

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 28, 2026

Case Number: 2026-ZON-016 / 2026-VAR-005

Address: 3030 Southeastern Avenue (*Approximate Address*)

Location: Center Township, Council District #18

Petitioner: JO & CE Real Estate LLC, by Dylan Seesman

Request: Rezoning of 0.34-acre from D-5 (FF) to MU-2 (FF), for an existing building to be renovated for commercial retail uses and up to six dwelling units on the second floor.
Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a zero-foot front transitional yard from English Avenue (12-foot front transitional yard required), a zero-foot west transitional side yard (15-foot side transitional yard required), with vehicle maneuvering of three parking spaces within the right-of-way of Southeastern Avenue (not permitted).

Current Land Use: Mixed Use

Staff Recommendations: Staff recommends **approval** of the Rezoning request.
Staff recommends **approval** of the Variance request to provide for a zero-foot front transitional yard from English Avenue, and a zero-foot west transitional side yard.
Staff recommends **denial** of the Variance request to provide vehicle maneuvering of three parking spaces within the right-of-way of Southeastern Avenue.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

Petition 2026-ZON-016 was previously continued for cause by Staff, to the May 26, 2026, hearing, in order for it to be heard together with associated petition 2026-VAR-005.

STAFF RECOMMENDATION

Staff recommends **approval** of the Rezoning request.
Staff recommends **approval** of the Variance request to provide for a zero-foot front transitional yard from English Avenue, and a zero-foot west transitional side yard.

Staff recommends **denial** of the Variance request to provide vehicle maneuvering of three parking spaces within the right-of-way of Southeastern Avenue.

PETITION OVERVIEW

LAND USE

The 0.34-acre site is comprised of a parcel developed with a mixed-use building, and parking area. The site is adjacent to commercial uses zoned C-3 and D-5, and single-family dwellings zoned D-5.

REZONING

The request would rezone the property to the MU-2 district to allow for the redevelopment of a combined mix of commercial and residential uses that are not permitted in the existing D-5 district.

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

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

VARIANCE OF DEVELOPMENT STANDARDS

The request would allow for a zero-foot front transitional yard from English Avenue, a zero-foot west transitional side yard, and vehicle maneuvering of three parking spaces within the right-of-way of Southeastern Avenue.

STAFF ANALYSIS

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

Staff is supportive of the rezoning because it would remove a legacy D-5 zoning that is not compatible with the existing commercial uses and would allow for the redevelopment of the existing building that is compatible with the surrounding area and would align with the Village Mixed Use recommendation of the Comprehensive Plan.



Staff is supportive of the variance request for the zero-foot west side transitional yard setback, as it is adjacent to a commercial use that is zoned D-5 and permitted by Variance. Therefore, a zero-foot side setback would be appropriate between two commercial uses.

Staff is supportive of the variance request for the zero-foot front transitional yard from English Avenue, as the building would be setback approximately 60 feet from the parcel line. English Avenue would provide additional separation from the single-family dwellings on the north side of the street from the subject site.

Staff does recommend denial of the request to allow vehicle maneuvering of three parking spaces within the right-of-way of Southeastern Avenue. Southeastern Avenue was recently improved and is a secondary arterial between downtown and the newly opened Justic Center. Allowing vehicles to back out into this busy throughfare would be inappropriate. Staff recommends the curb cut be removed, and an off-site parking arrangement be made to provide for the three displaced parking spaces along the south of the building.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Mixed-use building	
Comprehensive Plan	Village Mixed Use	
Overlay	N/A	
Surrounding Context	Zoning	Surrounding Context
	North: D-5	Single-family dwellings
	South: C-4	Commercial restaurant
	East: C-4	Undeveloped
	West: D-5	Commercial use
Thoroughfare Plan		
Southeastern Avenue	Secondary Arterial	70-foot existing right-of-way and 78-foot proposed right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	100-year flood plain	
Wellfield Protection Area	N/A	
Site Plan	April 6, 2026	
Elevations	N/A	
Landscape Plan	N/A	
Commitments	N/A	
Findings of Fact	April 6, 2026	
C-S / D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Marion County Land Use Plan Pattern Book recommends the Village Mixed-Use typology that creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well



as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.

Pattern Book / Land Use Plan

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

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

Conditions for All Land Use Types – Village Mixed Use Typology

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

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

Not Applicable to the Site.

