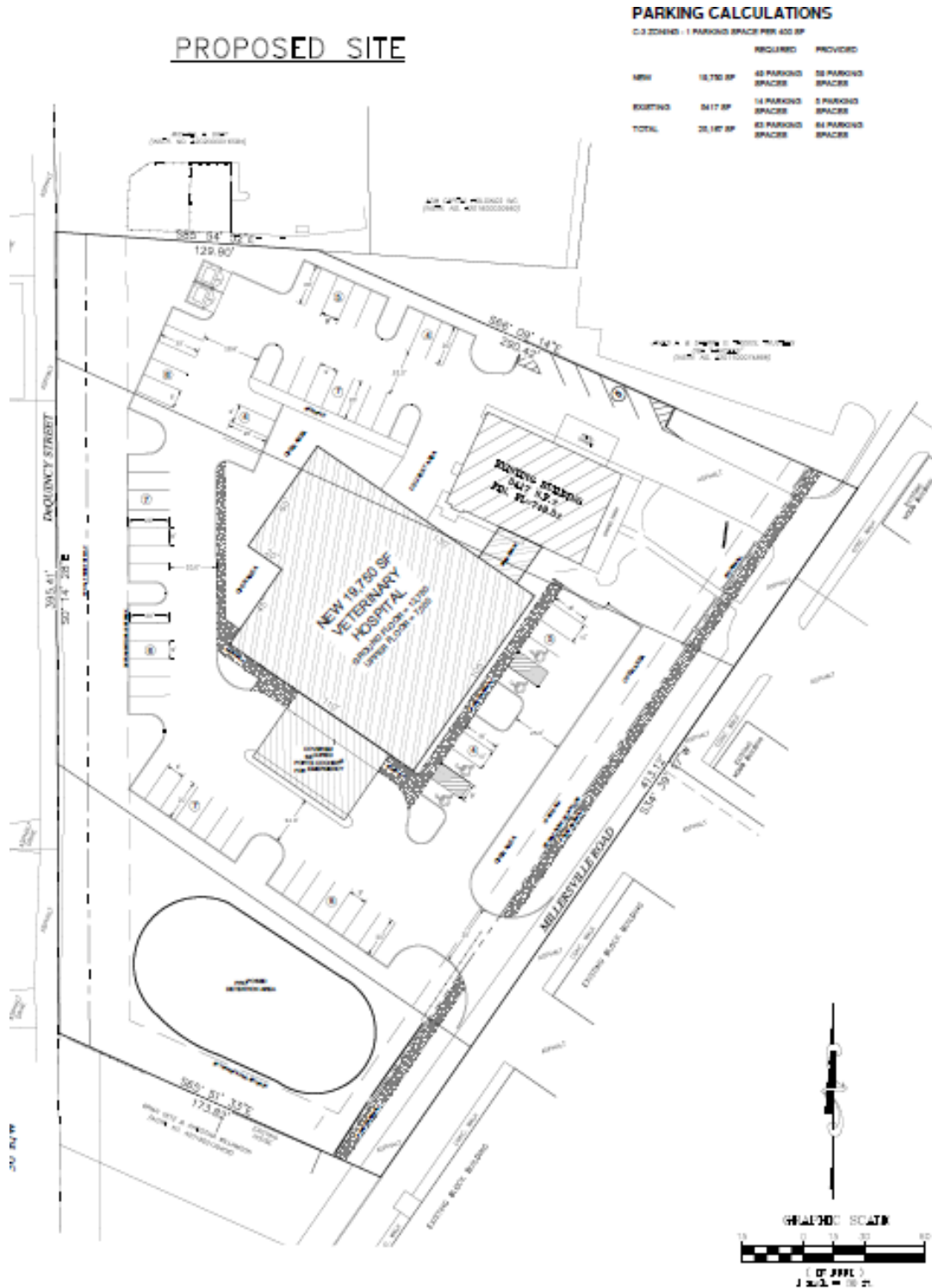
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EXHIBITS

LOCATION MAP



SITE PLAN - Updated



FINDINGS OF FACT

Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

the proposed animal exercise area will function solely as an accessory area to the veterinary clinic for the brief outdoor movement and exercise of animals receiving treatment at the facility. The area will not be used for kennel operations, long-term boarding, or commercial animal housing. The exercise area will be located approximately eighty-eight (88) feet from the nearest dwelling district and is separated from nearby residential properties by a public street right-of-way, which provides an additional physical buffer. Given the limited and supervised nature of the activity and the separation created by the street, the variance will not create conditions that would adversely affect the public health, safety, morals, or general welfare of the community.

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

the proposed animal exercise area is a limited accessory component of the veterinary clinic intended only for the temporary outdoor movement of animals under staff supervision. The area will not function as a kennel, boarding facility, or location for prolonged animal activity. The exercise area will be located approximately eighty-eight (88) feet from the nearest dwelling district and is separated from nearby residential properties by a public street, providing an additional buffer between the area and neighboring homes. Because the use will be intermittent, controlled, and associated with veterinary treatment activities, the variance will not materially diminish the use or value of adjacent properties.

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

the veterinary clinic requires a small, designated outdoor area where animals receiving care may be briefly taken outside for movement and exercise as part of normal veterinary operations. Due to the configuration of the site and the placement of the proposed buildings, parking areas, and circulation drives, there is no reasonable location on the property where such an accessory area can be provided while fully satisfying the 100 foot separation requirement from a dwelling district. Strict enforcement of the 100-foot standard would therefore make it impractical to provide a functional and customary operational feature of a veterinary clinic on the property.

PHOTOS



Subject site, looking west.



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

Department of Metropolitan Development
Division of Planning
Current Planning



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



Adjacent commercial use to the east, looking south.



Adjacent residential property on Dequincy to the west.



Adjacent residential property on Dequincy to the west.

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

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

Request: Rezoning 1.19 acres from the MU-1 district to the C-5 district for a used automobile sales business.
Current Land Use: Commercial office uses
Staff Recommendations: Denial
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the timely automatic continuance filed by a registered neighborhood organization that continued this petition from the June 25, 2026 hearing, to the July 23, 2026 hearing, and approved staff's request for a continuance to the August 13, 2026 hearing.

