



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 28, 2026

Case Number:	2026-ZON-033
Property Address:	4200 South Harding Street (<i>approximate address</i>)
Location:	Perry Township, Council District #22
Petitioner:	Hanson Aggregates, Midwest, Inc., by Misha Rabinowitch
Current Zoning:	I-4 (FF)
Request:	Rezoning of 20.18 acres from the I-4 (FF) district to the I-4 (FF) (GSB) district to provide for mining operations.
Current Land Use:	Mining Operations
Staff Recommendations:	Staff recommends approval of this petition.
Staff Reviewer:	Michael Weigel, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

LAND USE

The 20.18-acre site is comprised of two parcels (5000182 and 5036519) currently associated with an existing excavation operation. The site is surrounded by excavation operations on each side (zoned I-4, I-4 GSB, and SU-23 GSB), an easement to the east, and has proximity to I-465 to the south. Mining operations at the site have previously been permitted by several zoning petitions (see Zoning History).

REZONING

The request would rezone the site to the I-4 (FF) (GSB) district. "The I-4 district is for those heavy industrial uses which present an elevated risk to the general public and are typically characterized by factors that would be exceedingly difficult, expensive or impossible to eliminate. These industries are therefore buffered by a sizeable area to minimize any detrimental aspects. The development standards and performance standards reflect the recognition of these problems. Location of this district should be as far as possible from protected districts and environmentally sensitive areas as practical and never be adjacent to protected districts."



Recommended land uses in this typology include light industrial, heavy industrial, heavy commercial, small-scale offices, retailing, and personal or professional services; and wind / solar farms.

The GSB overlay district allows for the extraction of sand, gravel, mineral or other earthen materials within Marion County, in addition to uses allowed by the primary I-4 zoning district.

The Comprehensive Plan recommends Heavy Industrial typology for the site.

COMPREHENSIVE 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.

The entire site is located within the 100-year floodplain of the White River.

FLOODWAY FRINGE

This site has a secondary zoning classification of 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 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-4 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance and all other applicable City Ordinances.

STAFF ANALYSIS

This site and surrounding land uses have historically been used for excavation operation. The Ordinance defines excavation as “breaking of ground, digging, mining, removal, or displacement of the natural surface of the earth, whether sod, dirt, soil, sand, gravel, stone, loam, rock, clay, silt, or other naturally deposited material, whether alone or in combination.”

Staff supports this rezoning request because of past and current operations, surrounding heavy industrial land uses and the consistency with the Plan recommendation of heavy industrial typology.

GENERAL INFORMATION

Existing Zoning	I-4 (FF)	
Existing Land Use	Mining Operations	
Comprehensive Plan	Heavy Industrial	
Surrounding Context	Zoning	Surrounding Context
	North:	North: Mining Operations
	South:	South: Mining Operations
	East:	East: Mining Operations
	West:	West: Mining Operations
Thoroughfare Plan		
	Harco Way	Private Drive 60-foot existing right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	Yes	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	03/15/2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Heavy Industrial typology provides for industrial, production, distribution, and repair uses that are intense and may create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding building or groups of buildings, often within industrial parks. Outdoor operations and storage are common. Typical uses include food processing, milling, storage of petroleum products, recycling, welding, and concrete mixing. Industrial or truck traffic should be separated from local/residential traffic. Heavy industrial land uses such as mining are contemplated for this typology when located on arterial streets and when both industrial uses and traffic are kept separate from residential areas.
- 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. Heavy Industrial uses are removed as recommended uses when within this overlay.

Red Line / Blue Line / Purple Line TOD Strategic Plan



- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2005SE1001, special exception of the Industrial Zoning Ordinance to provide for a temporary asphalt plant, **approved**.

2004LNU026, Certificate of Legally Non-Confirming Use for a Gravel/Sand extraction and processing use, **approved**.

92-Z-51, Rezoning of 12.05 acres, being in the I-3-S/FP/FW District, to the C-7/FP/FW classification to provide for the sales and service of semi-tractors and trailers, **approved**.

90-SE2-25, special exception of the Industrial Zoning Ordinance to permit the construction of a concrete pipe manufacturing facility, without the required loading dock; with outdoor storage in excess of 75%; with outdoor storage on a gravel area (hard surface required); with a 6 foot high security fence within the front yard; and to permit a zero foot setback from the rear property line (30 foot transitional yard required), **approved**.

