



Metropolitan Development Commission Hearing Examiner (October 9, 2025) Meeting Agenda

Meeting Details

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

Date: Thursday, October 09, 2025

Time: 1:00 PM

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

Business:

Special Requests

PETITIONS REQUESTING TO BE CONTINUED:

1. 2025-APP-010 | 7331 West 34th Street

Wayne Township, Council District #11

PK-2

Antonio Palmero, by Brianna Cushman

Park District Two Approval to provide for a detached single-family dwelling.

****Automatic continuance to November 13, 2025, filed by Registered Neighborhood Organization**

2. 2025-APP-013 | 5425 Reed Road

Pike Township, Council District #5

PK-1

City of Indianapolis, Department of Parks, and Recreation, by Henry Woodburn

Park District One Approval to provide for a concessions and comfort building.

****Automatic continuance to November 13, 2025, filed by Registered Neighborhood Organization**

3. 2025-MOD-017 | 405, 409, and 411 South Shortridge Road

Warren Township, Council District #20

C-S

SRMK, LLC, by David Kingen and Justin Kingen

Modification of Commitments and Site Plan related to 2018-ZON-068 to terminate Commitment # 2 (Attachment "D", item 3) to eliminate the requirement of the submittal of a tree assessment for Administrator's Approval prior to site preparation, and to permit development of the site subject to the site plan filed with this petition (tree assessment required to be submitted for Administrator's Approval prior to site preparation and site to be developed per the site plan file-dated, September 13, 2018).

****Petitioner request for continuance for cause to December 18, 2025, with Notice**

4. 2025-MOD-019 | 1318 South Lynhurst Drive

Wayne Township, Council District #17

D-P

Lynhurst Baptist Church, by Eric Carter

Modification of commitments and development plan, related to 2020-ZON-083, to modify Commitment #2, to provide for a proposed tiny home development and community center, subject to the site plan filed with this petition (current commitment required that the development be subject to the site plan, file-dated, November 10, 2020)

****Staff request for continuance for cause to November 13, 2025**

5. 2025-MOD-021 | 1010 East 86th Street, and 8685 and 8699 North Guilford Avenue

Washington Township, Council District #2

D-P

TM Crowley and Associates, LLC, by Joseph D. Calderon

Modification of Development Statement related to 2024-ZON-055 to provide for additional surface parking areas, commercial space, a reduction of residential units and elimination of a parking garage (previous development statement limited surface parking to 20 spaces, commercial space was limited to the proposed mixed-use building, proposed up to 473 dwelling units, and provided for a 686-space parking garage).

****Staff request for continuance for cause to October 23, 2025**

6. 2025-ZON-062 / 2025-VAR-007 (Amended) | 5709 Five Points Road and 7340 East Edgewood Avenue

Franklin Township, Council District #25

Grand Communities, LLC, by Brian J. Tuohy

Rezoning of 64.64 acres from the D-A (FF) district to the D-4 (FF) district to provide for residential development. Variance of Development Standards of the of the Consolidated Zoning and Subdivision Ordinance to provide for reduced lot width of 68 feet and lot area of 8,500 square feet for duplexes (90-foot lot width and 10,000-square foot lot area required), 56% reduced open space (65% required), and to provide for three monument signs (maximum of two monument signs for each residential community permitted).

****Staff request for continuance for cause to November 13, 2025**

7. 2025-ZON-075 / 2025-VAR-005 (Amended) | 5416 North College Avenue

Washington Township, Council District #7

Firkins, LLC, by Joseph D. Calderon

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

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a small mixed-use building, with zero-foot side and transitional yard setbacks, zero open space, zero-foot rear transitional yard, a 48-foot tall building without street frontage landscaping, with a 40-foot street frontage (minimum five-foot side yard and 15-foot transitional yard setbacks required, minimum 5%, or 50 square feet per unit of open space required, minimum of 15-foot landscape buffer, or a six-foot-tall opaque wall, berm, fence or dense vegetative screen required, 35-foot maximum transitional building height, street frontage landscaping required, 50-foot street frontage required).

****Petitioner request for continuance for cause to November 13, 2025, with Notice**

8. 2025-ZON-097 | 2705 and 2715 North Post Road

Warren Township, Council District #15

Marco A. Garcia

Rezoning of 0.99-acre from the D-4 and C-3 districts to the SU-1 district for religious uses.

****Automatic continuance to November 13, 2025, filed by Registered Neighborhood Association**

9. 2025-ZON-098 | 6157 East 38th Street

Warren Township, Council District #9

Thomas L. Pottschmidt

Rezoning of 1.8 acres from the C-5 (TOD) district to the I-3 (TOD) district for medium industrial uses.

****Automatic continuance to November 13, 2025, filed by Registered Neighborhood Organization**

10. 2025-ZON-100 | 1231 West Troy Avenue

Perry Township, Council District #22
Jaak Properties, LLC, by David Gilman

Rezoning of 1.125 acres from the D-4 (FF) and C-5 (FF) districts to the I-2 (FF) district to provide for light industrial uses.

****Automatic continuance to November 13, 2025, filed by a Registered Neighborhood Organization**

11. 2025-ZON-102 | 2802 Merchants Drive and 2802 Lafayette Road

Wayne Township, Council District #11
Timberland Home Center, by David Gilman

Rezoning of 13.05 acres from the C-4 (FF) (FW) district to the I-3 (FF) (FW) district to provide for medium industrial uses.

****Petitioner request for continuance for cause to November 13, 2025, with Notice**

12. 2025-CZN-832 / 2025-CVR-832 (Amended) | 1140 East 46th Street, 4644, 4646, 4648, 4710, and 4716 Carvel Avenue

Washington Township, Council District #7
D-5 (W-1), D-P (W-1), and I-3 (W-1)
Arrow Street Development, LLC, by Joseph D. Calderon

Rezoning of 3.65 acres, from the D-5 (W-1), D-P (W-1), and I-3 (W-1) districts to the MU-2 (W-1) district to provide for a mixed-use development consisting of multi-family dwellings, commercial uses, a parking garage, and resident amenities.

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a large mixed-use building type (small mixed-use building type permitted), with the front building line in excess of ten feet along 46th Street (front building line range of zero-foot to 10 feet required), a 24-foot-wide driveway width along 46th Street (maximum 16-foot-wide driveway width permitted), a commercial building line of 60% of the frontage along 46th Street (minimum 80% required), zero-foot transitional yard to the east (either a minimum 15-foot transitional yard, or an opaque wall, berm, fence, or dense (at least 75% opacity) vegetative screen of at least six feet tall required), no primary entrances along 46th Street (minimum one primary entry features for every 50 feet required), a surface parking lot with a 15-foot east side yard setback (minimum 25-foot setback required), structured parking of 100% of street wall at first level of the building along Carvel Avenue (maximum 30% of street wall permitted).

****Staff request for continuance for cause to November 13, 2025**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

13. 2025-APP-012 (Amended) | 1550 East County Line Road and 8615 Shelby Street

Perry Township, Council District #23
HD-1 (FF) (FW) and HD-2 (FF) (FW)

Community Health Network, Inc., by Timothy H. Button
Hospital District One and Hospital District Two Approval to provide for a proposed driveway from Shelby Street and new lighting.

14. 2025-ZON-099 | 1548 South Belmont Street

Wayne Township, Council District #17
Mirna Garcia, by Josh Smith

Rezoning of 0.124-acre from the C-1 district to the D-5 district to legally establish a single-family dwelling.

15. 2025-ZON-101 | 3901 English Avenue

Center Township, Council District #18
Samuel Salazar

Rezoning of 0.241-acre from the D-5 to the C-3 district to provide for commercial retail uses.

16. 2025-ZON-103 | 215 South Davidson Street, 701, 711, 715, and 806 Bates Street

Center Township, Council District #18
LaGrotte Square, LLC, by Dan Phair

Rezoning of 0.54-acre from the C-3 (RC) and I-4 (RC) districts to the D-8 (RC) district to provide for residential development.

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

17. 2025-APP-009 / 2025-VAR-006 (Amended) | 8140 Township Line Road

Pike Township, Council District #1
HD-2
Retirement Living, Inc., By Mike Jones, PE

Hospital District-Two Approval to provide for expansion of an existing community center, construction of an assisted living structure, construction of five, three-story, condominium buildings, and new parking areas. Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an expansion of an assisted living facility and a proposed community center with 128 parking spaces (maximum 115 parking spaces permitted).

18. 2025-ZON-090 | 3309 South Arlington Avenue

Franklin Township, Council District #20
Arlington Distribution and Storage, LLC, by David Gilman

Rezoning of 9.037 acres from the D-A (FF) district to the I-2 (FF) district to provide for a distribution facility.

19. 2025-CZN-836 / 2025-CAP-836 | 4035 Meadows Parkway and 4195 Millersville Road

Washington Township, Council District #8
Garvey Properties, LLC, by Joseph D. Calderon

Rezoning of 7.01 acres from the C-S district to the C-S district to provide for continuation of permitted uses under 2013-ZON-037 and 2023-CAP-826, and to add a crematorium use, with no incineration.

Modification of C-S Statement related to 2013-ZON-037 and 2023-CAP-826, to provide for a crematorium use, with no incineration.

PETITIONS FOR PUBLIC HEARING (New Petitions):

Additional Business:

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

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

HEARING EXAMINER

for

METROPOLITAN DEVELOPMENT COMMISSION (MDC)

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

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



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-APP-010
Property Address: 7331 West 34th Street (approximate address)
Location: Wayne Township, Council District #11
Petitioner: Antonio Palmero, by Brianna Cushman
Current Zoning: PK-2
Request: Park District Two Approval to provide for a detached single-family dwelling.
Current Land Use: Undeveloped
Staff Recommendations: To be determined.
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

A timely **automatic continuance** request was filed by a registered neighborhood organization, continuing this petition **from the October 9, 2025 hearing to the November 13, 2025 hearing**. This would require acknowledgement from the Hearing Examiner

STAFF RECOMMENDATION

Staff recommendation to be determined.

PETITION OVERVIEW

This petition is to be continued to the November 13, 2025 hearing.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-APP-013
Property Address: 5425 Reed Road (approximate address)
Location: Pike Township, Council District #5
Petitioner: City of Indianapolis, Department of Parks, and Recreation, by Henry Woodburn
Current Zoning: PK-1
Request: Park District One Approval to provide for a concessions and comfort building.
Current Land Use: Soccer Complex
Staff Recommendations: To be determined.
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

A timely **automatic continuance** request was filed by a registered neighborhood organization, continuing this petition **from the October 9, 2025 hearing to the November 13, 2025 hearing**. This would require acknowledgement from the Hearing Examiner.

STAFF RECOMMENDATION

Staff recommendation to be determined.

PETITION OVERVIEW

This petition is to be continued to the November 13, 2025 hearing.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-MOD-017

Property Address: 405, 409, and 411 South Shortridge Road (Approximate Addresses)

Location: Warren Township, Council District #20

Petitioner: SRMK, LLC, by David Kingen and Justin Kingen

Current Zoning: C-S

Request: Modification of Commitments and Site Plan related to 2018-ZON-068 to terminate Commitment # 2 (Attachment "D", item 3) to eliminate the requirement of the submittal of a tree assessment for Administrator's Approval prior to site preparation, and to permit development of the site subject to the site plan filed with this petition (tree assessment required to be submitted for Administrator's Approval prior to site preparation and site to be developed per the site plan file-dated, September 13, 2018).

Current Land Use: Truck and Trailer Parking / Auto Repair / Commercial Building Contractor

Staff Recommendations: To be determined.

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This petition was continued for cause from the August 14, 2025 to the October 9, 2025 hearing with notice at the request of the petitioner. No additional information has been submitted to the case file.

The petitioner is requesting a **continuance for cause from the October 9, 2025 hearing to the December 18, 2025, hearing** to allow the petitioner additional time to amend the request and provide new notice.

STAFF RECOMMENDATION

Staff recommendation to be determined.

PETITION OVERVIEW

This petition is to be continued to the December 18, 2025 hearing.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-MOD-019

Property Address: 1318 South Lynhurst Drive

Location: Wayne Township, Council District # 17

Petitioner: Lynhurst Baptist Church, by Eric Carter

Request: Modification of commitments and development plan, related to 2020-ZON-083, to modify Commitment #2, to provide for a proposed tiny home development and community center, subject to the site plan filed with this petition (current commitment required that the development be subject to the site plan, file-dated, November 10, 2020).

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the September 25, 2025 hearing, to the October 9, 2025 hearing, at the request of staff, to provide additional time for further discussions related to the modification request.

Staff is requesting a **continuance from the October 9, 2025 hearing, to the November 13, 2025 hearing**, to provide additional time for continued discussions with the petitioner and their representative.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-MOD-021

Property Address: 1010 East 86th Street, and 8685 and 8699 North Guilford Avenue

Location: Washington Township, Council District # 2

Petitioner: TM Crowley and Associates, LLC, by Joseph D. Calderon

Request: Modification of Development Statement related to 2024-ZON-055 to provide for additional surface parking areas, commercial space, a reduction of residential units and elimination of a parking garage (previous development statement limited surface parking to 20 spaces, commercial space was limited to the proposed mixed-use building, proposed up to 473 dwelling units, and provided for a 686-space parking garage).

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

Staff is requesting a **continuance from the October 9, 2025 hearing, to the October 23, 2025 hearing**, to provide additional time for further discussion with the petitioner and their representative related to the modification request.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-ZON-062 (Amended) / 2025-VAR-007

Property Address: 5709 Five Points Road and 7340 East Edgewood Avenue

Location: Franklin Township, Council District #25

Petitioner: Grand Communities, LLC, by Brian J. Tuohy

Request: Rezoning of 64.64 acres from the D-A (FF) district to the D-4 (FF) district to provide for residential development.

Variance of Development Standards of the of the Consolidated Zoning and Subdivision Ordinance to provide for reduced lot width of 68 feet and lot area of 8,500 square feet for duplexes (90-foot lot width and 10,000-square foot lot area required), 56% reduced open space (65% required), and to provide for three monument signs (maximum of two monument signs for each residential community permitted).

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the from the July 10, 2025 hearing, to the August 14, 2025 hearing, to provide additional time for further discussions and submittal of the Traffic Impact Study (TIS).

The Hearing Examiner continued this petition from the August 14, 2025 hearing, to the September 11, 2025 hearing, to provide additional time for continued discussions with the petitioner and their representative, along with submittable and review of the TIS.

The Hearing Examiner continued this petition from the September 11, 2025 hearing, to the October 9, 2025 hearing, to provide additional time to amend the request and provide new notice.

Because the TIS has not been submitted for review and comments, staff is requesting a **continuance from the October 9, 2025 hearing, to the November 13, 2025 hearing.**



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-ZON-075 / 2025-VAR-005 (Amended)

Property Address: 5416 North College Avenue (Approximate Address)

Location: Washington Township, Council District #7

Petitioner: Firkins, LLC, by Joseph D. Calderon

Current Zoning: D-3 (TOD) and C-3 (TOD)

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

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a small mixed-use building, with zero-foot side and transitional yard setbacks, zero open space, zero-foot rear transitional yard, a 48-foot tall building without street frontage landscaping, with a 40-foot street frontage (minimum five-foot side yard and 15-foot transitional yard setbacks required, minimum 5%, or 50 square feet per unit of open space required, minimum of 15-foot landscape buffer, or a six-foot-tall opaque wall, berm, fence or dense vegetative screen required, 35-foot maximum transitional building height, street frontage landscaping required, 50-foot street frontage required).

Current Land Use: Commercial Building

Staff Recommendations: To be determined.

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

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

This petition was continued for cause from the August 28, 2025 hearing to the October 9, 2025 hearing at the request of the petitioner to allow additional time to amend the request and provide new notice.

The petitioner's representative notified staff early on that the petitioner planned to make changes to the request beyond the amendment made through companion petition 2025-VAR-005. Therefore, the petition would not be able to be heard until the development proposal is confirmed. Although staff reached out to confirm a continuance hearing date from the petitioner, one has not been provided yet.

This petition will need to be **continued from the October 9, 2025 hearing to the November 13, 2025 hearing** at minimum with notice if needed. The proposed continuance date may be subject to change at the hearing. Staff would not have an objection to a different date so long as there is sufficient time provided to ensure the complete mailing notice requirement is met.