STAFF RECOMMENDATION

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

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

PETITION OVERVIEW

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

REZONING

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

The Comprehensive Plan recommends community commercial typology for the site.

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

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

Environmental Public Nuisances

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

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

Environmental public nuisance means:

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

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Division of Planning
Current Planning**

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

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

Planning Analysis

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

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

GENERAL INFORMATION

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

Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

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

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

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

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

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

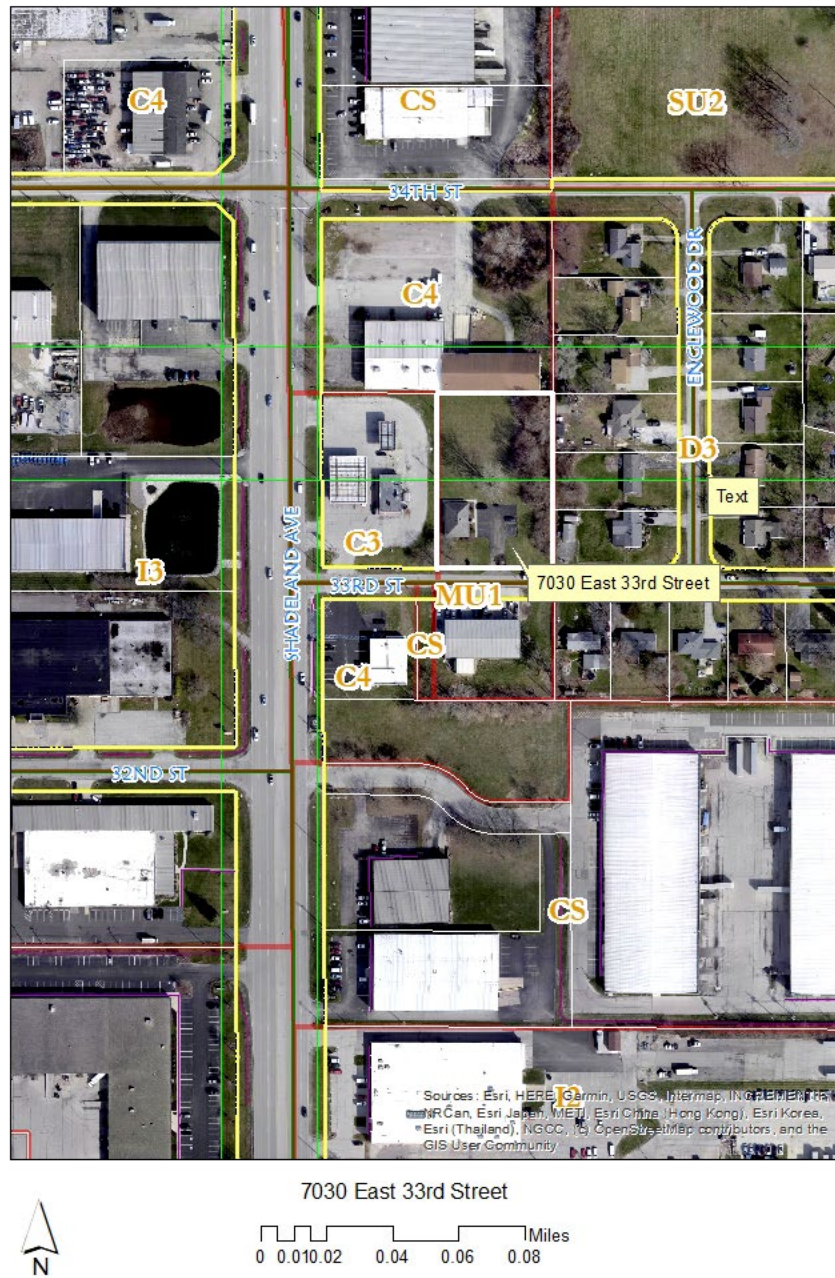
75-Z-60, 3301 North Shadeland Avenue (west of site), requested rezoning of 1.19 acres, being in the A-2 district, to the C-3 classification to permit self-service gas station, **approved**.

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

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

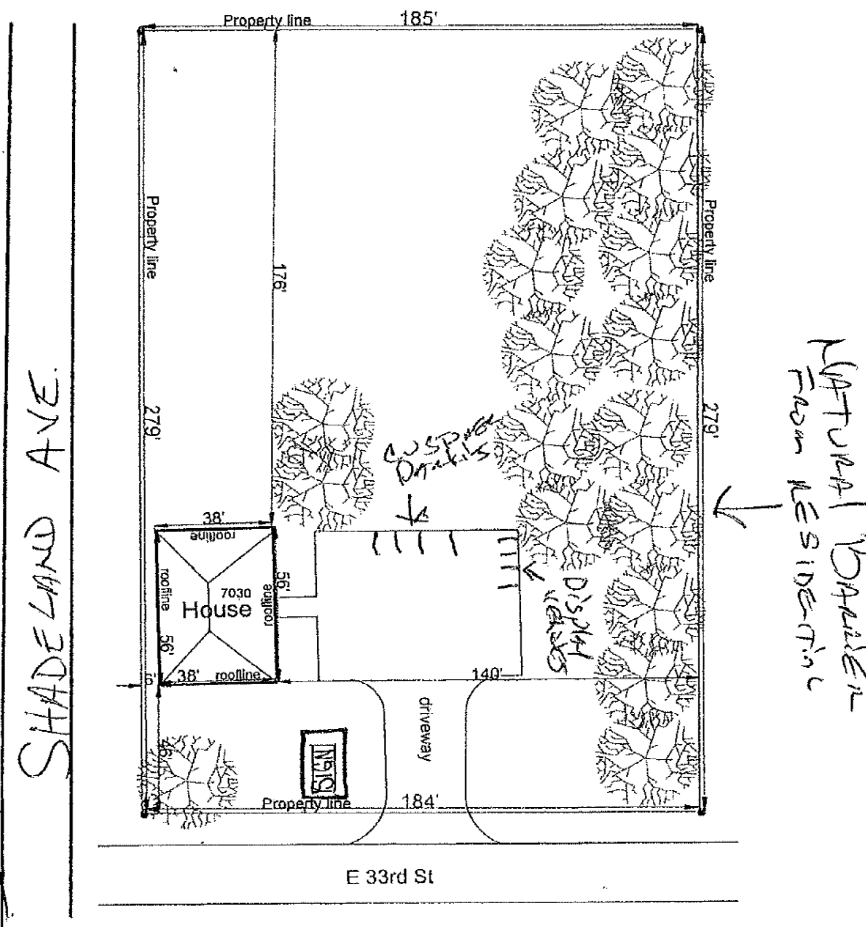
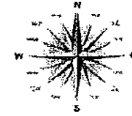
71-Z-116; 3351 North Shadeland Avenue (west of site), requested rezoning of 2.37 acres being in the A-2 district, to the C-4 classification to provide for retail stores and general businesses, **approved**.

