



Metropolitan Development Commission Hearing Examiner (June 27, 2024) Meeting Agenda

Meeting Details

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

Date: Thursday, June 27, 2024

Time: 1:00 PM

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

Business:

Special Requests

2024-ZON-044 (Amended) | 918 East 27th Street, 2735, 2739, 2743, 2747, 2751, 2752 and 2755 Guilford Avenue, 820 East 27th Street, 2708, 2712, 2716, 2720, 2724, 2728, 2732, 2736, 2740, 2744, 2748, 2752, and 2756 Winthrop Avenue (even)

Request for an 8-day waiver of the 23-day requirement for posted notice for the amended Petition

2024-APP-013 | 2345 West 86th Street

Pike Township, Council District #1

HD-2

The Little Sisters of the Poor, by Mike Timko

Hospital District-Two Approval for the construction of a proposed 68,676 square-foot building, with sidewalks, landscaping, and a 102-space parking area. The existing building and parking area would be demolished.

****Withdrawn by Petitioner**

PETITIONS REQUESTING TO BE CONTINUED:

1. 2024-MOD-010 | 9433 Avant Avenue

Washington Township, Council District #2

D-P

BC Real Street Partners LLC, by Brian J. Tuohy

Modification of Development Statement related to 2021-ZON-054 to modify Paragraph III, Development Standards of the Townhome District Development Architectural Standards to provide for a 20-foot minimum lot width for townhomes (previously required a 24-foot minimum lot width for townhomes).

****Automatic continuance to July 25, 2024, filed by Registered Neighborhood Organization. Petitioner filed alternate request to transfer to MDC July 17, 2024.**

2. 2024-ZON-040 | 6000, 6012, 6020, 6180, and 6206 East 46th Street

Lawrence Township, Council District #9

Indianapolis Re Management LLC, 600-B East 46th Street LLC, and Bazilio Real Estate LLC, by Emily Duncan and David Kingen

Rezoning of 35.8 acres from the C-3 (FF) and C-4 (FF) districts to the MU-2 (FF) district.

****Staff request for continuance for cause to July 25, 2024**

3. 2024-CZN-820 / 2024-CPL-820 | 3107 East Sumner Avenue

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

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

Approval of a Subdivision Plat to be known as Aleman's Subdivision, subdividing 0.924-acre into two lots.

****Multiparty request for continuance for cause to July 11, 2024**

4. 2024-CZN-824 / 2024-CVR-824 | 1402 Shelby Street

Center Township, Council District #18
Carnivore Properties, LLC, by Emily Duncan and David Kingen

Rezoning of 0.14-acre from the MU-1 (TOD) district to the MU-2 (TOD) district.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for zero off-street parking spaces (minimum 15 spaces required), to legally establish a 2.4-foot rear transitional yard setback, without landscaping (minimum 15-foot rear transitional yard required, and to legally establish a three-foot north side yard setback along an alley (minimum 10-foot side setback required along an alley).

****Staff request for continuance for cause to July 25, 2024**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

5. 2024-MOD-005 | 8316 Belfast Drive

Decatur Township, Council District #13
C-S
Unicorp National Developments, Inc., by Mike Timko

Modification of Development Statement related to petition 95-Z-149 to modify item K. Landscape Easements, to provide for a minimum of 10-foot landscape easement measured from the back of curb along all public and private streets (current commitment required a minimum 45-foot landscape easement measured from the back of curb along all public and private streets).

6. 2024-ZON-064 | 8155 Brookville Road

Warren Township, Council District #20
Johnson's Commercial Flooring, Inc, by Joseph D. Calderon

Rezoning of 3.29 acres from the C-4 district to the I-2 district for an office and warehouse for a flooring contractor.

7. 2024-ZON-065 | 132 North Belmont Avenue

Center Township, Council District #18
Trent Stone, by Les Hall

Rezoning of 0.18-acre from the C-3 (TOD) district to the D-5 (TOD) district to provide for residential uses.

8. 2024-ZON-067 | 1502 Dunlap Avenue

Wayne Township, Council District #17
Jonathan Brown, by Matthew Peyton

Rezoning of 0.643-acre from the D-3 district to the D-5 district to provide for residential uses.

9. 2024-ZON-068 | 2327 Dr. Martin Luther King, Jr. Street

Center Township, Council District #12
Socorro Solutions 71010 LLC, by Jynell D Berkshire

Rezoning of 0.12-acre from the C-1 (W-5) district to the D-8 (W-5) district to provide for residential uses.

10. 2024-CZN-825 / 2024-CPL-825 | 1641 Cornell Avenue

Center Township, Council District #13
Indy Opportunity Fund, LLC, by Dale W. Pfeifer

Rezoning of 0.12-acre from the I-3 district to the D-8 district to provide for residential uses.

Approval of a Subdivision Plat to be known as Pfeifer's replat of Lot 6 in A. C. Shortridge's Subdivision, subdividing 0.12-acre into two single-family attached lots.

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

11. 2024-ZON-026 | 7405 and 7425 Westfield Boulevard

Washington Township, Council District #2
7425 Westfield Boulevard LLC and 7405 LLC, by Michael Lang

Rezoning of 1.13 acres from the D-4 (TOD) (FF) district to the C-1 (TOD) (FF) district to provide for a mental health treatment facility and office use.

12. 2024-ZON-029 | 9401 and 9415 East Southport Road, and 9404 and 9510 East McGregor Road

Franklin Township, Council District #25
Lennar Homes of Indiana, LLC., by Brian J. Tuohy

Rezoning of 112.2 acres from the D-A and D-1 districts to the D-4 district to provide for single-family residential development.

13. 2024-ZON-044 (Amended) | 918 East 27th Street, 2735, 2739, 2743, 2747, 2751, 2752 and 2755 Guilford Avenue, 820 East 27th Street, 2708, 2712, 2716, 2720, 2724, 2728, 2732, 2736, 2740, 2744, 2748, 2752, and 2756 Winthrop Avenue (even)

Center Township, Council District #8
Historic Grandview LLC, by Paul J Lambie

Rezoning of 2.96 acres from the D-5 district to the D-8 district for residential development.

14. 2024-CAP-822 / 2024-CVR-822 | 1351 Roosevelt Avenue

Center Township, Council District #13
C-S (FF)
Penn Electric Partners LLC, by Brent Roberts

Modification of the Commitments for 2022-ZON-115 to Modify Commitment #3 to provide for the addition of building signage, roof sign, and architectural canopies, which shall be submitted for Administrator's Approval prior to the issuance of Class 1 Structural Permit, which approval shall not be unreasonably withheld.

Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for a 26-foot long, 8.5-foot-tall roof sign. Said roof sign would be supported by a 23.2-foot long, 15.9-foot-tall scaffold structure (not permitted).

PETITIONS FOR PUBLIC HEARING (New Petitions):

15. 2024-CZN-823 and 2024-CAP-823 | 605 South High School Road

Wayne Township, Council District #17
City of Indianapolis, Department of Parks and Recreation, by Kate Warpool

Rezoning of 6.255 acres from the D-3 district to the PK-1 district.

Park District One approval to provide for park improvements, including playground equipment and playground surface, walking trails, a basketball court, comfort station, and picnic shelters.

Additional Business:

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



METROPOLITAN DEVELOPMENT COMMISSION **June 27, 2024**
HEARING EXAMINER

Case Number: 2024-APP-013

Property Address: 2345 West 86th Street (approximate address)

Location: Pike Township, Council District #1

Petitioner: The Little Sisters of the Poor, by Mike Timko

Current Zoning: HD-2

Request: Hospital District-Two Approval for the construction of a proposed 68,676 square-foot building, with sidewalks, landscaping, and a 102-space parking area. The existing building and parking area would be demolished.

Current Land Use: Retirement Home

Staff Recommendations: To be determined.

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

The petitioner submitted a request to withdraw this petition. This would require acknowledgement from the Hearing Examiner.

STAFF RECOMMENDATION

Staff recommendation is to be determined.

PETITION OVERVIEW

This petition is to be withdrawn at the June 27, 2024 hearing.



METROPOLITAN DEVELOPMENT COMMISSION **June 27, 2024**
HEARING EXAMINER

Case Number: 2024-MOD-010

Property Address: 9433 Avant Avenue

Location: Washington Township, Council District #2

Petitioner: BC Real Street Partners, LLC, by Brian J. Tuohy

Current Zoning: D-P

Request: Modification of Development Statement related to 2021-ZON-054 to modify Paragraph III, Development Standards of the Townhome District Development Architectural Standards to provide for a 20-foot minimum lot width for townhomes (previously required a 24-foot minimum lot width for townhomes).

Current Land Use: Mixed-use

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

A timely automatic continuance has been filed by a registered neighborhood organization that would **continue this petition from the June 27, 2024 hearing, to the July 25, 2024 hearing.** The petitioner’s representative has requested a waiver of the rules that would withdraw the automatic continuance and transfer this petition to the Metropolitan Development Commission for their hearing on July 17, 2024. Staff understands the neighborhood organization would not object to this, but no documentation has been submitted confirming this.



METROPOLITAN DEVELOPMENT COMMISSION **June 27, 2024**
HEARING EXAMINER

Case Number: 2024-ZON-040

Property Address: 6000, 6012, 6020, 6180, and 6206 East 46th Street

Location: Lawrence Township, Council District #9

Petitioner: Indianapolis Re Management LLC, 600-B East 46th Street LLC, and Bazilio Real Estate LLC, by Emily Duncan and David Kingen

Current Zoning: C-3 (FF) and C-4 (FF)

Request: Rezoning of 35.8 acres from the C-3 (FF) and C-4 (FF) districts to the MU-2 (FF) district.

Current Land Use: Commercial (vacant)

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

Staff is requesting a **continuance of this petition from the June 27, 2024 hearing, to the July 25, 2024 hearing** to provide additional time for the petitioner’s representative to provide additional information and details regarding this request.



METROPOLITAN DEVELOPMENT COMMISSION **June 27, 2024**
HEARING EXAMINER

Case Number: 2024-CZN-820 / 2024-CPL-820

Property Address: 3107 East Sumner Road

Location: Perry Township, Council District #19

Petitioner: Francisco Aleman, by Josh Smith

Current Zoning: D-A

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

Current Land Use: Single-family dwelling / accessory building

Staff Recommendations: Approval of the rezoning and subdivision plat.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued these petitions from the June 13, 2024 hearing, to the June 27, 2024 hearing, at the request of the petitioner’s representative and the neighbors. Subsequently, the petitioner’s representative discovered a conflict with his schedule. By agreement between the neighbors and the petitioner’s representative, they are requesting a **continuance from the June 27, 2024 hearing, to the July 11, 2024 hearing**. Staff would have no objection to the continuance.

STAFF RECOMMENDATION

Approval of the rezoning.

Staff recommends that the Hearing Examiner approve and find that the plat, file dated April 19, 2024, 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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Division of Planning
Current Planning**

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 0.924-acre site, zoned D-A, is developed with a single-family dwelling and an accessory structure. It is surrounded by single-family dwellings to the north, across Sumner Avenue, zoned D-5; undeveloped land to the south, zoned SU-1; and single-family dwellings to the east and west, zoned D-A.

Petition 84-UV3-63 provided for a variance of use to allow a mobile home on the property as a residence for the petitioner's parents. This mobile home has been removed in accordance with conditions related to the grant of the variance.

Rezoning

The request would rezone the site to the D-5 district. "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 recommends suburban neighborhood typology.

As proposed, this request would be consistent with the Comprehensive Plan recommendation of suburban neighborhood typology and would be compatible with the surrounding neighborhood. This typology is comprised primarily of single-family dwellings with a variety of neighborhood serving commercial businesses.



Department of Metropolitan Development
 Division of Planning
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Plat (Site Plan and Design)

As proposed, the site would be divided into two lots. Lot 1 (0.219 acre) is developed with an accessory building. Lot 2 (0.695 acre) is developed with a single-family dwelling.

Both lots would gain access from East Sumner Avenue and would not require new streets.

GENERAL INFORMATION

Existing Zoning	D-A		
Existing Land Use	Single-family dwelling / accessory buildings		
Comprehensive Plan	Suburban Neighborhood		
Surrounding Context	Zoning	Land Use	
	North:	D-5	Single-family dwellings
	South:	SU-1	Undeveloped land
	East:	D-A	Single-family dwelling
	West:	D-A	Single-family dwelling
Thoroughfare Plan			
East Sumner Avenue	Local Street	Existing 60-foot right-of-way and proposed 50-foot right-of-way.	
Context Area	Metro		
Floodway / Floodway Fringe	No		
Overlay	No		
Wellfield Protection Area	No		
Site Plan	April 19, 2024 (Primary Plat)		
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 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 Pattern Book and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

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

- *Conditions for All Land Use Types – Suburban Neighborhood Typology*
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
 - Hydrological patterns should be preserved wherever possible.
 - Curvilinear streets should be used with discretion and should maintain the same general direction.
 - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- *Conditions for All Housing*
 - A mix of housing types is encouraged.
 - Developments of more than 30 housing units must have access to at least one arterial street of 3 or more continuous travel lanes between the intersections of two intersecting arterial streets.
 - Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
 - Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.



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Current Planning**

- Developments with densities higher than 5 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

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



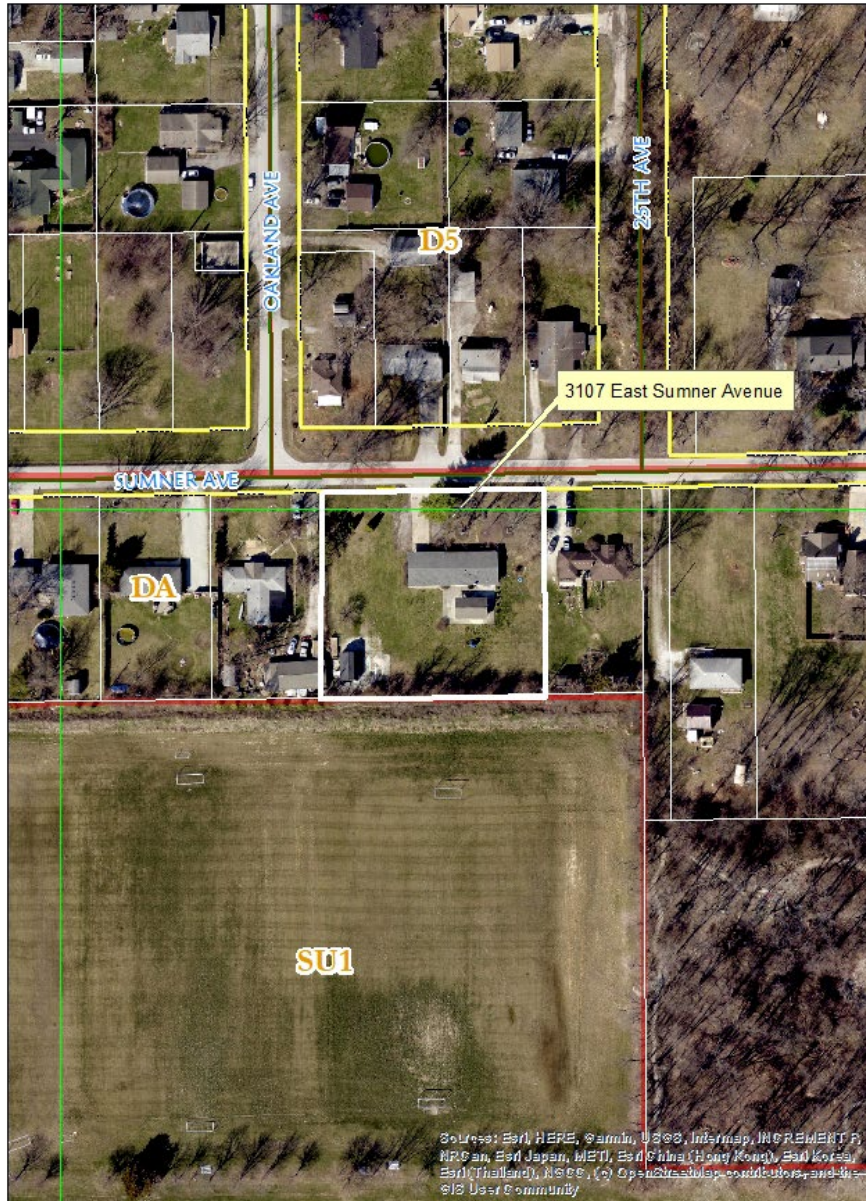
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ZONING HISTORY

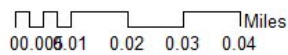
84-VU3-63; 3107 East Sumner Avenue, requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for the use of a mobile home on the subject property as a residence for petitioner's parents, granted.

95-Z-58; .3615 South Rural Street (south of site), requested rezoning of 30.4 acres, being in the D-3 and D-A districts to the SU-1 classification to provide for the construction of a church use including the construction of a church, fellowship hall, day care, seminary dormitory and other uses, **approved**.

EXHIBITS



317 East Sumner Avenue





View looking west along East Sumner Avenue



View looking east along East Sumner Avenue



View of proposed Lot 2 looking south across East Sumner Avenue



View of proposed Lot 1 looking south across East Sumner Avenue



View of western boundary looking south across East Sumner Avenue



METROPOLITAN DEVELOPMENT COMMISSION **June 27, 2024**
HEARING EXAMINER

Case Number: 2024-CZN-824 / 2024-CVR-824
Property Address: 1402 Shelby Street
Location: Center Township, Council District #18
Petitioner: Carnivore Properties, LLC, by Emily Duncan and David Kingen
Current Zoning: MU-1 (TOD)
Request: Rezoning of 0.14-acre from the MU-1 (TOD) district to the MU-2 (TOD) district.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for zero off-street parking spaces (minimum 15 spaces required), to legally establish a zero-foot rear transitional yard setback, without landscaping (minimum 15-foot rear transitional yard required, and to legally establish a three-foot north side yard setback along an alley (minimum 10-foot side setback required along an alley)

Current Land Use: Commercial uses
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

Staff is requesting a **continuance from the June 27, 2024 hearing, to the July 25, 2024 hearing**, to provide additional time for discussions with the petitioner’s representative.



METROPOLITAN DEVELOPMENT COMMISSION **June 27, 2024**
HEARING EXAMINER

Case Number: 2024-MOD-005

Property Address: 8316 Belfast Drive

Location: Decatur Township, Council District #13

Petitioner: Unicorp National Developments, Inc., by Mike Timko

Current Zoning: C-S

Request: Modification of Development Statement related to petition 95-Z-149 to modify item K. Landscape Easements, to provide for a minimum of 10-foot landscape easement measured from the back of curb along all public and private streets (current commitment required a minimum 45-foot landscape easement measured from the back of curb along all public and private streets)

Current Land Use: Undeveloped property

Staff Recommendations: Approval, subject to the commitments noted below:

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the June 13, 2024 hearing, to the June 27, 2024 hearing, at the request of the petitioner and the neighborhood organization.

STAFF RECOMMENDATION

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

1. Final site plan, landscape plan (exceeding the minimum required landscaping that would incorporate evergreen plant materials to provide year around buffering and low evergreens or hedge directly behind the proposed building to allow for visibility), and elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).
2. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.



PETITION OVERVIEW

Modification

This 2.757-acre site, zoned C-S, is comprised of two contiguous undeveloped parcels and surrounded with undeveloped land to the north, across AmeriPLEX Parkway, zoned D-A; a hotel and undeveloped land to the south, zoned C-S; a single-family dwelling to the east, zoned SU-46 and C-4; and commercial uses to the west, zoned C-S.

Petition 95-Z-149 rezoned 1,204.6 acres to the C-S classification to provide for a mixed-use advanced technology and commercial park.

The request would modify the Development Statement related to petition 95-Z-149 to modify item K. Landscape Easements, to provide for a minimum of 10-foot landscape easement measured from the back of curb along all public and private streets. The current commitment requires a minimum 45-foot landscape easement measured from the back of curb along all public and private streets. See Exhibit A.

Staff believes this request is supportable if the landscaping would be enhanced by exceeding the minimum required landscaping that would incorporate evergreen plant materials to provide year around buffering and low evergreens or hedge directly behind the proposed building to allow for visibility.

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.

GENERAL INFORMATION

Existing Zoning	C-S	
Existing Land Use	Undeveloped land	
Comprehensive Plan	Community Commercial	
Surrounding Context	Zoning	Land Use
North:	D-A	Undeveloped land
South:	C-S	Hotel / undeveloped land
East:	SU-46 / C-4	Single-family dwelling
West:	C-S	Commercial uses
Thoroughfare Plan		
Belfast Drive	Private street	Existing 30-wide pavement.
Ameriplex Parkway	Primary arterial	Existing 260-foot right-of-way and proposed 112-foot right-of-way.
Flynn Road	Local Street	Existing 70-foot right-of-way and proposed 50-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	April 22, 2024	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

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

- *Conditions for All Land Use Types – Community Commercial Typology*
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
- *Large-Scale Offices, Retailing, and Personal or Professional Services (defined as commercial uses with minimal outdoor operations, storage, or display on lots of more than 1.5 acres and a height of more than 35 feet.)*
 - Should be located along an arterial street.
 - Outdoor display of merchandise should be limited.
 - If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.



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- If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
- Should be no larger than 25 acres with 125,000 square feet of floor space and no more than three out lots.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

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



ZONING HISTORY

95-Z-149 / 95-CV-29;596=50 Kentucky Avenue, requested rezoning of 1,204.6 acres, being in the D-A, D-3, I-2-S, I-3-S, and I-4-S districts, to the C-S classification to provide for a mixed-use advanced technology and commerce park and a variance of development standards of the Commercial Zoning Ordinance to provide for the construction of a mixed-use advanced technology and commerce park with all development standards of the C-S district being waived in their entirety with alternative standards proposed for Commercial areas would meet C-3, C-4 or C-6 development standards; Industrial areas would generally exceed C-S development standards with the following general exceptions: a) may be developed with private street with a front setback of 50 feet from the right-of-way, and b) outside storage and activities would be in accordance with I-2-S and I-3 S development standards; and a variance of the development standards of the Sign Regulations to permit the implementation of an overall sign program which provide for: a) five project monument signs and 10 boundary markers in addition to the other permitted identification signs; and, construction signs larger than 64-square feet, subject to Administrator Approval, **approved and granted**.