Department of Metropolitan Development
Division of Planning
Current Planning

STAFF RECOMMENDATION

Staff recommendation to be determined.

PETITION OVERVIEW

This petition is to be continued to the November 13, 2025 hearing.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-ZON-097
Property Address: 2705 and 2715 North Post Road (Approximate Addresses)
Location: Warren Township, Council District #15
Petitioner: Marco A. Garcia
Current Zoning: D-4 and C-3
Request: Rezoning of 0.99-acre from the D-4 and C-3 districts to the SU-1 district for religious uses.
Current Land Use: Religious Use
Staff Recommendations: To be determined.
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

A timely **automatic continuance** request was filed by a registered neighborhood organization, continuing this petition **from the October 9, 2025 hearing to the November 13, 2025 hearing**. This would require acknowledgement from the Hearing Examiner

STAFF RECOMMENDATION

Staff recommendation to be determined.

PETITION OVERVIEW

This petition is to be continued to the November 13, 2025 hearing.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-ZON-098
Property Address: 6157 East 38th Street (Approximate Address)
Location: Warren Township, Council District #9
Petitioner: Thomas L. Pottschmidt
Current Zoning: C-5 (TOD)
Request: Rezoning of 1.8 acres from the C-5 (TOD) district to the I-3 (TOD) district for medium industrial uses.
Current Land Use: Undeveloped
Staff Recommendations: To be determined.
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

A timely **automatic continuance** request was filed by a registered neighborhood organization, continuing this petition **from the October 9, 2025 hearing to the November 13, 2025 hearing**. This would require acknowledgement from the Hearing Examiner

STAFF RECOMMENDATION

Staff recommendation to be determined.

PETITION OVERVIEW

This petition is to be continued to the November 13, 2025 hearing.



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2024-ZON-100
Property Address: 1231 West Troy Avenue
Location: Perry Township, Council District #22
Petitioner: JAAK Properties, LLC, by David Gilman
Request: Rezoning of 1.125 acres from the D-4 (FF) and C-5 (FF) districts to the I-2 (FF) district to provide for light industrial uses.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

A timely automatic **continuance was filed by a registered neighborhood organization that would continue this petition from the October 9, 2025 hearing, to the November 13, 2025 hearing.** This would require acknowledgement from the Hearing Examiner.



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-ZON-102
Property Address: 2802 Merchants Drive and 2802 Lafayette Road (Approximate Addresses)
Location: Wayne Township, Council District #11
Petitioner: Timberland Home Center, by David Gilman
Current Zoning: C-4 (FF) (FW)
Request: Rezoning of 12.85 acres from the C-4 (FF) (FW) district to the I-3 (FF) (FW) district to provide for medium industrial uses.
Current Land Use: Undeveloped land
Staff Recommendations: To be determined.
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

The petitioner submitted a written **continuance for cause request from the October 9, 2025 hearing to the November 13, 2025 hearing** to allow them additional time to amend the request and provide new notice.

STAFF RECOMMENDATION

Staff recommendation to be determined.

PETITION OVERVIEW

This petition is to be continued to the November 13, 2025 hearing.

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-CZN-832 / 2025-CVR-832 (Amended)

Property Address: 1140 East 46th Street, 4644, 4646, 4648, 4710, and 4716 Carvel Avenue (Approximate Addresses)

Location: Washington Township, Council District #7

Petitioner: Arrow Street Development, LLC, by Joseph D. Calderon

Current Zoning: D-5 (W-1), D-P (W-1), and I-3 (W-1)

Request: Rezoning of 3.65 acres, from the D-5 (W-1), D-P (W-1), and I-3 (W-1) districts to the MU-2 (W-1) district to provide for a mixed-use development consisting of multi-family dwellings, commercial uses, a parking garage, and resident amenities.

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a large mixed-use building type (small mixed-use building type permitted), with the front building line in excess of ten feet along 46th Street (front building line range of zero-foot to 10 feet required), a 24-foot-wide driveway width along 46th Street (maximum 16-foot-wide driveway width permitted), a commercial building line of 60% of the frontage along 46th Street (minimum 80% required), zero-foot transitional yard to the east (either a minimum 15-foot transitional yard, or an opaque wall, berm, fence, or dense (at least 75% opacity) vegetative screen of at least six feet tall required), no primary entrances along 46th Street (minimum one primary entry features for every 50 feet required), a surface parking lot with a 15-foot east side yard setback (minimum 25-foot setback required), structured parking of 100% of street wall at first level of the building along Carvel Avenue (maximum 30% of street wall permitted).

Current Land Use: Single-family dwellings / Commercial buildings

Staff Recommendations: To be determined.

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This petition was continued for cause from the August 14, 2025 hearing to the September 11, 2025 hearing to allow the petitioner additional time to address multiple concerns brought up by staff or amend the request to include variances.

The petition was amended, legal notices were mailed, and the request was published for the September 25, 2025 hearing date. However, at the September 11, 2025 hearing the petitioner requested and was granted a continuance for cause from the September 11, 2025 hearing to the October 9, 2025 hearing to allow them additional time to work with a registered neighborhood organization.



Department of Metropolitan Development
Division of Planning
Current Planning

Because the amended petition was published for the September 25, 2025 hearing date, it needed to remain on the agenda where the Hearing Examiner acknowledged the previously granted continuance to the October 9, 2025 hearing.

Staff will be requesting a **continuance for cause from the October 9, 2025 hearing to the November 13, 2025 hearing** to provide additional time for a traffic study to be completed. Depending on feedback from the petitioner, the proposed hearing date may be subject to change at the hearing.

STAFF RECOMMENDATION

Staff recommendation to be determined.

PETITION OVERVIEW

This petition will be continued to the November 13, 2025 hearing unless determined otherwise at the hearing.



Department of Metropolitan Development
Division of Planning
Current Planning

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER

October 9, 2025

Case Number: 2025-APP-012 (Amended)
Property Address: 1550 East County Line Road and 8615 Shelby Street (approximate addresses)
Location: Perry Township, Council District #23
Petitioner: Community Health Network, Inc., by Timothy H. Button
Current Zoning: HD-1 (FF) (FW) and HD-2 (FF) (FW)
Request: Hospital District One and Hospital District Two Approval to provide for a proposed driveway from Shelby Street and new lighting.
Current Land Use: Hospital Campus
Staff Recommendations: Approval
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This petition was amended to remove the sign package from the request and continued from the September 25, 2025 hearing to the October 9, 2025 hearing at the request of the petitioner.

STAFF RECOMMENDATION

Staff **recommends approval** of the request.

PETITION OVERVIEW

LAND USE

The subject site is developed with a medical office building for a cancer center and associated parking lot. It is surrounded by multi-family dwellings and a senior living facility to the north, zoned HD-2 and D-P; medical offices and undeveloped land to the south, zoned HD-2; medical offices and commercial uses to the east, zoned HD-1 and C-4; and a church and undeveloped land to the west, zoned SU-1 and C-S.

HOSPITAL DISTRICT APPROVAL

This request would provide for Hospital District One and Hospital District Two Approval to provide for a proposed driveway from Shelby Street with lighting and landscaping.

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

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

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

“The 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. The Commission must, also make written findings concerning any decision to approve or disapprove a Site and Development Plan.”

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.”

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.

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

The western portion of the site (fronting on Shelby Street) is located within the floodway and floodway fringe of Buffalo Creek. Tributary of Fountain Creek is located along the eastern boundary of this site, but it lies within the 500-year floodplain that is unregulated.

Floodway / Floodway Fringe

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

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

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

Stream Protection Corridor

A stream protection corridor consists of a strip of land, extending along both sides of all streams, with measurements taken from the top of the bank on either side. The width of the corridor is based upon whether the stream is designated as a Category One or Category Two. Category One streams have a corridor width of 60 feet in the compact context area and 100 feet in the metro context area. Category Two streams have a corridor width of 25 feet in the compact context area and 50 feet in the metro context area.

This portion of Buffalo Creek lies within the Metro Context Area and its associated stream protection corridor is located along the western portion of the site. It is designated as a Category Two stream requiring a 50-foot-wide stream protection corridor on both sides of the stream, as measured parallel from the top of the bank.

The stream itself is not on the subject site.

STAFF ANALYSIS

The Comprehensive Plan recommends Regional Special Use for the eastern portion of the site where the existing building is located and is consistent with the Plan recommendation. The western portion of the site that is under construction with a parking lot and would have the proposed entrance drive is recommended for Suburban Neighborhood development.

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

Despite the conflict with the Comprehensive Plan related to the Suburban Neighborhood recommendation, staff determined the proposed driveway from Shelby Street with landscaping and lighting would be acceptable since it would provide patients necessary access to the site.

Therefore, staff is recommending approval of the request.

GENERAL INFORMATION

Existing Zoning	HD-2	
Existing Land Use	Hospital Campus	
Comprehensive Plan	Regional Special Use / Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	HD-2 / D-P	Senior Living Facility / Residential (Multi-family dwellings)
South:	HD-2 / HD-1	Undeveloped / Johnson County/ Medical Offices
East:	HD-1 / C-4	Medical Offices / Commercial
West:	SU-1 / C-S	Church / Undeveloped
Thoroughfare Plan		
Shelby Street	Primary Collector Street	90-foot proposed right-of-way and 90-foot existing right-of-way.
County Line Road	Primary Arterial	102-foot proposed right-of-way and 115-foot existing right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	August 21, 2025	
Site Plan (Amended)	N/A	
Elevations	August 21, 2025	
Elevations (Amended)	N/A	
Landscape Plan	August 21, 2025	
Findings of Fact	August 22, 2025	
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 Regional Special Use for the eastern portion of the site and Suburban Neighborhood for the western portion of the site.
- Regional Special Use “provides for public-semi-public and private land uses that serve a specific institutional purpose for a significant portion of the county. Examples are large scale, generally stable institutional uses such as cemeteries, hospitals, universities, high school, government complexes, large museums, the Indiana State Fairgrounds, and the Indianapolis Motor Speedway.”
- “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.”
- The Pattern Book lays out a land use classification system that guides the orderly development of the county, protects the character of neighborhoods, and serves as a policy guide for development or redevelopment of a site.
- There are no guidelines or recommendations related to the regional special use non-typology land use, but the following elements relate to the suburban neighborhood typology recommended for the western portion of the site:
 - **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.

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 Indy Moves Transportation Integration Plan (2018) proposes an off-street multi-use path along Shelby Street from East Street to County Line Road.

ZONING HISTORY

Zoning History – Site

2024-APP-003; 1550 County Line Road and 8615 Shelby Street (subject site), Hospital district Two Approval to provide for a 58,576-square-foot expansion of the existing Cancer Center and additional parking, **approved**.

2019-APP-001; 1550 East County Line Road (subject site), Hospital District Two Approval to provide for building additions and accessory site modifications to an existing cancer center, **approved**.

2018-APP-019; 1402, 1502 and 1550 East County Line Road (subject site), Hospital District One Approval to provide for a 7,000-square foot addition to the main hospital, with modifications to the adjoining parking lot and pedestrian areas, **approved**.

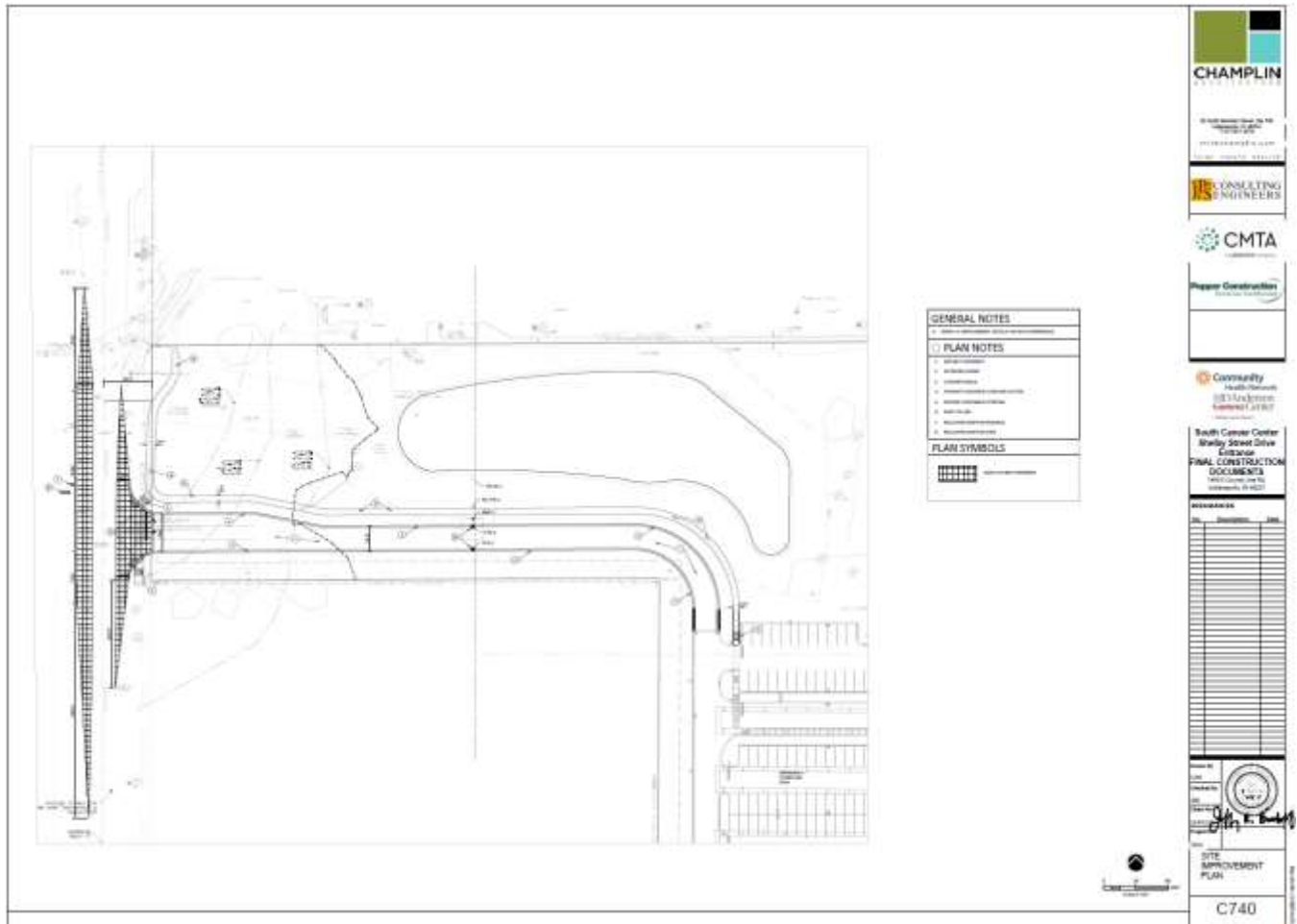
2017-APP-020; 1550 (1440 – building) East County Line Road (subject site), Hospital District-Two Approval to provide for a wall sign, **approved**.

2014-APP-002 / 2014-VAR-002, 1550 (1440-building) East County Line Road (subject site), Hospital District Two approval for three freestanding signs and a four wall signs and a variance of development standards of the Sign Regulations to provide for a 4.5-foot-tall sign within 170 feet of a protected district and two freestanding signs exceeding the permitted height and square footage, **approved and granted**.