EXHIBITS



SITE PLAN

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



Department of Metropolitan Development
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Development Statement

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

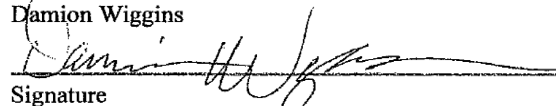
The petitioner proposes to utilize the existing structure and site for a **used automobile sales business**. No significant structural changes to the building are proposed. The existing parking and access points will be used to accommodate vehicle display and customer parking.

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

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

Petitioner:

Damion Wiggins


Signature

Date: 4/24/2020

STATEMENT OF COMMITMENTS

Petitioner: Damion Wiggins

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

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

1. Use of Property

The property shall be used for:

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

2. Vehicle Limit & Display

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

3. Repairs and Maintenance

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

4. Hours of Operation

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

5. Lighting

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

6. Noise and Nuisance

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

7. Traffic

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

8. Screening and Buffering

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

9. Prohibited Uses

The following shall not occur on the property:

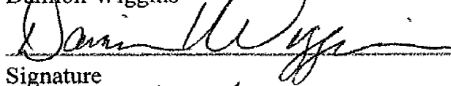
- Salvage or junkyard operations
 - Storage of inoperable vehicles
 - Outdoor storage of parts, tires, or debris
-

10. Compliance

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

Petitioner:

Dannion Wiggins



Signature

Date: 4/26/2020

6. Noise and Nuisance

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

7. Traffic

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

8. Screening and Buffering

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

9. Prohibited Uses

The following shall not occur on the property:

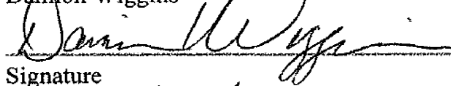
- Salvage or junkyard operations
 - Storage of inoperable vehicles
 - Outdoor storage of parts, tires, or debris
-

10. Compliance

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

Petitioner:

Danion Wiggins



Signature

Date: 4/26/2020



View looking east along East 33rd Street



View looking west along East 33rd Street

Department of Metropolitan Development
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Current Planning



View of site looking northeast across East 33rd Street



View of site looking north across East 33rd Street



View of site looking northwest across East 33rd Street



View of site looking southeast from adjacent property to the west

Department of Metropolitan Development
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View of site looking east from adjacent property to the west



View of site looking southeast from adjacent property to the west



View from site looking south across East 33rd Street

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-ZON-045
Address: 2003 North College Avenue (*Approximate Address*)
Location: Center Township, Council District #13
Petitioner: Maigida Investment LLC, by David Gilman
Request: Rezoning of 0.11-acre from the D-8 district to the MU-2 district to provide for a small mixed-use development.
Current Land Use: Undeveloped
Staff Recommendations: Staff recommends **approval** of the Rezoning request.
Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

A Registered Neighborhood Organization automatically continued this petition from the June 25, 2026, hearing to the July 23, 2026, hearing. Since the July 23, 2026, hearing was canceled, this petition was continued to the next hearing on August 13, 2026.

STAFF RECOMMENDATION

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

PETITION OVERVIEW

LAND USE

The 0.11-acre site is an undeveloped parcel. The site is adjacent to commercial uses to the south that are zoned C-3, and single-family dwellings to the west, north and east, that are zoned PK-2 and D-8.

REZONING

The request would rezone the property to the MU-2 district to allow for the redevelopment of a combined mix of small-scale retailing and residential uses that are not permitted in the existing D-8 district.

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

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

STAFF ANALYSIS

The request would rezone the property to the MU-2 district to allow for the redevelopment of a combined mix of small-scale commercial and residential uses.

Staff is supportive of the rezoning because it would extend the commercial node and provide for residential opportunities. The proposed use is compatible with the existing commercial uses and would allow for the redevelopment of an undeveloped lot that is compatible with the surrounding area and would align with the Traditional Neighborhood recommendation of the Comprehensive Plan.

GENERAL INFORMATION

Existing Zoning	D-8	
Existing Land Use	Undeveloped	
Comprehensive Plan	Traditional Neighborhood	
Overlay	N/A	
Surrounding Context	<u>Zoning</u>	Surrounding Context
	North: D-8	Single-family dwelling
	South: C-3	Commercial retail
	East: D-8	Single-family dwelling
	West: PK-2	Single-family dwellings
Thoroughfare Plan		
College Avenue	Primary Arterial	70-foot existing right-of-way and 78-foot proposed right-of-way.
East 20 th Street	Local Street	70-foot existing and proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	N/A	
Wellfield Protection Area	N/A	
Site Plan	April 30, 2026	
Elevations	April 30, 2026	
Landscape Plan	N/A	
Commitments	N/A	
Findings of Fact	N/A	
C-S / D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types – Traditional Neighborhood Typology

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

Not Applicable to the Site.

ZONING HISTORY

2022-DV1-045; 2003 North College (subject site), requested a Variance of Development Standards to provide for the construction of a three-story single-family dwelling located within the clear sight triangle of the intersection at East 20th and College Avenue, with a main floor area of 414 square feet, and a front-loaded garage off of East 20th Street, **withdrawn**.

2019-DV2-029; 714 East 20th Street (east of site), requested a Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling and attached garage with a six-foot front setback, three-foot rear setback, and the main floor with less than 660 square feet, **granted**.