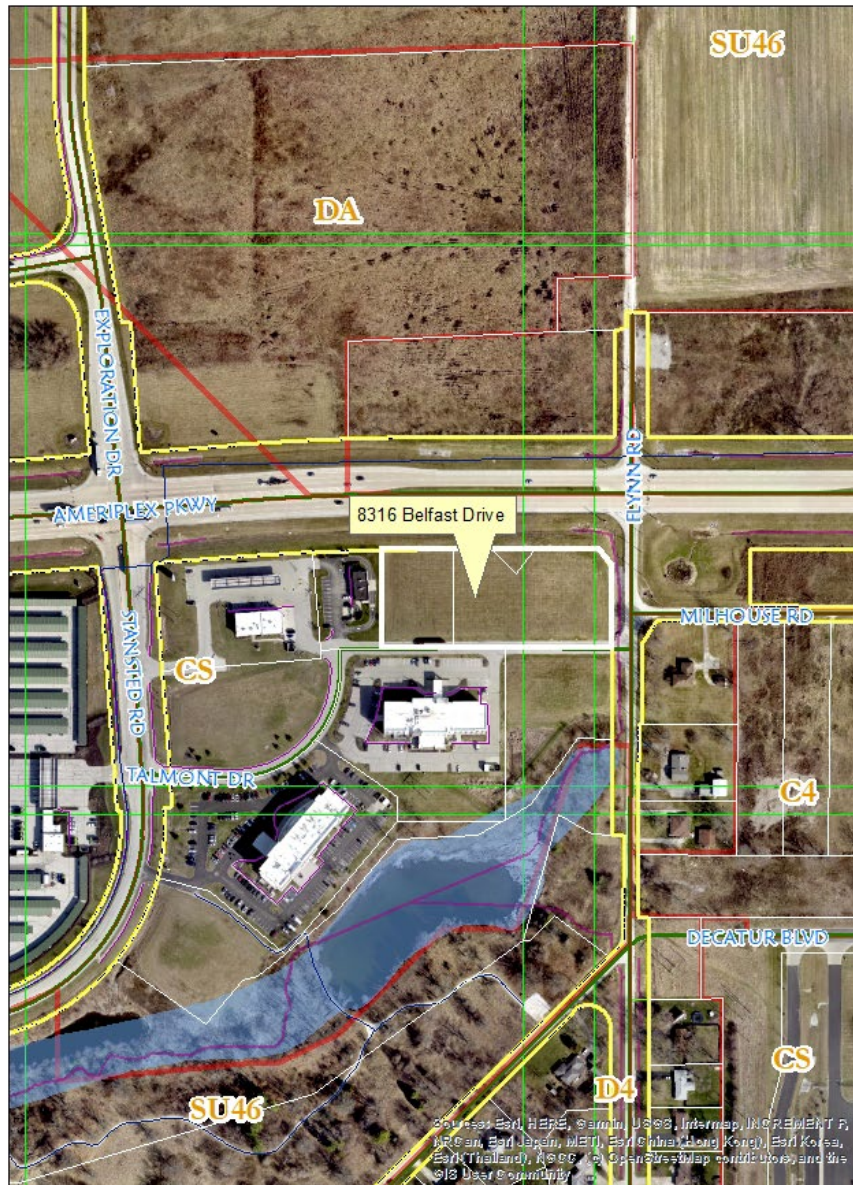
VICINITY

2007-ZON-018; 8000-8133 and 8203-8219 Milhouse Road and 6103 Flynn Road (east of site), requested rezoning of 17.383 acres, being in the D-A and C-S districts, to the C-S classification to provide for all C-1, C-4 and C-6 commercial uses, and all I-2 industrial uses, **approved**.

98-CP-33Z; 8133-8241 Milhouse Road and various addresses (east of site) requested rezoning of 147.6 acres from the C-S, D-A and D-4 districts to the C-S classification to provide for a mixed-use advanced technology and commerce park, **approved**.

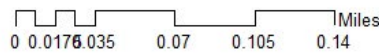
98-CP-33V, 8133-8241 Milhouse Road and various addresses (east of site), requested a variance of development standards to waive all development standards applicable to the C-S district and replacing them with alternative standards, **granted**.

EXHIBITS



Source: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri Thailand, KGS, Swisstopo, OpenStreetMap contributors, and the GIS User Community

8316 Belfast Drive





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EXHIBIT A

The conceptual primary road network which is depicted on the Proposed Land Use Plan for AmeriPlex and a secondary road network may be developed in increments as users of AmeriPlex are identified and located within AmeriPlex or on a phase by phase basis.

H. LIMITATION ON CONSTRUCTION TRAFFIC

Upon construction of any portion of the road network depicted on the Proposed Land Use Plan for AmeriPlex, construction traffic will be instructed to utilize the new roads to the extent practical to gain access to a construction site so as to avoid using the following road segments: existing Mendenhall Road from SR 67/Kentucky Avenue to Thompson Road; existing Milhouse Road from SR 67/Kentucky Avenue to Flynn Road; existing Thompson Road from SR 67/Kentucky Avenue to Mendenhall Road; and, existing Flynn Road from Milhouse Road to Stanley Road.

I. UTILITIES

Public or semi-public utilities will be extended to serve each site within AmeriPlex. Each user within AmeriPlex shall be required to utilize the public or semi-public water and sanitary sewer facilities. No private wells shall be permitted.

All utility lines intended to serve the users within AmeriPlex shall be extended underground, except for water towers which may be required by individual uses. This statement is not intended to prohibit satellite dishes, communication antenna, inlets, manholes, risers, boxes, alarms or other required above-ground ancillary elements typically associated with such installations; nor does this statement imply the intent to relocate the existing overhead high voltage transmission lines to underground facilities.

J. KENTUCKY AVENUE INTERSECTIONS

As depicted on the Proposed Land Use Plan for AmeriPlex, there will be only two public road intersections along the SR 67/Kentucky Avenue frontage of the real estate included in this rezoning petition. The northern intersection will be the reconstructed Mendenhall Road intersection. The southern intersection will be at the location of the "Six Points Road Connector" (a.k.a., AmeriPlex Parkway) and will eventually provide access to the proposed I-70 interchange.

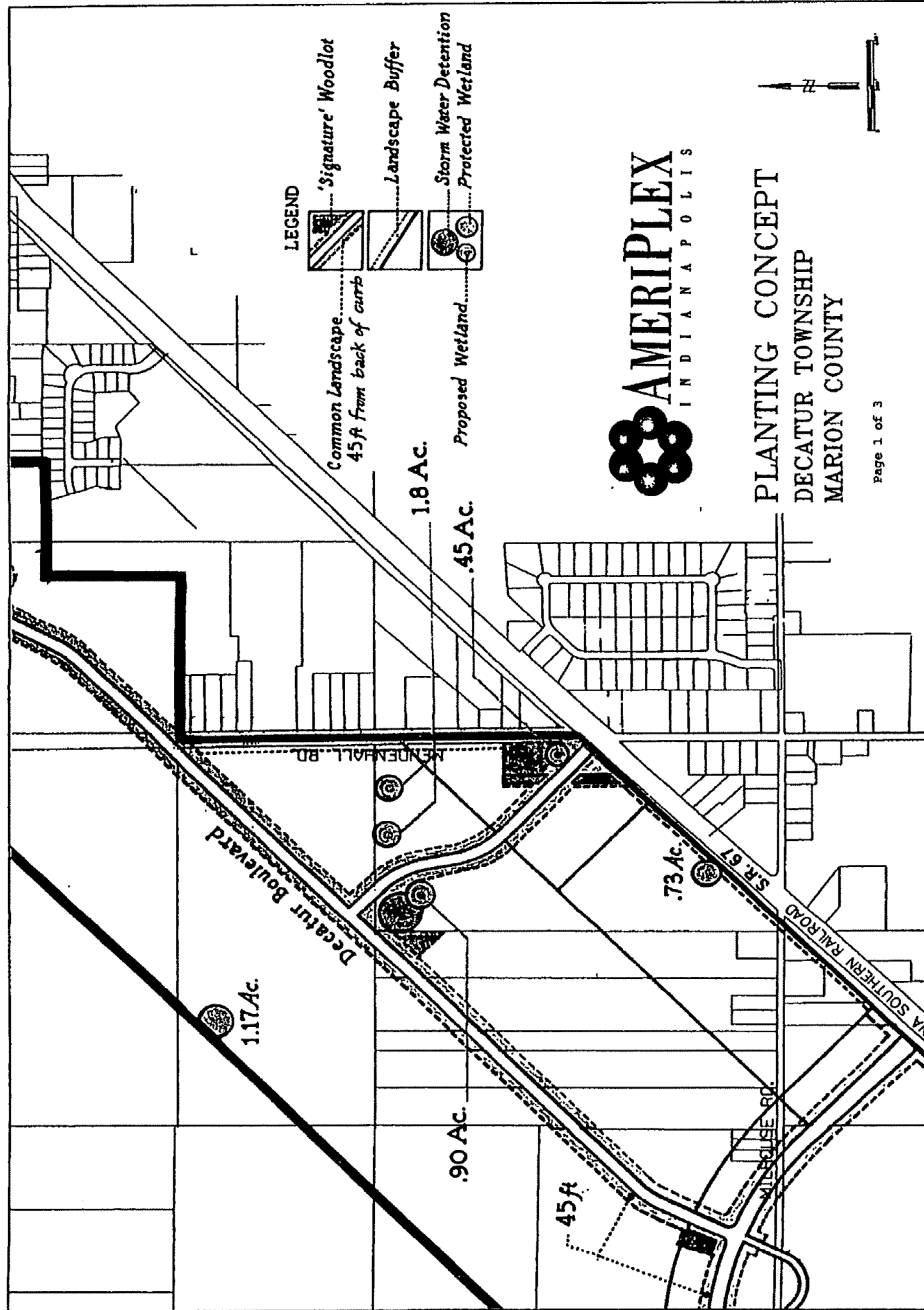
K. LANDSCAPE EASEMENTS

A forty-five (45) foot landscape easement measured from the back of curb shall be maintained along all public and private roadways developed within AmeriPlex. Plantings within this landscape easement area shall be consistent with the standards depicted on the Planting Concept exhibit filed with this rezoning petition.

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95-2-149

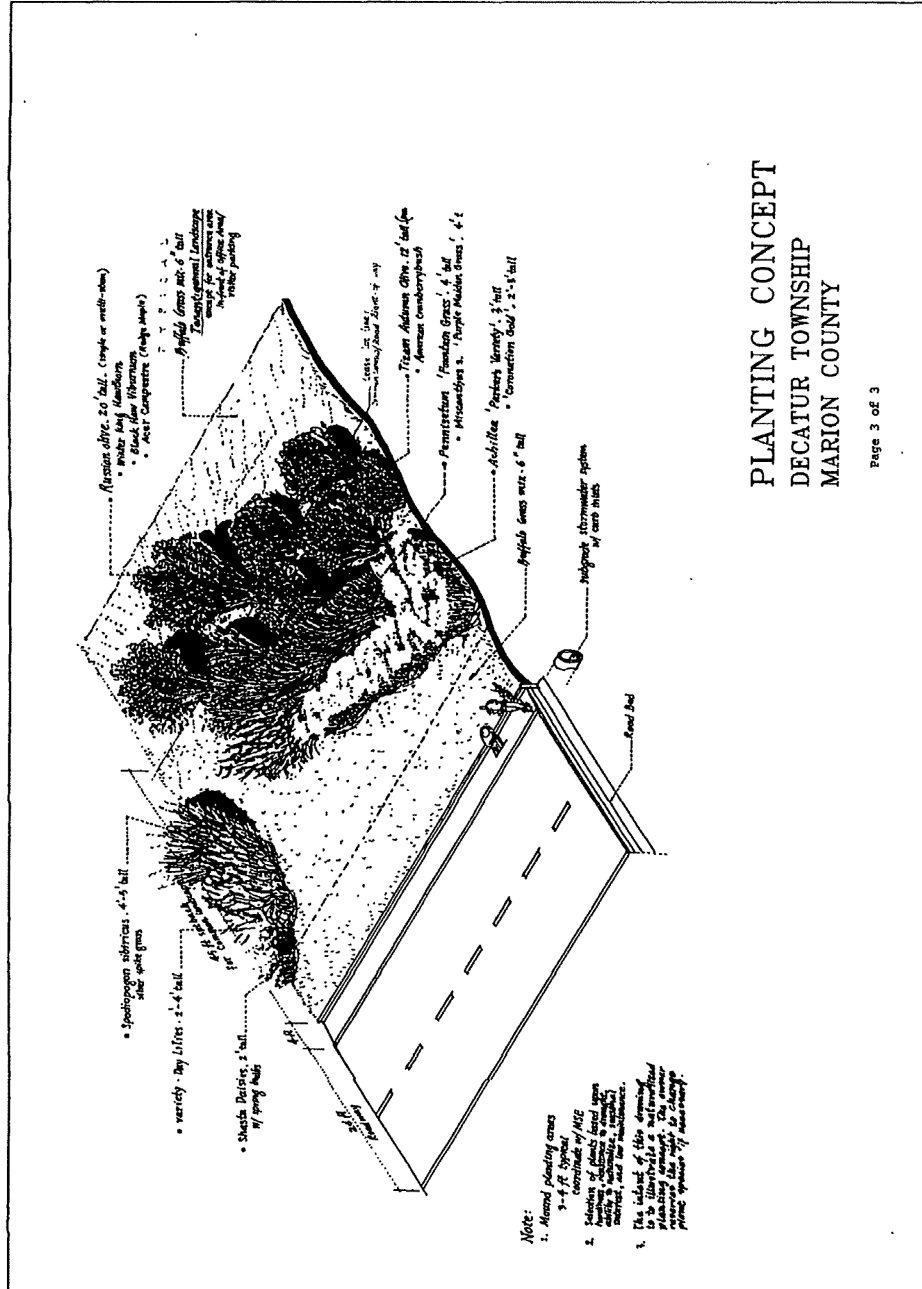
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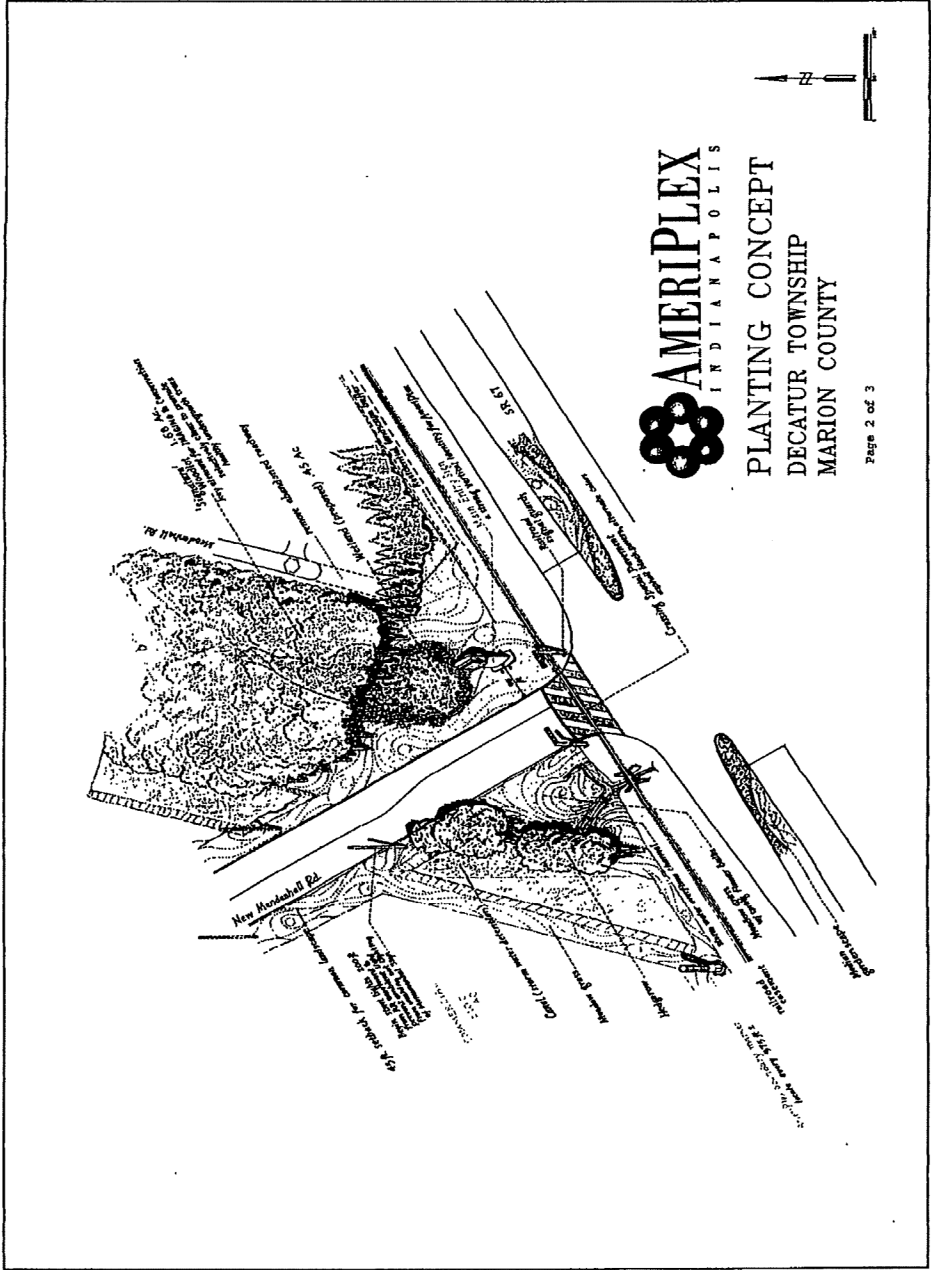
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OCT 16 1995
DEPT. METRO DEVELOPMENT



95-2-149

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 OCT 16 1995
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 BY



View looking east along Belfast Drive



View looking south along Belfast Drive



View of site looking north across Belfast Drive from the access drive of property to the south.



View of site looking north across Belfast Drive



View of site looking east across Flynn Road



View looking northwest across intersection of Belfast Drive and Flynn Road



View looking south along Flynn Road



METROPOLITAN DEVELOPMENT COMMISSION **June 27, 2024**
HEARING EXAMINER

Case Number: 2024-ZON-064
Property Address: 8155 Brookville Road (approximate address)
Location: Warren Township, Council District #20
Petitioner: Johnson’s Commercial Flooring, Inc, by Joseph D. Calderon
Current Zoning: C-4
Request: Rezoning of 3.29 acres from the C-4 district to the I-2 district for an office and warehouse for a flooring contractor.
Current Land Use: Undeveloped
Staff Recommendations: Approval
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends approval** of the request.

PETITION OVERVIEW

LAND USE

The 3.29-acre subject site is an undeveloped commercial lot. It is bordered to the west by a vacant commercial building, to the south with industrial and commercial uses, and an industrial bakery business to the east, zoned I-2. An addiction treatment center, zoned C-4, and a commercial shopping strip, zoned C-3, are north of the site.

REZONING

The request would rezone the site from the C-4 district to the I-2 district, for an office and warehouse for a flooring contractor. The current C-4 district allows for a commercial and building contractor use, but would require a Special Exception and would have limitations by the Ordinance.

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



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

Staff Analysis

If granted, the I-2 rezoning would allow for an office and warehouse for a flooring contractor and would allow for the zoning district to be consistent with the neighboring properties south of Brookville Road.

Commercial and Building Contractor uses are only permitted in the C-5, C-7 and all industrial districts by right. The use is permitted in the C-4 district by special exception, but it does not allow for outdoor storage.

Staff determined that the proposed I-2 district would be supportable since it would align with the Comprehensive Plan recommendation for light industrial development.

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Undeveloped	
Comprehensive Plan	Light Industrial	
Surrounding Context	Zoning	Land Use
North:	C-4 / C-3	Addiction Treatment Center / Commercial Shopping Strip
South:	I-2	General Contractor Business/ Fire Department Equipment Supplier
East:	I-2	Industrial Bakery Business
West:	I-2	Vacant Commercial Building
Thoroughfare Plan		
Brookville Road	Primary Arterial Street	112-foot proposed right-of-way with 150-foot existing right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	



Site Plan	May 10, 2024
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Indy Moves Transportation Integration Plan (2018)

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends light industrial development of the site.
- The Light Industrial typology provides for industrial, production, distribution, and repair uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Typical uses include warehousing, self-storage, assembly of parts, laboratories, wholesaling, and printing. Industrial or truck traffic should be separated from local/residential traffic.
- The proposed I-2 district is a light industrial district that would align with the Comprehensive Plan recommendation.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines



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- Not Applicable to the Site.

Indy Moves

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

- Indy Moves Transportation Integration Plan (2018) proposes an off-street multi-use path from Pleasant Run to County Line Road.



ZONING HISTORY

Zoning History – Site

2005-ZON-835 / 2005-VAR-835; 8135 Brookville Road (subject site), rezoning of 3.9 acres from the D-A district to the C-4 district and a variance of development standards to provide for excess outdoor storage and a deficient number of parking spaces, **approved**.

Zoning History – Vicinity

2022-ZON-130; 8020 Brookville Road (northwest of site); Rezoning of 1.38 acres from the C-3 District to the C-4 District to provide for the expansion of a fueling station, **approved**.

2022-ZON-086; 8135 Brookville Road (northwest of site), Rezoning of 3.70 acres from the C-4 district to the I-2 district to provide for heavy equipment sales, service and repair.

2021-ZON-150; 8150 Brookville Road (north of site), rezoning of 5.311 acres from the C-3 district to the C-4 district to provide for a substance abuse treatment facility, **approved**.

2005-ZON-078; 8050 Brookville Road (northwest of site), rezoning of three acres from the C-S district to the C-3 district, **approved**.

98-Z-120; 8070 Brookville Road (north of site), Rezoning of 6.63 acres, from I-4-S to C-3, to provide for commercial development, **approved**.

96-Z-111; 8420 Brookville Road (northwest of site), rezoning of four acres from the I-4-S district to the C-S district to provide for 0.26 acre of commercial uses and 3.74 acres of indoor and outdoor recreation, **approved**.

95-Z-81; 8020 Brookville Road (northwest of site), Rezoning of 2.27 acres being in the I-4-S District, to the C-3 classification, to provide for commercial development, **approved**.

95-Z-199D; 8401 Brookville Road (southeast of site), rezoning of 55.4 acres from the I-2-S, C-5, and D-A districts to the I-2-S district, **approved**.

90-Z-216; 8215 Brookville Road (east of site), rezoning of 5.8 acres from the D-A district to the I-2-S district, **approved**.

81-Z-84; 8405 Brookville Road (east of site), Rezoning of 4.28 acres, being in A-2 district, to I-2-S classification, to provide for industrial use of a small office with a warehouse, **approved**.

EXHIBITS





Street frontage of the subject site.



Subject site looking south from Brookville Road.



Photo of the entrance to the subject site.



Photo of the western property boundary adjacent to a vacant commercial building.



Vacant commercial building west of the site.



Photo of the retention pond south of the subject site and the western property.



Photo of the retention pond south of the subject site



Addiction treatment center north of the site.



Commercial shopping strip north of the site.



METROPOLITAN DEVELOPMENT COMMISSION **June 27, 2024**
HEARING EXAMINER

Case Number: 2024-ZON-065

Property Address: 132 North Belmont Avenue

Location: Center Township, Council District #18

Petitioner: Trent Stone, by Les Hall

Current Zoning: C-3 (TOD)

Request: Rezoning of 0.18 acre from the C-3 (TOD) district to the D-5 (TOD) district to provide for residential uses.

Current Land Use: Vacant property

Staff Recommendations: Approval

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first public hearing on this petition.

STAFF RECOMMENDATION

Staff recommends approval.

PETITION OVERVIEW

This 0.18-acre site, zoned C-3 (TOD), is currently vacant. It is surrounded by a single-family dwelling to the north, zoned C-3 (TOD); vacant land to the south, zoned D-5 (TOD); vacant land and a single-family dwelling to the east, across North Belmont Avenue, zoned C-3 (TOD) and D-5 (TOD), respectively; and a single-family dwelling to the west, zoned D-5.