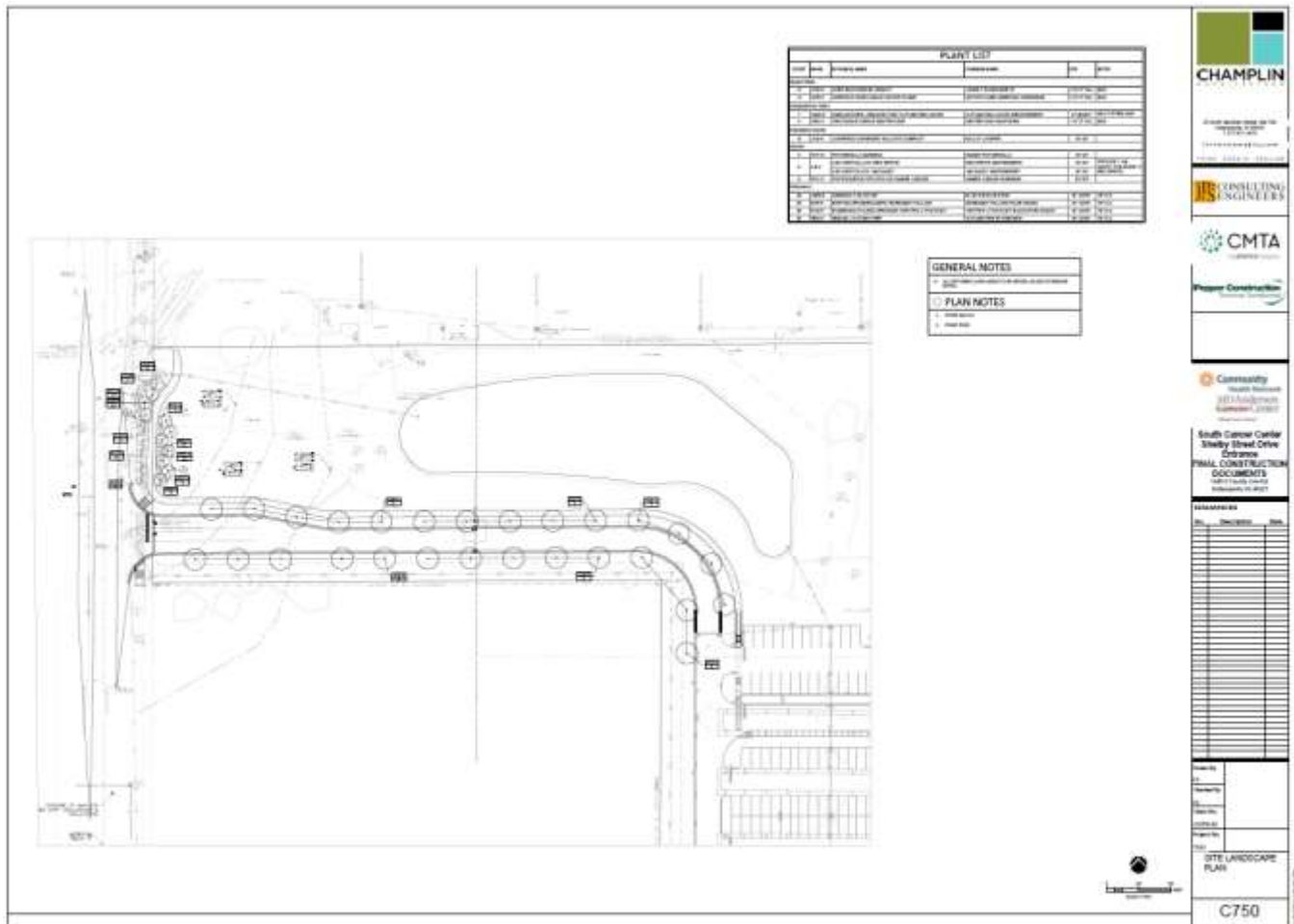
2012-APP-016; 1350 East County Line Road (subject site), HD-2 approval to provide for the construction of a 57,500-square foot medical office building, **approved**.

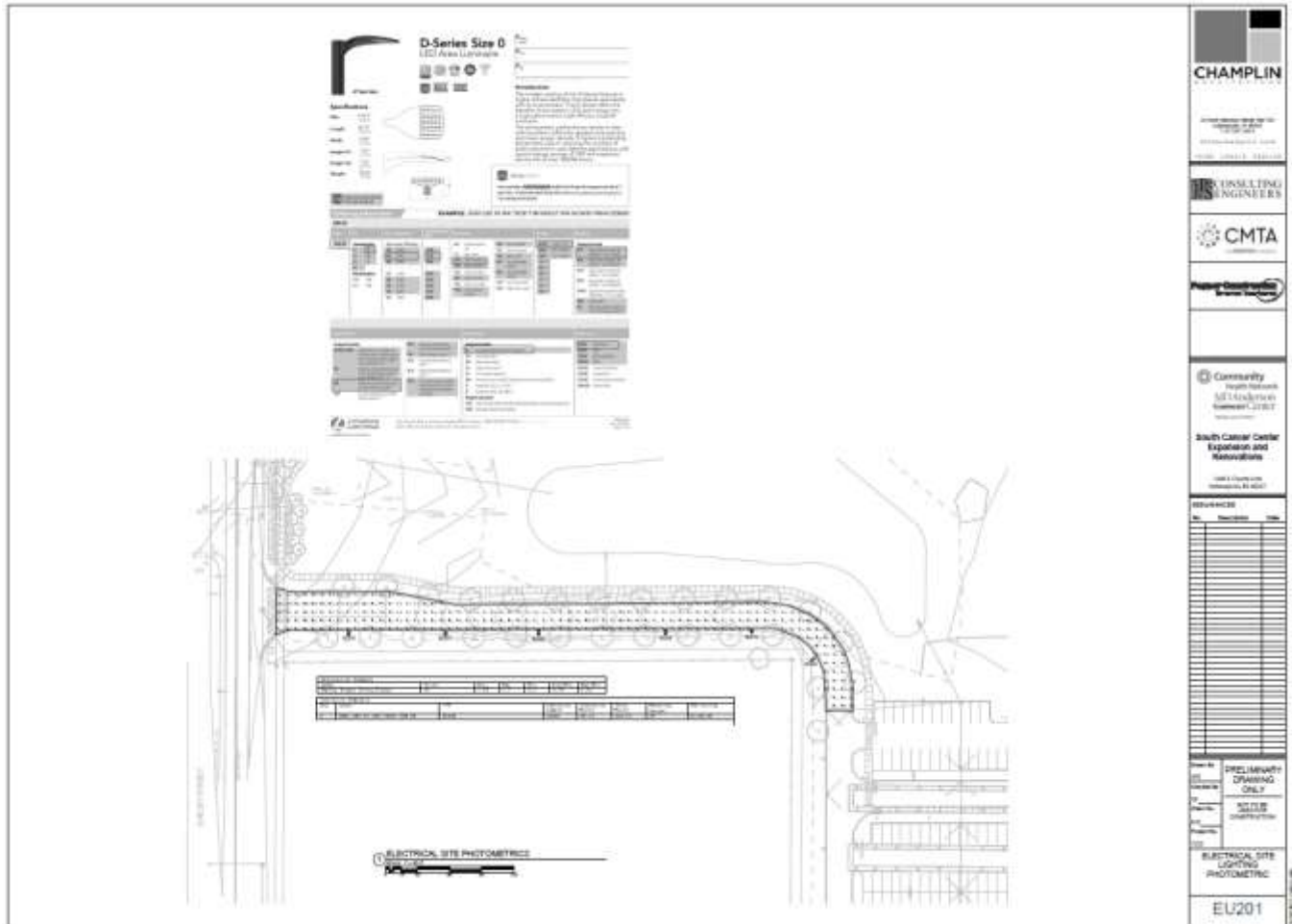
EXHIBITS





SITE PLAN





LIGHTING PLAN



Rendering of the site from the west proposed entrance.

**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 addition of the new driveway entrance on Shelby Street to the MD Anderson Cancer Center as well as the main hospital campus at Community Hospital South along with the requested signage is compatible with land uses suggested for the area under the Comprehensive Plan.

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 new signage and driveway entrance with landscaping will enhance patient accessibility to the MD Anderson Cancer Center and to the main hospital at Community Hospital South.

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

The new Shelby Street driveway entrance will reduce congestion on E. County Line Road and provide direct access to the MD Anderson Cancer Center's surface parking area and the greater hospital campus; the campus will continue to have access to IndyGo bus route #31.

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

The existing roadways were designed to handle traffic on the site, and the new entrance on Shelby Street will reduce congestion on E. County Line Road and provides a closer entrance for neighborhoods to the west of the Community Hospital South campus.

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

The on-site drainage addresses this additional driveway entrance and the driveway will not encroach into Buffalo Creek.

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

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 addition of this new entrance to the MD Anderson Cancer Center and the overall hospital campus enhances the use of this land and is consistent with the Comprehensive Plan.

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

The new Shelby Street entrance will reduce pedestrian-automobile conflicts within the greater hospital campus by moving a significant amount of traffic to the MD Anderson Cancer Center, and will utilize new and existing sidewalks and crosswalks for continued accessibility throughout this major hospital campus.

The sidewalk running north-south on Shelby Street will be eight feet in width to facilitate the City's potential future development of a bicycle path on Shelby Street.

DECISION

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

Adopted this _____ day of _____, 20 _____

Commission President/ Secretary



Photo of the proposed driveway looking west from the existing parking lot toward Shelby Street.



Photo of the proposed driveway looking northeast from Shelby Street.



Google Image showing the proposed drive looking east at the site.

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-ZON-099
Property Address: 1548 South Belmont Avenue
Location: Wayne Township, Council District #17
Petitioner: Mirna Garcia, by Josh Smith
Current Zoning: C-1
Request: Rezoning of 0.124-acre from the C-1 district to the D-5 district to legally establish a single-family dwelling.
Current Land Use: Residential uses
Staff Recommendations: Approval
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing on this petition.

STAFF RECOMMENDATION

Approval.

PETITION OVERVIEW

This 0.124-acre site, zoned C-1, is developed with a single-family dwelling and accessory building. It is surrounded by single-family dwellings to the north and south, zoned C-1; a single-family dwelling to the east across South Belmont Street, zoned D-5; and a single-family dwelling to the west, zoned D-5.

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."

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

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

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

The West Indianapolis Neighborhood Land Use Plan recommends residential development at a density between five and eight units per acre.

As proposed, this request would align with the Neighborhood Plan recommendation of residential development at a density of eight units per acre. This site is included in the Belmont Place Subdivision. The plat for this subdivision was recorded on May 28, 1907. Consequently, the rezoning would conform to the historical residential use of the site and the surrounding neighborhood.

GENERAL INFORMATION

Existing Zoning	C-1	
Existing Land Use	Single-family dwelling	
Comprehensive Plan	West Indianapolis Neighborhood Land Use Plan	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North:	C-1 Single-family dwelling
	South:	C-1 Single-family dwelling
	East:	D-5 Single-family dwelling
	West:	D-5 Single-family dwelling
Thoroughfare Plan		
South Belmont Avenue	Secondary Arterial	Existing 48-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	August 27, 2025	

Site Plan (Amended)	N/A
Elevations	August 27, 2025
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

Not Applicable to the Site.

Pattern Book / Land Use Plan

Not Applicable to the Site.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

West Indianapolis Neighborhood Land Use Plan (2011)

This Neighborhood Plan recommends residential development greater than 5.00 and equal to or less than 8.00 units per acre and a D-5 zoning district.

In suburban and rural areas this is a common multi-family density and typically the highest density single family category in suburban areas. 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.

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.”

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.”

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

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

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

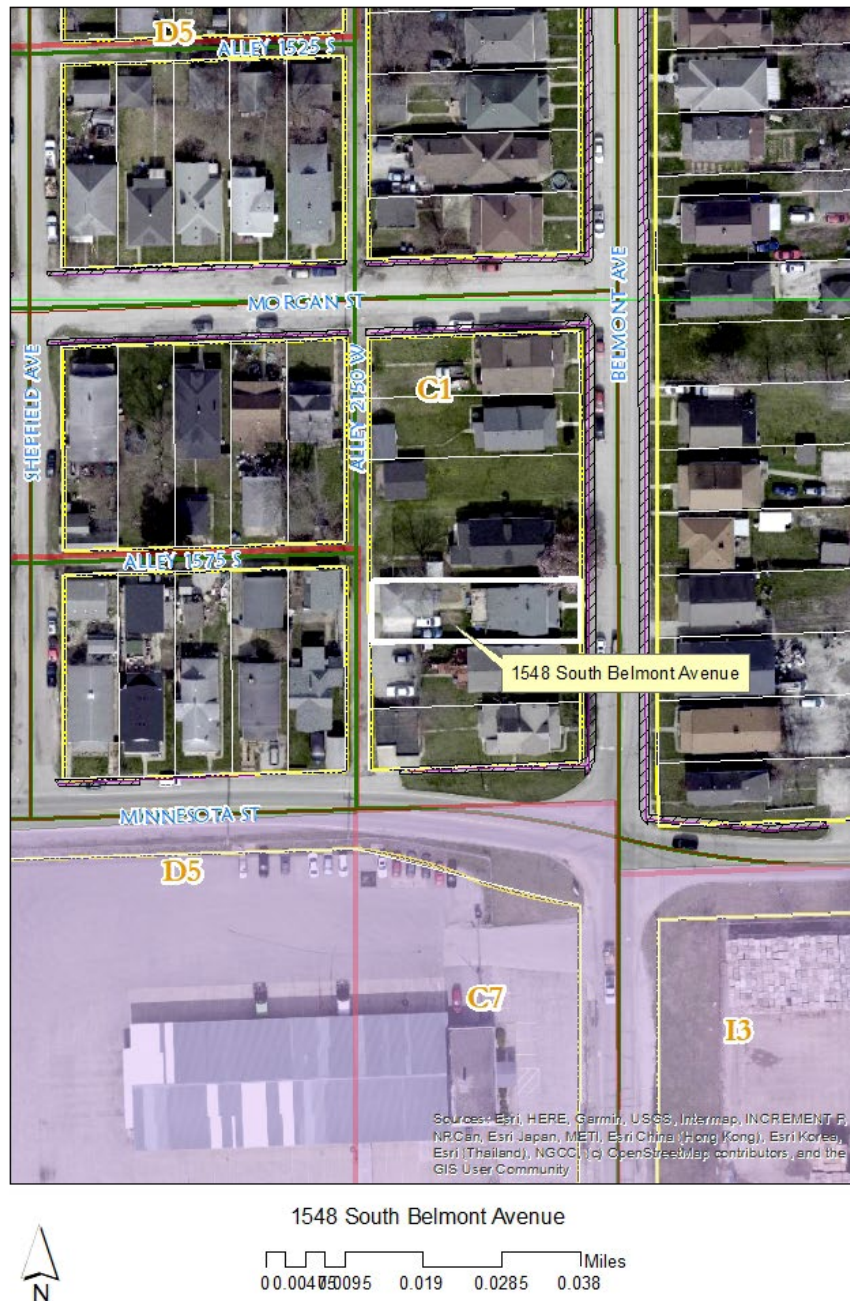


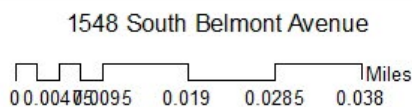
Department of Metropolitan Development
Division of Planning
Current Planning

ZONING HISTORY

None.