2018-DV2-028; 2029 N College Avenue (north of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a multi-family building with a four-foot front setback from the proposed right-of-way, with a one-foot north side setback and 17 feet between multi-family buildings and to provide for a multi-family building with a five-foot front setback from the proposed right-of-way and a 20-foot south side setback, and to permit a 1.001 floor area ratio for the project, **granted**.

2017-DV2-039; 2001 Carrollton Avenue (east of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish an eight-foot tall fence, **denied**.

2015-DV1-063; 2101 North College Avenue (north of site), Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for a 48-unit multi-family development with an existing building height of 57 feet, and an eight-foot north side yard, **granted**.

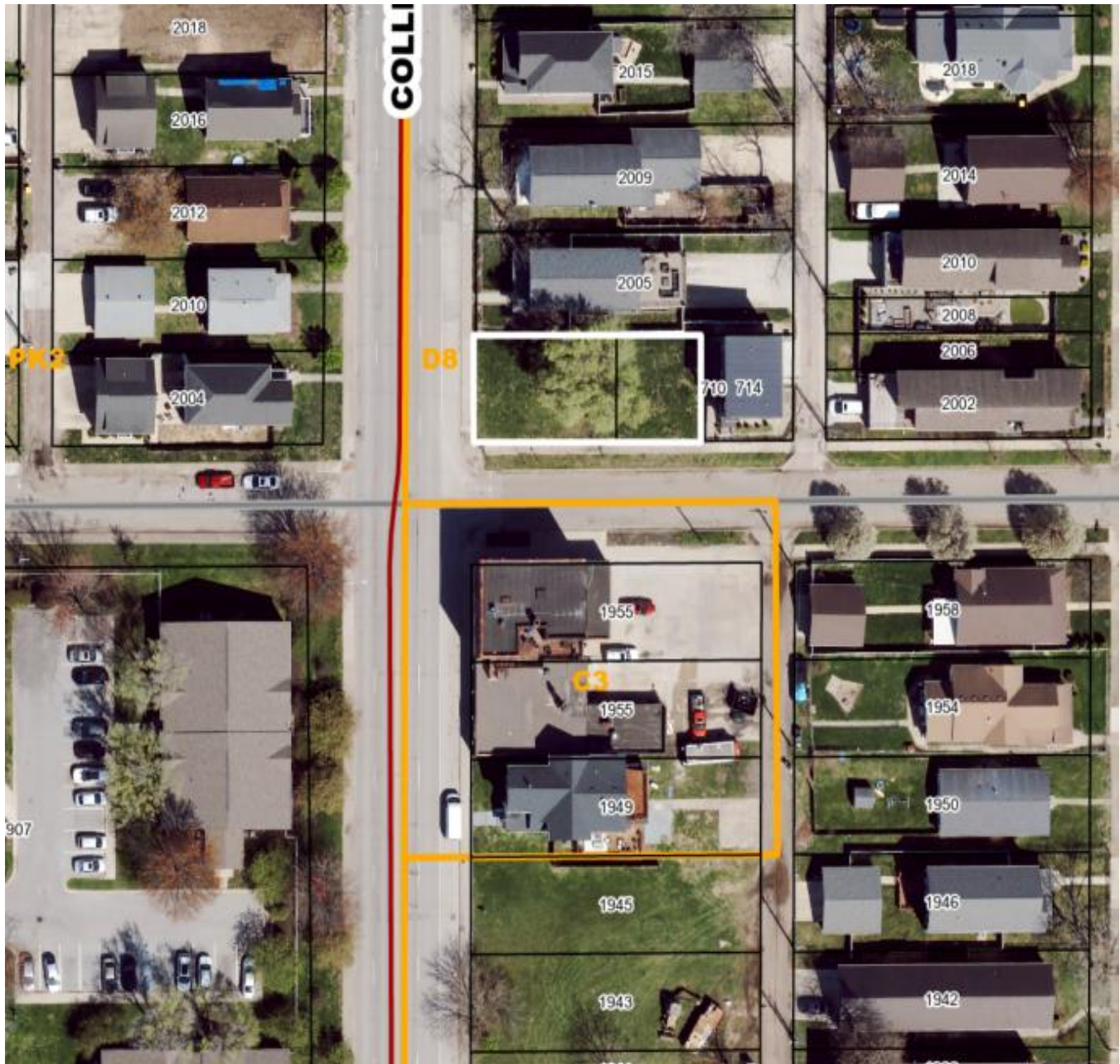
2015-DV1-020; 2101 North College Avenue (north of site), Variance of Developments Standards of the Dwelling Districts Zoning Ordinance to provide for a 48-unit multi-family development, with a floor area ratio of 5.19, with a parking ratio of 0.00, with an open space ratio of 0.121, with a livability space ratio of 0.101, with a major livability space ratio of 0.00, with a 10-foot north side yard, and with 12 off-site parking spaces and maneuvering within the right-of-way of 21st Street, and with five on-site parking spaces with maneuvering within the right-of-way, **granted**.

2007-HOV-012; 801 East 20th Street (southeast of site), Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a single-family dwelling with a fifteen-foot front setback from the existing right-of-way of Carrollton Avenue, and a six-foot front setback from the existing right-of-way of 20th Street, and to provide for the construction of a detached garage with a twelve-foot front setback from the existing right-of-way of 20th Street, and within the 25-foot clear sight triangle of the intersection of East 20th Street and Carrollton Avenue, **granted**.