The request would rezone this site to the D-5 (TOD) (Walkable Neighborhood) District. “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 Near West Neighborhood Land Use Plan recommends residential uses at 5-8 units per acre, as well as rezoning this site from the C-3 district to the D-5 district.



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According to historical maps this residential-sized parcel was developed with a two-family dwelling around the turn of the century, which was demolished between 1978 and 1979. The current C-3 zoning district does not reflect the long-time residential use. Staff supports this rezoning because it would match the zoning classification with the current residential use and would contribute to the current redevelopment efforts in this neighborhood.

GENERAL INFORMATION

Existing Zoning	C-3 (TOD)	
Existing Land Use	Vacant land	
Comprehensive Plan	5-8 units per acre	
Surrounding Context	Zoning	Land Use
	North: C-1 (TOD)	Single-family dwelling
	South: D-5 (TOD)	Vacant land
	East: C-3 (TOD) / D-5 (TOD)	Vacant land / Single-family dwelling
	West: D-5 (TOD)	Single-family dwelling
Thoroughfare Plan		
North Belmont Avenue	Secondary arterial	Existing 65-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 15, 2024	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

Not applicable to this site.

Pattern Book / Land Use Plan

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

The 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.
 - 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.
- *Attached Housing defined as Duplexes, triplexes, quads, townhouses, row houses, stacked flats, and other, similar legally complete dwellings joined by common walls and typically with each unit on its own lot or part of a condominium).*
 - Duplexes should be located on corner lots, with entrances located on different sides of the lot.
 - It is preferred that townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood-serving retail.
 - If the above conditions are not met, individual buildings of attached housing (not part of a complex) may be interspersed with single-family homes but should not make up more than 25% of the primary residential structures on a block.



- *Modifications*
 - The Pattern Book also provides guidance related to overlays and whether an overlay adds, modifies, or removes the recommended land uses within the base typology. This site lies within the Transit-Oriented Development overlay.
 - Attached Housing – A residential density of 15+ units per acre is recommended.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- This site is also located within an overlay, specifically the Transit Oriented Development (TOD). “Overlays are used in places where the land uses that are allowed in a typology need to be adjusted. They may be needed because an area is environmentally sensitive, near an airport, or because a certain type of development should be promoted. Overlays can add uses, remove uses, or modify the conditions that are applied to uses in a typology.”
- The Transit-Oriented Development (TOD) overlay is intended for areas within walking distance of a transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.
- This site is located within a ¼ mile walk (approximately 780 feet) of a proposed transit stop located at the intersection of West Washington Street and Belmont Avenue with a Community Center typology.
- Community Center stations have varying types of commercial developments, from large strip centers to shopping malls, along arterial corridors. Development opportunities vary from redevelopment into mixed-use, walkable patterns to multi-family residential infill development.
- Characteristics of the Community Center typology are:
 - Mix of retail, entertainment, office, and residential, as desired
 - Surface parking should be consolidated and placed behind buildings, allowing a pedestrian orientation at the street, while still supporting drive-to business

Neighborhood / Area Specific Plan

- The Near West Neighborhood Land Use Plan (2014) recommends residential development at 5-8 units per acre, which is defined as “in suburban and rural areas this is a common multi-family density and typically the highest density single-family category in suburban area. In urban areas, it is common for both single-family and multi-family development. Development at this density is appropriate along bus corridors but should not take place in proximity to planned light rail transit stops.”



The Neighborhood Plan also recommends rezoning from the C-3 district to the D-5 district.

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 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.”



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Indy Moves

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

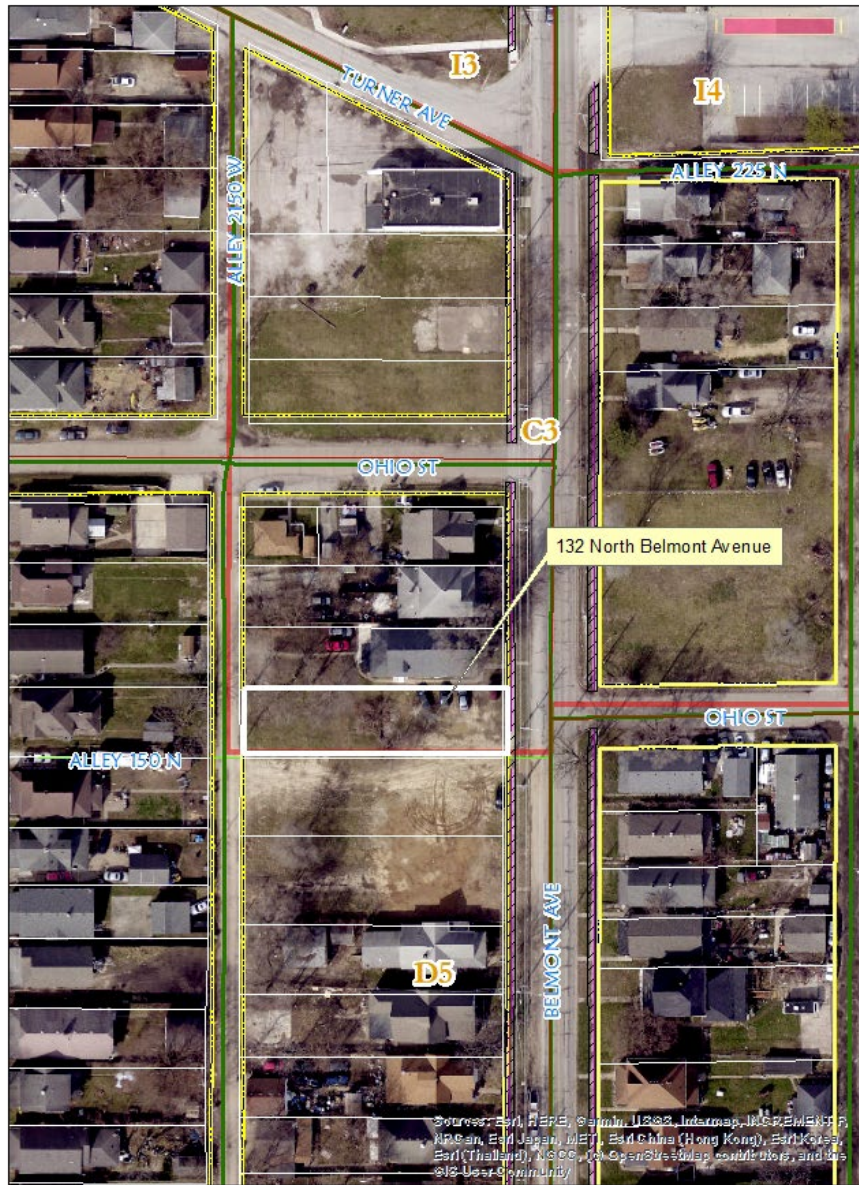
- The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”
- The following listed items describes the purpose, policies and tools:
 - Classify roadways based on their location,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



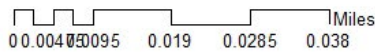
ZONING HISTORY

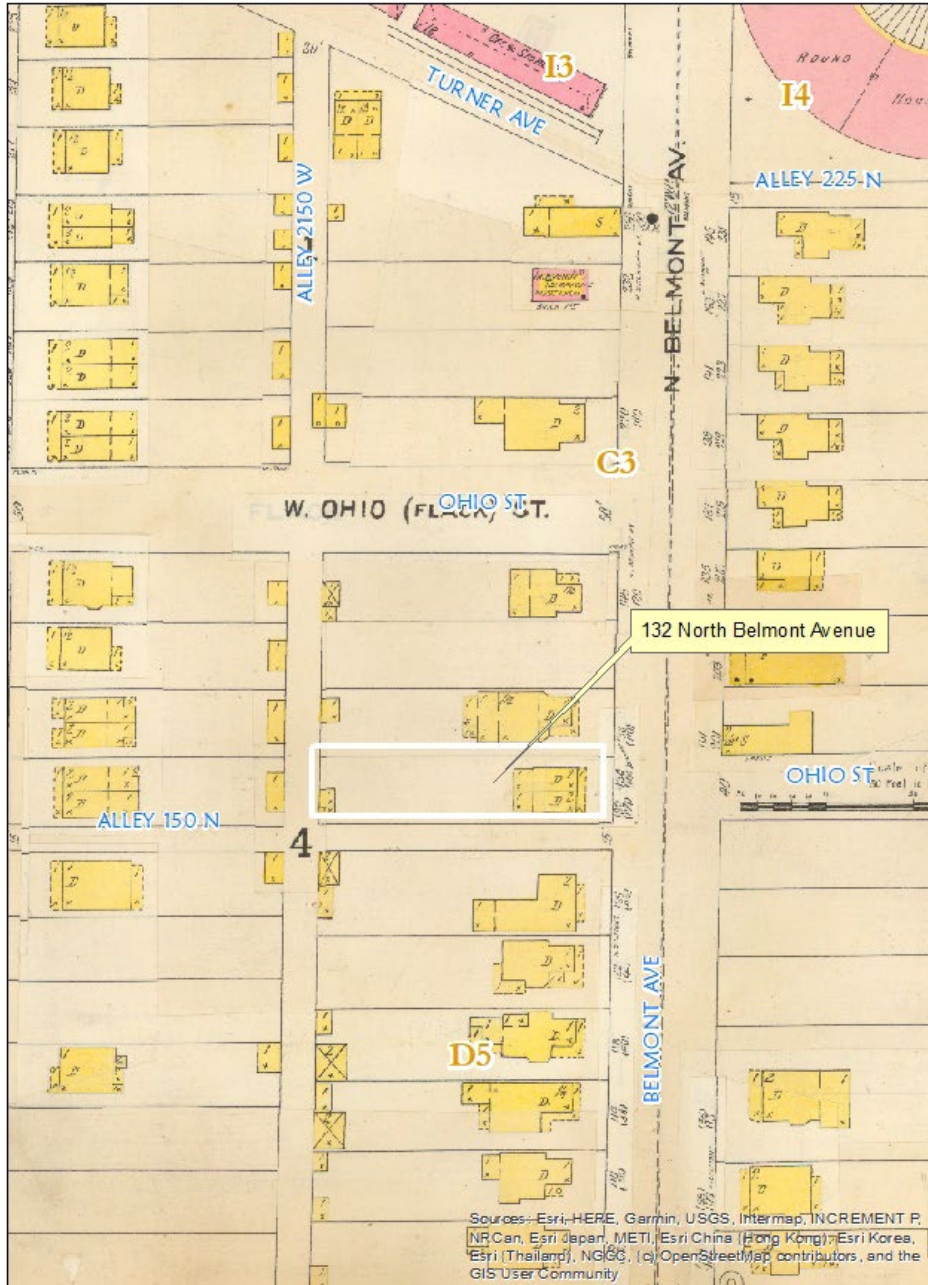
None.

EXHIBITS



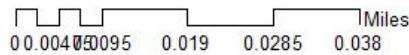
132 North Belmont Avenue





Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGIS, (c) OpenStreetMap contributors, and the GIS User Community

132 North Belmont Avenue

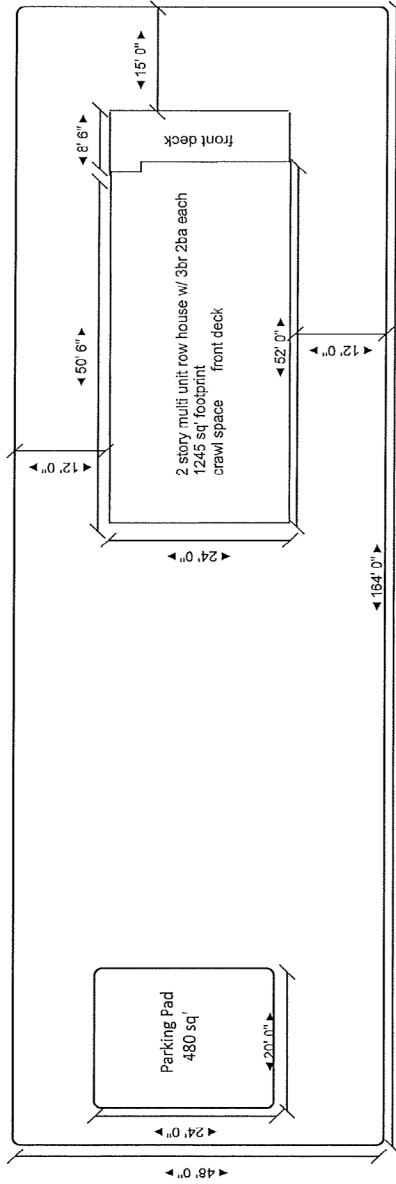
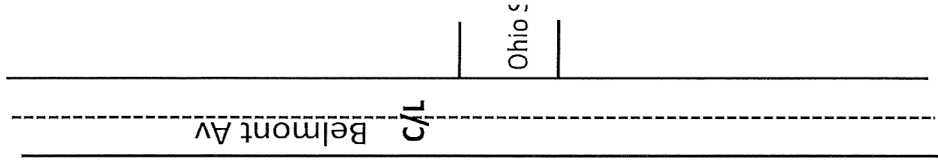


Proposed: 2 story multi unit row house with 3br/2ba each, on crawl space, with front deck. 2490 sq' total; 1245 sq' footprint. Parking pad in rear.



Site plan **132 N Belmont Av**
 Parcel: 1095961 7871 sq'
 Scale: 1=30

Legal: MUIR'S HAUGHVILLE SUBDIVISION L1 & 1/2
 VACALLEY S & ADJ





View looking south along North Belmont Avenue



View looking north along North Belmont Avenue



View from site looking east



View of site looking west



View from site looking east across intersection of North Belmont Avenue and Ohio Street



METROPOLITAN DEVELOPMENT COMMISSION **June 27, 2024**
HEARING EXAMINER

Case Number: 2024-ZON-067

Property Address: 1502 Dunlap Avenue (Approximate Address)

Location: Wayne Township, Council District #17

Petitioner: Jonathan Brown, by Matthew Peyton

Current Zoning: D-3

Request: Rezoning of 0.643-acre from the D-3 district to the D-5 district to provide for residential uses.

Current Land Use: Residential

Staff Recommendations: Approval

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends approval** of the request.

PETITION OVERVIEW

LAND USE

The 0.643-acre subject site is developed with a single-family dwelling and is surrounded by single-family dwellings in each direction, zoned D-3.

REZONING

This request would rezone the site from the D-3 district to the D-5 classification for residential uses.

The D-3 district provides for low or medium intensity residential development. Land in this district should have good thoroughfare access, be relatively flat in topography, and be afforded pedestrian linkages to community and neighborhood services and facilities (schools, parks, shopping areas, etc.). Recreational facilities developed for the neighborhood complement the treed yards on the individual lots. Predominantly single-family detached dwellings are envisioned with two-family dwellings on corner lots in this district. The D-3 district has a typical density of 2.6 units per gross acre. This district fulfills the low-density residential classification of the Comprehensive General Land Use Plan. All public utilities and



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include the use of clustering, should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage and wildlife.

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

STAFF ANALYSIS

Staff is supportive of the rezoning to the D-5 district because it would allow for an increase in residential dwellings to be permitted in line with the context of the surrounding area. The dwelling district would also align with the traditional neighborhood recommendation of the Comprehensive Plan.

The petitioner would need to be aware of the Private Frontage Design Standards of Table 744-701-2 that would apply when developing future lots if the property is subdivided

GENERAL INFORMATION

Existing Zoning	D-3	
Existing Land Use	Residential (Single-family dwelling)	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North:	D-3 Residential (Single-family dwelling)
	South:	D-3 Residential (Single-family dwellings)
	East:	D-3 Residential (Single-family dwelling)
	West:	D-3 Residential (Single-family dwelling)
Thoroughfare Plan		
Dunlap Avenue	Local Street	50-foot existing right-of-way with 48-foot proposed right-of-way.
Martha Street	Local Street	25-foot existing right-of-way with 48-foot proposed right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	May 27, 2024	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	



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

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends traditional neighborhood development.
- The Marion County Land Use Plan Pattern Book (2019) recommends traditional neighborhood development for the subject site.
- The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park
- **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**
 - 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.



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- 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

- BUILDING ELEVATIONS AND ARCHITECTURAL ELEMENTS
 - **1. Utilize Foundation Styles and Heights that are Consistent with Nearby Houses:** The height of the foundation affects where doors, porches, and windows are located. Unless there are special circumstances that require additional height, such as the location is in or near a floodplain, the foundation height for new construction should be consistent with nearby buildings.
 - **2. Be Consistent with Surrounding Entry Locations:** Main entries should be visible from the street. Entries should not be hidden, obscured, or missing from the main street elevation (front). The entry should reflect a similar characteristic to those that surround it, such as formal or casual, recessed or flush, narrow or wide.
 - **3. Where Appropriate, Include Porches or Stoops:** Use context to determine if front porches are consistent elements used in the neighborhood. If so, add porches or stoops to new construction.
 - **4. Coordinate the Location and Door Style of Balconies with the Surrounding Neighborhood:** Balconies are common architectural elements in some neighborhoods, but uncommon in others. Balconies along the street should be used when appropriate. When a balcony is used, consider the appropriate door access for the type of balcony. For example, Juliet balconies, which are intended to bring the outside in, make the most sense when French doors are used.
 - **5. Consider Nearby Roof Styles:** The basic outline of a new building should reflect building outlines typical of the area. Roof selection and overall height contribute to the building outline. Select roof shapes that are frequently used in the neighborhood.
 - **6. Fenestration Should Relate to the Surrounding Context:** Windows and doors should be arranged on buildings so as not to conflict with the basic fenestration patterns in the neighborhood. The proportion of glass (windows) to solid materials (wood, bricks, and other materials) which is found within the surrounding context should be reflected in new



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- construction. Every elevation (sides and rear) should have windows on each story to help break up the monotony of the façade.
- **7. Materials Used Should Reflect the Context of the Neighborhood:** Introducing new materials that are not used in the existing context should be done in a way where those materials are not the dominant material and make up less than 30% of the overall façade design.
 - **8. Consider Unique Neighborhood Features:** In addition to the architectural features mentioned above, consider other common features like chimneys, dormers, gables, and overhanging eaves that shape the character of a neighborhood. When possible, include these features into new construction.

Indy Moves

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

- Not Applicable to the Site.



ZONING HISTORY

Zoning History - Vicinity

2002-SE1-005; 1618 Dunlap Avenue (south of site), Special Exception of the Dwelling Districts Zoning Ordinance to provide for the placement of a 26.8 by 40-foot manufactured home, **granted**.

2001-SE2-010; 1625 Beulah Avenue (southwest of site), Special exception of the Dwelling Districts Zoning Ordinance to provide for the placement of a 26.6 by 60-foot manufactured home (special exception required for manufactured home), **granted**.

2001-UV2-035; 1625 Beulah Avenue (southwest of site), Variance of use of the Dwelling Districts Zoning Ordinance to provide for the placement of a second single-family dwelling, a manufactured home, and permit an existing single-family dwelling to remain for a temporary period of two months after the placement of said manufactured home (two single-family dwellings not permitted on same lot), **granted**.

97-Z-72; 4850 Martha Street (northeast of site), Rezoning of 3.018 acres, being in the SU-7 District, to the SU-1 classification to provide for religious uses, **approved**.

93-Z-83; 4850 Martha Street (northeast of site), Rezoning of 3.018 acres, being in the SU-1 District, to the SU-7 classification to provide for the administrative office and headquarters for the Disabled American Veterans, **approved**.

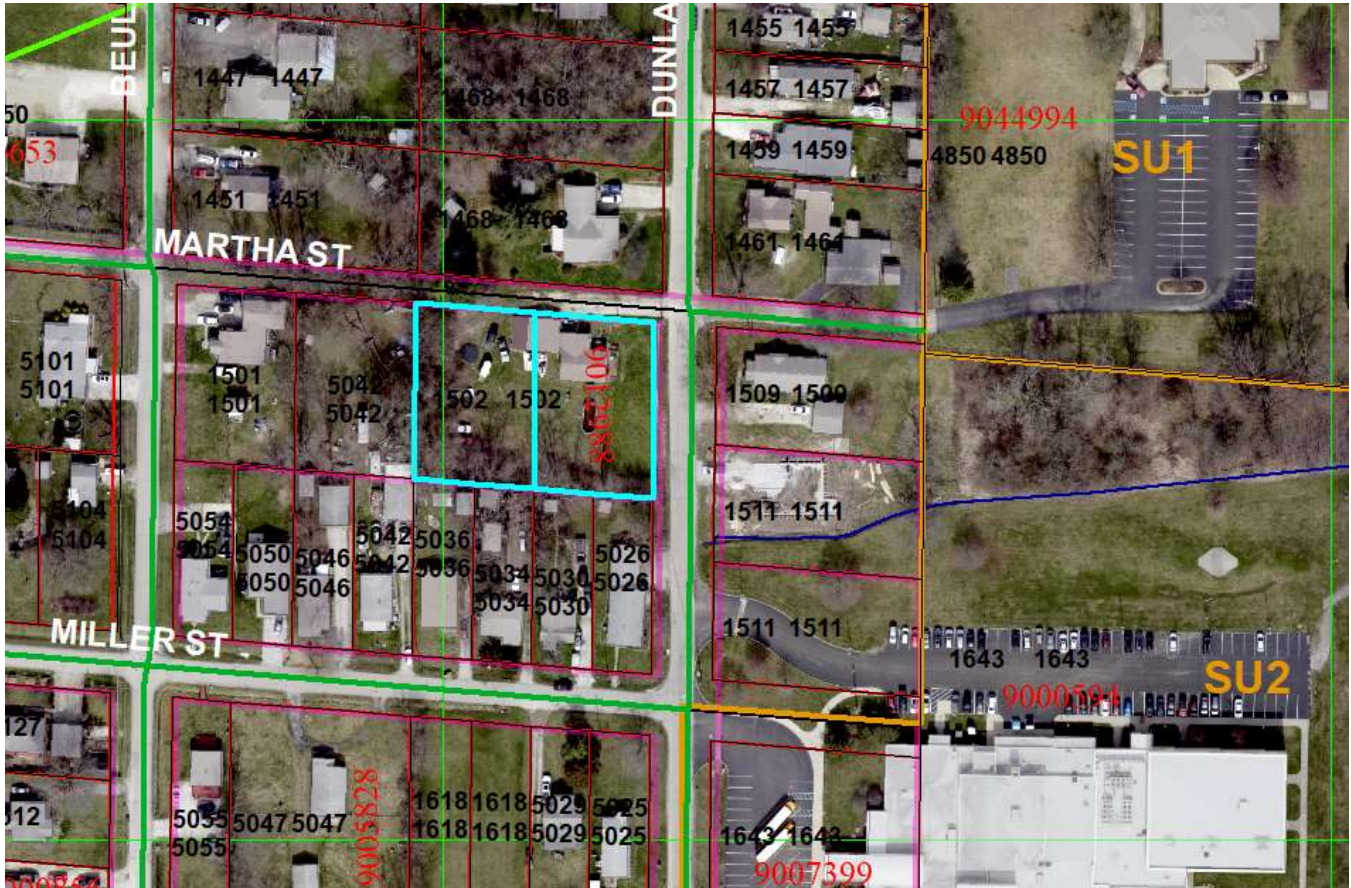
83-Z-77; 5042 West Minnesota Street (southwest of site), Rezoning of 1.40 acres, being in the D-3 district, to the C-3 classification, to provide for commercial use, **denied**.