EXHIBITS

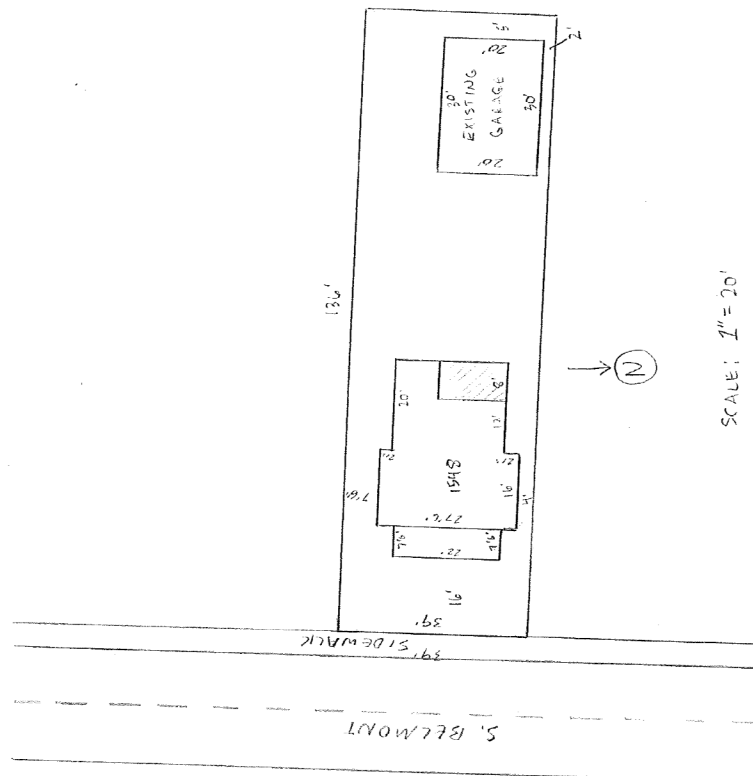




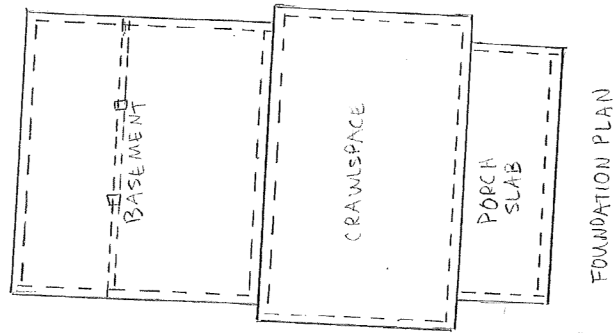
**Department of Metropolitan Development
Division of Planning
Current Planning**

1548 S. BELMONT AVE
INDIANAPOLIS, IN 46221

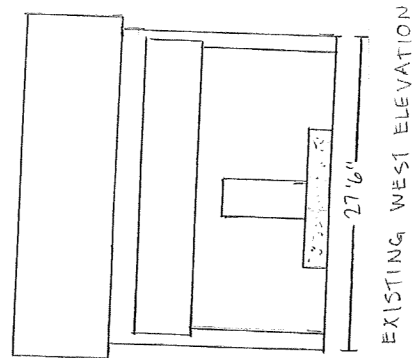
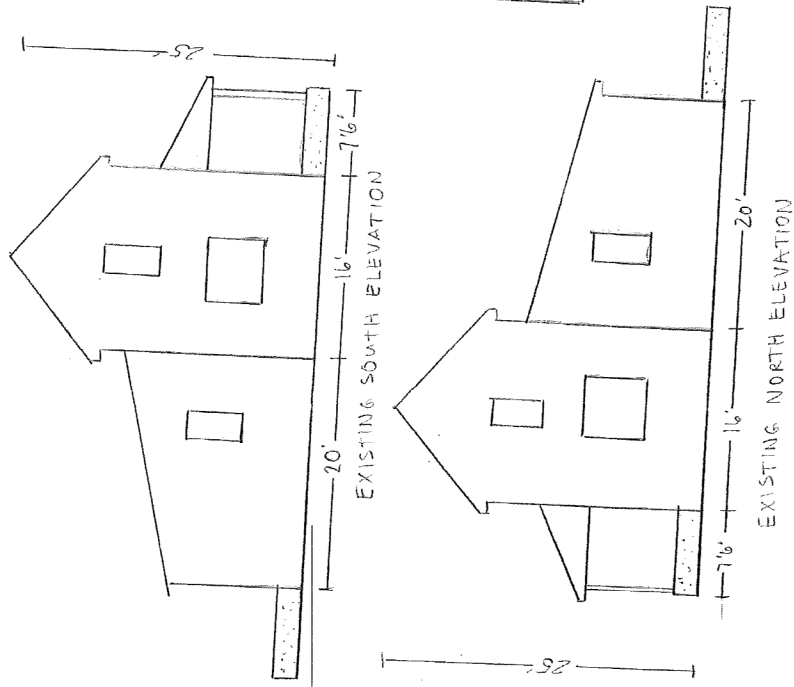
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1548 S. BELMONT AVE
 INDIANAPOLIS, IN 46221
 MARIA GARCIA

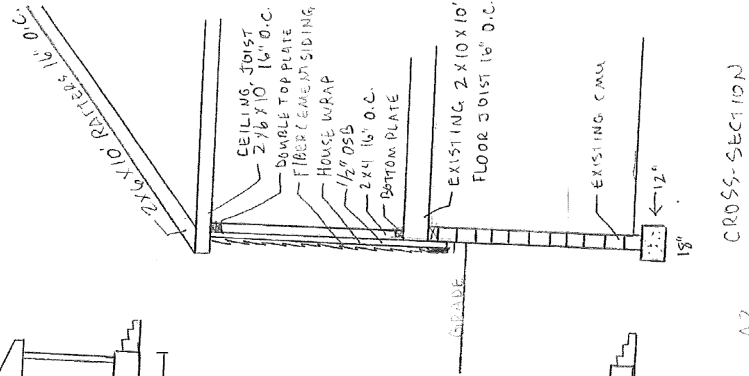
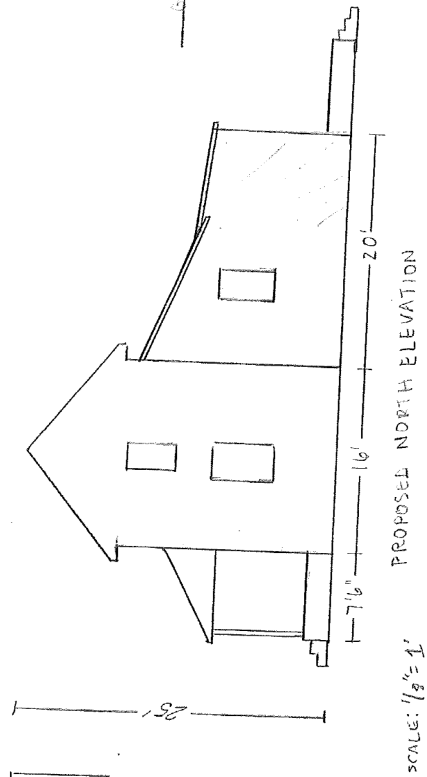
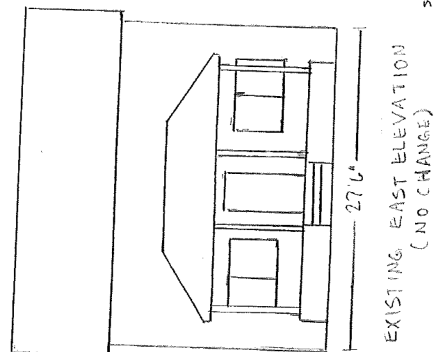
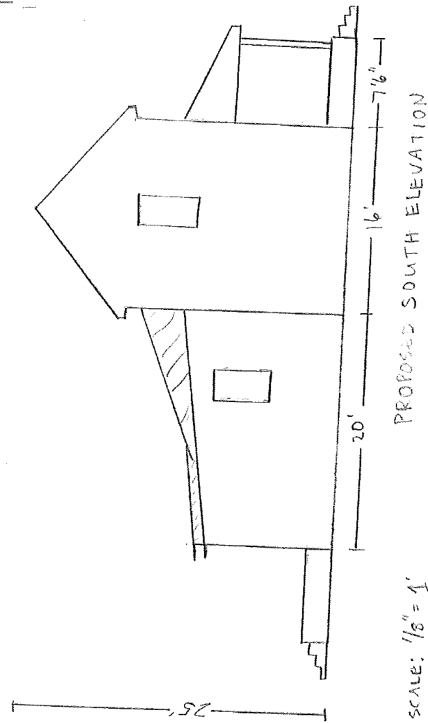
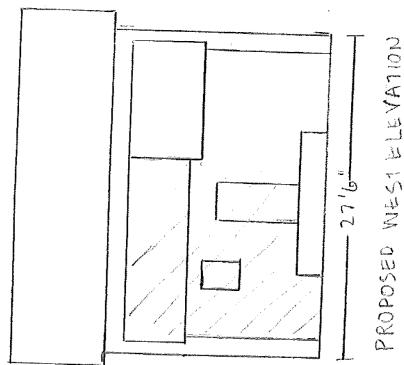


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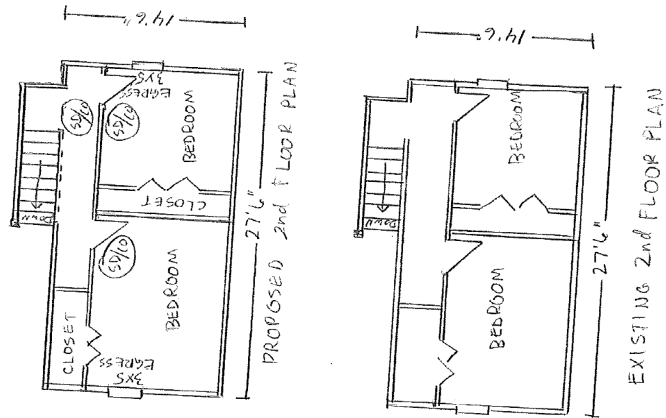


Department of Metropolitan Development
 Division of Planning
 Current Planning

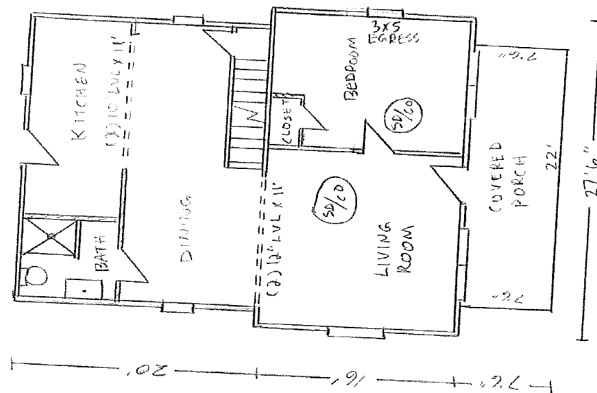
1548 S. BELMONT AVE
 INDIANAPOLIS, IN 46201
 MARIA GARCIA



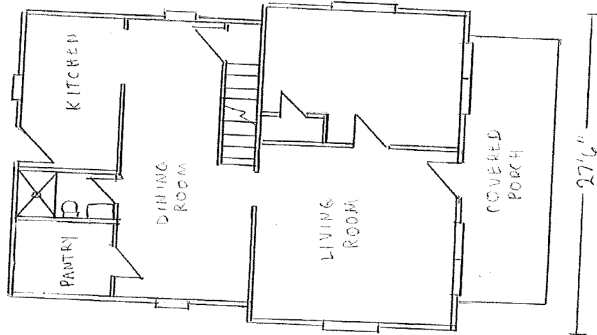
1548 S. BELMONT AVE
INDIANAPOLIS, IN 46201
MARIA GARCIA



A 1



PROPOSED 1ST FLOOR PLAN



EXISTING 1ST FLOOR PLAN



View looking north across intersection of West Minnesota Street and Belmont Avenue



View looking south along South Belmont Avenue



View of site looking west across South Belmont Avenue



View of site looking east from north / south alley

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-ZON-101
Property Address: 3901 English Avenue
Location: Center Township, Council District #18
Petitioner: Samuel Salazar
Current Zoning: D-5
Request: Rezoning of 0.241-acre from the D-5 to the C-3 district to provide for commercial retail uses.
Current Land Use: Commercial uses
Staff Recommendations: Approval.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing on this petition.

STAFF RECOMMENDATION

Approval.

PETITION OVERVIEW

This 0.241-acre site, zoned D-5 and developed with a one-story commercial building. It is surrounded by a park to the north, across English Avenue, zoned PK-2; single-family dwellings to the south, east and west, across Denny Street, all zoned D-5.

REZONING

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

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

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

The Comprehensive Plan recommends community commercial typology for the site.

As proposed, this request would align the land use recommendation. Furthermore, this site has historically operated with a commercial use by variance since approximately 1954 according to the property cards of the Assessor’s Office.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Commercial uses (vacant)	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	PK-1	Park
South:	D-5	Single-family dwellings
East:	D-5	Single-family dwelling
West:	D-5	Single-family dwelling
Thoroughfare Plan		
English Avenue	Primary Arterial	Existing 70-foot right-of-way and proposed 78-foot right-of-way.
South Denny Street	Local Street	Existing 50-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 Community Commercial typology. “The Community Commercial typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.

Pattern Book / Land Use Plan

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

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

- *Conditions for All Land Use Types – Community Commercial Typology*
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
- *Small-Scale Offices, Retailing, and Personal or Professional Services (defined as Commercial uses with minimal outdoor operations, storage, or display on lots of less than 1.5 acres and a height of less than 35 feet).*
 - Outdoor display of merchandise should be limited.
 - If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.
 - Should be located along an arterial or collector street.
 - If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided. All development should include sidewalks along the street frontage.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

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

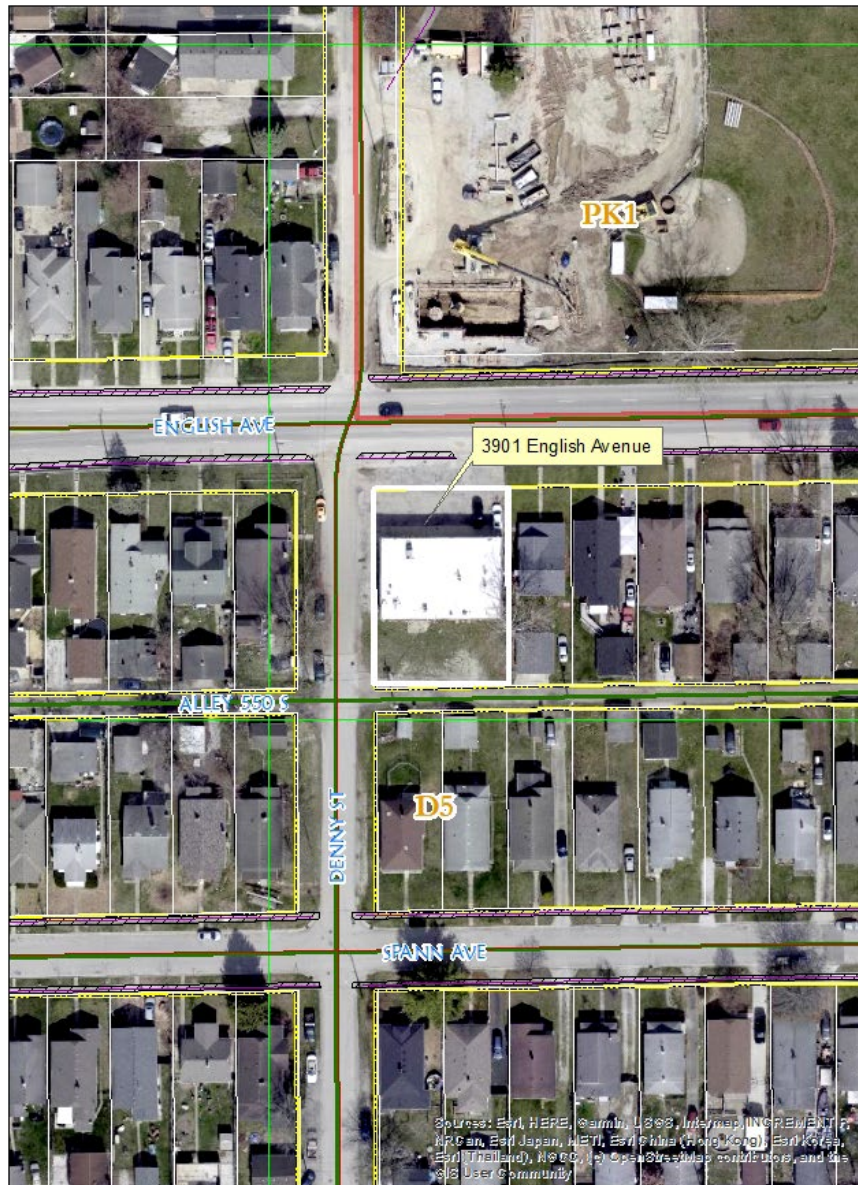


Department of Metropolitan Development
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ZONING HISTORY

None.

EXHIBITS



3901 English Avenue

0 0.004 0.0095 0.019 0.0285 0.038 Miles



View looking west along English Avenue



View looking east along English Avenue



View of site looking south across English Avenue



View looking south along South Denny Street



View of site looking northeast across South Denny Street



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



View of site looking north along eastern boundary from the east / west alley

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-ZON-103
Property Address: 215 South Davidson Street, 701, 711, 715 and 806 Bates Street
Location: Center Township, Council District #18
Petitioner: LaGrotte Square, LLC, by Dan Phair
Current Zoning: C-3 (RC) (TOD) and I-4 (RC) (TOD)
Request: Rezoning of 0.54-acre from the C-3 (RC) (TOD) and I-4 (RC) (TOD) district to the D-8 (RC) district to provide for residential development.
Current Land Use: Vacant / Parking lots
Staff Recommendations: Approval
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing on this petition.