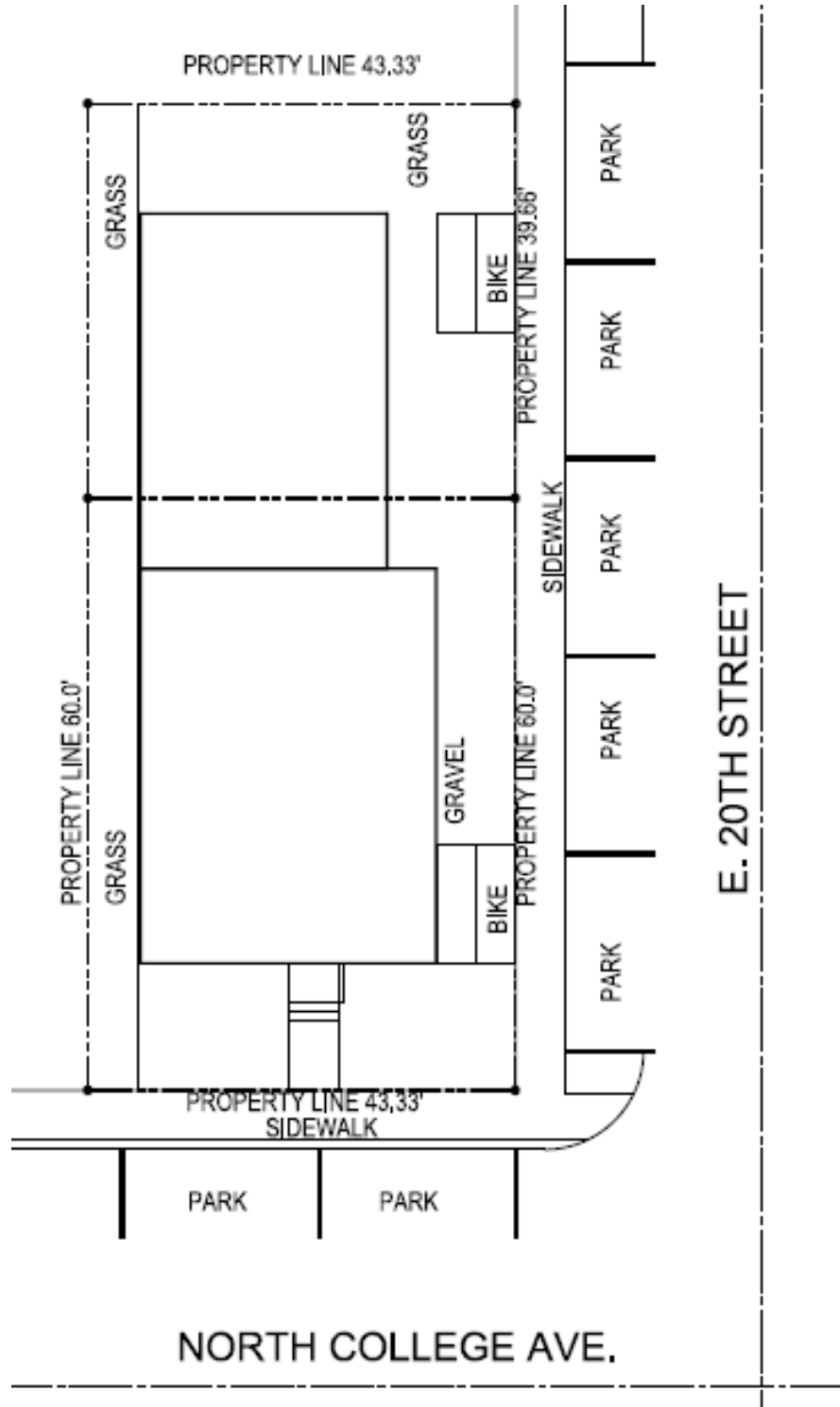
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EXHIBITS

LOCATION MAP



SITE PLAN



PHOTOS



Subject site, looking East from College Avenue.



Adjacent commercial use to the south of subject site, looking southeast.



Adjacent residential uses to the east of the site, looking north.



Adjacent residential property on College Avenue to the north, looking northeast.

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-CVR-835 / 2026-CPL-835

Property Address: 3989 Meadows Drive

Location: Washington Township, Council District #8

Petitioner: Temple of Praise Assembly Church, by Misha Rabinowitch

Current Zoning: D-8

Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a proposed multi-family development, consisting of 32 units (Medium Apartment), (maximum of 12 units or Small Apartment permitted), with 11 parking spaces (minimum of 32 spaces required), a building height of 40 feet (maximum building height of 35 feet permitted); and parking within the side yard setback (not permitted).

Approval of a Subdivision Plat to be known as The Meadows Replat of Block Q and part of Block P, subdividing 2.15 acres into two lots.

Current Land Use: Religious uses and associated parking.

Staff Recommendations: Approval of the variance requests and the plat

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing for these requests.

STAFF RECOMMENDATION

Staff recommends approval of the four variances of development standards request.

Staff recommends that the Hearing Examiner approve and find that the plat, file dated June 9, 2026, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provides a bond as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
2. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
4. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.

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5. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
6. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
11. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.
12. That the plat shall be recorded within two (2) years after the date of conditional approval by the Hearing Examiner.

PETITION OVERVIEW

This 2.15-acre site, zoned D-8, is developed with religious uses and associated parking lots. It is surrounded by a governmental facility under construction and open space to the north and east, zoned D-P; commercial uses to the south, zoned C-4; and educational uses to the west, across Meadows Drive, zoned D-P.

VARIANCES OF DEVELOPMENT STANDARDS

As proposed, four variances, one of which is a use variance for a medium apartment, with three variances of development standards that include reduced parking, increased building height and parking in the side yard setback.

The use variance that would provide for a medium apartment consisting of 32 dwelling units when the D-8 district limits multi-family development to a small apartment with three to 12 dwelling units. Staff supports density and recognizes the proposed development would contribute to the housing shortage. Additionally, the proposed density at 14.8 units per acre would align with the village mixed use Comprehensive Plan recommendation of six to 25 units per acre. Consequently, staff supports this use variance and believes the development would not negatively impact surrounding land uses.

The request would also provide for reduced parking from the required minimum of 23 parking spaces to 11 parking spaces. Staff supports this reduction because adjacent parking would be available through a shared parking arrangement with the adjoining religious uses to the south. Staff also understands that the proposed multi-family development would be marketed to seniors that could further reduce the need for parking spaces.



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The building height of the proposed multi-family building would be 40 feet when the Ordinance limits the building height to 35 feet. Staff believes that the five-foot increase would have minimal impact on the surrounding land uses and enable increased density.

Staff supports the request to allow for parking in the side yard due to the configuration of the parcel and the limited space to provide parking in the rear of the building.

PLAT

This request would provide for approval of a Subdivision Plat, to be known as The Meadows Replat of Block Q and part of Block P, dividing 0.74 acre into 2 lots.

Site Plan

The existing religious uses would be located on Lot 1 consisting of 1.41 acres. The proposed multi-family development, with 11 parking spaces, would be located on Lot 2 consisting of 0.74 acre for a total of 2.15 acres. Adams Street (50-foot public right-of-way) abuts Lot 2 along the northern boundary.