75-UV3-2; 1622-24 Beulah Avenue (southwest of site), Variance of use and living area requirements to permit mobile home to remain as living quarters on premises, as per plans filed, off-street parking provided, **approved**.

73-UV2-106; 1622-24 Beulah Avenue (southwest of site), Variance of use to permit occupancy of a mobile home, as per plans filed, off-street parking provided, **approved**.

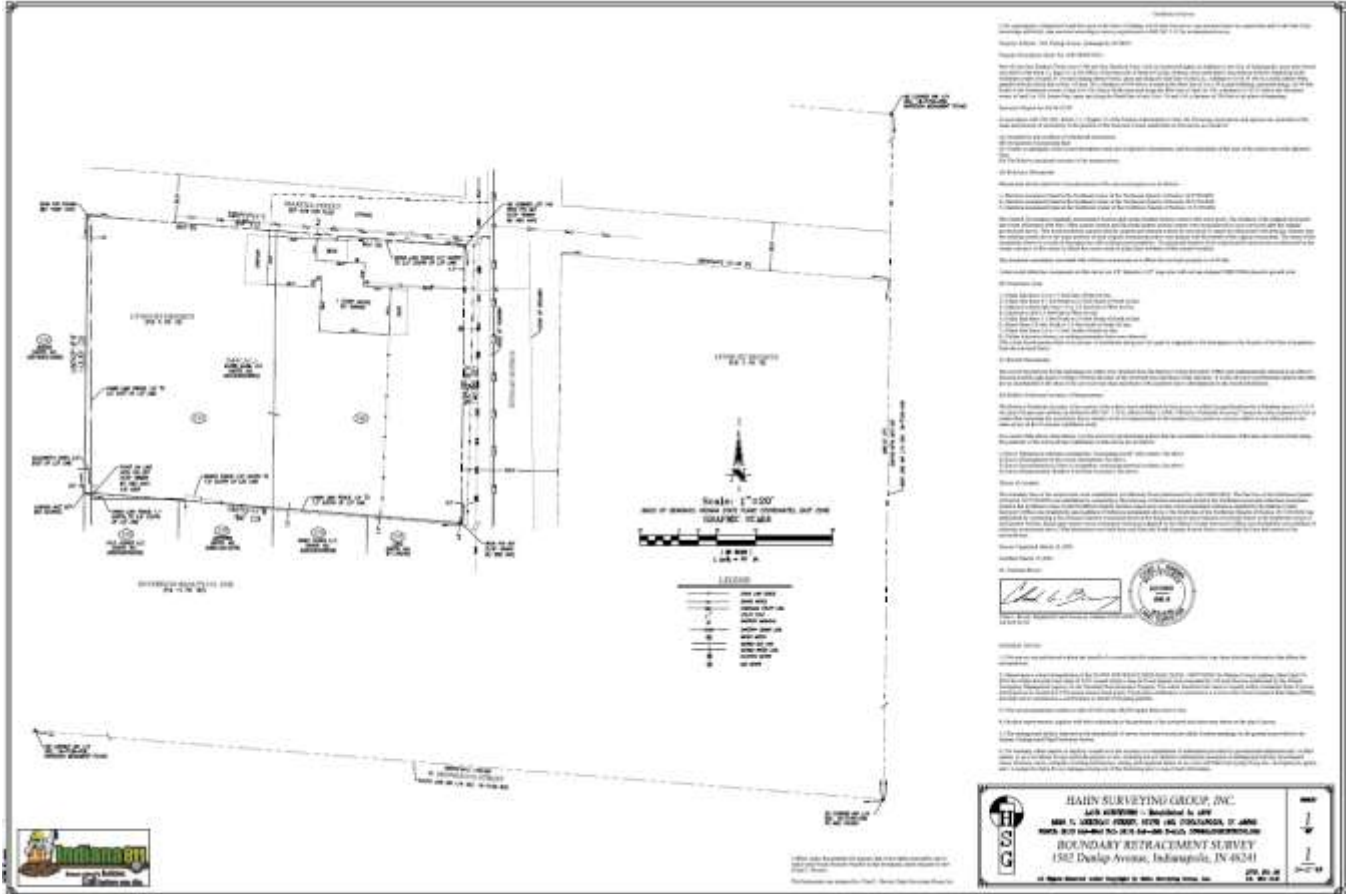
72-Z-203; 4850 Martha Street (northeast of site), Rezoning of 3.018 acres, being in the D-3 District, to the SU-1 classification to provide for a church, **approved**.

EXHIBITS



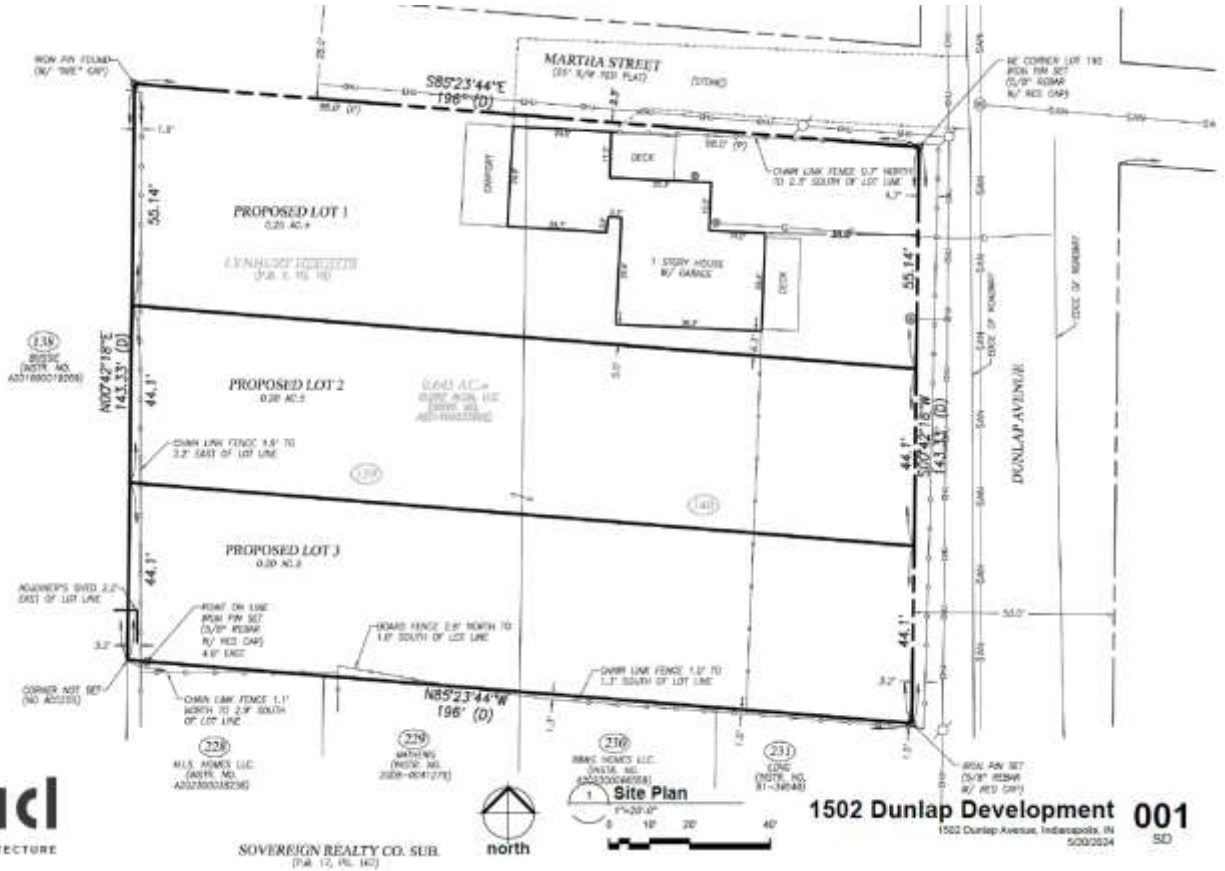


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SOVEREIGN REALTY CO. SUB.
 (P.L. 12, P.L. 167)

1502 Dunlap Development 001
 1502 Dunlap Avenue, Indianapolis, IN 46204
 SD



Photo of the subject site street frontage looking south on Dunlap Avenue.



Photo of the street frontage along Martha Street that is unimproved by the city.



Photo of proposed Lot 3.



Photo of proposed Lot 2.



Photo of proposed Lot 1.



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



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



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



Photo of a residential dwelling under construction east of the site.



METROPOLITAN DEVELOPMENT COMMISSION **June 27, 2024**
HEARING EXAMINER

Case Number: 2024-ZON-068

Property Address: 2327 Dr. Martin Luther King, Jr. Street (Approximate Address)

Location: Center Township, Council District #12

Petitioner: Socorro Solutions 71010 LLC, by Jynell D Berkshire

Current Zoning: C-1 (W-5)

Request: Rezoning of 0.12-acre from the C-1 (W-5) district to the D-8 (W-5) district to provide for residential uses.

Current Land Use: Residential

Staff Recommendations: Approval

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends approval** of the request

PETITION OVERVIEW

LAND USE

The 0.12-acre subject site is developed with a two-family dwelling located in the Near Northwest – Riverside Neighborhood and within the Graceland Park platted subdivision.

It surrounded by two-family dwellings to the north and south, zoned D-3, undeveloped land to the east, zoned D-8, and a park to the west, zoned PK-1.

REZONING

This request would rezone the site from the C-1 district to the D-8 classification for residential uses.

The C-1 District is designed to perform two functions: act as a buffer between uses, and provide for a freestanding area that office uses, compatible office-type uses, such as medical and dental facilities, education services, and certain public and semipublic uses may be developed with the assurance that retail and other heavier commercial uses with incompatible characteristics will not impede or disrupt.



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

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.

WELLFIELD

A wellfield is an area where the surface water seeps into the ground to the aquifer and recharges the wells that are the source of our drinking water. This secondary zoning district places closer scrutiny on uses and activities that might contaminate the underground drinking water supply.

There are two wellfield district designations. An area identified as W-1 is a one-year time-of-travel protection area. The W-5 is a five-year time-of-travel protection area. All development within these districts are subject to Commission approval.

This site is specifically located within the White River W-5 Wellfield Protection District. Unless exempted by Section 742-204.D Technically Qualified Person review requirement, a Site and Development Plan shall be filed with and be subject to approval on behalf of the Commission by the Technically Qualified Person (TQP).

STAFF ANALYSIS

The rezoning would correct the residential use of the site with the corresponding zoning district and would align with the Neighborhood Plan for dwellings eight to fifteen units per acre.

Aerial images as far back as 1937 show a structure on site. A 1927 Baist Map shows a two-family dwelling at this site. Therefore, rezoning the site to continue to be used for residential uses would not be out of character with the historical use of the site. The petitioner notified staff that they would propose a four-unit multi-unit house on site which is a permitted use in the D-8 district.

For these reasons, staff is supportive of down zoning the properties from the C-1 district to the D-8 district.

GENERAL INFORMATION

Existing Zoning	C-1 (W-5)
Existing Land Use	Residential (two-family dwelling)
Comprehensive Plan	8 to 15 units per acre



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Surrounding Context	Zoning	Land Use
North:	C-1	Residential (two-family dwelling)
South:	C-1	Residential (two-family dwelling)
East:	D-8	Undeveloped
West:	Enter Zoning	Park
Thoroughfare Plan		
Dr. Martin Luther King Jr. Street	Primary Arterial Street	80-foot proposed right-of-way with a 66-foot existing right-of-way.
Myrtis Street	Local Street	48-foot proposed right-of-way with a 49-foot existing right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	Yes	
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

- United Northwest Neighborhood Plan (2008)

Pattern Book / Land Use Plan

- Not Applicable to the Site. Please see United Northwest Neighborhood Plan (2008) below.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.



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Neighborhood / Area Specific Plan

- The United Northwest Neighborhood Plan (2008) recommends development to be for dwellings 5 to eight units per acre.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

- Indy Moves Transportation Integration Plan (2018) proposes an off-street multi-use path on Dr Martin Luther King Junior Street / Michigan Road from Cold Spring Road to 16th Street.



ZONING HISTORY

Zoning History - Vicinity

2023-CVC-809; 2357 Dr Martin Luther King Jr Street (north of site), Vacation of the first north-south alley east of Dr Martin Luther King Jr Street, being twelve feet in width, from the south right-of-way line of 24th Street, south 134.54 feet to the first east-west alley south of 24th Street with a waiver of Assessment of Benefits, **withdrawn**.

2023-CVR-809 (Amended); 2357 Dr Martin Luther King Jr Street (north of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a zero-foot west front transitional yard (20-foot required), zero-foot north front yard (twelve-foot minimum required), five-foot south side yard (ten-foot side yard required), a five-foot south transitional yard (15-foot required), and a six-foot east transitional yard (15-foot required), **approved**.

2023-CZN-809; 2357 Dr Martin Luther King Jr Street (north of site), Rezoning of 0.50 acre from the C-1 district, to the D-8 district to provide for a multi-family development, **approved**.

2022-UV2-030; 2307 Dr. Martin Luther King Jr Street (south of site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for construction of a single-family dwelling (not permitted) with a 1.5-foot front setback along 23rd Street (10-foot front setback required), **granted**.

2021-UV2-023; 2307 Dr. Martin Luther King Jr. Street (south of site), Variance of use and development standards to allow for the construction of a manufactured home with a three-foot front setback and two parking spaces, **granted**.

2019-ZON-012; 2319 Dr. Martin Luther King Jr. Street (south of site), Rezoning of 0.12 acre from the C-1 (W-5) District to the D-8 (W-5) classification, **approved**.

2003-ZON-071; 2335 Dr. Martin Luther King Jr. Street (south of site), Rezoning of 0.104 acre from C-1 (W-5) to C-3 (W-5), to provide for a beauty and barbershop, **denied**.

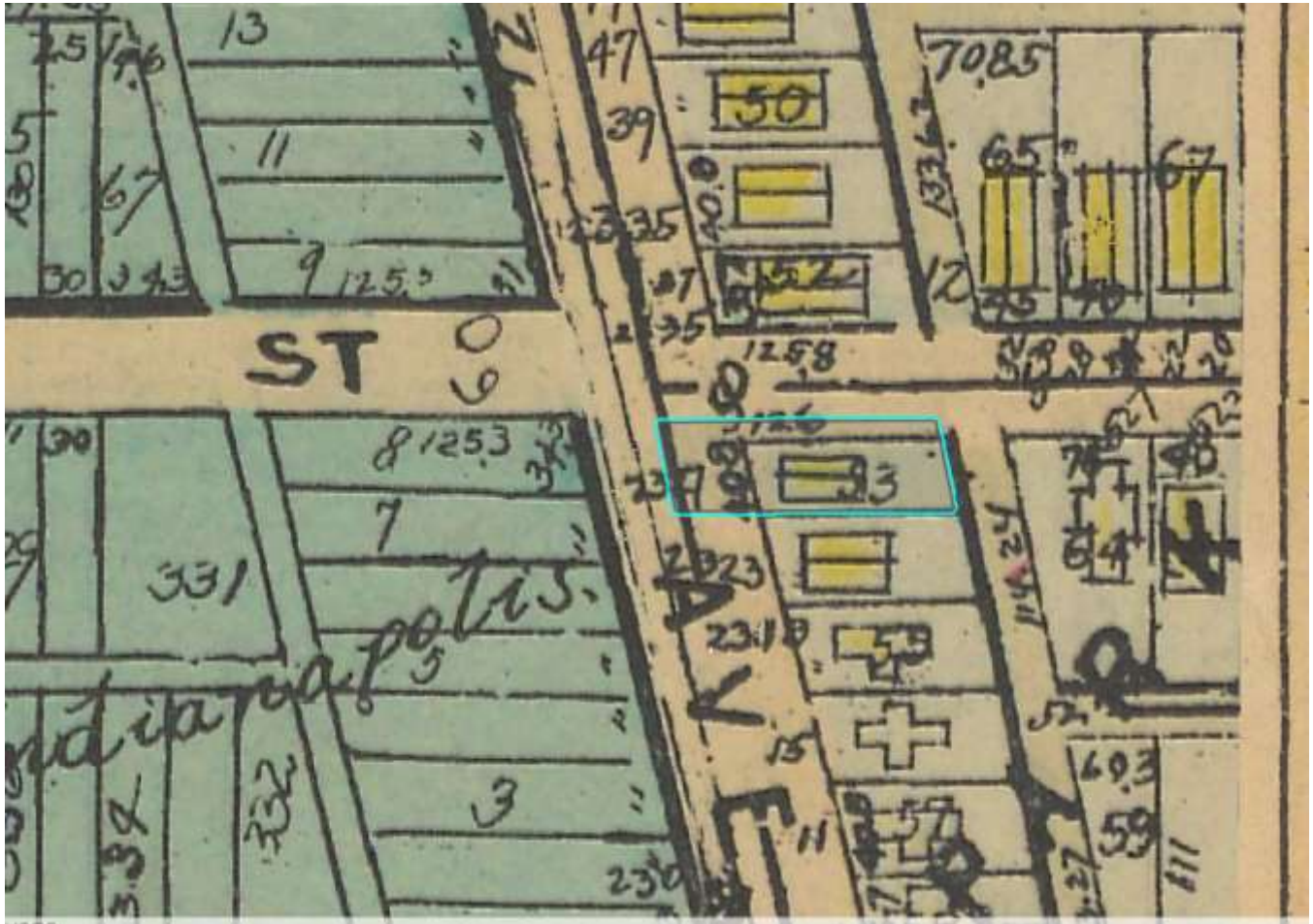
83-HOV-86; 2302 North Indianapolis Avenue (southeast of site), Variance of development standards to allow a room addition in the required four-foot side setback, **granted**.

EXHIBITS





1937 Aerial Image



1927 Baist Map



Photo of the subject site.



Close up view of the existing duplex.



Photo of the street frontage along Dr. Martin Luther King Junior Street.



Photo of the north building façade of the existing duplex.



Photo of the rear yard of the subject site.



Photo of the Watkins Park west of the site.



Photo of the duplex and single-family dwelling south of the site.



Photo of the duplexes north of the site.



METROPOLITAN DEVELOPMENT COMMISSION **June 27, 2024**
HEARING EXAMINER

Case Number: 2024-CZN-825 / 2024-CPL-825

Property Address: 1641 Cornell Avenue (approximate address)

Location: Center Township, Council District #13

Petitioner: Indy Opportunity Fund, LLC, by Dale W. Pfeifer

Zoning: I-3

Request: Rezoning of 0.12-acre from the I-3 district to the D-8 district to provide for residential uses.

Approval of a Subdivision Plat to be known as Pfeifer’s replat of Lot 6 in A.C. Shortridge’s Subdivision, subdividing 0.12-acre into two single-family attached lots.

Waiver Requested: None

Current Land Use: Residential (Two-family dwelling)

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This is the first hearing for this plat petition.

STAFF RECOMMENDATION

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

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated April 30, 2024 complies with the standards of the Subdivision regulations, subject to the following conditions:

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



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7. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
10. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.
11. No detached single-family dwellings shall be built on the individual lots.

PETITION OVERVIEW

SITE PLAN AND DESIGN

The subject site is zoned I-3 and developed with a two-family dwelling. This proposed plat would divide the existing parcel into two lots. Lot 1 and 2 would each contain one unit of the two-family dwelling with the lot line following the common wall and continuing through the rear of the lot. The subject site has been developed with a two-family dwelling since 1898 according to an 1898 Sanborn Map. This replat would allow the property owner to sell each of the parcels individually, rather than as one parcel, with minimal impact on the surrounding property owners.

STREETS

Both lots would front on Cornell Avenue. No new streets are proposed.

SIDEWALKS

Sidewalks are existing along Cornell Avenue.

PROCEDURE

This plat petition, if approved, only legally establishes the division of land. In the event that the existing duplex were to be removed, any new construction that does not conform to the site plan approved by variance would be required to meet all development standards of the D-8 Dwelling District, including, but not limited to, setbacks, minimum lot width and frontage, and minimum open space.

REZONING

The subject site is zoned I-3 and would be rezoned to the D-8 district to provide for residential uses.

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.



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

STAFF ANALYSIS

The rezoning from the I-3 district to the D-8 district would correct the residential use of the site with the corresponding zoning district.

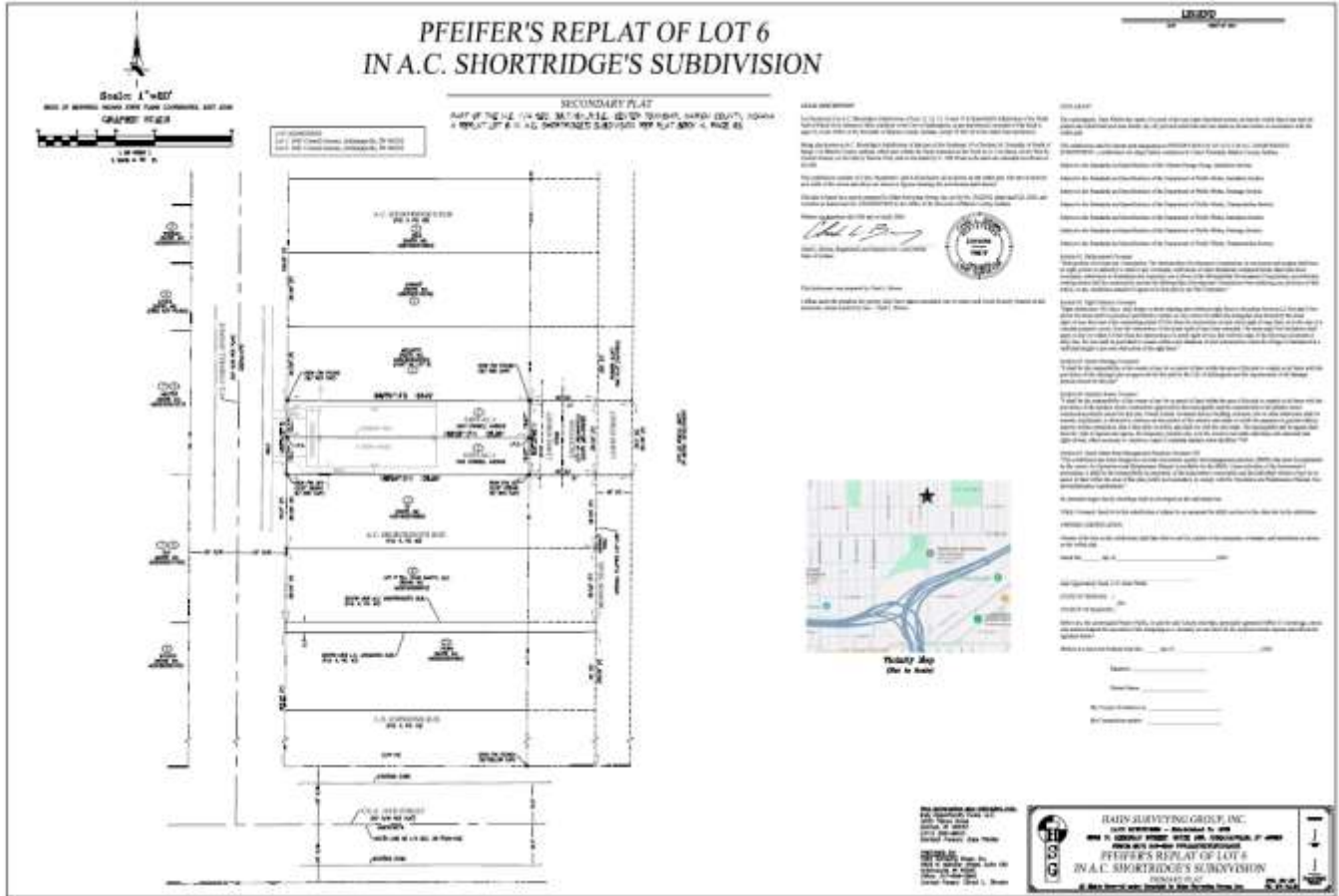
The site is recommended for village mixed-use development and this typology creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small town centers as well as to promote new neighborhood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

Staff is recommending approval of the rezoning since it would align with the Comprehensive Plan.

