

MDC HEARING EXAMINER

October 29, 2026

Case Number: 2026-ZON-091
Property Address: 1636 East 46th Street (*approximate address*)
Location: Washington Township, Council District #7
Petitioner: Hi Tone Ventures LLC, by Anthony Morman
Request: Rezoning of 0.15-acre from the SU-1 (W-1) district to the D-5 (W-1) district to allow for residential uses.
Current Land Use: Undeveloped
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

1636 East 46th Street is a parcel with a size of 0.15 acres that is currently unimproved and has been undeveloped since 2011 per aerial photography. The property appears to have been developed with a single-family home in the past that was demolished in 2005. The property was then rezoned to the SU-1 district in 2006 to allow for construction of a religious use structure on the subject lot and the parcel to the west (this structure was partially built and removed from the property around 2011).

Surrounding land uses are residential in nature, and surrounding properties are zoned D-5 for residential use except for the lot immediately to the west (which is currently in the process of being rezoned to D-5).

REZONING

Approval of this petition would rezone the site from the SU-1 district to the D-5 district to allow for residential uses. The site plan provided indicates placement of a two-unit dwelling at the site.

The SU-1 district (Special Use District One) permits religious uses on a primary level as well as accessory structures and uses related to religious use.

Per Ordinance, the D-5 district is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in 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 W-1 secondary zoning district (Wellfield Protection District One) indicates a one-year time-of-travel protection area around a municipal water wellfield. Certain land uses would require additional review from a technically qualified person prior to approval of a zoning permit, but residential uses (such as those allowed by the proposed D-5 zoning) typically would not require this level of review or scrutiny.

STAFF ANALYSIS

The Comprehensive Plan's Pattern Book recommends this site to the Traditional Neighborhood living typology (additional information within the Comprehensive Plan Analysis below). A rezoning of this property to D-5 would be consistent with that guidance from the Plan.

Staff would also note that the proposed D-5 zoning district would be consistent with the residential uses that exist on each side of the subject site as well as with the D-5 zoning of immediately adjacent parcels (1624 E 46th Street to the west is pending a similar rezoning to D-5). Additionally, the 0.15-acre size of the lot would likely not allow for feasible development of both a religious use structure and required accessory parking areas.

Approval of the rezoning petition would not serve as concurrent approval of any site plan design: the site plan provided for review appears to show both a deficient side setback to the west as well as a deficient corner side setback to the east. Any variances from applicable development standards for the D-5 zoning district would be pursued via a separate petition filing, and would be evaluated separately by staff.

Since the proposed rezoning would comport with the surrounding land use context as well as the recommendations of the Pattern Book, staff recommends **approval** of the rezoning request.

GENERAL INFORMATION

Existing Zoning	SU-1	
Existing Land Use	Undeveloped	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	D-5	North: Residential
South:	D-5	South: Residential
East:	D-5	East: Residential
West:	SU-1 (pending D-5)	West: Residential
Thoroughfare Plan		
46th Street	Primary Arterial	51-foot existing right-of-way and 56-foot proposed right-of-way

Context Area	Compact
Floodway / Floodway Fringe	No
Overlay	No
Wellfield Protection Area	Yes
Site Plan	09/08/2026
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2005-ZON-054, Rezoning of 0.27-acre, being in the D-5 district, to the SU-1 classification to legally establish religious uses and to provide for construction of a new church facility, **approved subject to commitments.**