There would be 11 parking spaces adjacent to the proposed multi-family development. Parking for religious use would be provided to the north (25 parking spaces) and south (20 parking spaces) of the existing building.

The existing southern parking lot association with the religious is not included in the plat.

Streets

No new street is proposed. There are currently three access drives to the site, but the center access drive would be removed as the site is developed. Access drives to each to the two uses are proposed.

Sidewalks

Sidewalks currently exist along the Meadows Drive frontage.

Waivers

No waivers are requested.

GENERAL INFORMATION

Existing Zoning	D-8
Existing Land Use	Religious uses / parking lots
Comprehensive Plan	Village Mixed-Use

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Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-P	Governmental facility
South:	C-4	Commercial uses
East:	D-P	Governmental facility
West:	D-P	Educational uses
Thoroughfare Plan		
Meadows Drive	Primary Collector	Existing 75-foot right-of-way and proposed 56-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	June 9, 2026	
Site Plan (Amended)	N/A	
Elevations	June 9, 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	June 9, 2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

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

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

Conditions for All Housing

- Should be within a one-quarter-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
- Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection

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

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

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

ZONING HISTORY

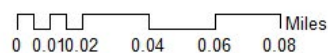
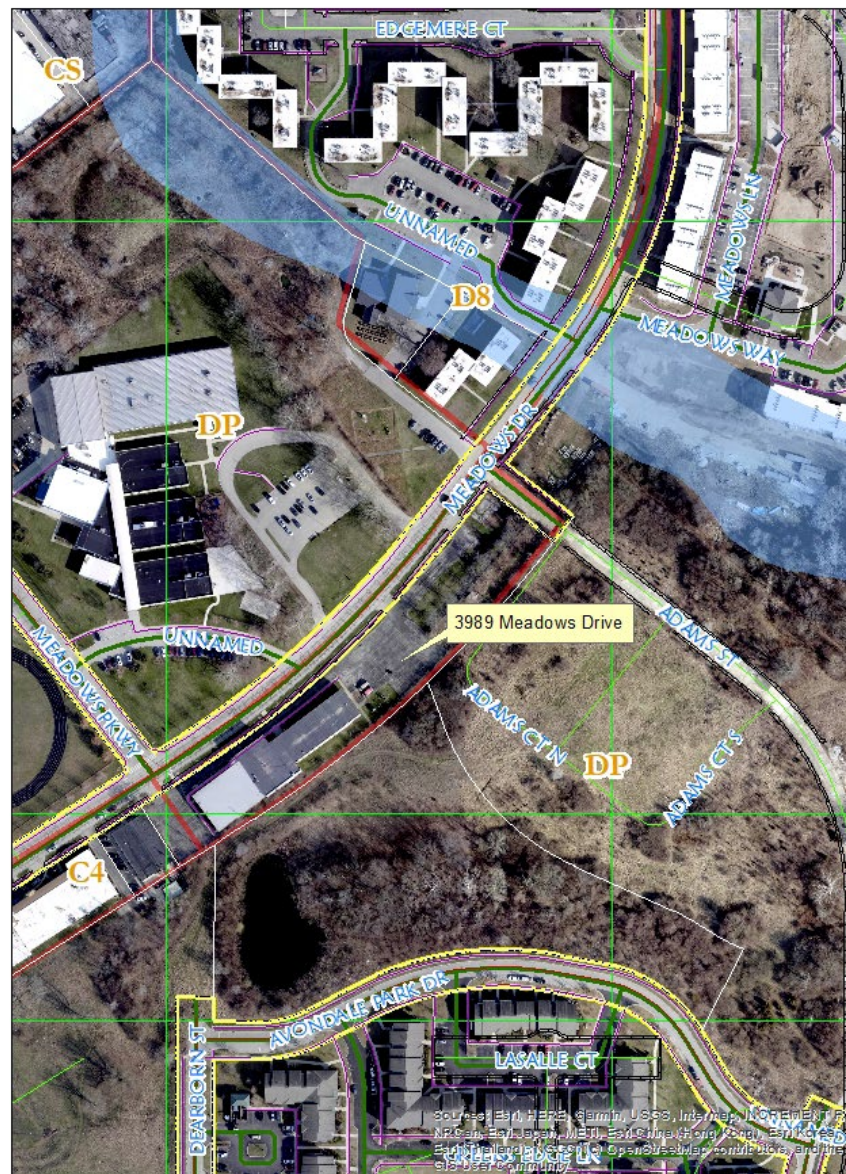
2024-MOD-022; 3985 Meadows Drive (west of site), requested a modification of Development Statement and Site Plan related to the rezoning petition 2010-ZON-042 to amend the site plan to allow an EMS Headquarters, **approved**.