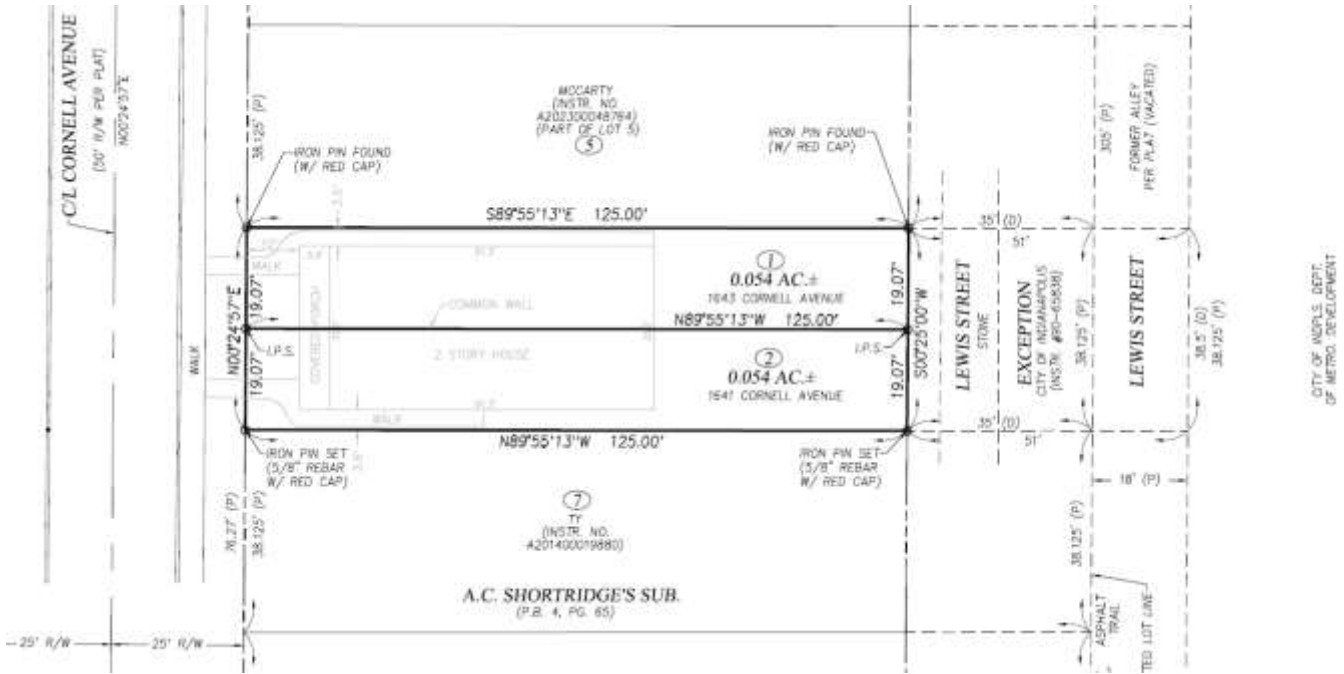
GENERAL INFORMATION

Existing Zoning	I-3	
Existing Land Use	Two-family dwelling	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	Zoning	Land Use
North:	D-8	Two-Family Dwelling
South:	I-3	Two-Family Dwelling
East:	I-3 / MU-2	Monon Trail / Multi-family Dwellings
West:	D-8	Single-Family Dwelling
Thoroughfare Plan		
Cornell Avenue	Local Street	50-foot existing and 48-foot proposed
Petition Submittal Date	April 30, 2024	

EXHIBITS



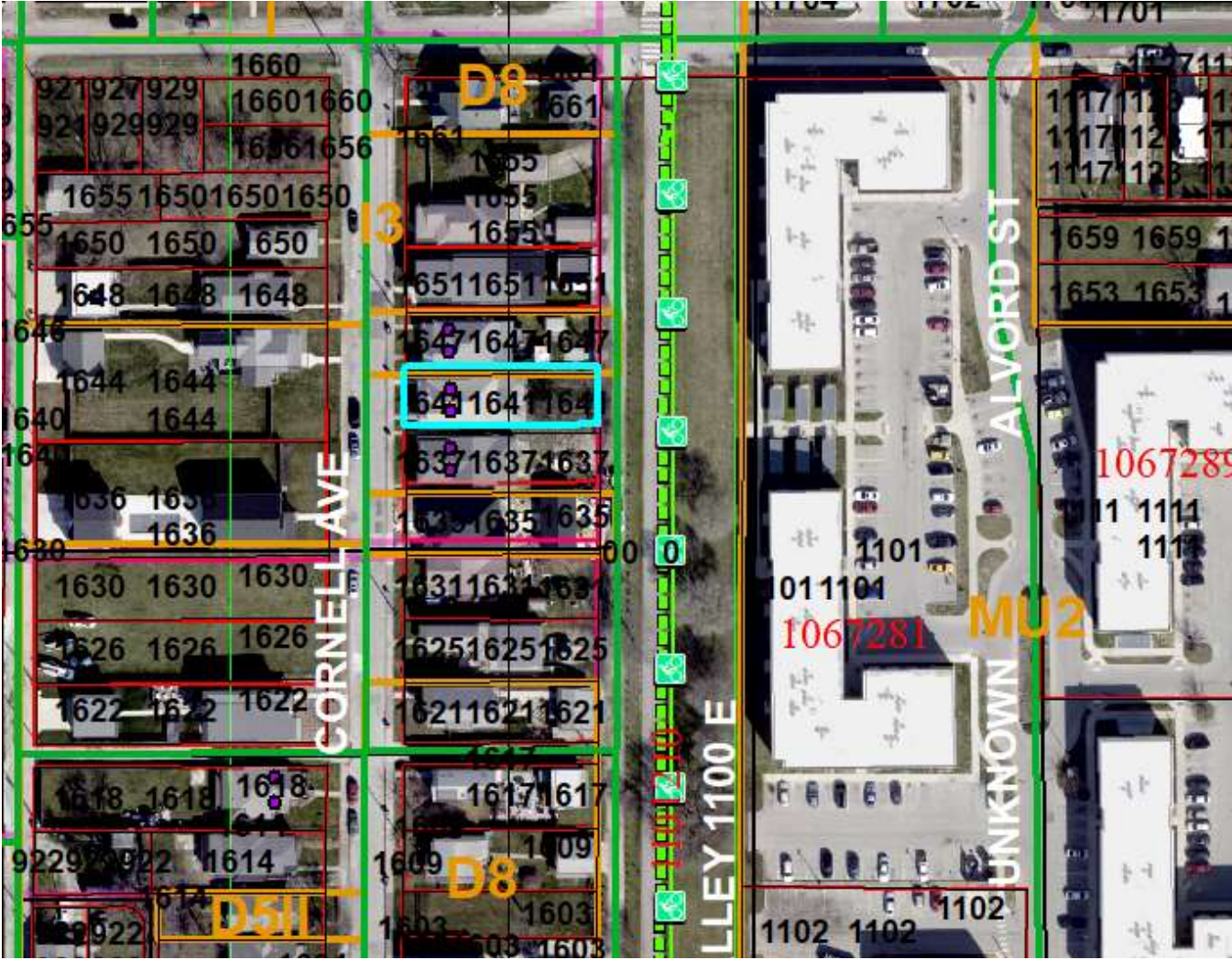
Preliminary Plat



Plat Close-Up



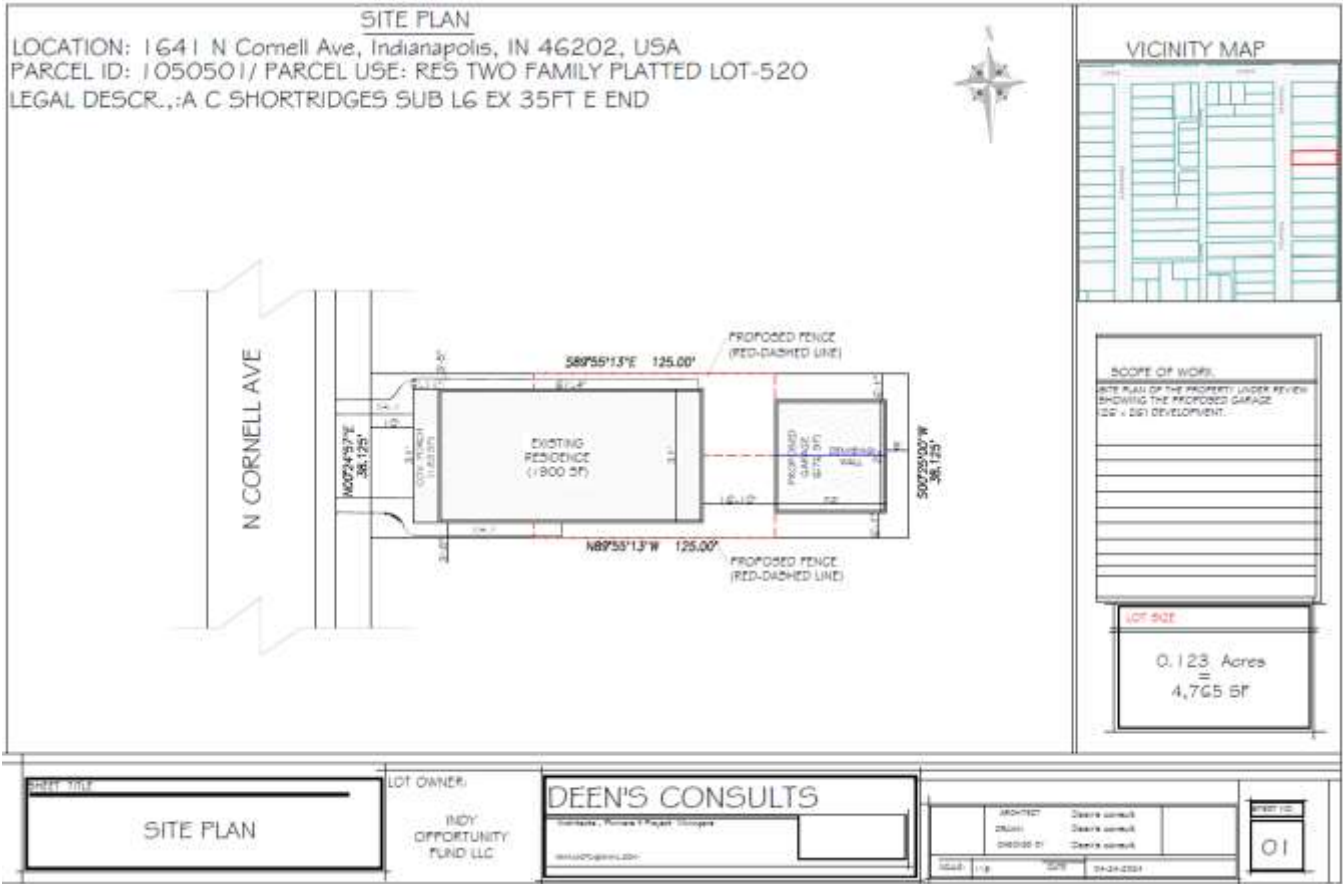
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Present Day Aerial



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Present Day Site Plan

PHOTOS



Photo of the subejct site.



Photo of the rear yard of the site.



METROPOLITAN DEVELOPMENT COMMISSION **June 27, 2024**
HEARING EXAMINER

Case Number: 2024-ZON-026

Property Address: 7405 and 7425 Westfield Boulevard (Approximate Address)

Location: Washington Township, Council District #2

Petitioner: 7425 Westfield Boulevard LLC and 7405 LLC, by Michael Lang

Current Zoning: D-4 (TOD) (FF)

Request: Rezoning of 1.13 acres from the D-4 (TOD) (FF) district to the C-1 (TOD) (FF) district to provide for a mental health treatment facility and office use.

Current Land Use: Mental health treatment facility and office use

Staff Recommendations: Approval with commitments.

Staff Reviewer: Senior Planner, Marleny Iraheta

PETITION HISTORY

This petition was automatically continued from the April 25, 2024 hearing to the May 23, 2024 hearing at the request of a registered neighborhood organization.

This petition was automatically continued from the May 23, 2024 hearing to the June 27, 2024 hearing at the request of the petitioner.

STAFF RECOMMENDATION

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

1. Landscaping along Westfield Boulevard shall be installed within six months of the rezoning approval and shall meet the landscape requirements of the Ordinance for the street frontage.

PETITION OVERVIEW

LAND USE

The 1.13-acre subject site is comprised of two parcels (8006678 and 8006673). The properties are developed with two commercial building, associated parking areas, and an outdoor play area at 7425 Westfield Boulevard.



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The site is surrounded by single-family dwellings to the north, east and south. The Monon Trail is located west of the site across Westfield Boulevard.

REZONING

The request would rezone the site from the D-4 (TOD) (FF) district to the C-1 (TOD) (FF) district to provide for a mental health treatment facility and office use.

The D-4 district is intended for low or medium intensity single-family and two-family residential development. Land in this district needs good thoroughfare access, relatively flat topography, and nearby community and neighborhood services and facilities with pedestrian linkages. Provisions for recreational facilities serving the neighborhood within walking distance are vitally important. Trees fulfill an important cooling and drainage role for the individual lots in this district. The D-4 district has a typical density of 4.2 units per gross acre. This district fulfills the low density residential classification of the Comprehensive General Land Use Plan. All public utilities and facilities must be present. Development plans, which may include the use of clustering, should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage and wildlife.

The C-1 District is designed to perform two functions: act as a buffer between uses, and provide for a freestanding area that office uses, compatible office-type uses, such as medical and dental facilities, education services, and certain public and semipublic uses may be developed with the assurance that retail and other heavier commercial uses with incompatible characteristics will not impede or disrupt. Since the buildings for office, office-type and public and semipublic uses are typically much less commercial in appearance, landscaped more fully and architecturally more harmonious with residential structures, this district can serve as a buffer between protected districts and more intense commercial or industrial areas/districts - if designed accordingly. This district, with its offices and other buffer type uses, may also be used along certain thoroughfares where a gradual and reasonable transition from existing residential use should occur.

Staff Analysis

The southern parcel addressed as 7405 Westfield Boulevard is currently used as a behavioral therapy services provider per use variance 2019-UV1-016. The business has expanded that use within the existing building at 7425 Westfield Boulevard, which is the northern parcel. However, the expansion is not a permitted use in the existing D-4 district. Staff recommended the petitioner rezone both sites to the C-1 district to align the proposed uses of the site with an appropriate zoning district.

A variance of use would not have been appropriate seeing that the business grew and would likely remain for the foreseeable future.

Staff had concerns with an unenclosed dumpster located in the front yard on the northern parcel, but the petitioner agreed to have it removed and will use the existing dumpster at 7405 that has an enclosure.



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Staff is requesting that the street frontage landscaping be provided along Westfield Boulevard to enhance the site and has incorporated this as a commitment for approval.

The Plan of Operation mentions the hours of operation to be between 7:00 a.m. and 8:30 p.m. on weekdays and weekends. The business will have up to 60 employees working day-to-day on site and will have as many as 50 clients at the highest peak.

There is mention of a shuttle system in the Plan of Operation, but staff is unaware of where the offsite parking is located. A violation, VIO23-006813, was issued at 7429 Westfield Boulevard, which is owned by the petitioner, but is not part of this request and would be addressed and corrected by the petitioner apart from this rezoning request.

A site plan was not submitted so parking requirements were not calculated. If there is an insufficient amount or an excessive amount of parking that would exceed the maximum parking spaces permitted, then a variance would need to be sought at a later time.

Lastly, the petitioner has submitted five proposed commitments which include a limit to the permitted C-1 primary uses on site and would limit the accessory and temporary uses as well. The commitments submitted did not include the site plan referred to as Attachment C in commitment #2. The proposed commitments are acceptable by staff, but this would not eliminate the need for any variances that were not requested.

GENERAL INFORMATION

Existing Zoning	D-4	
Existing Land Use	Mental health treatment facility and office use	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North:	D-4 Enter Land Use
	South:	D-4 Single-Family dwelling
	East:	D-4 Single-Family dwellings
	West:	D-4 Marott Park / Monon Trail
Thoroughfare Plan		
74 th Street	Local Street	48-foot proposed right-of-way and 51-foot existing right-of-way.
Westfield Boulevard	Secondary Arterial Street	56-foot proposed right-of-way and 63-foot existing right-of-way.
Helen Drive	Local Street	48-foot proposed right-of-way and 50-foot existing right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	Yes	
Overlay	Yes	



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 (2019)
- Red Line Transit-Oriented Development Strategic Plan (2021)

Pattern Book / Land Use Plan

- The Comprehensive Land Use Plan recommends suburban neighborhood for this site and the surrounding area east of Westfield Boulevard.
- The suburban neighborhood typology is predominately made up of single-family housing but is interspersed with attached and multi-family 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 one to five dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.” The suburban neighborhood typology does recommend small-scale office and professional service land uses if limited in size, located at intersections, and limited to areas with adequate space for required screening and buffering.
- The proposed use would be supportable, as it would be consistent with the recommendations of the Comprehensive Plan.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The subject site falls within the Transit Oriented Development Overlay of the Red Line Bus Rapid Transit System and the Red Line Transit-Oriented Development Strategic Plan (2021).



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- The closest transit station is more than a ½ mile southwest at College and 66th Street, which is classified as a walkable neighborhood station.
- It recommends mix of uses at station area and primary residential beyond with a maximum of three stories throughout, not front or side setbacks at core, zero to 15-foot front setbacks, zero to 20-foot side setbacks at periphery, a mix of multi-family and single-family housing, and structured parking at the core and attractive surface parking at periphery.

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

2023-UV1-027; 7425 Westfield Boulevard (north parcel), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a mental health treatment facility (not permitted) with 20 off-street parking spaces (31 parking spaces required), **withdrawn**.

2019-UV1-016; 7405 Westfield Boulevard (south parcel), Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a behavioral therapy services provider (not permitted), **approved**.

2016-AP3-001; 7405 Westfield Boulevard (south parcel), Waiver of the refiling rule to permit the refiling of a variance of use and development standards petition, for offices, with storage and warehouse uses, subsequent to the denial of 2015-UV3-020 on September 15, 2015, for a veterinarian hospital, **granted**.

2016-UV3-006; 7405 Westfield Boulevard (south parcel), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for office uses, with the outdoor overnight parking of trucks and trailers, with a parking area three feet from the existing right-of-way of Westfield Boulevard, with a zero-foot north side yard, with parking spaces, loading spaces and maneuvering within the front yard and right-of-way of 74th Street, to provide for three wall signs, 64-square feet or less, and a trash container and enclosure in the front yard of 74th Street, **granted**.

2015-UV3-020; 7405 Westfield Boulevard (south parcel), Variance of use and development standards of the Dwelling Districts Zoning Ordinance to provide for a veterinary hospital, with overnight hospital stays; with a parking area 2.5 feet from the existing right-of-way of Westfield Boulevard; with zero-foot north and east side yards; with parking spaces and maneuvering within the front yard and right-of-way of 74th Street; and to provide for wall signs, including a 64-square foot wall sign, at approximately five percent of the front façade, **denied**.

2000-UV3-003; 7403 Westfield Boulevard (south parcel), Variance of use of the Dwelling Districts Zoning Ordinance to provide for an indoor youth sports training facility, with administrative offices in an existing commercial building and variance of development standards of the Sign Regulations to provide for two three-foot tall, four square-foot directional signs along Westfield Boulevard, **withdrawn**.

99-UV2-75; 7405 Westfield Boulevard (south parcel), variance of use of the Dwelling Districts Zoning Ordinance to provide for an office and the construction of a two-story addition, with 27 parking spaces, **withdrawn**.

94-UV1-78; 7405 Westfield Boulevard (south parcel), Variance of use and development standards of the Dwelling Districts Zoning Ordinance and Sign Regulations to provide for a warehouse operation with an office and warehouse sales in an existing 3,967 square foot building, with a 12-square foot wall sign, **granted**.



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94-UV2-49; 7425 Westfield Boulevard (north parcel), Variance of use of the Dwelling Districts Zoning Ordinance to provide for an advertising specialty operation with an office and private showroom in an existing building and a variance of development standards of the Sign regulations to provide for wall signs greater than one square foot (maximum one square foot permitted), **granted**.

90-UV3-8; 7405 Westfield Boulevard (south parcel), Variance of use and development standards to permit a light manufacturing plant without the required front and rear transitional yards and to permit a three foot by six-foot business sign, **granted**.

83-UV2-47; 7405 Westfield Boulevard (south parcel), Variance of use of the Dwelling Districts Zoning Ordinance to permit expansion of an existing automobile repair facility without the required front or rear yards, **granted**.

73-UV2-177; 7425 Westfield Boulevard (subject site), Variance of use and development standards of the Dwelling Districts Zoning Ordinance to permit expansion of an existing manufacturing facility without the required front, side or rear setbacks, **granted**.

Zoning History – Vicinity

2023-UV1-028; 7429 Westfield Boulevard (north of site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a commercial parking lot (prohibited) with a zero-foot front yard setback from Helen Drive and a zero-foot west side yard setback and deficient landscaping (20-foot front yard, four-foot side yard setbacks and landscaping required), **withdrawn**.

2015-DV3-028; 7501 Westfield Boulevard (north of site), Variance of development standards of the Commercial Zoning Ordinance to legally establish a building, with a five-space parking lot, with deficient parking space size, deficient maneuvering area and maneuvering within the right-of-way, **granted**.

2015-UV2-036A; 7391 Westfield Boulevard (south of site), Variance of use of the Dwelling Districts Zoning Ordinance, to provide for a law office, **denied**.