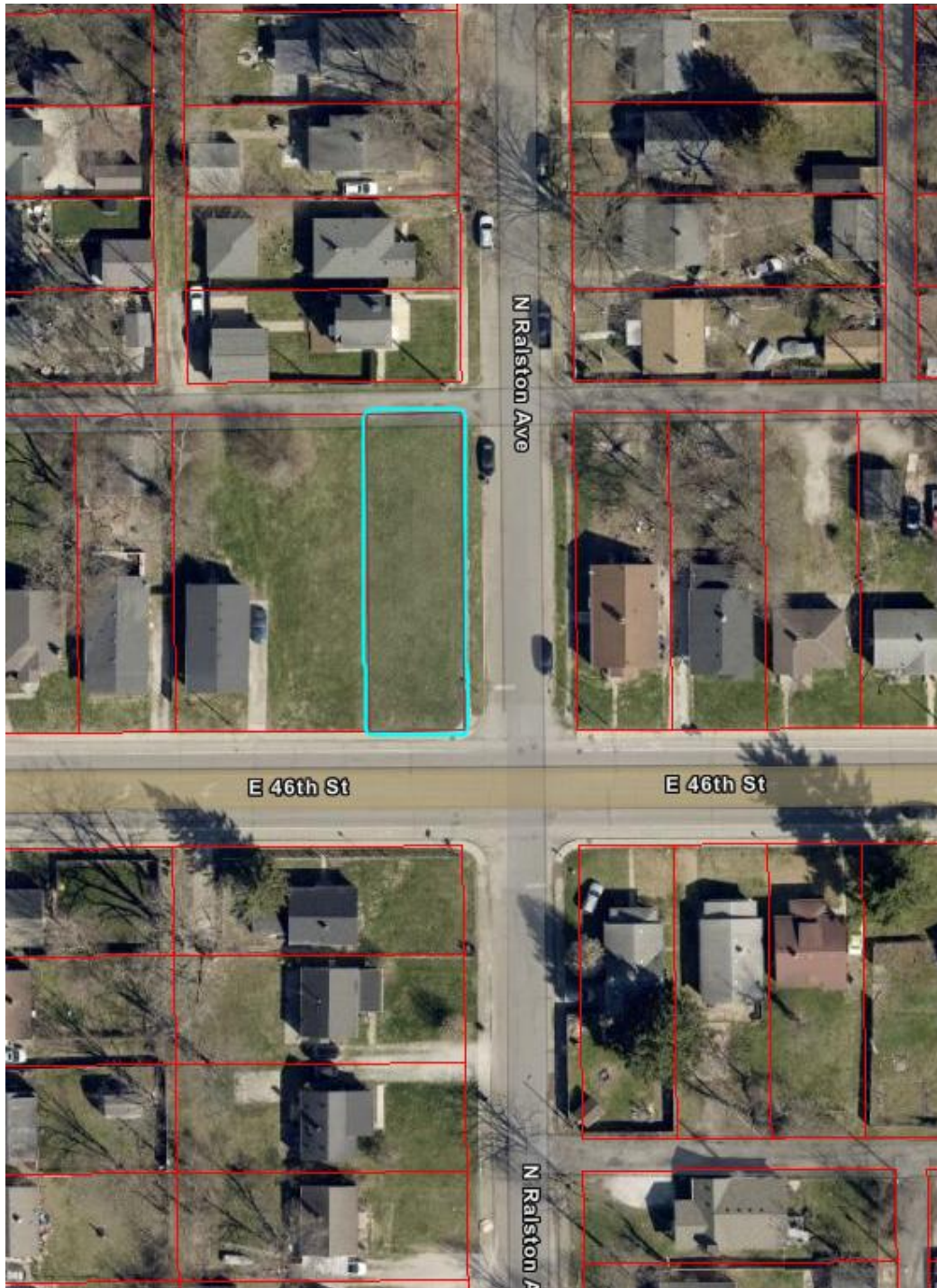
ZONING HISTORY – VICINITY

2026-ZON-055 ; 1624 East 46th Street, Rezoning of 0.14-acre from the SU-1 district to the D-5 district to allow for residential uses, **pending approval.**

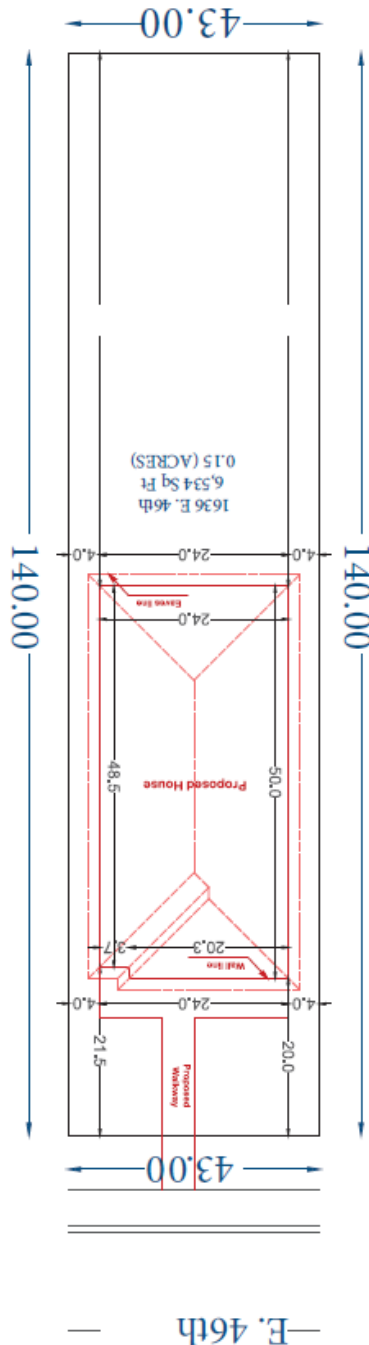
97-V1-73; 1536 East 46th Street, Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 28 by 54 foot single-family residence with: a) a 6-foot-tall privacy fence along East 46th Street (maximum height 42 inches permitted in the front yard);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

EXHIBITS

2026ZON091 ; Aerial Map



2026ZON091 ; Site Plan



Note: above site plan would require variances related the side yard setbacks. Rezoning approval would not remove the applicability of these standards or serve as an indication of staff support for variances to develop the site outside of Ordinance compliance

2026ZON091 ; Photographs



Photo 1: Subject Site Viewed from South



Photo 2: Subject Site Viewed from East

2026ZON091 ; Photographs (continued)



Photo 3: Adjacent Property to West



Photo 4: Adjacent Property to North

2026ZON091 ; Photographs (continued)



Photo 5: Adjacent Property to East



Photo 6: Adjacent Property to South