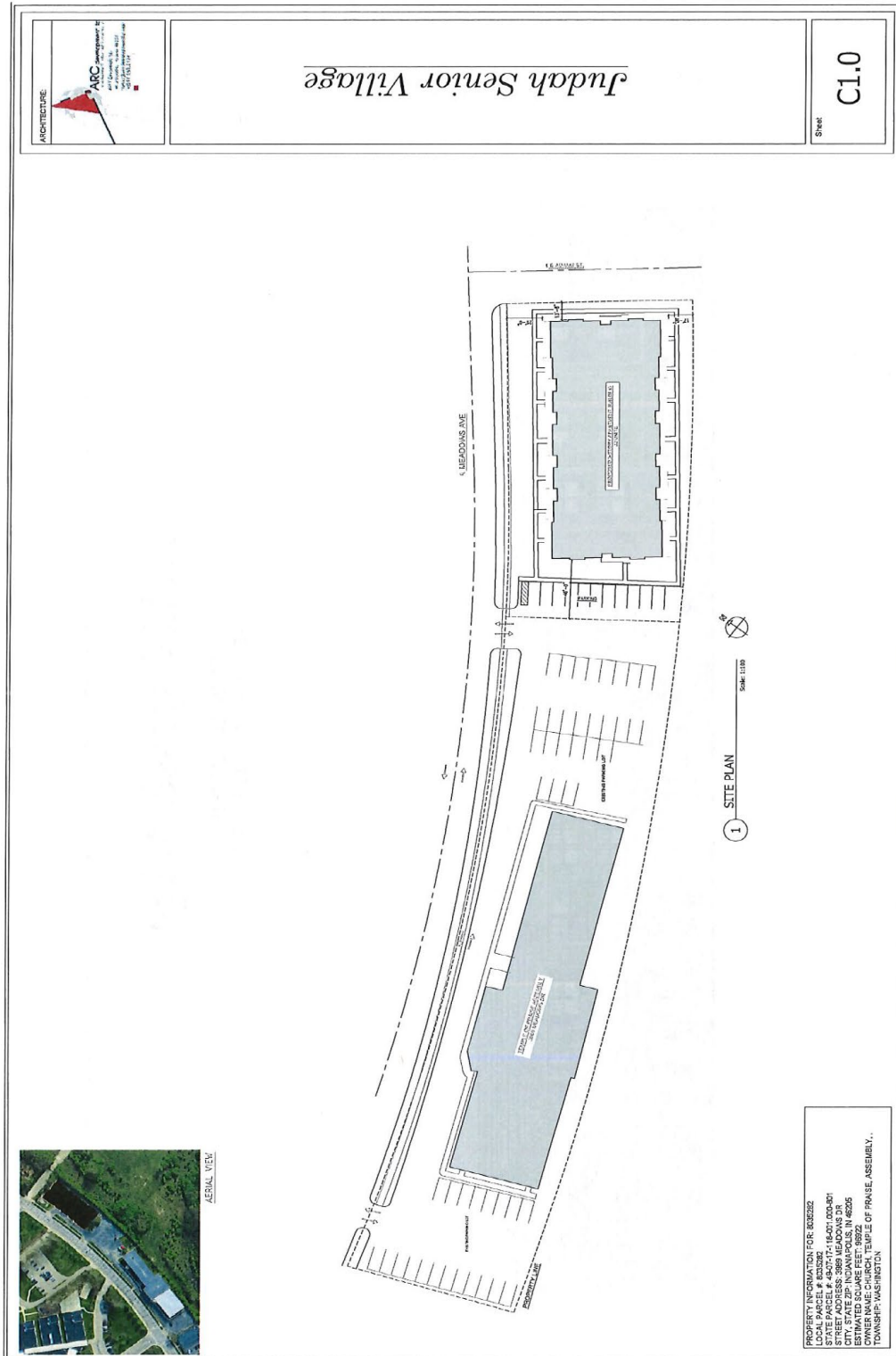
2010-ZON-042 / 2024-DP-003; 3801-4005 Meadows Drive, 3805-3806 North Dearborn Street (south of site), requested rezoning of 101.9 acres, from the D-8 (W-5), D-9 (W-5), SU-2 (W-5), C-4 (W-5) and C-S (W-5) Districts, to the D-P (W-5) classification to provide for single-family, two-family and multi-family residential uses, a) commercial uses permitted within the C-1, C-3 and C-4 Districts, b) special and institutional uses permitted within the SU-1, SU-2, SU-6, SU-7, SU-9, SU-37, SU-38, SU-39 Districts, c) mixed-use areas of residential and commercial in the same building as well as live/work units, including light manufacturing and assembly and residential, commercial and institutional uses within the same building, and d) uses permitted within the SU-3 and SU-9 Districts and agricultural uses, including a community garden and the sale of products produced therein, **approved**.

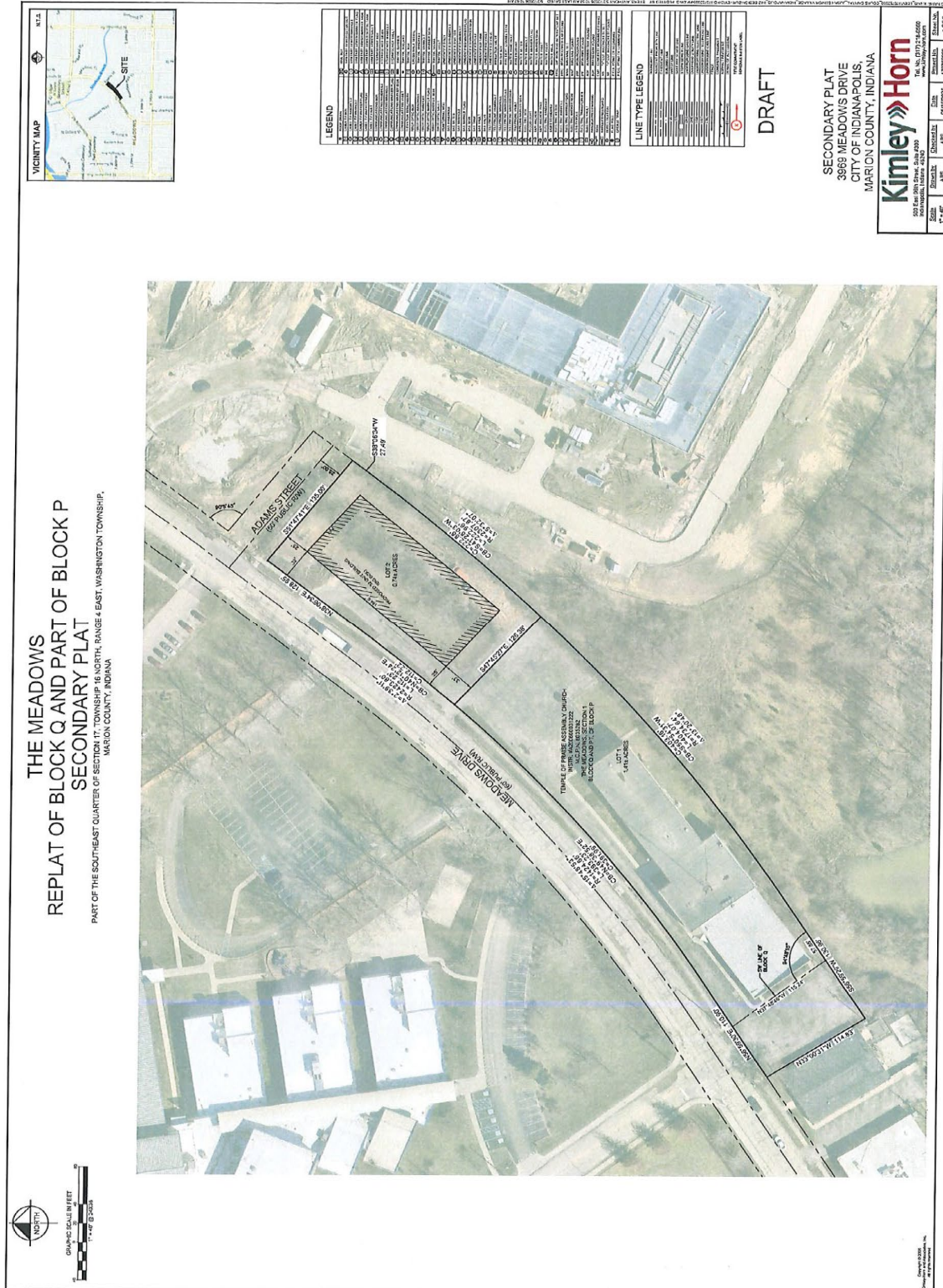
2006-ZON-008; 4000 Meadows Drive (north of site), requested rezoning of 13.95 acres from C-1(W-5), C-4(W-5), and D-8(W-5) to SU2-(W-5) to provide for a charter school, **approved**.