2015-UV2-036B; 7391 Westfield Boulevard (south of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a six-foot tall fence in the front yard of 74th Street (maximum 42-inch fence permitted), being in the right-of-way of 74th Street and the abutting north-south alley (not permitted within the right-of-way), **granted**.

2005-UV1-031; 7501 Westfield Boulevard (north of site), Variance of use and development standards of the Commercial Zoning Ordinance to legally establish an antique and garden shop within an existing 1,119-square foot building, with outdoor display of merchandise, with fencing, display area, and parking and maneuvering areas within the right-of-way, and with five undersized off-street parking spaces without proper maneuvering space, **granted for three years**.

97-UV2-65; 7391 Westfield Boulevard (south of site), requested a variance of use of the Dwelling Districts Zoning Ordinance, to provide for a commercial office (not permitted), within an existing residential structure, **withdrawn**.

EXHIBITS





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Plan of Operations

Petitioners: 7405 LLC & 7425 Westfield Blvd, LLC

Properties: 7405 and 7425 Westfield Boulevard

Petitioners lease the properties commonly known as 7405 and 7425 Westfield Boulevard to their affiliate, Stepping Stones Behavioral Solutions, LLC (“Stepping Stones”), and provide this Plan of Operations.

Workforce

Stepping Stones will have up to 60 employees working day-to-day on site currently. The employees are generally on site between the hours of 7:00 a.m. and 8:30 p.m. on weekdays and weekends. All employees drive to the properties and park on site. All parking is off street parking. Additionally, lighting and an access control system is provided for security.

Clients and Customers

Stepping Stones serves clients that have autism and similar disorders. The clients come to the properties for applied behavior analysis therapy (“ABA Therapy”) and other forms of therapy to treat autism. At peak, there are as many as 50 clients on site. Clients are on site between the hours of 8:00 a.m. and 8:00 p.m. on weekdays and weekends. Clients are typically dropped off by their parents and off-street parking is provided for drop off. It is important to note that the clients are generally dropped off and do not park on site. Additionally, to the extent necessary, Stepping Stones will utilize a shuttle or valet service to provide expanded parking opportunities. Any offsite parking will be in a location where such parking is legally permitted.

Processes Conducted on Site

Stepping Stones provides ABA Therapy services for those with autism-related disorders. The goal of ABA Therapy is to improve the client’s social skills so they have a better chance to complete tasks, communicate, and learn new skills. While most of the therapy happens inside, clients are regularly outside, especially at the on-site playground. For security, lighting and an access control system are available. Additionally, Stepping Stones uses two Mercedes Sprinter Vans (or similar vehicles) to take its clients on various field trips, excursions and other activities. These vehicles are stored near the rear of 7405 Westfield Boulevard.

Materials Used

Stepping Stones uses materials typically found in an office and school. Except for normal household and office cleaning products, all of which are used in accordance with their instructions, no hazardous materials are used at the Property. To the extent necessary, Stepping Stones maintains safety data sheets for products used on site.



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Shipping and Receiving

Stepping Stones generally receives packages from package delivery services such as Amazon, FedEx and UPS from time to time. Stepping Stones uses similar services for shipping on a very infrequent basis. Delivery vehicle sizes are those typical to Amazon, UPS and FedEx. Deliveries are made at various times a day. All deliveries are able to park on site and not block traffic. Delivery times are very brief and are made during business hours. All materials are secured inside the building located on the Property and which is secured by an access control system.

Waste

Stepping Stones generates general solid waste that you would normally find in an office or school setting. Hazardous waste is not generated. All waste is disposed of in a dumpster, which is currently removed once a week. A recycling program is implemented. Both 7525 Westfield Boulevard and 7405 Westfield Boulevard will utilize the existing dumpster and enclosure located at 7405 Westfield Boulevard.

STATEMENT OF COMMITMENTS

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

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

Legal Description: See Attachment “B”, attached hereto and made a part hereof.

Statement of COMMITMENTS:

1. The owners agree 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 owners agree that the parking spaces located on the real estate shall be laid out either substantially as shown on the site plan set forth on Attachment “C”, attached hereto and made a part hereof, which attachment shows the current parking configuration, or in such other configuration as the zoning administrator shall approve.
3. The owners agree to execute and record a cross-easement for parking between their respective parcels of the real estate.
4. The buildings located on the properties shall have a residential aesthetic character (without imposing any requirement to use the properties for residential purposes) and the zoning administrator’s approval shall be required to ensure conformity with such character. No zoning administrator approval shall be required for changes to building colors. The current buildings located on the properties have a residential aesthetic character and no further approval is needed.
5. The owners agree that the properties may be used for the uses described on Attachment “D”, attached hereto and made a part hereof and no other uses.
6. The owners agree to operate the property consistent with the plan of operations attached on Attachment “E”, attached hereto and made a part hereof.



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ATTACHMENT “D”

List of Uses Permitted

The following uses shall be permitted as a primary use and such uses may be in combination with one another.

1. Mental health treatment, including, without limitation, behavioral therapy of those with autism and related disorders
2. Medical or Dental Offices, Centers, or Clinics
3. Office: Business, Professional or Government
4. Daycare
5. Financial and insurances services
6. School

The following uses shall be permitted as an ancillary use in connection with a primary use

1. Eating establishment (not separately signed and serving only employees and customers of a primary use)
2. Medical or dental laboratory
3. Satellite dish
4. Sign (as otherwise permitted)
5. Indoor recreation and entertainment (not separately signed and serving only customers of a primary use)
6. Renewable energy facility (solar and geothermal)
7. Temporary construction yard, office, or equipment
8. Temporary outdoor event



Photo of the subject site looking east along 74th Street.



Photo of 7405 Westfield Boulevard looking north on the site.



Photo of 7425 Westfield Boulevard looking north on the site.



Photo of the middle of the two parcels looking east on the site.



Photo of 7425 Westfield Boulevard looking southeast on the site.



Photo of an unenclosed dumpster in the front yard.



Phot of parking spaces at 7425 Westfield Boulevard.



Photo of the alley east of the site looking south.



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



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



Photo of a parking lot at 7429 Westfield Boulevard that received a zoning violation.



Photo of a single-family dwelling east of the site looking west on 74th Street towards the play area.



Photo of the Monon trail beyond the tree line west of Westfield Boulevard.



METROPOLITAN DEVELOPMENT COMMISSION **June 27, 2024**
HEARING EXAMINER

Case Number: 2024-ZON-029

Property Address: 9401 and 9415 East Southport Road and 9404 and 9510 East McGregor Road

Location: Franklin Township Council District #25

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

Current Zoning: D-A and D-1

Request: Rezoning of 112.2 acres from the D-A and D-1 districts to the D-4 district to provide for single-family residential development.

Current Land Use: Undeveloped / agricultural uses

Staff Recommendations: Approval, subject to the commitments noted below:

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the timely automatic continuance that continued this petition from the April 25, 2024 hearing, to the May 23, 2024 hearing.

The Hearing Examiner continued this petition, at staff’s request, from the April 11, 2024 hearing, to the April 25, 2024 hearing, to the May 23, 2024 hearing, and to the June 27, 2024 hearing, to provide additional time for the recently submitted Traffic Impact Study (TIS) to be reviewed by staff and any concerns with the study addressed.

STAFF RECOMMENDATION

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

1. A 40-foot half right-of-way shall be dedicated along the frontage of East Southport Road and a 45-foot half right-of-way shall be dedicated along the frontage of McGregor Road, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
2. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.



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3. A passing blister shall be installed at the McGregor Road access drive in accordance with the Department of Public Works standards.

PETITION OVERVIEW

REZONING

This 112.2-acre site, zoned D-A and D-1 is comprised of six undeveloped contiguous parcels. It is surrounded by single-family dwellings to the north, across East Southport Road, zoned D-A; single-family dwellings to the south, across McGregor Road, zoned D-A; single-family dwellings to the east, zoned D-1; and single-family dwellings to the west, zoned D-P.

The request would rezone all six parcels to the D-4 District. “The D-4 district is intended for low or medium intensity single-family and two-family residential development. Land in this district needs good thoroughfare access, relatively flat topography, and nearby community and neighborhood services and facilities with pedestrian linkages. Provisions for recreational facilities serving the neighborhood within walking distance are vitally important. Trees fulfill an important cooling and drainage role for the individual lots in this district. The D-4 district has a typical density of 4.2 units per gross acre. This district fulfills the low-density residential classification of the Comprehensive General Land Use Plan. All public utilities and facilities must be present. Development plans, which may include the use of clustering, should incorporate, and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage, and wildlife.”

The Comprehensive Plan recommends suburban neighborhood typology for the site, which would be consistent with the Comprehensive Plan recommendation.

The amended site plan, file-dated May 17, 2024, provides site access from East Southport Road and East McGregor Road. Approximately 180 sites, at a density of 1.6 units per acre, are proposed for this development, with a centrally located amenity area. Generally, development avoids the floodplain areas.

Staff would note, however, that the site plan is conceptual and would be subject to change, depending upon compliance with the subdivision and platting provisions of the Ordinance. In other words, this petition is strictly approval of the rezoning and not the conceptual site plan / layout of the residential development.

Overlays

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



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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.

The northern portion of the site and along the eastern boundary is located within the 100-year floodplain fringe that follows the alignment of Rayborne Ditch.

Floodway Fringe

This site has a secondary zoning classification of a Floodway Fringe (FF), which is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.

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

Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 40-foot half right-of-way along the frontage of East Southport Road and a 45-foot half right-of-way shall be dedicated along the frontage of McGregor Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.

Traffic Impact Study (TIS), file-dated June 20, 2024

The parameter used to evaluate traffic operation conditions is referred to as the level-of-service (LOS). There are six LOS (A through F) categories, which relate to driving conditions from best to worst, respectively. LOS directly relates to driver discomfort, frustration, fuel consumption and lost travel time. Traffic operating conditions at intersections are considered to be acceptable if found to operate at LOS D or better.

The TIS was amended to reflect the amended site plan that provided for an access drive along East Southport Road and eliminated the access drive along Hickory Road. The Department of Public Works staff has requested a passing blister at the McGregor Road access drive.

The scope of work for the analysis for this proposed development, included the following items:

1. Obtain turning movement traffic volume counts between the hours of 6:30 A.M. to 9:30 A.M. and 2:00 P.M. to 6:30 P.M. during a typical weekday when school was in session in February 2024 at the following intersections:
 - Southport Road & Hickory Road
 - McGregor Road & Hickory Road
 - Franklin Road & McGregor Road
2. Estimate year 2029 background traffic volumes by applying a 0.5% per year growth to the existing traffic volumes and analyzing partially developed nearby developments.
3. Estimate the number of peak hour trips that will be generated by the proposed development.
4. Assign and distribute the generated traffic volumes from the proposed development to the study intersections.
5. Prepare a capacity analysis, level of service analysis, and turn lane analysis at the study intersections for each of the following scenarios:
 - Scenario 1: Existing Traffic Volumes* – Based on existing peak hour traffic volumes.
 - Scenario 2: Year 2029 Background Traffic Volumes* – Based on the sum of inflated existing traffic volumes and generated traffic volumes from partially developed nearby developments.
 - Scenario 3: Total Development Traffic Volumes* – Based on the sum year 2029 background traffic volumes and generated traffic volumes from the proposed development.
6. Prepare recommendations for the roadway geometrics that will be needed to accommodate the total traffic volumes once the proposed development is constructed.

Conclusions & Recommendations

Southport Road & Hickory Road

Capacity analyses have shown that this intersection currently operates and will continue to operate at acceptable levels of service during both AM and PM peak hours for all traffic scenarios. Therefore, no improvements are recommended at this location.

McGregor Road & Hickory Road

Capacity analyses have shown that all approaches to the intersection currently operate and will continue to operate at acceptable levels of service during both AM and PM peak hours for all traffic scenarios. Therefore, no improvements are recommended at this location.

Franklin Road & McGregor Road

Capacity analyses have shown that all approaches to the intersection currently operate and will continue to operate at acceptable levels of service during both AM and PM peak hours for all traffic scenarios. Therefore, no improvements are recommended at this location.



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Southport Road & Proposed Access Drive

Capacity analyses have shown that this intersection will operate at acceptable levels of service during the AM and PM peak hours with the following intersection conditions:

- Construction of the proposed northbound full access drive with one inbound and one outbound lane.
- The intersection should be stop-controlled with the access drive stopping for Southport Road.

McGregor Road & Proposed Access Drive

Capacity analyses have shown that this intersection will operate at acceptable levels of service during both AM and PM peak hours with the following intersection conditions:

- Construction of the proposed full access drive with one inbound and one outbound lane.
- The intersection should be stop-controlled with the access drive stopping for McGregor Road.

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.



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

GENERAL INFORMATION

Existing Zoning	D-A / D-1	
Existing Land Use	Undeveloped / agriculture uses	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
North:	D-A	Single-family dwellings
South:	D-A	Single-family dwellings
East:	D-A / D-1	Single-family dwelling
West:	D-P	Single-family dwellings
Thoroughfare Plan		
East Southport Road	Primary arterial	Existing 50-foot right-of-way and proposed 80-foot right-of-way.
McGregor Road	Primary collector	Existing 60-foot right-of-way and proposed 90-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	March 8, 2024	
Site Plan (Amended)	May 17, 2024	
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 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 Pattern Book and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

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

- *Conditions for All Land Use Types – Suburban Neighborhood Typology*
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
 - Hydrological patterns should be preserved wherever possible.
 - Curvilinear streets should be used with discretion and should maintain the same general direction.
 - 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.
 - Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.



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- Developments with densities higher than 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.
- Detached Housing
 - The house should extend beyond the front of the garage.
 - Lots should be no more than 1.5 times the size (larger or smaller) of adjacent/surrounding lots, except in cases where lots abut existing residential lots of one acre or more in size. In those cases, lots should be no smaller than 10,000 square feet and no larger than 1.5 times the size of the abutting lot.
- *Modified Uses – Environmentally Sensitive Overlay*
 - Detached Housing - Should be oriented to minimize impact on the natural environment, including trees, wetlands, and exceptional topography. Housing is significantly discouraged in floodplains. Additionally, development should preserve or add at least 30% of the entire parcel as tree canopy or naturalized area.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.”

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

- The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”
- The following listed items describes the purpose, policies and tools:



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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

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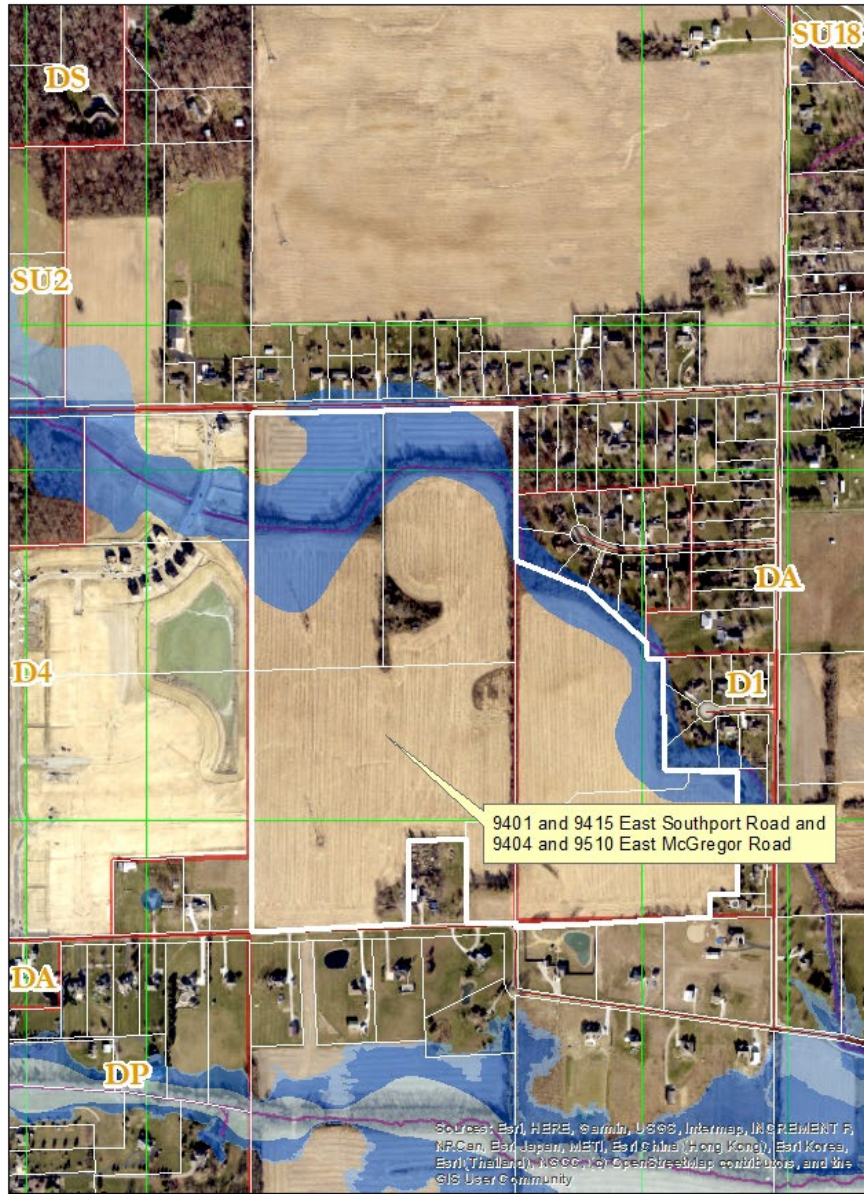


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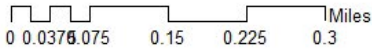
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EXHIBITS



9401 and 9415 East Southport Road and 9404 and 9510 East McGregor Road







View looking west at the intersection of East Southport Road and Hickory Road



View of site looking south across East Southport Road



View of site looking south across East Southport Road



View of site looking west across Hickory Road



View of site looking west across Hickory Road



View of site looking north across East McGregor Road



METROPOLITAN DEVELOPMENT COMMISSION **June 27, 2024**
HEARING EXAMINER

Case Number: 2024-ZON-044 (Amended)

Property Address: 918 East 27th Street, 2735, 2739, 2743, 2747, 2751, 2752 and 2755 Guilford Avenue, 820 East 27th Street, 2708, 2712, 2716, 2720, 2724, 2728, 2732, 2736, 2740, 2744, 2748, 2752, and 2756 Winthrop Avenue (even) (Approximate Addresses)

Location: Center Township, Council District #8

Petitioner: Historic Grandview LLC, by Paul J. Lambie

Current Zoning: D-5

Request: Rezoning of 2.96 acres from the D-5 district to the D-8 district for residential development.

Current Land Use: Vacant land

Staff Recommendations: Approval, subject to the commitments listed below.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the May 9, 2024 hearing, to the May 23, 2024 hearing at the joint request of remonstrators and the petitioner’s representative.

The Hearing Examiner continued this petition from the May 23, 2024 hearing, to the June 27, 2024 hearing to amend the petition and provide legal notice.

Three additional parcels were added to the rezoning request. One parcel would be contiguous to the existing parcels and two would be in proximity. Consequently, staff continues to recommend approval, subject to the previously requested commitments.

STAFF RECOMMENDATION

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

1. Final elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).
2. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.



PETITION OVERVIEW

This 2.4-acre site, zoned D-5, is comprised of eighteen parcels. It is surrounded by single-family dwellings to the north, across East 28th Street, zoned D-5; single-family dwellings to the south, zoned D-5 and D-8, across East 27th Street; vacant land to the east, across Winthrop Avenue, zoned I-2; and single-family dwellings to the west, across Guilford Avenue, zoned D-5.

The request would rezone all the parcels to the D-8 (Walkable Neighborhood) District to provide for walkable neighborhood development including two-unit row houses with potential future platting for individual unit sale. “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.”

The D-8 district is one of five dwelling districts that would “implement walkable, compact neighborhoods within a well-connected street network and block structure, using slow neighborhood streets, walkable connectors, and multi-mode thoroughfares.” These districts require urban public and community facilities and services to be available. Additionally, these districts may be used to support nearby commercial and transit investments.

The Comprehensive Plan recommends traditional neighborhood typology for the site. As proposed, this request would be consistent with Plan recommendation as well as the historical residential use of the land. This request would also support the ongoing redevelopment and renewal efforts in this neighborhood.

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



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use of the governmental property, right-of-way or easement or that has been allowed to become a health or safety hazard;

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

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

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Vacant land	
Comprehensive Plan	Traditional neighborhood typology	
Surrounding Context	Zoning	Land Use
	North:	D-5 Single-family dwellings
	South:	D-5 / D-8 Single-family dwellings
	East:	I-2 Vacant land
	West:	D-5 Single-family dwellings
Thoroughfare Plan		
East 27th Street	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
Winthrop Avenue	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
East 28th Street	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
Guilford Avenue	Local Street	Existing 58-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	N/A
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends 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

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

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

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 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.”
- Because no elevations were submitted for review to confirm that the proposed dwellings would architecturally be compatible and harmonious with the surrounding land uses and neighborhood character, staff would request that elevations be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).

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

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



ZONING HISTORY

2022-ZON-018; 2602, 2634, and 2640 Winthrop Avenue (south of site), requested rezoning 0.40 acre from the I-2 district to the D-8 district to allow for single-family residential, **approved**.

2022-DV3-023; 2703 Guilford Avenue (west of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for single-family detached dwelling with a reduced rear setback, **granted**.

2021-CZN-850 / 2021-CVR-850; 2606 Winthrop Avenue (south of site), requested rezoning of 0.13 acre from the I-2 district to the D-8 district and variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling and detached garage with reduced open space, **approved and granted**.

2021-ZON-015; 2614 and 2618 Winthrop Avenue (south of site), requested rezoning of 0.26 acre from the I-2 district to the D-8 district, **approved**.

2020-CZN-830 / 2020-CVR-830; 2626 Winthrop Avenue (south of site), requested rezoning of 0.251 acre from the I-2 district to the D-8 district and variances of developments standards provide for two, two-family dwellings, with reduced setbacks and open space, **approved and granted**.

2020-ZON-048; 1123 East 25th Street (south of site), requested rezoning of 1.435 acres from the I-4 district to the D-8 district, **approved**.