ZONING HISTORY

2017-UV3-017; 3009 English Avenue (west of site), requested a Variance of Use and Development Standards to provide for a tire shop, and a zero-foot north front yard, without landscaping, and a zero-foot south front yard, with deficient landscaping, and to provide for four parking spaces, with insufficient maneuvering, within the front yard setback, **granted**

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

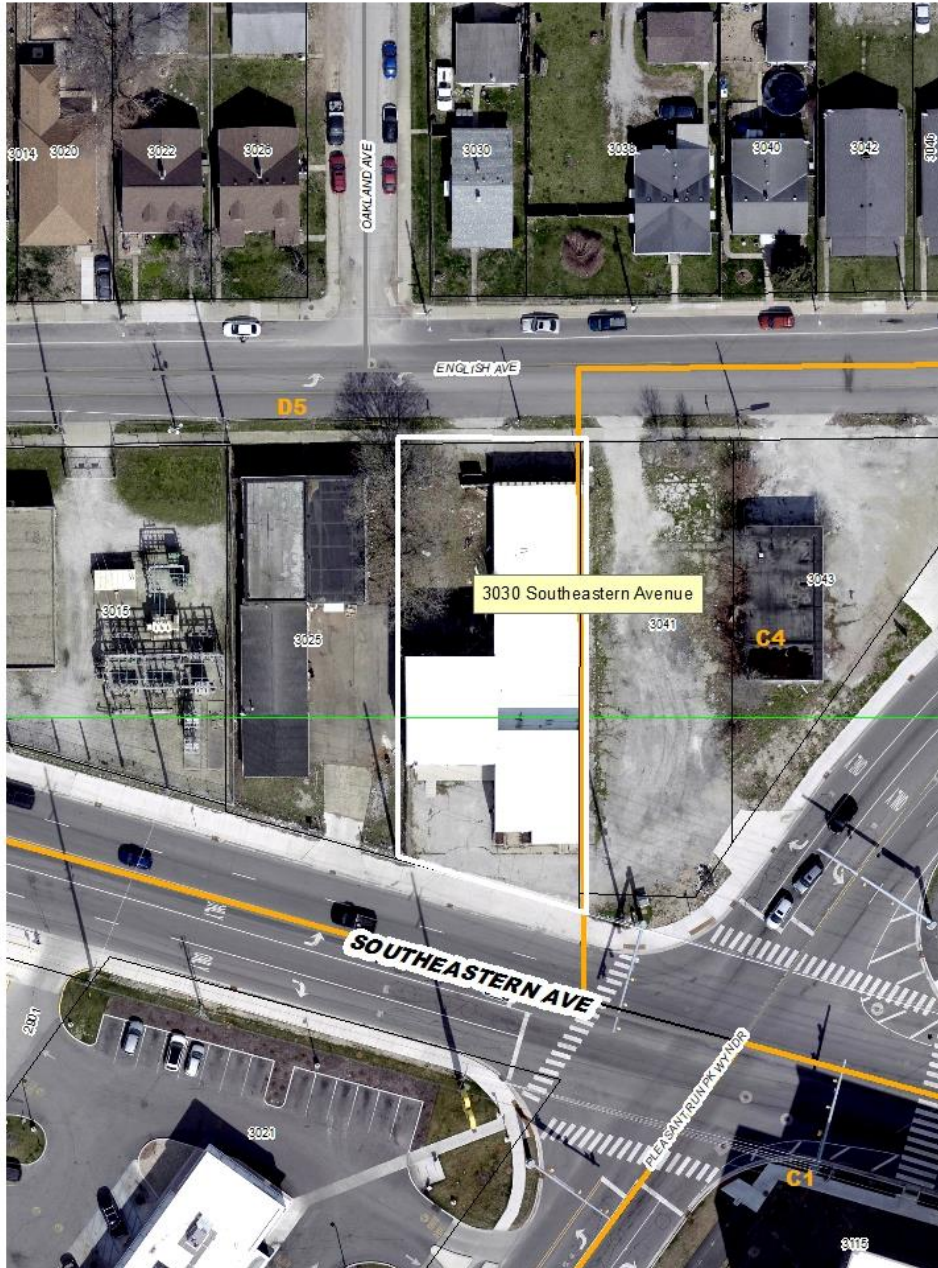
99-Z-160; 3009 English Avenue (subject site), requested the Rezoning of 0.23 acre from D-5 to C-3 to conform to the recommendation of the Southeastside Neighborhood Plan, **approved**.