2001-ZON-165; 3940 Meadows Drive (south of site), requested rezoning of 12.5 acres from C-4 to C-S to provide for a general contractor with related offices and outdoor storage, general offices, educational use, and C-3 uses, **approved**.

2000-ZON-031; 3960 Meadows Drive (south of site), requested rezoning of eight acres from C-4 to C-S to provide for I-3 uses, **withdrawn**.











Department of Metropolitan Development
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Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:
the parking need for the propose senior living community will be less than typical multifamily developments and sufficient parking through an agreement with the adjacent church will be provided.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:
the parking need for the proposed senior living community will be less than typical multifamily developments and sufficient parking through a shared parking arrangement and agreement with the adjacent church will be provided.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:
the ordinance parking requirement does not account for the reduced parking demand for senior living communities, nor does it take into account shared parking with the adjacent church property.

DECISION

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

Adopted this _____ day of _____, 20 ____

METROPOLITAN BOARD OF ZONING APPEALS, Division _____
 OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

(Parking Within Setback)

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

The proposed parking within the sideyard setback will be integrated with the adjacent parking lot with a cross access easement.

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

The proposed parking within the sideyard setback will be integrated with the adjacent parking lot with a cross access easement.

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

The setback requirement, as it relates to parking, does not contemplate the integrated nature of the development.

DECISION

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

Adopted this _____ day of _____, 20 ____

_____	_____
_____	_____
_____	_____



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

Petition Number _____

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

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

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

the site is conducive to a development that is more dense and exceeds the development standards for small apartments
under the D-8 zoning ordinance.

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

the site is conducive to a development that is more dense and exceeds the development standards
for small apartments under the D-8 zoning ordinance.

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

the site, although conducive to multifamily development, is narrowly configured.

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

although the site is conducive to multifamily development in accordance with the D-8 zoning classification,
the ordinance, as written, does not permit the large medium development standards to be applied to D-8.

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

the Village Mixed Use typology, applicable to the site, contemplates multifamily housing like the proposed development which is compatible with
the area.

DECISION

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

Adopted this _____ day of _____, 20 ____

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

Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

the variance for height of five (5) feet above what is already permitted in the D-8 zoning classification is minimal and fits in context with other multifamily developments in the area.

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

the proposed development is being constructed in a manner that is complimentary to the existing adjacent church with shared parking and access.

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

although a three (3) story building fits in context and is consistent with the existing D-8 zoning, the 35 ft. height limitation prohibits 3-story residential development.

DECISION

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

Adopted this _____ day of _____, 20 ____

_____	_____
_____	_____
_____	_____



View looking south along Meadows Drive



View looking north along Meadows Drive

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View of southern portion of site looking south along Meadows Drive



View of site looking north

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View of northern portion of site looking northeast



View of site looking east

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Current Planning



View looking southeast along existing building



View of northern portion of site looking east across Meadows Drive

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Division of Planning
Current Planning



View of northern portion of site looking east across Meadows Drive



View of existing building looking east across Meadows Drive

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Division of Planning
Current Planning**



View of site looking southeast at existing building across Meadows Drive



View of site looking east at southernmost parking lot across Meadows Drive

Department of Metropolitan Development
Division of Planning
Current Planning



View from site looking west across Meadows Drive



View from site looking northwest across Meadows Drive



View from site looking southwest across Meadows Drive

**METROPOLITAN DEVELOPMENT COMMISSION
OF MARION COUNTY, INDIANA
PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS**

NEGATIVE FINDINGS OF FACT

1. BASED ON THE EVIDENCE SUBMITTED THE PETITIONER FAILED TO MEET ITS BURDEN OF PROOF TO SHOW THAT THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE community-regional commercial / industrial uses on a site that would not provide minimal street frontage and a front setback would not allow appropriate site access and buffering that would be injurious to the surrounding land uses, future customers / clients, and the overall community.

2. BASED ON THE EVIDENCE SUBMITTED THE PETITIONER FAILED TO MEET ITS BURDEN OF PROOF TO SHOW THAT THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE community-regional commercial / industrial uses on a site that would not provide minimal street frontage and a front setback would not allow appropriate site access and buffering that would adversely impact the surrounding land uses and future customers / clients.

3. BASED ON THE EVIDENCE SUBMITTED THE PETITIONER FAILED TO MEET ITS BURDEN OF PROOF TO SHOW THAT THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WILL RESULT IN PRACTICAL DIFFICULTIES IN THE USE OF THE PROPERTY BECAUSE the introduction of less intense commercial uses that would align with the Comprehensive Plan recommendation of office commercial would be appropriate and less impactful to surrounding land uses in terms of reduced street frontage and reduced setbacks, as opposed to the proposed community / regional commercial district and industrial uses, located within an area of natural and environmental features and without appropriate site access and buffering provided by setbacks.

DECISION

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

Adopted this _____ day of _____, 20 ____