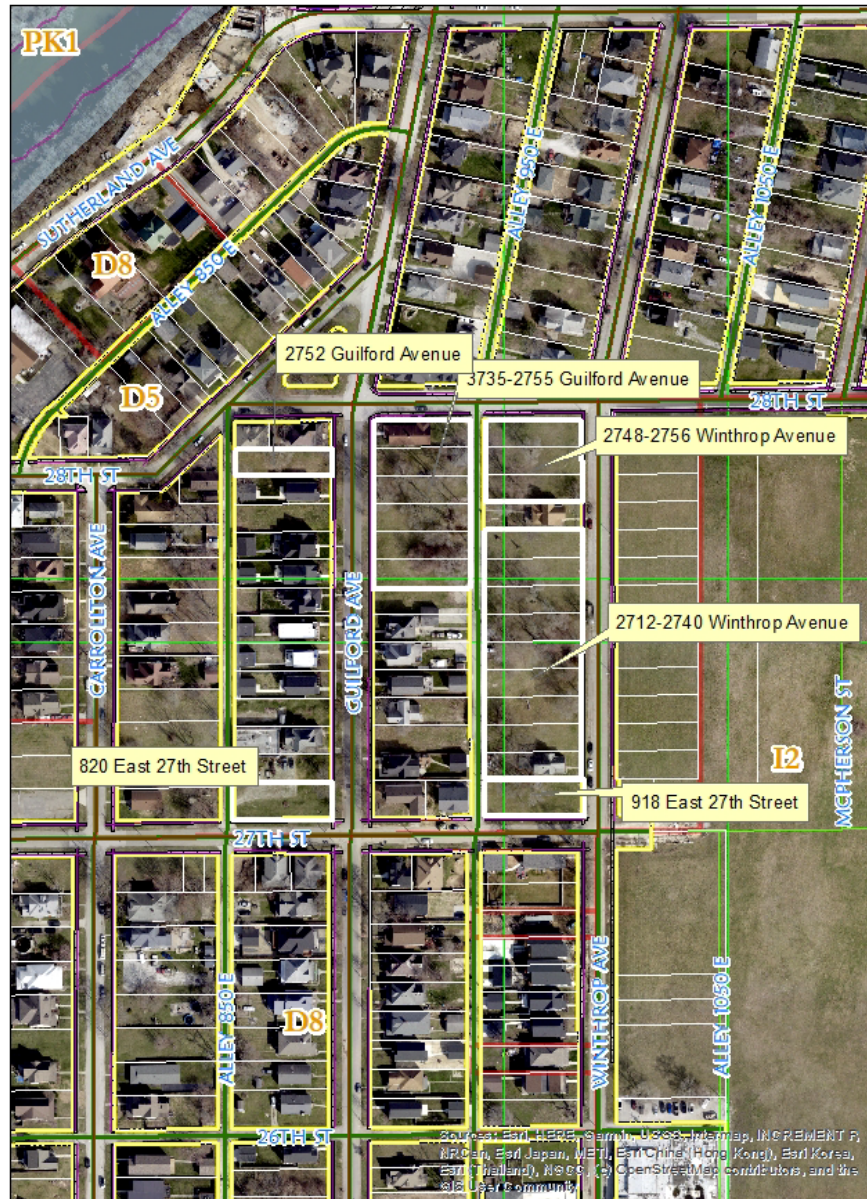
2020-CZN-830 / 2021-CVR-830; 2625 Winthrop Avenue (south of site), requested rezoning of 0.25 acre from the I-2 district to the D-8 district and a variance of development standards to provide for deficient front and side setbacks, distance between dwellings and open space, **approved and granted**.

98-V1-32; 2744 North Guilford Avenue (west of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a two-family residence with reduced parking spaces, lot area and lot width, **granted**.

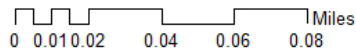
98-V1-31; 2720 North Guilford Avenue (west of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a two-family residence with reduced parking spaces, lot area and lot width, **granted**.

84-UV3-99; 2610 and 2612 Winthrop Avenue (south of site), requested a variance of use to provide for a two-family dwelling in an industrial district, **granted**.

EXHIBITS



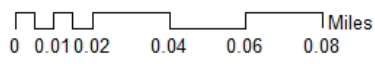
918 and 820 East 27th Street, 2735-2755 Guilford Avenue and 2712-2756 Winthrop Avenue



Sanborn Map - 1898



918 and 820 East 27th Street, 2735-2755 Guilford Avenue and 2712-2756 Winthrop Avenue





View looking north along Winthrop Avenue



View looking south along Winthrop Avenue



View looking north along Guilford Avenue



View looking south along Guilford Avenue



View looking northeast across intersection of Winthrop Avenue and East 27th Street



View of site looking west across Winthrop Avenue



View of site looking west across Winthrop Avenue



View of site looking west across Winthrop Avenue



View of site looking west across Winthrop Avenue



View of site looking west across Winthrop Avenue



View looking northwest across intersection of Winthrop Avenue and East 28th Street



View looking south on north/south alley west of Winthrop Avenue



View of site looking east across Guilford Avenue



View of site looking east across Guilford Avenue



METROPOLITAN DEVELOPMENT COMMISSION **June 27, 2024**
HEARING EXAMINER

Case Number: 2024-CAP-822 / 2024-CVR-822
Property Address: 1351 Roosevelt Avenue
Location: Center Township, Council District #13
Petitioner: Penn Electric Partners LLC, by Brent Roberts

Current Zoning: C-S (FF)

Request: Modification of the Commitments for 2022-ZON-115 to Modify Commitment #3 to provide for the addition of building signage, roof sign, and architectural canopies, which shall be submitted for Administrator’s Approval prior to the issuance of Class 1 Structural Permit, which approval shall not be unreasonably withheld.

Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for a 26-foot long, 8.5-foot-tall roof sign. Said roof sign would be supported by a 23.2-foot long, 15.9-foot-tall scaffold structure (not permitted).

Current Land Use: Mixed-Use

Staff Recommendations: Denial.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued these petitions from the June 13, 2024 hearing, to the June 27, 2024 hearing, at the request of the neighborhood organization.

No new information has been submitted to the file. Staff continues to recommend denial.

STAFF RECOMMENDATION

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

- 1. Final site plan and elevations, including signage and canopies, shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).
- 2. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.



PETITION OVERVIEW

Modification

Petition 2022-ZON-115 rezoned this 2.26-acre site to the C-S district to provide for a mixed-use development with retail, office, and restaurant / outdoor seating uses. This request would modify commitments related to this rezoning request to modify Commitment #3 to provide for the addition of building signage, roof sign and architectural canopies. See Exhibit A.

The proposed commitment would read: "The existing building located at 1351 Roosevelt Avenue shall be preserved, to the extent possible, and shall not be demolished. Addition of building signage, roof sign, and architectural canopies shall be submitted for Administrator Approval prior to issuance of Class 1 Structural Permit, which approval shall not be unreasonably withheld."

The agreed upon commitment associated with the 2022 rezoning was requested by staff because of the historical architecture and significance of this building. Staff believed that preserving this historical building would complement the adjacent historically preserved building to the east and maintain the historical integrity of this industrial / commercial corridor currently undergoing redevelopment.

As proposed, the sign and scaffold structure extending 16.5 feet above the existing one-story historical building would be out of scale and visually dominate the historical architecture.

Furthermore, allowing a roof sign at this location would establish a precedent that could result in a level of light pollution that would interrupt an equitable opportunity for effective communication within this corridor.

The proposed canopies would further compromise the historical architecture of the existing building. The combination of the roof sign and canopies would result in the loss of the historical integrity of the existing building and would be incompatible with the surrounding land uses, particularly the adjacent building to the east that has been redeveloped to maintain the historical architecture.

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.



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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.

Variance of Use

The request would provide for a 26-foot long, 8.5-foot-tall roof sign, supported by a 23.2-foot long, 15.9-foot-tall scaffold structure. The Sign Regulations are “intended to facilitate an easy and agreeable communication between people and to balance the interests and objectives of the sign owner and the community audience.”

Staff understands that signs serve an important function and believes that reasonable and adequate display is permitted under the Sign Regulations. The Ordinance also defines the purpose of the Sign Regulations by providing a list of attributes, most of which would be compromised and diluted by the proposed roof sign.

Staff believes that the proposed roof sign would potentially increase hazards to motorists and pedestrians, limit an equitable opportunity for effective communication, cause excessive and confusing sign display, and dominate the scale of the one-story historic structure and surrounding land uses.

Staff is concerned that approval of the roof sign would also increase the possibility of future requests for roof signs in this area, as well as throughout the City, which would conflict with the purpose of the Sign Regulations related to excessive signage and negatively impact long-term vitality and overall quality of life in the City.



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Furthermore, the Comprehensive Plan recommendation of village mixed-use typology encourages “neighborhood gathering places” that are small, intimate, and walkable. The Findings of Fact indicate that visibility of the site / business is limited, and the proposed sign is necessary to attract customers from a larger area and outside of the immediate area, which would defeat the Plan recommendation.

Staff believes the current Sign Regulations would provide appropriate visibility and would not result in an unusual and unnecessary hardship for this site.

GENERAL INFORMATION

Existing Zoning	C-S	
Existing Land Use	Mixed-Use	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North:	C-S Vacant land
	South:	C-S Industrial uses
	East:	C-S Commercial uses
	West:	I-4 Industrial uses
Thoroughfare Plan		
Roosevelt Avenue	Local Street	Existing 62-foot right-of-way and a proposed 40-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	Yes – 500-year unregulated	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	May 10, 2024	
Site Plan (Amended)	N/A	
Elevations	February 23, 2024	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	May 10, 2024	
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 Pattern Book and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The 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.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.



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Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

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

ZONING HISTORY

2022-ZON-115; 1255 and 1351 Roosevelt Avenue, requested rezoning of 2.26 acres from the I-4 district to the C-S district to provide for a mixed-use development with retail, office, and restaurant uses (including outdoor seating), **approved**.

VICINITY

2023-ZON-082; 1102-1138 Roosevelt Avenue (west of site), requested Rezoning of 6.60 acres from the I-4 district to the C-S district to provide for a mixed-use development including multi-family dwellings, neighborhood retail uses and a parking garage, **approved**.

2019-CZN-859 / 2019-CVR-859 / 2019-CVC-859 (east of site); 1328, 1336, 1340, 1402, 1406, 1409, 1411, 1430, 1436, 1443 and 1446 Roosevelt Avenue; 1402, 1406, 1410, 1414, 1420, 1422, 1423, 1427, 1431 and 1435 Dr. A J Brown Avenue; 1406 and 1410 Arsenal Avenue; 1420 Newman Avenue, requested rezoning of six acres from the D-8, C-3 and C-S district to the C-S district to provide for a mixed-use development with retail, office, indoor recreation, restaurant and/or industrial uses permitted by the I-1 and I-2 districts; variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for 254 parking spaces (including 54, eight by 16-foot small car spaces); and vacation of a portion of Dr. A J Brown Avenue, being 60 feet wide, from the southeast corner of Lot 36 of Ingram Fletchers Addition, being the north right-of-way line of Roosevelt Avenue, 247.37 feet to the northeast corner of Lot 30 of said Addition being the south right-of-way line of Interstate 70, and a vacation of a portion of a north-south alley, being 15 feet wide, from the southeast corner of Lot 39 of said Addition, being the north right-of-way line of Roosevelt Avenue, to a point 170.42 at the northeast corner of Lot 43, being the south right-of-way line of Interstate 70, both with a waiver of the assessment of benefits **approved, granted and approved**.

2018-CZN-802 / 2018-CVR-802; 1302 and 1320 Columbia Avenue (west of site), requested rezoning of 0.81 acre from the D-8 and C-3 districts to the I-4 classification and variances of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish the existing building and provide for a proposed building, parking and outdoor storage, with zero-foot front and side transitional yards without landscaping and front and side yards without landscaping, **approved and granted**.

2017-CZN-843 / 2017-CVC-843; 1402, 1406, 1409, 1411, 1430, 1436, 1443 and 1446 Roosevelt Avenue 1423 and 1427 Dr. A.J. Brown Avenue and 1420 Newman Street (east of site), requested rezoning of 4.14 acres from the I-4 and C-3 Districts to the C-S classification to provide for a mixed-use development, including office, light industrial, restaurant, charter school and/or recreational uses; and vacation of Vacation of first alley south of Roosevelt Avenue, being 15 feet wide, from the west right-of-way line of Newman Street, to a point 360 feet to the southwest at the east right-of-way line of Dr. A.J. Brown Avenue and Vacation of Dr. AJ Brown Avenue, being 60 feet wide, from the south right-of-way line of Roosevelt Avenue, to a point 178.6 feet south to the northwest, **approved**.



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2016-VAC-004; 1211 Roosevelt Avenue (west of site), requested vacation of a 16-foot wide alley, beginning at the northwest corner of Lot One of Ingram Fletcher's Subdivision of Block 3 in E.T. and S.K. Fletcher's Addition to the City of Indianapolis, as recorded in Plat Book 3, Page 115 in the Office of the Recorder of Marion County, Indiana, also being at the south right-of-way line of Roosevelt Avenue; thence 140 feet to the southwest corner of said Lot One, also being at the north right-of-way line of the CCC and St. Louis Railroad, with a waiver of the assessment of benefits, **approved**.

2012-SE3-001; 1256 Roosevelt Avenue (north of site), requested a special exception of the Industrial Zoning Ordinance to provide for a wrecker service / impound lot, with the storage of inoperable vehicles and a variance of development standards of the Industrial Zoning Ordinance to legally establish a 12-foot-tall concrete block wall in the required front yard, **granted**.

2002-ZON-109; 1317 Columbia Avenue (south of site), requested rezoning of 0.15 acre from D-8 to the C-3 to provide for commercial development, **approved**.

98-SE1-3; 1102 Roosevelt Avenue (west of site), requested a special exception of the Industrial Zoning Ordinance to provide for 36,000 square feet of an existing 151,945 square foot building to be utilized for commercial office use, **granted**.

96-HOV-45; 1203 Roosevelt Avenue (west of site), requested a variance of development standards of the Industrial Zoning Ordinance to provide for an armored car facility with zero feet of public street frontage and a zero-foot side yard setback along the north and south property line, **granted**.

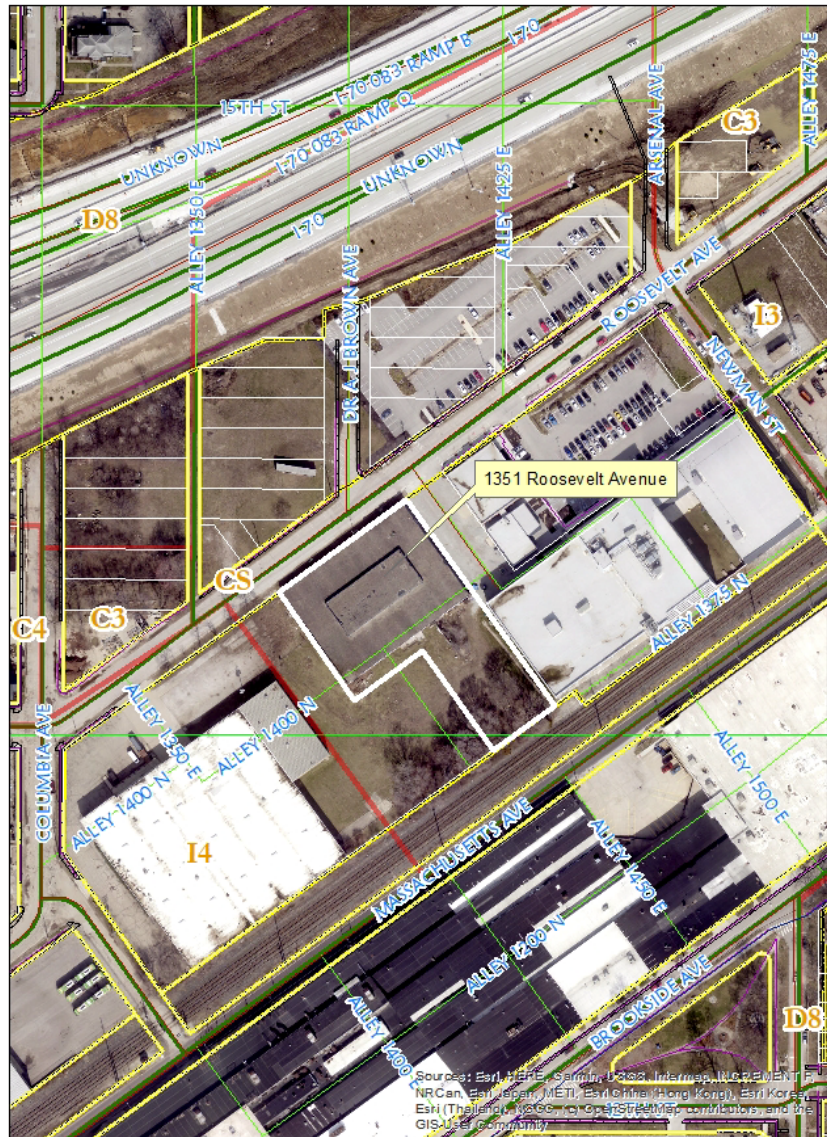
89-HOV-97; 1125 Brookside Avenue (south of site), requested a variance of development standards of the Industrial Zoning Ordinance to permit the addition of a new loading dock area to an existing factory / warehouse within the required front yard, without the required maneuvering area and with a 100 feet wide drive, **granted**.

89-UV3-51; 969 Dorman Street (south of site), requested a variance of use of the Industrial Zoning Ordinance to permit outdoor storage and incidental maintenance of school buses, **granted**.

81-VAC-5, Vacation of parts of Roosevelt Avenue and Yandes Street, **approved**.

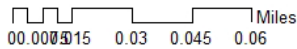
84-VAC-18, Vacation of parts of Lewis Street, **approved**.

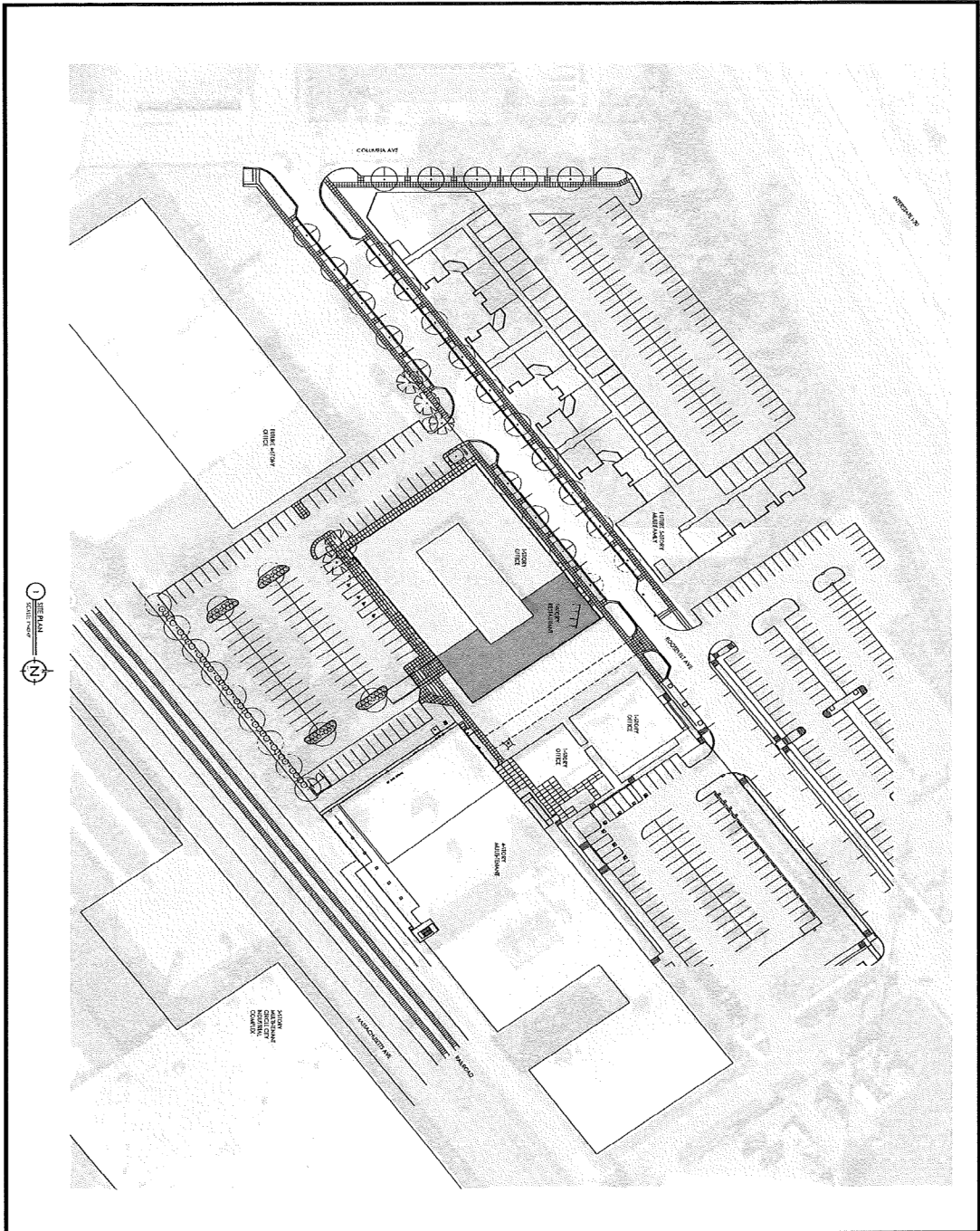
EXHIBITS



Sources: Esri, HERE, DeLorme, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), Swisstopo, OpenStreetMap contributors, and the GIS User Community

1351 Roosevelt Avenue



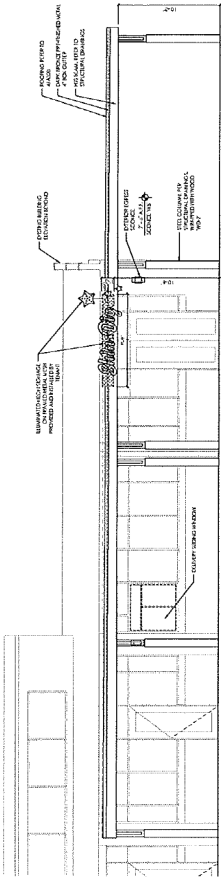


Drawing No. A000	Drawing Name SHIN-DIG	Drawing Date 2/20/2024	Drawing By BAW	Drawing Title BAW		via fast myrcos.com - 800-995-6161 by 43202 317-437-4322 www.phandmen.com
SHIN-DIG 1351 ROOSEVELT AVE, SUITE 103, INDIANAPOLIS, IN 46202						

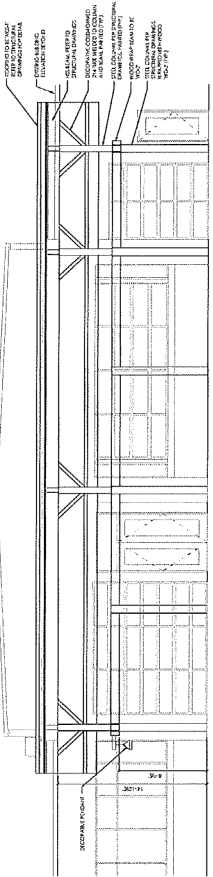
SHIN-DIG
1351 ROOSEVELT AVE, SUITE 103
INDIANAPOLIS, IN 46202