STAFF RECOMMENDATION

Approval.

PETITION OVERVIEW

This 0.54-acre site, zoned C-3 (RC) (TOD) and I-4 (RC) (TOD), is comprised of eight noncontiguous parcels, four of which are vacant and four developed with parking lots. Parcels addressed as 215 South Davidson Street and 806 Bates Street are surrounded by a single-family dwelling and vacant land to the north, zoned I-4 (RC) (TOD); vacant land and Bates Street right-of-way to the south, zoned I-4 (RC) (TOD); vacant land to the east, zoned I-4 (RC) (TOD); and commercial offices to the west, across South Davidson Street, zoned CBD2 (RC).

Parcels addressed as 701, 711, and 715 Bates Street are surrounded by commercial office uses to the north, across Bates Street, zoned CBD2-(RC) (TOD); undeveloped land to the south, zoned C-3 (RC) (TOD); a single-family dwelling and multi-family dwellings to the east, zoned I-4 (RC) (TOD) and D-P (RC) (TOD), respectively; and a single-family dwelling and commercial offices across South College Avenue, zoned I-4 (RC) (TOD) and C-3 (RC) (TOD) respectively.

REZONING

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

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

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

The Comprehensive Plan recommends City Neighborhood typology for the site.

As proposed, this request would be consistent with the Plan recommendation of city neighborhood typology, as well as the recommendation of the Blue Line.

Overlays

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

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

This site is located within a ½ mile walk of a proposed transit stop located at the intersection of East Washington Street and Park Avenue, with a Central Business District typology.

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

Regional Center

Development on these sites will require Regional Center approval and should follow the recommendations provided in the Regional Center Design Guidelines. The design guidelines provide a community standard for urban design. They were developed to encourage creativity, interest, and variety, and to build upon local heritage and character. The guidelines are intended to protect the investments of stakeholders by maintaining downtown Indianapolis as an efficient, sustainable and vital place in which to live, work, learn and spend free time.

GENERAL INFORMATION

Existing Zoning	C-3 (RC) (TOD) / I-4 (RC) (TOD)	
Existing Land Use	Vacant / Parking Lots	
Comprehensive Plan	City Neighborhood	
Surrounding Context	Zoning	Land Use
North:	I-4 (RC) (TOD) / CBD2 (RC) (TOD)	Vacant land / Commercial office
South:	I-4 (RC) (TOD) / CBD2 (RC) (TOD))	Vacant / undeveloped land
East:	I-4 (RC) (TOD)/ DP (RC) (TOD)	Single-family dwelling/ Multi-family dwellings
West:	C-3 (RC) (TOD)	Commercial office
Thoroughfare Plan		
South Davidson Street	Local Street	Existing 40-foot right-of-way and proposed 48-foot right-of-way.
Bates Street	Local Street	Existing 56-foot right-of-way and proposed 48-foot right-of-way.
South College Avenue	Primary Arterial	Existing 60-foot right-of-way and proposed 78-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes – Transit Oriented Development (TOD)	
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 City Neighborhood typology. “The City Neighborhood typology consists largely of multifamily housing and is stepped down to other living typologies with attached housing. This typology is dense and walkable with a full range of city services and public amenities. Ideally, block lengths are shorter than 500 feet and publicly accessible pedestrian connections are provided through large developments. Access to individual parcels is generally by an alley or internal parking structures. Public spaces are typically of a smaller and more intimate scale in the form of smaller parks, streetscapes, and interior courtyards or rooftop spaces. Residential development activates the sidewalk with externalized doors and public or semi-public spaces. The City Neighborhood typology typically has a residential density in excess of 15 dwelling units per acre.”

Pattern Book / Land Use Plan

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

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

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

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- *Conditions for All Housing*

- Should be within a one-half-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.

Red Line / Blue Line / Purple Line TOD Strategic Plan

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

This site is located within Central Business District typology located in the Regional Center with the region's highest density and largest concentration of employment. Development opportunities include dense infill and redevelopment, office, mixed-use, cultural, and civic institutions, and a focus on enhanced placemaking and livability.

Description / Desired Land Use Mix

- Mix of office, entertainment, civic, retail, active public spaces and residential is desired.
- Off-street parking should be avoided.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW)



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- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.

ZONING HISTORY

2018-ZON-033; 35, 201 and 235 South College Avenue and 748 East Bates Street, requested rezoning of 2.83 acres, from the C-3 (RC) and I4 (RC) Districts, to the CBD-2 (RC) classification, **approved**

2017-REG-107; 777 Bates Street, requested Regional Center Approval to provide for demolition of existing buildings and the construction of a townhome development, consisting of 35 dwelling units and associated surface parking, **approved**.

2017-CZN-845 / 2017-CVC-845; 777 Bates Street, requested a rezoning of 0.99 acre, from I-4 (RC) to the D-P (RC) classification to provide for a townhome development, consisting of 35 dwelling units, and a vacation of a portion of Louisiana Street, **approved**.

2014-REG-026; 715, 720 and 723 East Maryland Street, 117 Concordia Street, and 116 and 125 South Davidson Street, requested Regional Center Approval to provide for a multi-family residential development, consisting of 242 dwelling units and a 152-space parking garage, **approved**.

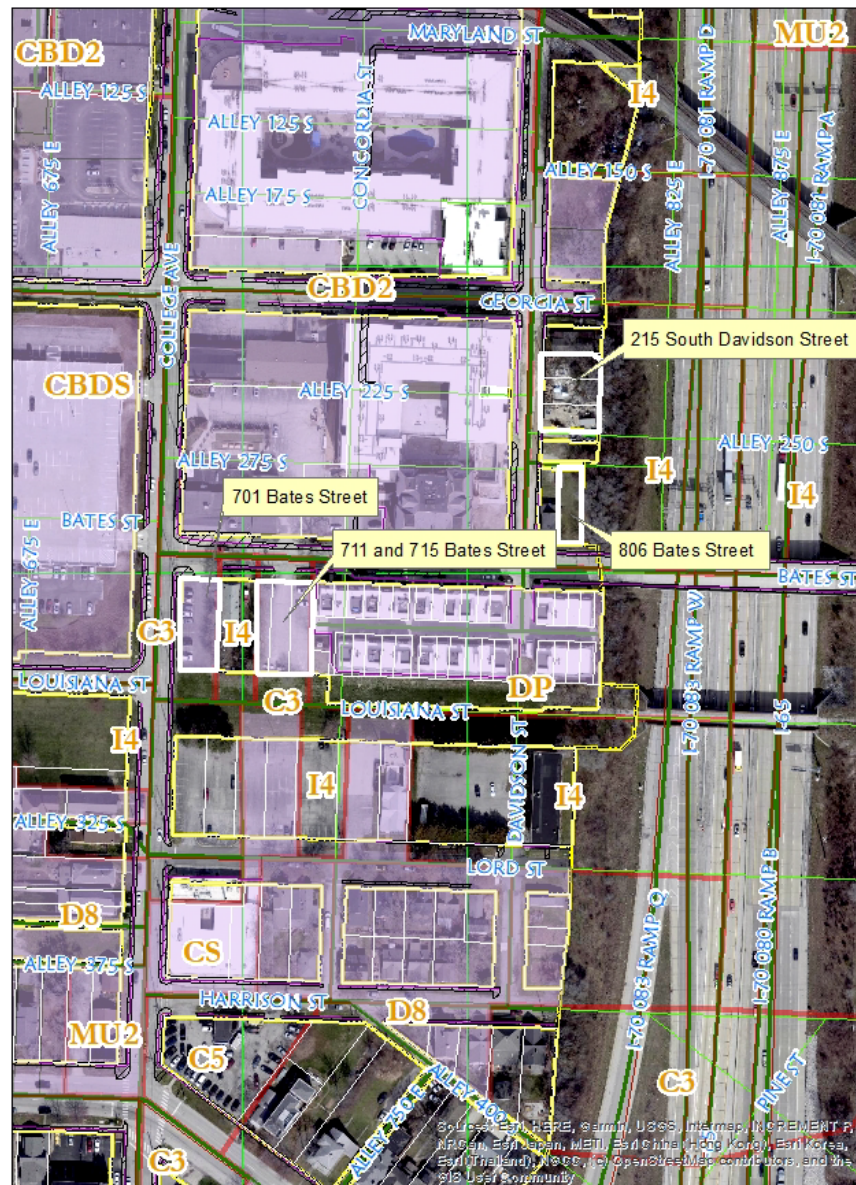
2014-CZN-814 / 2014-CVC-814; 715, 720 and 723 East Maryland Street, 117 Concordia Street, and 116 and 125 South Davidson Street, requested rezoning of 2.57 acres from the I-4-U (RC) district to the CBD-2 (RC) classification to provide for multi-family or mixed-use development, vacation of a portion of Maryland Street, the first east-west alley south of Maryland Street, the second east-west alley south of Maryland Street, and a Vacation of Concordia Street, **approved**.

2010-ZON-010; 115 and 119 Davidson Street, requested a rezoning of 0.121-acre from the I-4-U (RC) district to the CBD-2 (RC) classification to provide for a sports court, **approved**.

2008-APP-011; 715 East Maryland Street, requested Regional Center Approval to provide for a community center for the homeless, **withdrawn**.

2007-ZON-126; 715 East Maryland Street, requested a rezoning of 2.27 acres, from the I-4-U (RC) District to the SU-7 (RC) classification to provide for charitable, philanthropic and not-for-profit institutions, **withdrawn**.

EXHIBITS



00.000 0.015 0.03 0.045 0.06 Miles



View looking north along South Davidson Street



View looking east across South Davidson Street at 215 South Davidson Street

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View looking east across South Davidson Street at 215 South Davidson Street



View looking east across South Davidson Street at 215 South Davidson Street



View looking east across South Davidson Street at 215 South Davidson Street



View looking east along Bates Street



View looking west along Bates Street



View looking south across Bates at 701 Bates Street parcel



View looking south across Bates Street at adjacent parcel (not included)



View looking south across Bates Street at 711-715 Bates Street parcels



View looking north across Bates Street at 806 Bates Street parcel



View looking northwest across Bates Street at 806 Bates Street parcel

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-APP-009 / 2025-VAR-006 (Amended)

Property Address: 8140 Township Line Road (approximate address)

Location: Pike Township, Council District #1

Petitioner: Retirement Living, Inc., By Mike Jones, PE

Current Zoning: HD-2

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

Current Land Use: Assisted Living Facility

Staff Recommendations: Approve

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This petition was continued for cause from the August 28, 2025 hearing to the September 11, 2025 hearing at the request of staff to allow the petitioner additional time to provide new information for staff to review regarding the proposed unit count and parking requirements to be met.

This petition was continued for cause from the September 11, 2025 hearing to the October 9, 2025 hearing at the request of staff to allow the petitioner additional time to amend the request and provide new notice.

STAFF RECOMMENDATION

Staff **recommends approval** of the requests.

PETITION OVERVIEW

LAND USE

The site is developed with an assisted living facility campus and is surrounded by multi-family dwellings to the north, zoned HD-2, multifamily dwellings and single-family dwellings to the west, zoned D-6II and

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D-3, single-family dwellings, condominiums, and undeveloped land to the sound, zoned D-3, HD-2, and SU-34, and a vacant hospital building to the east, zoned HD-1.

HOSPITAL DISTRICT APPROVAL

The grant of the request would allow for the expansion of an existing community center, construction of an assisted living structure, construction of five, three-story, condominium buildings, and new parking areas.

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

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

“The 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. The Commission must, also make written findings concerning any decision to approve or disapprove a Site and Development Plan.”

VARIANCE

Per Table 744-402-1: Required Parking Table, proposed community center, assisted living structure, and condominium buildings would require a total of 115 parking spaces.

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The proposal would have a total of 133 proposed parking spaces and requests no more than 140 parking spaces if space allows.

STAFF ANALYSIS

Because the site is a large campus that has multiple existing building structures, staff's consideration is based only on the new construction. Staff did not find that the addition of 18 extra spaces would negatively impact the surrounding properties and considered that the extra spaces could be due to the increase in employees needed with the increase in residents.

The parking requirement does not explicitly factor in the number of employees who would more than likely drive to the site in individual cars since the calculation is derived from the number of units and anticipated guests for the residents. Even if the maximum request of 140 were to be met, the additional 25 parking spaces would be viewed similarly to the initial 18 shown on the plans and would not be harmful to the community and would instead allow the necessary employees to park on site.

Staff determined that the approval request and parking variance would be supportable and recommends approval of the requests.

GENERAL INFORMATION

Existing Zoning	HD-2	
Existing Land Use	Assisted Living Facility	
Comprehensive Plan	Institution-Oriented Mixed-Use	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	HD-2	Residential (Multi-family dwellings)
South:	D-3 / SU-34 / HD-2	Single-family dwellings / Undeveloped / Condominiums
East:	HD-1	Vacant Hospital Building
West:	D-6II / D-3	Residential (Multi-family and single-family dwellings)
Thoroughfare Plan		
Township Line Road	Primary Arterial Street	90-foot proposed right-of-way and 97-foot existing right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	July 11, 2025	
Site Plan (Amended)	September 4, 2025	
Elevations	July 11, 2025	
Elevations (Amended)	N/A	
Landscape Plan	N/A	

Findings of Fact	July 14, 2025
Findings of Fact (Amended)	September 18, 2025
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 for Institution-Oriented Mixed-Use development.
- Mixed-Use Typologies have a balance of places where people live and places where people work. Generally, only uses that are compatible with residential uses are recommended in these typologies. More intense uses, such as hospitals or universities in the 'Institution-Oriented Mixed-Use' have conditions attached to them that mitigate their impact on nearby residential neighborhoods.
- The Institution-Oriented Mixed-Use (Campus) typology contains a mix of land uses within and surrounding a significant regional institution campus, such as a university or hospital. This typology is meant to promote development that is permeable to pedestrians and integrates into its surrounding context. Uses in this typology will often be thematically or economically linked to the anchor institution. Residential areas of this typology have a density of 8 to 15 dwelling units per acre.
 - **Conditions for All Land Use Types**
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
 - Master-planned developments in excess of 2 acres should include pedestrian amenities for passive and active recreation internal to the development.
 - **Conditions for All Housing**
 - Should be within a one-half-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.
 - **Attached Housing**
 - Should be oriented towards the street with parking either behind or interior to the development.

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- **Assisted Living Facilities/Nursing Homes**
 - Should be located along an arterial or collector street. Should not be within 1000 feet of a highway, freeway, or expressway.
- **Structured Parking**
 - Only recommended as a primary use when functionally connected to an anchor institution.

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)

- Indy Moves Transportation Integration Plan (2018) proposes complete street upgrades for an off-street multi-use path from Westlane Road to 86th Street along Township Line Road.

ZONING HISTORY

Zoning History – Site

2017-APP-002; 8140 Township Line Road (subject site), Hospital District Two Approval to provide for additions to the existing assisted living facility and health center, including additions for skilled nursing and independent living, **approved**.

2008-APP-805 / 2008-VAR-805; 8140 Township Line Road, requested-Hospital District Two Approval to provide for a one-story community center, two, four-story multi-family buildings each containing 48 dwelling units, a one-story restaurant building, additions to the existing assisted living facility including an expanded dining area, a restaurant, a wellness complex, and an enclosed swimming pool and related areas, construction of covered walkways between buildings, additional parking, canopies, a one-story maintenance building and a sign package including freestanding signs and a variance of development standards of the Sign Regulations to provide for thirteen freestanding identification signs and twelve, 4.167-foot tall, three-square foot directional incidental signs, **approved and granted**.

2000-APP-073; 8140 Township Line Road (subject site), Hospital District Two Approval to provide for construction of a 38,000-square foot addition to an existing health care facility, a parking lot expansion, a pedestrian trail, two gazebos, a pool, a viewing deck, two cottages, and two detached carports, **approved**.

99-AP-153; 8140 Township Line Road (subject site), Hospital District Two Approval to provide for an expansion of a parking lot, installation of a retention pond, and installation of a ground sign, all associated with an assisted living facility, **approved**.

85-AP-32; 8140 Township Line Road (subject site), Hospital District Two Approval to provide for the construction of detached residential cottages associated with an existing assisted living facility, **approved**.