87-UV2-18; 3025 English Avenue (west of site), requested a Variance of Use of the Dwelling Districts Zoning Ordinance to provide for a machine shop, **granted**.

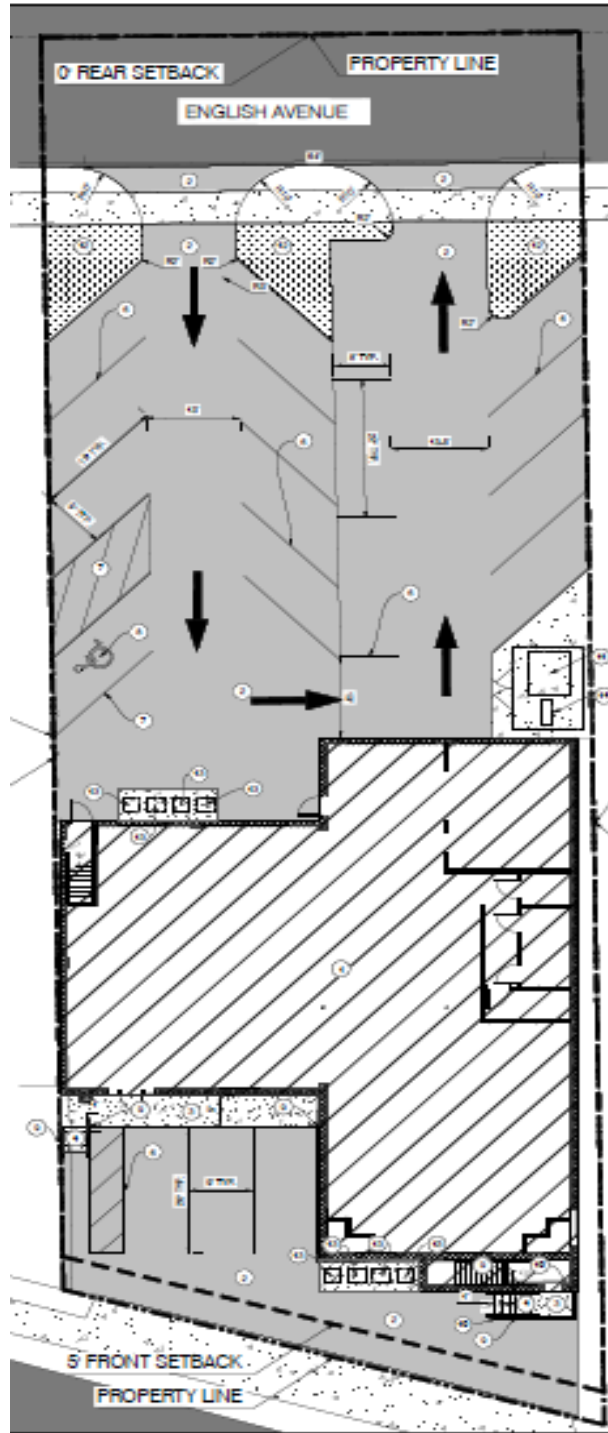
RU

EXHIBITS

LOCATION MAP



SITE PLAN





FINDINGS OF FACT

Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

We are requesting a variance to the Indianapolis Marion-County Zoning Ordinance Parking Standards noted in Table 744-402-1, which requires the site to have 19 parking spaces. The existing site is an abandoned apartment complex. With our proposed improvements of a mixed-use building of retail and apartment units, we will positively impact the surrounding community through the revitalization of the existing site and the increase of business to the community.

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

The adjacent properties are abandoned buildings and therefore would not negatively be impacted by our proposed improvements.

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

The project site is a 0.31 acre site, so with the addition of a 4,000 sq-ft building and other site requirements like dumpster locations and ADA accessibilities added the current parking requirements of 19 spaces is not possible. We are proposing the site to have 16 standard parking spaces, 1 ADA space with a van unloading spot, and 1 compact parking space, which we believe to be adequate parking for the proposed use of the site.

PHOTOS



Subject site, looking South from English Avenue.



Subject site looking north from Southeastern Avenue.



Adjacent commercial use to the west of subject site, zoned D-5, looking south.



Adjacent commercial use to the south.



Adjacent residential property on English to the north.