DATE: 04/01/2024
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: AS SHOWN

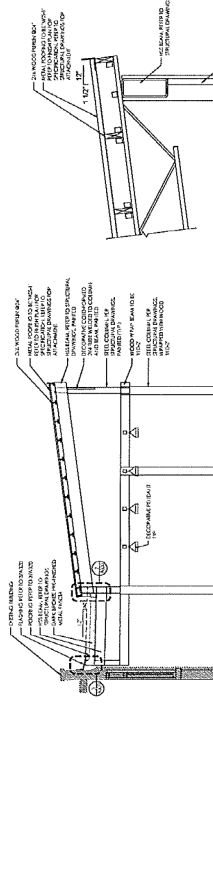
PERMIT SET 04.01.2024
A320



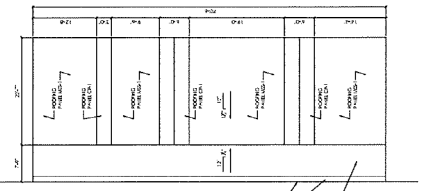
① SOUTH ELEVATION
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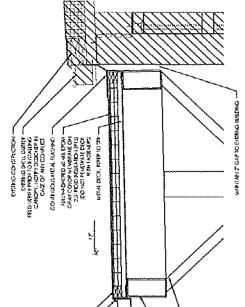
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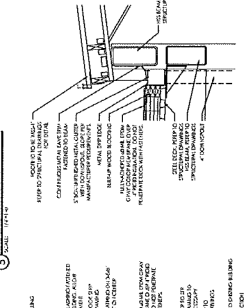
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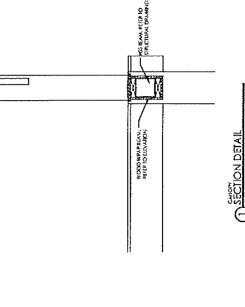
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① SECTION DETAIL
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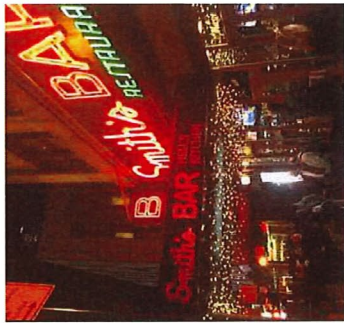


② SECTION DETAIL
SCALE: 1/2" = 1'-0"



③ SECTION DETAIL
SCALE: 1/2" = 1'-0"

INSPIRATION IMAGES



ILLUMINATED SIGNAGE WITH LIGHT BULBS



LIGHT BULB STAR

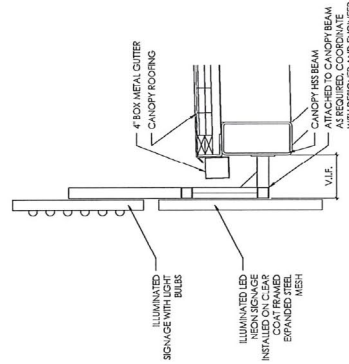


DOUBLE LINE LED NEON CHANNEL LETTER

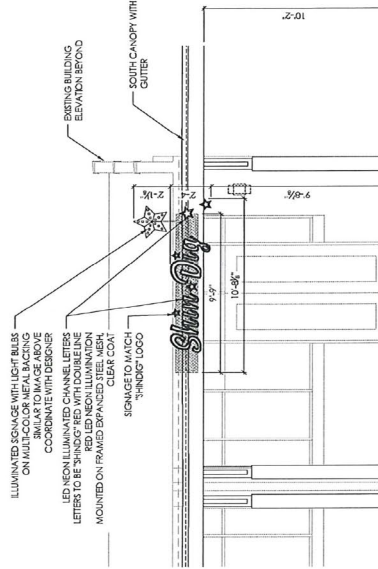


LIGHT BULB STAR

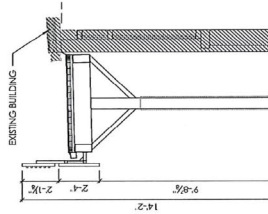
LED NEON WITH CHANNEL LETTER SIGNAGE



③ MAIN ENTRY SIGNAGE
DETAIL SECTION
SCALE: 1/4"=1'-0"



① MAIN ENTRY SIGNAGE
ELEVATION
SCALE: 1/4"=1'-0"

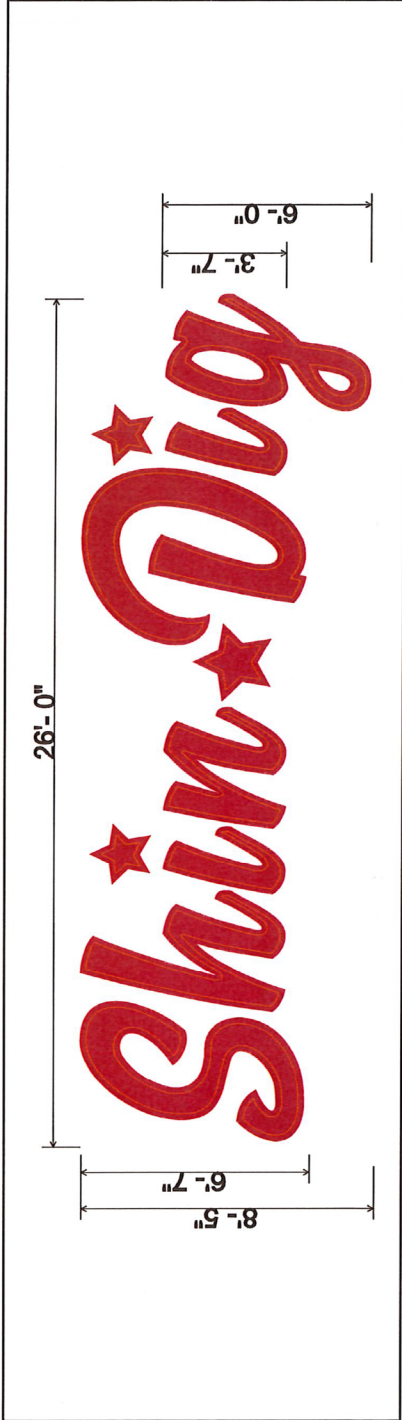


② MAIN ENTRY SIGNAGE
SECTION
SCALE: 1/4"=1'-0"

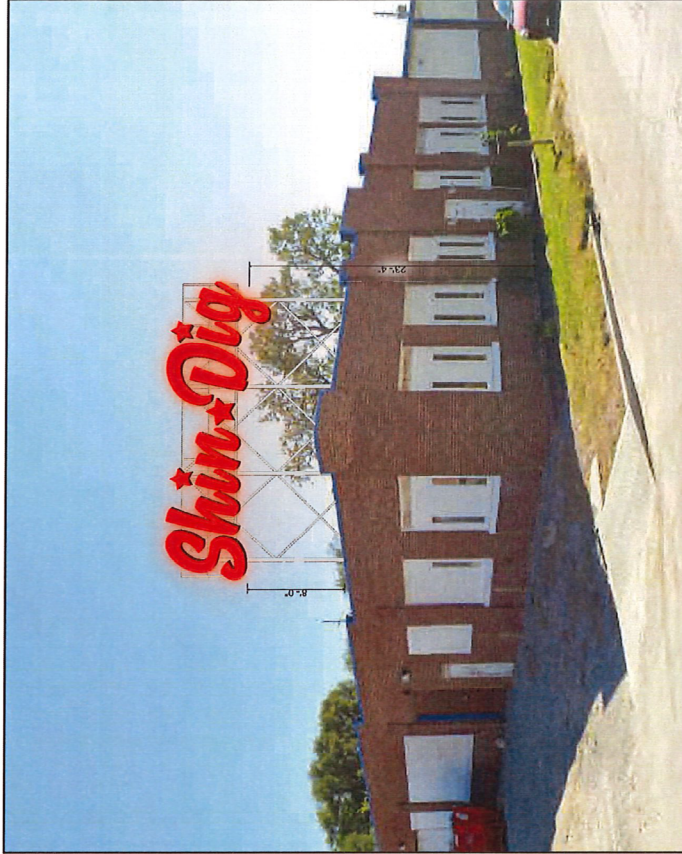
SHIN-DIG, INDIANAPOLIS, IN
MAIN ENTRY SIGNAGE
4/9/2024



934 Fort Wayne Ave. - Indianapolis, IN 46202
317.439.4335 (t)
www.phenomenon.com



- SPECIFICATIONS:**
1. FABRICATE AND INSTALL ONE SET OF ROOF MOUNTED ILLUMINATING CHANNEL LETTERS.
 2. LETTERS TO BE RED WITH RED FAUX NEON ILLUMINATION.



A SIGN BY DESIGN IS NOT RESPONSIBLE FOR RUNNING THE MAIN ELECTRICAL LINE TO THE SIGN.
A SIGN BY DESIGN WILL CONNECT TO ELECTRICAL IF IT IS LOCATED WITHIN 5' OF THE INSTALLED SIGNAGE.

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EMAIL: sbr@asignbydesign.com

CLIENT NAME THE SHIN DIG	AGENT/REP DAVE
FILE NAME SHINDIG-BLDLET10.PDF	DRAWN BY AA
DATE 11/16/2023	FILE LOCATION NOV-2022
LOCATION INDIANAPOLIS, IN.	ART <input checked="" type="checkbox"/>

DATE _____

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THERE COULD BE A COLOR DIFFERENCE FROM THIS DRAWING TO THE FINAL PRODUCT



Department of Metropolitan Development
Division of Planning
Current Planning

EXHIBIT A

DocId:20110604
Tx:42028017

A202200134328

12/21/2022 11:00 AM
KATHERINE SWEENEY BELL
MARION COUNTY IN RECORDER
FEE: \$ 35.00
PAGES: 9
By: DG

STATEMENT OF COMMITMENTS

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

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

Legal Description: See attached Exhibit 1.

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. Building elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP), which approval shall not be unreasonably withheld.
3. The existing building located at 1351 Roosevelt Avenue shall be preserved, to the extent possible, and shall not be demolished.
4. _____
5. _____

These COMMITMENTS shall be binding on the owner, subsequent owners of the real estate and other persons acquiring an interest therein; provided that Commitment #1 (Open Occupancy and Equal Opportunity Commitments) shall not be binding on an owner, subsequent owners or other person acquiring an interest therein if such persons are exempt persons or are engaged in an exempt activity as defined on Attachment "A" which is attached hereto and incorporated herein by reference. These COMMITMENTS

MDC's Exhibit B -- page 1 of 9

9



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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:

- (a) the adoption of rezoning petition # 2022-ZON-115 by the City-County Council changing the zoning classification of the real estate from a I-4 zoning classification to a C-S zoning classification; or
- (b) the adoption of approval petition # _____ by the Metropolitan Development Commission;

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

These COMMITMENTS may be enforced jointly or severally by:

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

The undersigned hereby authorizes the Division of Planning of the Department of Metropolitan Development to record this Commitment in the office of the Recorder of Marion County, Indiana, upon final approval of petition #2022-ZON-115.



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 petitioner's proposed roof sign is positioned to the northeast toward a parking lot across the street which is bounded by Interstate I-70. The roof sign design highlights the historic quality of the 1930's building when roof signs were more commonly used. Recent roof signs in the city have shown they can be well-designed and an attribute to the surroundings (i.e. three new roof signs at BottleWorks District, originally built in 1930's).

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

North Mass District is a redevelopment of several buildings along Roosevelt Ave and introduces office, multifamily housing, and restaurant uses to a previously light industrial area. The access to North Mass District is limited to the north and south ends of the area due to the interstate and railroad on either side. The sign will help to attract the public to the newly developed district and will help ensure its viability.

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

The access to North Mass District is limited to the north and south ends of the area due to the interstate and railroad on either side. The building is one story among several taller structures and wouldn't be easily seen otherwise. The roof sign design highlights the historic quality of the 1930's building when roof signs were more commonly used.

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 access to North Mass District is limited to the north and south ends of the area due to the interstate and railroad on either side. The building is one story among several taller structures and wouldn't be easily seen otherwise. The sign will help to attract the public to the newly developed district and will help ensure its viability.

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

While the Comprehensive Plan does not permit roof signs, granting a roof sign in this case would not interfere with other portions of the Comprehensive Plan. The variance process allows for the thorough review of roof sign design and impact on an area. The roof sign highlights the historic quality of the 1930's building when roof signs were more commonly used. Recent roof signs in the city have shown they can be well-designed and an attribute to the surroundings (i.e. three new roof signs at BottleWorks District, originally built in 1930's).

DECISION

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

Adopted this _____ day of _____, 20 ____



View looking west along Roosevelt Avenue



View looking east along Roosevelt Avenue



View of eastern portion of site looking south across Roosevelt Avenue



View of site looking south across Roosevelt Avenue



View of site looking southeast across Roosevelt Avenue



View of site looking southwest across Roosevelt Avenue



View of site looking southeast across Roosevelt Avenue



View from site looking northwest towards Interstate 70



View from site looking north toward Interstate 70



View of western portion of site looking south across Roosevelt Avenue



View of the rear of site looking north



View of the rear of site looking northeast



View of the rear of the site looking east



METROPOLITAN DEVELOPMENT COMMISSION **June 27, 2024**
HEARING EXAMINER

Case Number: 2024-CZN-823 / 2024-CAP-823

Property Address: 605 South High School Road

Location: Wayne Township, Council District #17

Petitioner: City of Indianapolis, Department of Parks and Recreation, by Kate Warpool

Current Zoning: D-3 and PK-1
Rezoning of 6.255 acres from the D-3 district to the PK-1 district.

Request: Park District One approval to provide for park improvements, including playground equipment and playground surface, walking trails, a basketball court, comfort stations, and picnic shelters.

Current Land Use: Open Space / Park

Staff Recommendations: Approval of the rezoning request and the approval request.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first public hearing on these petitions.

STAFF RECOMMENDATION

Approval of the rezoning request and the approval request, subject to substantial compliance with the site and development plan, file dated May 13, 2024.

PETITION OVERVIEW

This 27.93-acre site, zoned D-3 and PK-1, is comprised of four parcels. The three northern parcels are zoned D-3 and the larger parcel is zoned PK-1, all of which are developed with a park. The site is surrounded by single-family dwellings to the north and south, zoned D-3; Interstate right-of-way to the east zoned D-3 and PK-1; and undeveloped land and single-family dwellings to the west, across South High School Road zoned D-3.

Rezoning

The request would rezone the three northern parcels to the PK-1 district. The PK-1 district is a plan development district that permits park, playgrounds, greenways and wireless communication facilities, along with accessory and temporary uses permitted in conjunction with this primary use in any zoning district.



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The Comprehensive Plan recommends rural or estate neighborhood typology for these parcels. “The Rural or Estate Neighborhood typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space.”

As proposed, this request would not be consistent with the Comprehensive Plan recommendation but given the fact that these parcels are contiguous with the existing park and have been integrated into the over development and park plan, staff supports the rezoning.

Park District One Approval

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

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

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

- a. Be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan;
- b. Create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the development plan district and with adjacent uses;
- c. Provide sufficient and adequate multi-modal access, such as parking and loading areas, transit provisions, and bicycle facilities;
- d. Integrate a multi-modal transportation network using active and passive traffic control with the existing and planned public streets and interior roads;
- e. Provide adequately for sanitation, drainage and public utilities in a sustainable, low-impact manner;
- f. Allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan; and



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- g. Provide pedestrian accessibility and connectivity, which may be paths, trails, sidewalks, or combination thereof. Pedestrian accessibility to available public transit must be provided. Sidewalks along eligible public streets consisting of the walkway and any curb ramps or blended transitions must be provided. If sidewalks are required to be installed, the Administrator or the Commission must be guided by the provisions of Section 744-304 for the installation of sidewalks.

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

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

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

The development plan for this park includes trail improvements throughout the park, a basketball court, pickleball courts, picnic shelters / seating / grills, fishing dock, playground update, and lake edge improvements.

GENERAL INFORMATION

Existing Zoning	PK-1 / D-3		
Existing Land Use	Large scale park		
Comprehensive Plan	Rural or Estate Neighborhood / Large scale park		
Surrounding Context	Zoning	Land Use	
	North:	D-3	Single-family dwellings
	South:	D-3	Single-family dwellings
	East:	D-3 / PK-1	Interstate 465 right-of-way
	West:	Undeveloped / D-3	Single-family dwellings
Thoroughfare Plan			
South High School Road	Primary Collector	Existing 50-foot right-of-way and proposed 90-foot right-of-way.	
Context Area	Metro		
Floodway / Floodway Fringe	No		
Overlay	No		



Wellfield Protection Area	No
Site Plan	May 13, 2024
Site Plan (Amended)	N/A
Elevations	May 13, 2024
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	May 13, 2024
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends rural or estate neighborhood typology for the northern parcels and large-scale park for the remainder of the site.

Pattern Book / Land Use Plan

- The Comprehensive Plan consists of two components that include the Pattern Book and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.
- The Pattern Book serves as a policy guide as development occurs. Below is the relevant policy related to this request:

The Rural or Estate Neighborhood typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space.

Large-Scale Parks are generally over 10 acres in size and considered a non-typology land use that is defined as a stand-alone land use that is mapped outside of the typology system due to its scale or the nature of its use.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.



Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

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



ZONING HISTORY

2024-ZON-045; 635 South High School Road (south of site), requested rezoning of 0.46 acre from the SU-1 district to the D-3 district to legally establish a single-family dwelling, **approved**.

202-ZON-021; 460 South High School Road (west of site), requested rezoning of 13.4 acres from the D-3 district to the D-8 district, **withdrawn**.

2008-ZON-120; 631 and 635 South High School Road (south of site), requested rezoning of 1.086 acres, being in the D-3 District, to the SU-1 classification to provide for religious uses, **approved**.

2005-UV3-023; 660 South High School Road (southwest of site), requested a variance of use and development standards to provide for a mental health care office in an existing single-family dwelling in the D-3 district, with a six-foot tall fence and off-street parking areas located within the required front yard of Arbor Woods Drive, **granted**.

2004-ZON-003; 6150 and 6222 Sherry Lane (south of site), requested rezoning of 2.59 acres from the D-3 district to the SU-1 classification, **withdrawn**.

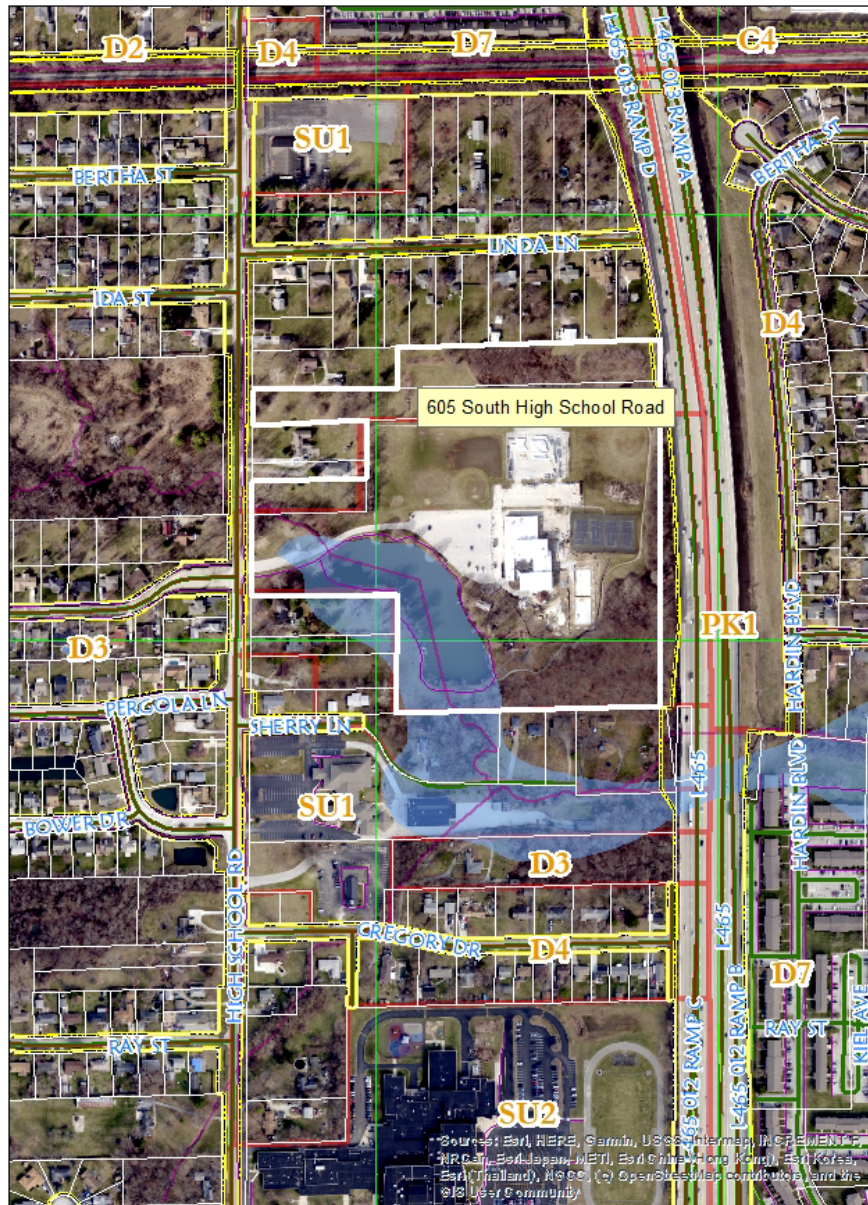
98-Z-147; 701 South High School Road (south of site), requested rezoning of seven acres from the D-3 district to the SU-1 classification, **approved**.

87-SE1-11; 701 South High School Road (south of site), requested a special exception to provide for religious use in the D-3 district, **granted**.

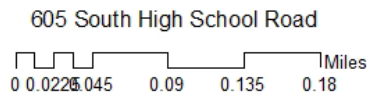
87-UV2-49; 701 South High School Road (south of site), requested a variance of use to provide for construction of a 1,020-square foot storage building for church vehicles in the D-3 district, **granted**.

86-Z-149; 550 South High School Road (north of site), requested rezoning of one acre from the SU district to the D-3 classification, **approved**.

EXHIBITS



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri/Japan, METI, Esri/China, Swire Hong Kong, Esri/Korea, Esri/Thailand), NPS, © OpenStreetMap contributors, and the
 © 18 User Community





Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

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

FINDINGS OF FACT

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

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

The land use plan identifies that the property is a large-scale park, that the land is currently used as a park, that the land use pattern book recommends parks without additional concerns, the plan improves the condition of the park, and the surrounding traditional neighborhood benefits from the park improvements.

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

The plan calls creating a new basketball courts, pickleball courts, reconfiguring tennis courts, replacing equipment and surfaces for play and recreation functions that currently exist, addressing drainage, and new access walking pathways, new shelters with amenities and reconfiguring parking. These additions will improve the current state of the park.

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

New paths are included as part of the project; and new parking spaces will be included on the northwest side of the park.

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

Existing controls are already included in and adjacent to the existing park; and new multiuse paths with necessary controls are recommended in the development plan.

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

The park is serviced by the owner, Indy Parks, and the Department of Public Works, property drainage has been designed by a professional engineer and incorporates appropriate sustainable designs.



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

The property is currently a large-scale park and the proposed plan replaces existing park structures and adds connectivity and functions complimentary to its continued use as a park.

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

Existing paths are already included in the existing park; and existing paths will be replaced and improved as part of this project; and/or new paths are planned for future park and/or infrastructure projects.

DECISION

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

Adopted this _____ day of _____, 20 ____

Commission President/ Secretary



View of site looking north at area of rezoning request



View of site looking east



View of site looking north



View of site looking northeast



View of site looking southeast



View of site looking south



View of site looking south



View of community building looking southeast



View of site looking south