84-AP-4; 8140 Township Line Road (subject site), Hospital District Two Approval to provide for construction of a covered ramp for wheelchair access, **approved**.

78-AP-4; 8140 Township Line Road (subject site), Hospital District Two Approval to provide for development of an assisted living facility, **approved**.

78-Z-14; 8140 Township Line Road (subject site), rezoning of 46 acres from A-2 and HD-2 to A-2 to provide for hospital perimeter development, **approved**.

EXHIBITS



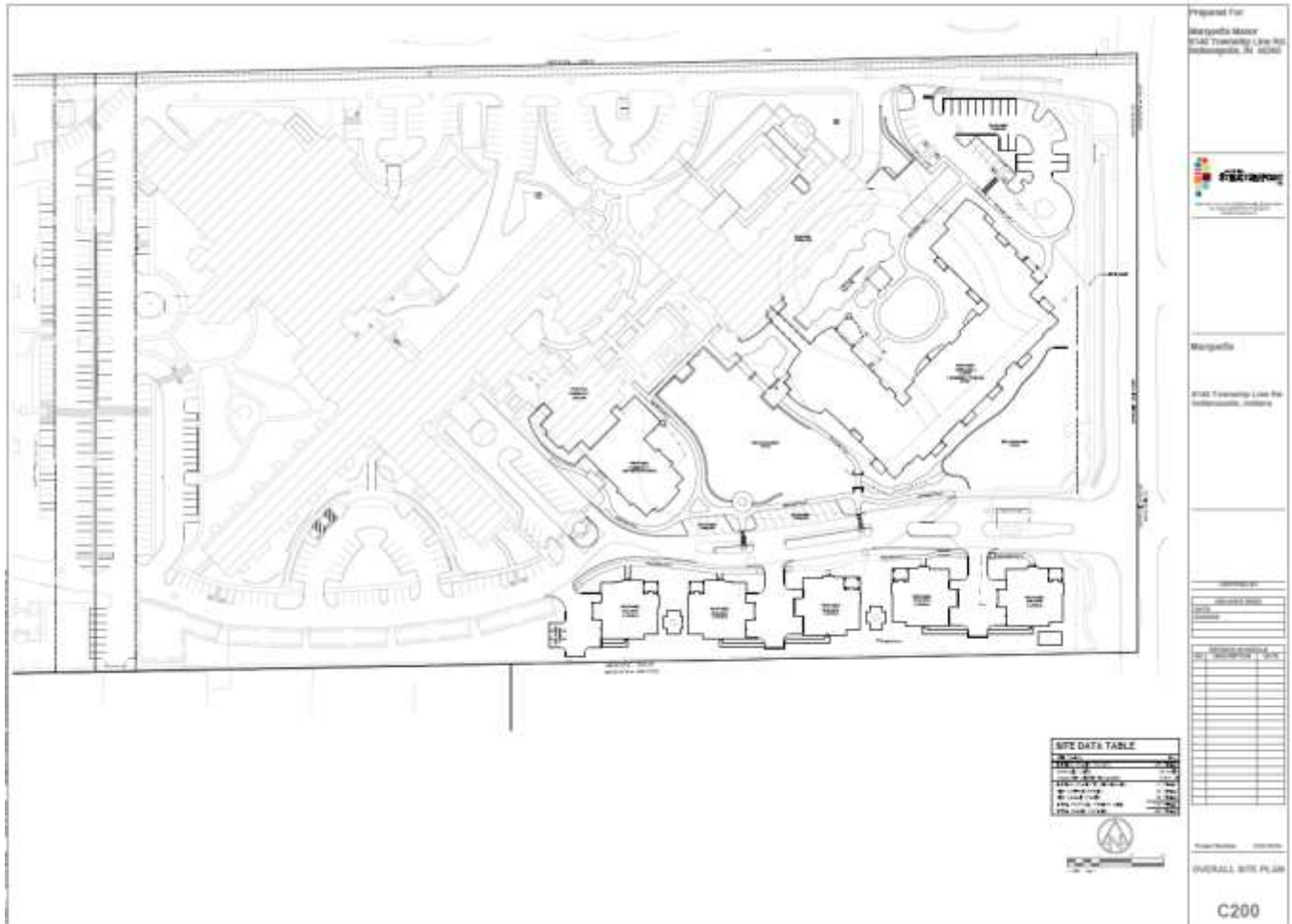
SITE PLAN



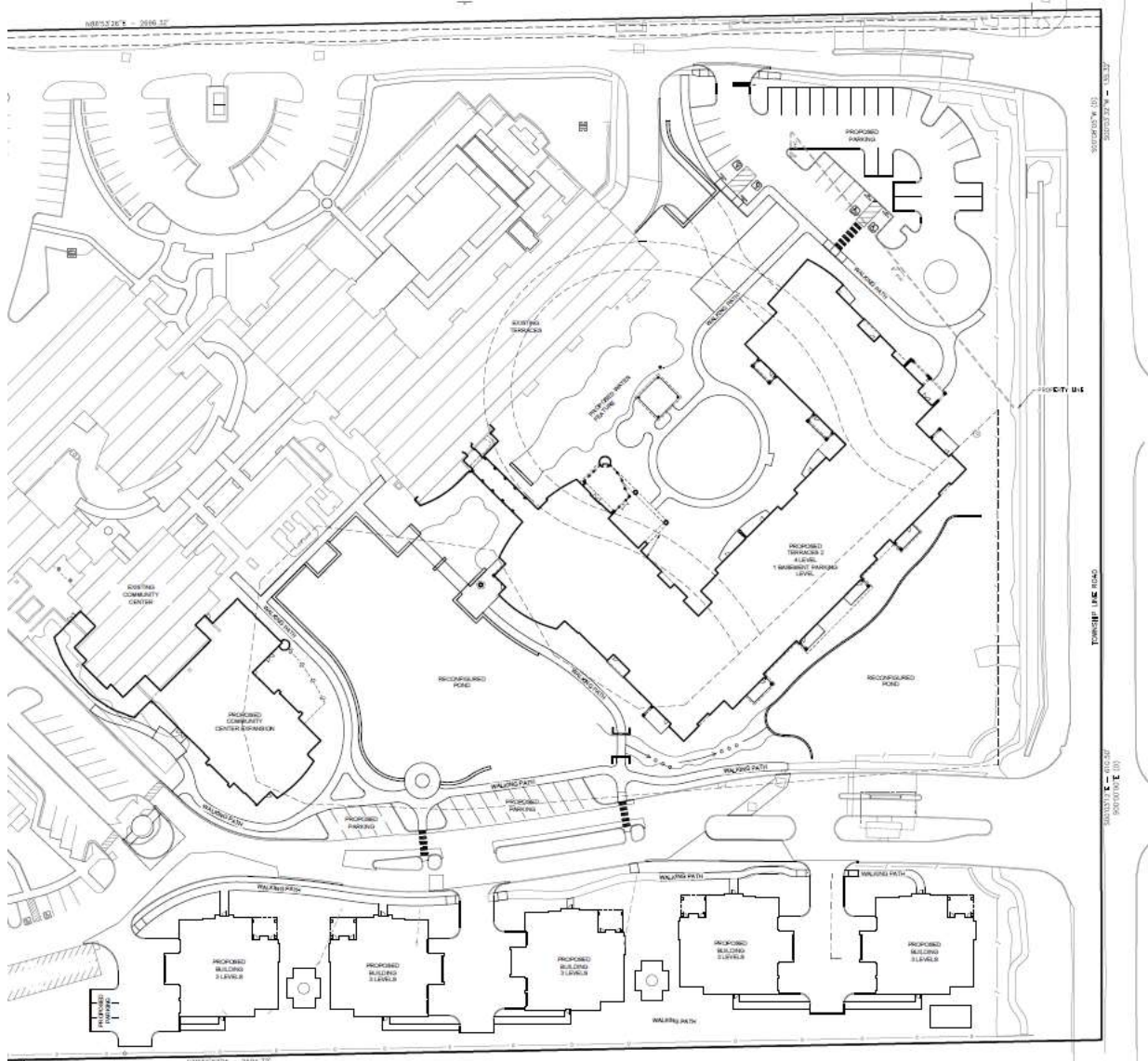


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AMENDED SITE PLAN



AMENDED SITE PLAN CLOSE-UP





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PARKING CALCULATIONS

PROPOSED ONSITE PARKING
PARKING ANALYSIS CALCULATIONS

Description: Marquette
Reviewing Entity: City of Indianapolis
Job Number: 2025.00264
Date: 9/3/2025

Job Information

Existing Units 425

Proposed Units

Terraces II 69

Flats 25

Total Habitable Units = **519**

Assisted Living Facility

Proposed Units	Minimum	Maximum
94	47	62
Guests	4	-

"Community Center"

Proposed SF	Minimum	Maximum
10679	26	53

REQUIRED PARKING
Assisted Living Facility Minimum 286 Maximum 346

Existing Surface 384

Existing Underground 54

	Minimum	Maximum
Totals:	77	115

Proposed Surface Removal 17

Proposed Surface 52

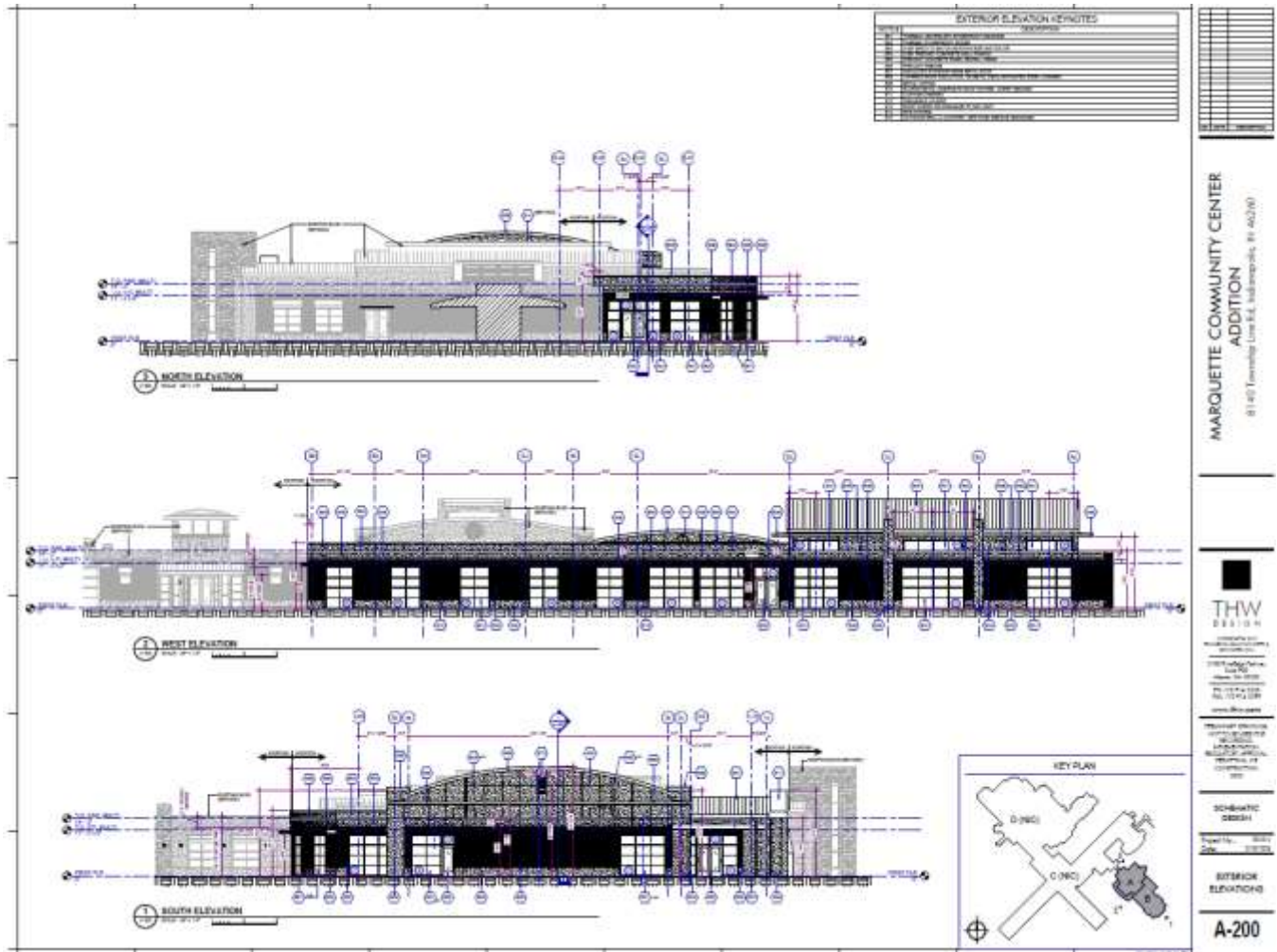
Proposed Garage 25

Proposed Underground 73

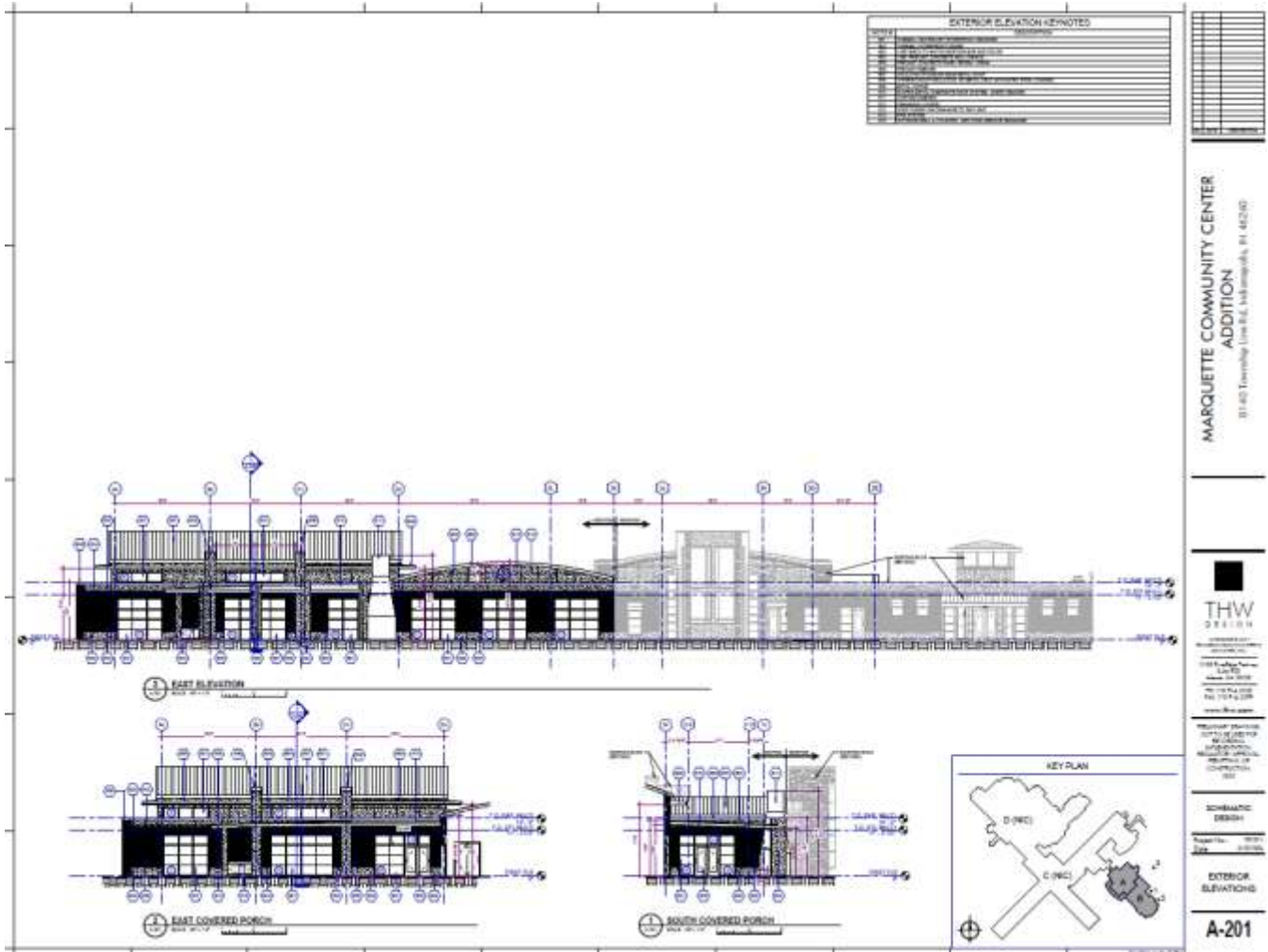
Total Provided Parking (Site) 571

Proposed Provided Parking **133**

COMMUNITY CENTER ADDITION



COMMUNITY CENTER ADDITION (Continued)



MARQUETTE ASSISTED LIVING FACILITY ADDITION



CONDOMINIUMS





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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 JULY 10TH,
2025

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

the site plan has been designed to conform to the Comprehensive plan.