ZONING HISTORY – VICINITY

2026DV3012 ; 4200 South Harding Street (northeast of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a new building related to the existing extraction use located within the Floodway Fringe (not permitted) and with deficient landscaping (landscaping required), **approved**.

2025ZON122 ; 1650 Harco Way (east of site), Rezoning of 71.753-acres from I-4 district to the I-4 (GSB) districts to provide for gravel sand burrow operations, **approved**.

99-V3-52 ; 4550 South Harding Street (east of site), variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a truck wash facility with a flood protection grade at the base flood elevation of 680 feet (flood protection grade of 682 feet required, 2 feet above the base flood elevation, **approved**.

97-SE1-5 ; 4602 South Harding Street (east of site), special exception of the Industrial Zoning Ordinance to provide for the temporary placement of facilities for the processing and production of asphalt and concrete, **approved**.

96-V3-39 ; 4750 South Harding Street (west of site), variance of developments standards of the Industrial Zoning Ordinance to provide for the construction of a recycling operation for the staging, sorting, baling, and loading of non-toxic, recyclable construction and demolition materials, including the composting of yard materials and biodegradable construction materials accessed via a private street, with approximately 17 acres of outside operations and storage of materials, zero loading docks provided, gravel maneuverability and parking areas, a berm six to eight feet in height along the north,



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south, and southwest property lines, and a chain-link fence, six feet in height along Belmont Avenue in the required setback area, **approved**.

96-UV1-33 ; 4530 South Harding Street (east of site), variance of use and development standards of the Commercial Zoning Ordinance to provide for an asphalt and cold mix process facility (not permitted) with zero feet of public street frontage provided with access to be gained by a 60 foot wide access easement (minimum 50 feet of frontage on a street right-of-way required), **approved**.

96-SE1-7 ; 4400 South Harding Street (east of site), special exception of the Industrial Zoning Ordinance to provide for the extraction, aggregate washing and screening process for sand and gravel, **approved**.

92-UV1-79 ; 2709 West Epler Avenue (south of site), variance of use and development standards of the Dwelling Districts Zoning Ordinance and Flood Control Ordinance to permit extraction of sand, gravel and earthen minerals, **approved**.

91-AP2-10; 4720 South Belmont Avenue (west of site), modification of conditions and site plan pursuant to petition 90-SE2-25 to permit the manufacturing of concrete prestressed building products to occur outdoors, the outdoor storage of steel forms and rolls of wire mesh, and the storage of material in excess of the six-foot-tall security fence, **approved**.

90-SE2-25; 4720 South Belmont Avenue (west of site), Special Exception of the Industrial Zoning Ordinance to permit the construction of a concrete pipe manufacturing facility without the required loading dock, outdoor storage in excess of 75% of enclosed buildings, a gravel surface for outdoor storage, and to permit a zero-foot setback from the property line, **granted**.

90-UV1-61; 2103 West Epler Avenue (south of site); variance of use from the SU-23 district to permit a temporary asphalt plant for a period of two years; **granted**.

85-Z-88; 4530 South Harding Street (east of site); rezoning of 5.0 acres, being in the I-4-S district, to the C-6 classification to provide for the construction of a budget motel, **approved**.

84-AP-190; 1851 West Thompson Road (south of site); modification of commitments made in 81-Z-71 and 82-Z-72 to allow relocation of a landscape strip; **approved**.

82-Z-72; 1801-2399 West Thompson Road (south of site); rezoning of 140 acres, being in the A-2 District, to the GSB Secondary classification, to permit excavation of sand and gravel; **approved**.

81-Z-71; 1801-2399 West Thompson Road (south of site); rezoning of 140 acres, being in the I-3-S district, to the SU-23 classification, to permit excavation of sand and gravel; **approved**.

EXHIBITS

2026ZON033 ; Aerial Map



2026ZON033 ; Photographs



Photo 1: Parcel 5036519 From North



Photo 2: Parcel 5000182 From West

2026ZON033 ; Photographs (continued)



Photo 3: Adjacent Property to Southwest



Photo 4: Adjacent Property to Northwest

2026ZON033 ; Photographs (continued)



Photo 5: Adjacent Property to Northeast



Photo 6: Access Road Leading to Subject Property Looking West (August 2025)