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

the site is an extension of current architectural style and use.

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

additional parking and ADA access is being provided in a new parking lot on the northeast corner of the site.

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

integrated walking paths are incorporated into the site.

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

the site has been designed in accordance with the latest Indianapolis Stormwater Manual and all other utilities have been previously Master Planned
for site expansion.



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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:

proposed buildings are being located and oriented to be an extension of the original design intent for the site

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

the site provides additional access points to the main drive connecting the site to the right of way.

DECISION

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

Adopted this _____ day of _____, 20 ____

Commission President/ Secretary



Department of Metropolitan Development
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Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS AND GENERAL WELFARE OF THE COMMUNITY AS THE REQUEST MINIMIZES SURFACE PARKING SPACES WHILE PROVIDING BUILDING-SPECIFIC (TENANT) PARKING WITHIN THE BUILDING ENVELOPE (IE GARAGE). SURFACE PARKING SPACES REMAIN NECESSARY FOR VISITORS AND STAFF ALIKE.

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

THE USE OR VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE BUILDING-SPECIFIC (TENANT) PARKING SPACES ARE BEING PROVIDED WITHIN THE BUILDING ENVELOPE TO CREATE A MORE NATURAL, NEIGHBORLY FEEL. THE SURFACE PARKING SPACES REMAIN NECESSARY FOR VISITORS AND STAFF ALIKE.

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

A STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WILL RESULT IN PRACTICAL DIFFICULTIES IN THE USE OF THE PROPERTY AS IT WILL RESULT IN A DEFICIENCY IN THE AMOUNT OF PARKING NECESSARY. OWNERSHIP OF THE FACILITY HAVE SIGNIFICANT HISTORICAL DATA AVAILABLE TO JUSTIFY THE NEED FOR SAID PARKING. ORDINANCE LIMITS THE MAXIMUM ALLOWABLE PARKING TO 2 SPACES PER 3 UNITS, WHILE DATA INDICATES A MINIMUM OF 1 SPACE PER UNIT IS NECESSARY. THE ORDINANCE FURTHER DOES NOT DIFFERENTIATE BETWEEN GARAGE BASED PARKING AND SURFACE LOT PARKING. IN THE SPIRIT OF THE ORDINANCE, THE BULK OF THE PARKING SPACES ARE BEING PROVIDED WITHIN THE BUILDING ENVELOPE WITH THE REMAINING SURFACE PARKING SPACES BEING RESERVED FOR VISITORS AND STAFF ALIKE.

DECISION

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

Adopted this _____ day of _____, 20 _____

Department of Metropolitan Development
Division of Planning
Current Planning



Photo of the south entrance drive to the subject site.



Photo of the surface parking area to be reconfigured.



Photo of the proposed community center expansion location and pond reconfiguration.



Photo of the proposed assisted living building expansion location and pond reconfiguration.



Photo of the proposed assisted living location and surface parking lot looking north.



Photo of the existing dwelling to be removed and replaced with a three-story condominium building.

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Photo of the existing dwellings to be removed and replaced with a three-story condominium building.



Photo of the subject site looking southwest toward the proposed surface parking lot location.



Photo of the multi-family dwellings north of the site



Photo of the vacant hospital building east of the site.

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-ZON-090
Property Address: 3309 South Arlington Avenue
Location: Franklin Township, Council District #20
Petitioner: Arlington Distribution and Storage, LLC, by David Gilman
Current Zoning: D-A (FF)
Request: Rezoning of 9.037 acres from the D-A (FF) district to the I-1 (FF) district to provide for a distribution facility.
Current Land Use: Undeveloped
Staff Recommendations: Denial.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the timely automatic continuance filed by a registered neighborhood organization that continued this petition from the September 11, 2025 hearing, to the October 9, 2025 hearing.

STAFF RECOMMENDATION

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

1. A 59.5-foot half right-of-way shall be dedicated along the frontage of South Arlington Avenue as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
2. A tree inventory, tree assessment and preservation plan of all existing trees over 2.5 inches in diameter, shall be prepared by a certified arborist and shall be submitted for Administrator Approval prior to preliminary plat approval and / or prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development; b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) identify all heritage trees, e) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and f) identify the method of preservation (e.g.

provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.

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

PETITION OVERVIEW

This 9.037-acre site, zoned D-A (FF), is developed with a single-family dwelling and accessory building. It is surrounded by single-family dwellings and multi-family dwellings to the north zoned D-A and D-6II, respectively; industrial uses to the south, zoned I-2; single-family dwellings to the east, zoned D-P; and industrial uses to the west, across South Arlington Avenue, zoned I-3.

Petition 2006-ZON-069 requested rezoning to the I-2 district for light industrial uses but this request was withdrawn by the petitioner.

REZONING

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

The Comprehensive Plan recommends light industrial typology for the site.

As proposed, this request would be consistent with the Comprehensive Plan recommendation, but residential development abuts this site to the north and east and The Pattern Book removes industrial uses "where they would be adjacent to a living typology."

Traffic generated by a distribution facility would not be appropriate in quiet neighborhoods. Warehousing and distribution centers could have specific needs that would be impactful to the residential uses that abut the site to the north and east, such as loading zones or pick-up / drop-off areas.

Compatibility between land uses is key to maintaining stable property values and resilient neighborhoods. Transitions in scale and character between residential uses and industrial uses should happen gradually. Staff believes that the proposed industrial uses would have a negative impact on the stability and resilience of the abutting residential neighborhoods.

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Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 59.5-foot half right-of-way along South Arlington Avenue. This dedication would also be consistent with the Marion County Thoroughfare Plan.

Floodway / Floodway Fringe

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

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

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (I-1 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance and all other applicable City Ordinances.

Tree Preservation / Heritage Tree Conservation

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

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

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

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

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

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

Environmental Public Nuisances

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

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

Environmental public nuisance means:

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

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

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GENERAL INFORMATION

Existing Zoning	D-A (FF)	
Existing Land Use	Single-family dwelling / accessory building	
Comprehensive Plan	Light Industrial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-A / D-6II	Single-family / multi-family dwellings
South:	I-2	Industrial uses
East:	D-P	Single-family dwellings
West:	I-3	Industrial Uses
Thoroughfare Plan		
South Arlington Avenue	Primary arterial	Existing 90-foot right-of-way and proposed 119-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes – unregulated 500-year floodplain of Sloan Ditch	
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 Light Industrial typology. 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.

Pattern Book / Land Use Plan

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

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

- *Light Industrial Uses*
 - Industrial truck traffic should not utilize local, residential streets.
 - Streets internal to industrial development must feed into an arterial street.
 - Removed as a recommended land use where they would be adjacent to a living or mixed-use typology.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW)



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- Identify roadways for planned expansions or new terrain roadways
- Coordinate modal plans into a single linear network through its GIS database

ZONING HISTORY

2006-ZON-069; 3309 South Arlington Avenue, requested rezoning of 9.42 acres, being in the D-A District, to the I-2-S classification to provide for light industrial suburban uses, **withdrawn**.

VICINITY

2000-ZON-040; 3303 South Arlington Avenue (north of site), rezoning of 10.24 acres from D-A to D-6II to provide for multi-family dwellings, **granted**.

98-Z-171 (98-DP-8); 6201 East Troy Avenue (east of site), rezoning of 68 acres from D-3 and D-6II to D-P to provide for single-family dwellings, **granted**.

98-Z-238; 3313 South Arlington Avenue (south of site), rezoning of 9.28 acres from D-A to I-2-S to provide for light industrial uses, **granted**.

91-Z-3; 3313 South Arlington Avenue (south of site), requested rezoning of 56.68 acres, being in the D-A, SU-18 and D-6II districts, to the I-5-S classification to provide for industrial uses, **withdrawn**.

72-Z-304; 6295 East Troy Avenue (north of site), requested rezoning of 51.34 acres, being in the A-2 district to the D-3 classification to provide for single-family residential development, **approved**.

72-Z-303; 6295 East Troy Avenue (north of site), requested rezoning of 547.89 acres, being in the A-2 district, to the D-6II classification to provide for multi-family residential development, **approved**.

71-Z-55; 801 South Emerson Avenue (east of site), requested rezoning of 51.07 acres being in the A-2 district to the C-7 classification to provide for construction of wholesale grocery warehouse, **approved**.

EXHIBITS



3309 South Arlington Avenue

0 0.01 0.03 0.06 0.09 0.12 Miles

EXHIBIT A

Heritage Tree Conservation

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

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

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



View looking north along South Arlington Avenue



View looking south along South Arlington Avenue



View of site looking southeast across South Arlington Avenue



View of site and adjacent property to the north looking east across South Arlington Avenue



View of site looking east across South Arlington Avenue



View of site and adjacent property to the south looking southeast across South Arlington Avenue



View of adjacent property to the south of site looking east across South Arlington Avenue

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-CZN-836 /2025-CAP-836

Property Address: 4035 Meadows Parkway and 4195 Millersville Road

Location: Washington Township, Council District #8

Petitioner: Garvey Properties, LLC, by Joseph D. Calderon

Current Zoning: C-S (W-5)
Rezoning of 7.01 acres from the C-S (W-5) district to the C-S (W-5) district to provide for continuation of permitted uses under 2013-ZON-037 and 2023-CAP-826, and to add a crematorium use, with no incineration.

Request: Modification of C-S Statement related to 2013-ZON-037 and 2023-CAP-826, to provide for a crematorium use, with no incineration.

Current Land Use: Mixed-Use (Commercial / Industrial)

Staff Recommendations: Approval of the rezoning and approval requests.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued these petitions from the August 14, 2025 hearing, to the September 11, 2025 hearing, and to the September 25, 2025 hearing, at the request of the petitioner's representative, to provide additional time for discussion with staff and the Councilor for the district.

The Hearing Examiner continued these petitions from the September 25, 2025 hearing, to the October 9, 2025 hearing, to provide additional time for further research into proposed use.

The petitioner and their representative submitted additional documents that were forwarded to the Technically Qualified Person (TQP) for review related to the impact that the proposed use would have on the wellfield. The TQP provided comments and recommendations that would be applicable during the permitting process and development of the proposed use.

Furthermore, the site plan, file-dated June 23, 2025, would limit the square footage of the operation to Suites 3E and 3Fm, as identified on the site plan.

Given the TQP comments and recommendations and the square footage of the proposed use, staff is now recommending approval of the rezoning and modification of C-S Statement requests, subject to subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least five business days prior to the MDC hearing:

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1. Development of the proposed crematorium use shall be subject to the site plan, file dated June 23, 2025.
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.

STAFF RECOMMENDATION

Denial of the rezoning and modification requests. If approved, staff would request that approval be subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least five business days prior to the MDC hearing:

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

PETITION OVERVIEW

This 7.01-acre site, zoned C-S, is developed with industrial style buildings and associated parking and storage areas. It is surrounded by single-family dwellings to the north across Millersville Road, zoned D-5 (W-5); educational uses to the south zoned D-P (W-5); commercial / industrial uses to the east, zoned C-S (W-5); commercial uses to the west, across Meadows Parkway, zoned C-4 (W-5).

Petitions 2013-ZON-037 and 2023-CAP-826, including this site, provided for industrial and commercial uses, as well as I-2-S uses that were initially approved in 1989 and expanded in the subsequent years.

REZONING

The request would rezone the site from the C-S (Special Commercial) district to the C-S district to provide for a crematorium. "The C-S District is designed to permit, within a single zoning district, multi-use commercial complexes or land use combinations of commercial and noncommercial uses, or single-use commercial projects. The primary objective of this district is to encourage development which achieves a high degree of excellence in planning, design or function, and can be intermixed, grouped or otherwise uniquely located with maximum cohesiveness and compatibility. The district provides flexibility and procedural economy by permitting the broadest range of land use choices within a single district, while maintaining adequate land use controls. The C-S District can include high-rise or low-rise developments, can be applied to large or small land areas appropriately located throughout the metropolitan area, and can be useful in areas of urban renewal or redevelopment."

The Comprehensive Plan recommends Village Mixed-Use typology for the site. Recommended land uses in the Village Mixed-Use typology include residential, commercial, schools, places of assembly, artisan manufacturing / food production but does not include any type of industrial uses.

This typology creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. The surrounding land uses to the north, west and south supports and is representative of the village mixed-use typology.

As proposed, this request would not be consistent the Comprehensive Plan recommendation of village mixed-use. The proposed crematorium would be a permitted as a “special exception” in the I-3 district and permitted in the I-4, both of which would be districts with intense and heavy industrial uses that would not be appropriate in proximity of protected districts (residential and schools) and the village mixed-use typology. Allowing this use would also potentially set a precedence for expansion of industrial uses on this rather large site that would be detrimental to the surrounding land uses, specifically the adjacent residential neighborhood and schools.

MODIFICATION OF C-S STATEMENT

This request would modify the development statements associated with petitions 2013-ZON-037 and 2023-CAP-826 to include, in addition to existing permitted uses, a crematorium use.

The 1989 rezoning permitted office, commercial and industrial development, with the expansion of uses with the 2013 (landscaping / design / installation business) and 2023 (storage buildings associated with the landscaping business) petitions. This request would expand uses that would be more intense, and therefore, more impactful to surrounding land uses.

Wellfield Protection Secondary Zoning

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 is subject to Commission approval. The filing of a site and development plan is required and subject to approval, on behalf of the Commission, by a Technically Qualified Person (TQP), unless exempted by the Ordinance.

“Because of the risk that hazardous materials or objectionable substances pose to groundwater quality, it is recognized that the further regulation of the manufacturing of, handling, transfer, disposal, use or storage of hazardous materials or objectionable substances related to nonresidential use activities is essential in order to preserve public health and economic vitality with Marion County.”

All uses permitted in the applicable primary zoning district shall be those uses permitted in the W-1 and W-5 zoning districts, unless otherwise prohibited by the Ordinance, and provided no other secondary zoning district prohibits the use.

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“No building, structure, premises or part thereof shall be altered, constructed, converted, erected, enlarged, extended, modified, or relocated except in conformity with this Section, and not until the proposed Site and Development Plan has been filed with and approved on behalf of the Commission by the Technically Qualified Person (TQP). Regulations found in Chapter 742, Article II, Section 4 shall apply to all land within the Wellfield Protection Zoning Districts. The entire site shall be subject to review by the TQP. These regulations shall be in addition to all other primary and secondary zoning district regulations applicable to such land, and in case of conflict, the more restrictive regulations shall apply.”

The subject site is located within the **W-5 Fall Creek** wellfield protection area and any use or development within a wellfield protection district would be subject to the Technically Qualified Person (TQP) review and approval, unless and until the property owner provides sufficient justification that the type of use, type of facility, and chemical quantity limits, independent of the land use would be exempt from the requirements for filing a development plan. Otherwise, a development plan would be required to be filed and approved on behalf of the Metropolitan Development Commission by the (TQP). Contaminants that would have an adverse effect would include chemicals that are used in the home, business, industry, and agriculture. Chemicals such as furniture strippers, lawn and garden chemicals, cleaning chemical and solvents, gasoline, oil, and road salt can all contaminate groundwater supplies if poured on the ground or improperly used or stored.

Environmental Public Nuisances

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

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

Environmental public nuisance means:

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

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

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

GENERAL INFORMATION

Existing Zoning	C-S (W-5)	
Existing Land Use	Commercial and industrial mixed use	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-5 (W-5)	Single-family dwellings
South:	D-P (W-5)	Educational uses
East:	C-S (W-5)	Industrial / commercial uses
West:	C-4 (W-5)	Commercial uses
Thoroughfare Plan		
Millersville Road	Primary Collector	Existing 75-foot right-of-way and proposed 50-foot right-of-way.
Meadows Parkway	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	Yes – Fall Creek W-5	
Site Plan	June 23, 2025	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	June 23, 2025	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	June 23, 2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time. The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

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

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

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

ZONING HISTORY

2023-CAP-826 / 2023-CVR-826; 4195 Millersville Road, requested modification of Development Statement and Site Plan related to 2013-ZON-037 to remove the requirement for landscaping and buffering along Millersville Road and Meadows Parkway, and to provide for storage buildings as shown on the site plan submitted with this petition and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building located ten feet from Meadows Parkway with zero transparency, **approved and granted**.

2014-ZON-029; 4201 Millersville Road (northeast of site), requested the rezoning of 6.3 acres from the C-S district to the C-S district to add automobile and motorcycle restoration and storage, lawn care, tree service, contracting offices and operations to the list of permitted uses, **approved**.

2013-ZON-037; 4201 Millersville Road, requested the rezoning of 13.4 acres from the C-S district to the C-S district to provide for a landscape design and installation business, including offices, nursery, material and equipment storage, sculpture garden, retail sales area; offices and production space for the design and fabrication of landscape feature, fencing and artwork for hardscape installation; urban farming and associated uses, aquaponics and related operations; fabrication and warehouse space; general office and flex space; schools and ancillary facilities; other compatible uses and I-2-S uses, **approved**.

89-Z-7; 4201 Millersville Road, requested the rezoning of 14.3 acres from the D-5 district to the C-S district to provide for offices, general storage facilities, manufacturing, processing and packaging of food products, and high-tech research, development and manufacturing, **approved**.

VICINITY

2013-ZON-071; 4175 Millersville Road (southwest of site), requested the rezoning of 1.3 acre from the C-1 district to the C-S district to provide for C-3 uses and a banquet hall, **approved**.

2012-ZON-042; 3801 - 4005 Meadows Drive, 3805 – 3806 North Dearborn Street (southeast of site), requested the rezoning of 102 acres from the D-8, D-9, SU-2, C-4 and C-S district to the D-P district to provide for single-family, two-family and multi-family residential uses, commercial uses permitted within the C-1, C-3 and C-4 districts, special and institutional uses permitted within the SU-1, SU-2, SU-3, SU-6, SU-7, SU-9, SU-37, SU-38 and SU-39 districts, light manufacturing and assembly, agricultural uses, community garden and sales of products produced therein, **approved**.

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

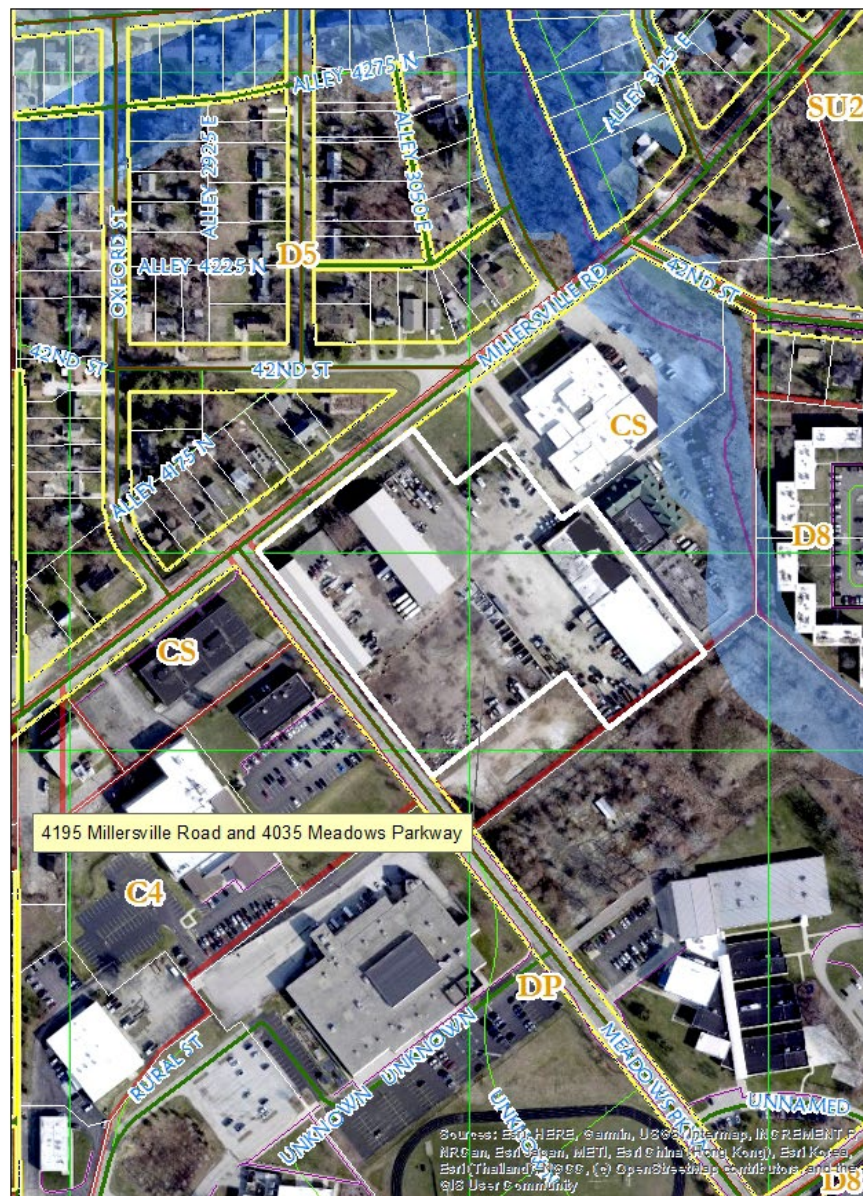
2006-ZON-008; 3980 Meadows Drive (southeast of site), requested the rezoning of 14 acres from the C-1, C-4 and D-8 districts to the SU-2 district, **approved.**

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

87-UV1-45; 4201 Millersville Road (northeast of site), requested a variance of use to provide for a loading dock, **approved.**

62-Z-172; 3939 Meadows Drive (southwest of site), requested the rezoning of two acres from the U1-H1-A2 district to the U3-H1-A4 district to provide for the sales of office equipment, **approved.**

EXHIBITS



4195 Millersville Road and 4035 Meadows Parkway

0.0125025 0.05 0.075 0.1 Miles

C-S Statement

Second Amended C-S Development Statement

Introduction: Petitioner and Owner, Garvey Properties LLC, seeks to redevelop approximately 7 acres of property commonly known as 4195 Millersville Road (the "Subject Property"), in order to use the Subject Property as a contractor's storage facility, and to provide for potential future use of the Subject Property. Recently, Petitioner/Owner was approached by a user, Serene Reflections Pet Water Cremation, about occupying space in the Subject Property.

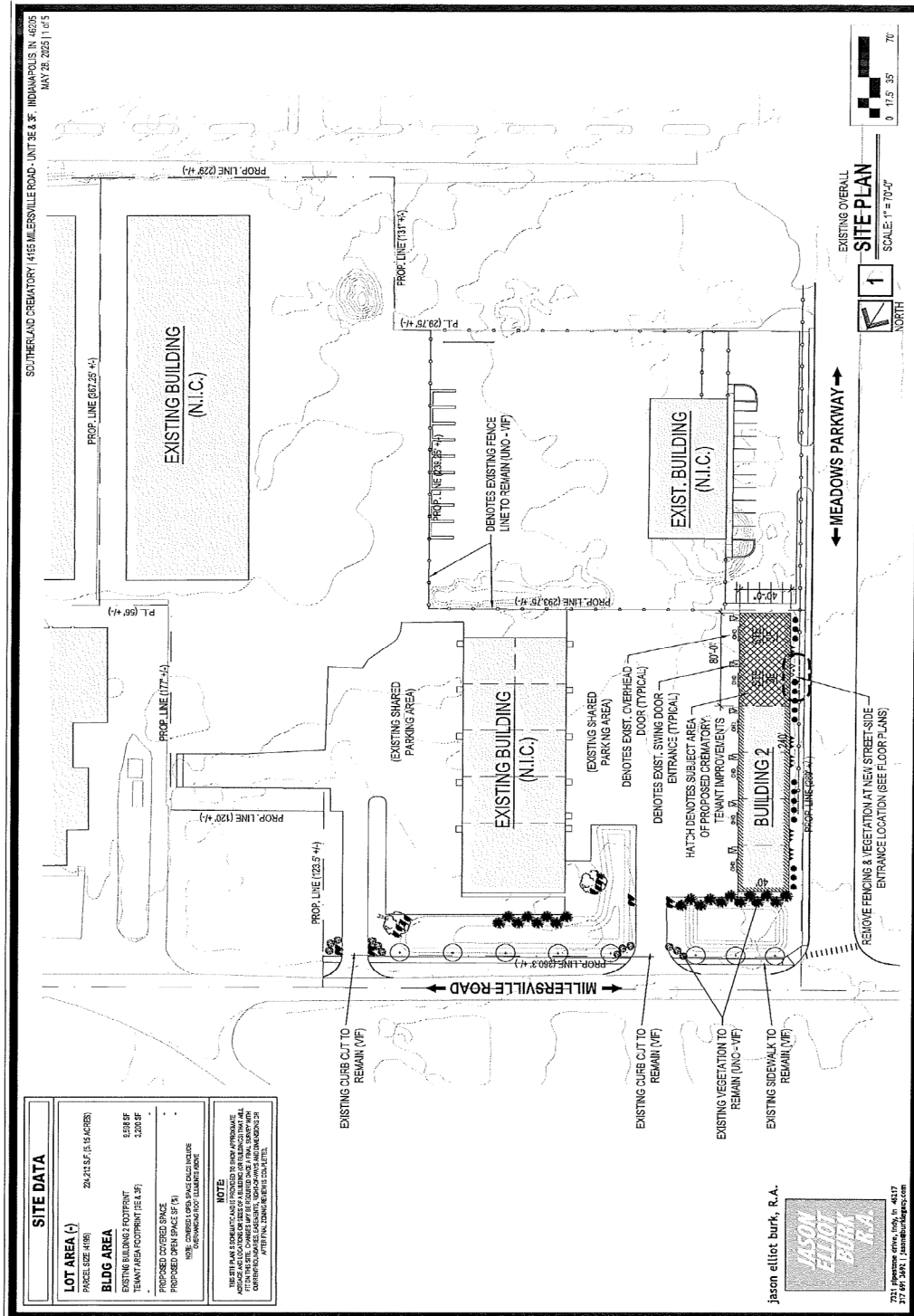
Zoning: The Subject Property is currently zoned C-S, as more particularly set forth in the City of Indianapolis Consolidated Zoning and Subdivision Ordinance ("Zoning Ordinance"), pursuant to a rezoning in 2013 under Case Number 2013-ZON-037 (the "2013 Rezoning"). The 2013 Rezoning allowed for the establishment of a headquarters for a landscape/design and installation firm, including an office nursery, material and equipment storage as well as a sculpture garden and retail sales area (the "Primary 2013 Use"). In 2023, pursuant to 2023-CAP/CVR-826, Petitioner/Owner updated the C-S Development Statement and obtained certain development standard variances.

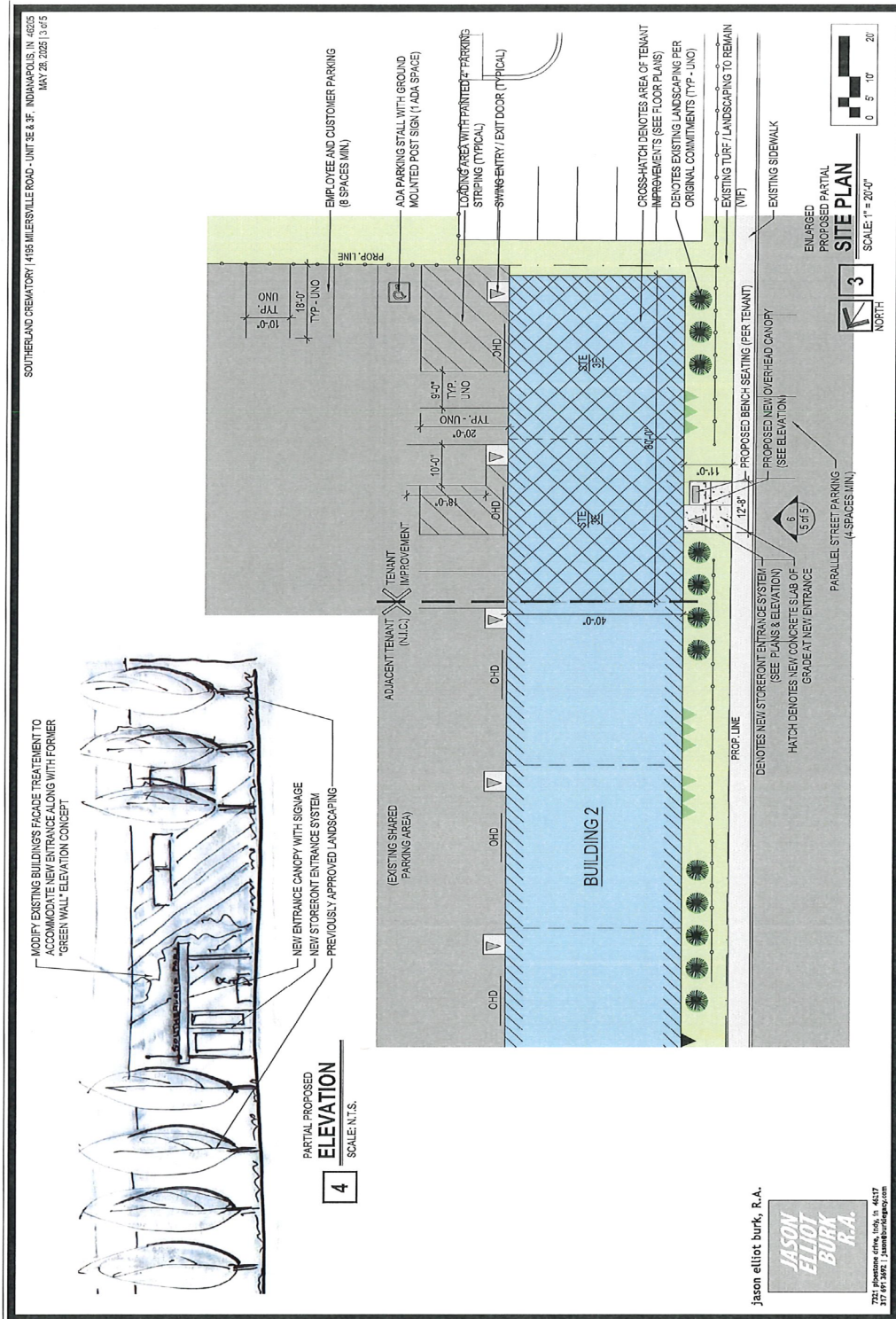
Proposed Permitted Primary Uses of the Subject Property as described and defined in Chapter 743, Art II, Table 743-1 in the Zoning Ordinance shall be as follows:

- 1) The Primary 2013 Use.
- 2) Offices and production space for companies involved in design and fabrication of landscape features, fencing and art work to be utilized in landscape installations.
- 3) Urban Farming and associated uses.
- 4) Aquaponics and related operations.
- 5) Fabrication and Warehouse space.
- 6) General Office and Flex (industrial) space.
- 7) Schools and ancillary facilities.
- 8) Other compatible uses and those permitted in the I-2-S zoning district.
- 9) Crematorium (no incineration) – as limited by the Executive Summary of the use attached hereto as Exhibit "A".

For purposes of this development statement, the intent is to add the Crematorium as an additional use and not otherwise amend the 2023 Amended C-S Development Statement, including, but not limited to, Development Standards and Signs.

47954235.1







View looking east along East 42nd Street



View looking west along East 42nd Street

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View looking south along Meadows Parkway



View looking north along Meadows Parkway



View of site looking northeast across Meadows Parkway



View of site looking northwest



View from site looking west across Meadows Parkway