



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 12, 2024

Case Number:	2024-ZON-095
Property Address:	230, 238 and 240 South Pennsylvania Street (Approximate Addresses)
Location:	Center Township, Council District #18
Petitioner:	Boxcar Development, LLC, by Timothy Ochs
Current Zoning:	I-3 (RC) (FF) (TOD)
Request:	Rezoning of 1.89 acres from the I-3 (RC) (FF) (TOD) district to the CBD-2 (RC) (FF) (TOD) district for a mixed-use development.
Current Land Use:	Five-story warehouse building
Staff Recommendations:	Approval
Staff Reviewer:	Jeffrey York, Principal Planner II

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends approval** of the request.

PETITION OVERVIEW

The 1.89-acre subject site is developed with a five-story warehouse and a small parking lot south of the structure. The warehouse building is located at 230 South Pennsylvania Street and is within the Wholesale District (WD) and governed by the Indianapolis Historic Preservation Commission (IHPC). The remaining portions, 238 and 240 South Pennsylvania Street, are within the Regional Center overlay zone.

This petition would rezone the site from the I-3 (RC) (FF) (TOD) district to the CBD-2 (RC) (FF) (TOD) district to provide for urban mixed uses, specifically a hotel, and commercial uses including an entertainment venue.

On September 4, 2024, the IHPC approved a Certificate of Appropriateness (2024-COA-226) for the rezoning of the portion within the Wholesale District, or 230 South Pennsylvania Street, which is an option available to petitioners. Indiana Law permits the Metropolitan Development Commission's appointed Hearing Examiner the right to make recommendation on properties within IHPC jurisdiction and outside of IHPC jurisdiction. However, the IHPC cannot make a zoning recommendation for properties outside IHPC jurisdiction. Rather than filing two, separate rezoning petitions, the petitioner chose to file this rezoning petition to be heard by the MDC Hearing Examiner and seek a COA through the IHPC. Under the same COA, the IHPC approved the demolition of the existing warehouse structure and for the



construction of the hotel, commercial space, parking garage, entertainment venue and a skybridge over Pennsylvania Street. Finally, the IHPC granted a variance (2024-VHP-008) for the hotel to encroach upon the sky exposure plane two standard of the CBD-2 district.

The I-3 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 sizable area to minimize and detrimental aspects. The development standards and performance standards reflect the recognition of these problems. Location of this district should be as far from protected districts and environmentally sensitive areas as practical and never be adjacent to protected districts.

The CBD-2 district is Central Business District Two for the general downtown area of Indianapolis, surrounding the CBD-1 and CBD-3 districts. The district represents the typical urban core of Indianapolis to be developed at very high density. It is a pedestrian oriented environment with a diverse mixture of uses such as residential, retail, restaurants, entertainment, major public facilities, major convention facilities, sports venues, hotels, and memorials.

RC is Regional Center, which is an overlay district. Design of all new construction, including parking areas in the Regional Center overlay district, is subject to the approval of the Metropolitan Development Commission. No development plans were submitted with this petition.

Staff Analysis

The Core Mixed-Use typology is intended for the core of the City’s Central Business District and along logical extensions from the core (such as the North Meridian Street corridor). It is characterized by dense, compact, and tall building patterns and a substantial degree of activity. Businesses, services, and institutions in this typology serve the entire region as well as residents and tourists. There is a wide range of public spaces, with some designed to accommodate events and festivals. Buildings are at least six stories in height and all off-street parking should be in garages. While buildings in this typology are larger than in other mixed-use typologies, they should still be designed with the pedestrian in mind, with entrances and large windows facing the street. Ideally, this typology has a tight street grid with frequent intersections and small blocks. In areas where small blocks are not practical due to existing development, public pedestrian paths should be provided as cut throughs. This typology has a residential density in excess of 50 units per acre.

For these reasons, Staff is supportive of the rezoning to the CBD-2 (RC) (FF) (TOD) district.

GENERAL INFORMATION

Existing Zoning	I-3 (RC) (FF) (TOD)	
Existing Land Use	A five-story warehouse and a small parking lot	
Comprehensive Plan	Core Mixed Use	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	CBD-2 (WD)	Hotel
South:	CBD-2 (US) (FF) (TOD)	Elevated railroad
East:	CBD-2 (RC) (FF) (TOD)	Gainbridge Fieldhouse
West:	CBD-2 (WD)	Mixed-use commercial

Thoroughfare Plan		
Pennsylvania Street	Primary Arterial Street	78-foot existing and proposed right-of-way.
Georgia Street	Primary Collector Street	56-foot existing and proposed right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	Yes	
Overlay	Yes – Wholesale District – IHPC, Regional Center, and Transit Oriented Development	
Wellfield Protection Area	No	
Site Plan	File-dated August 8, 2024	
Site Plan (Amended)	N/A	
Elevations	File-dated August 8, 2024	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Overlays
 - This site is located within the Regional Center, which is a secondary overlay district. Design of all new construction, including parking areas in the Regional Center overlay district, is subject to the approval of the Metropolitan Development Commission.
 - Blue Line Transit-Oriented Development Strategic Plan (2018).

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends Core Mixed-Use development for the subject site.
- The Core Mixed-Use typology is intended for the core of the City’s Central Business District and along logical extensions from the core (such as the North Meridian Street corridor). It is characterized by dense, compact, and tall building patterns and a substantial degree of activity. Businesses, services,

and institutions in this typology serve the entire region as well as residents and tourists. There is a wide range of public spaces, with some designed to accommodate events and festivals. Buildings are at least six stories in height and all off-street parking should be in garages. While buildings in this typology are larger than in other mixed-use typologies, they should still be designed with the pedestrian in mind, with entrances and large windows facing the street. Ideally, this typology has a tight street grid with frequent intersections and small blocks. In areas where small blocks are not practical due to existing development, public pedestrian paths should be provided as cut throughs. This typology has a residential density in excess of 50 units per acre.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Properties within a Central Business District zone are exempt from the TOD regulations within the Ordinance.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

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



ZONING HISTORY

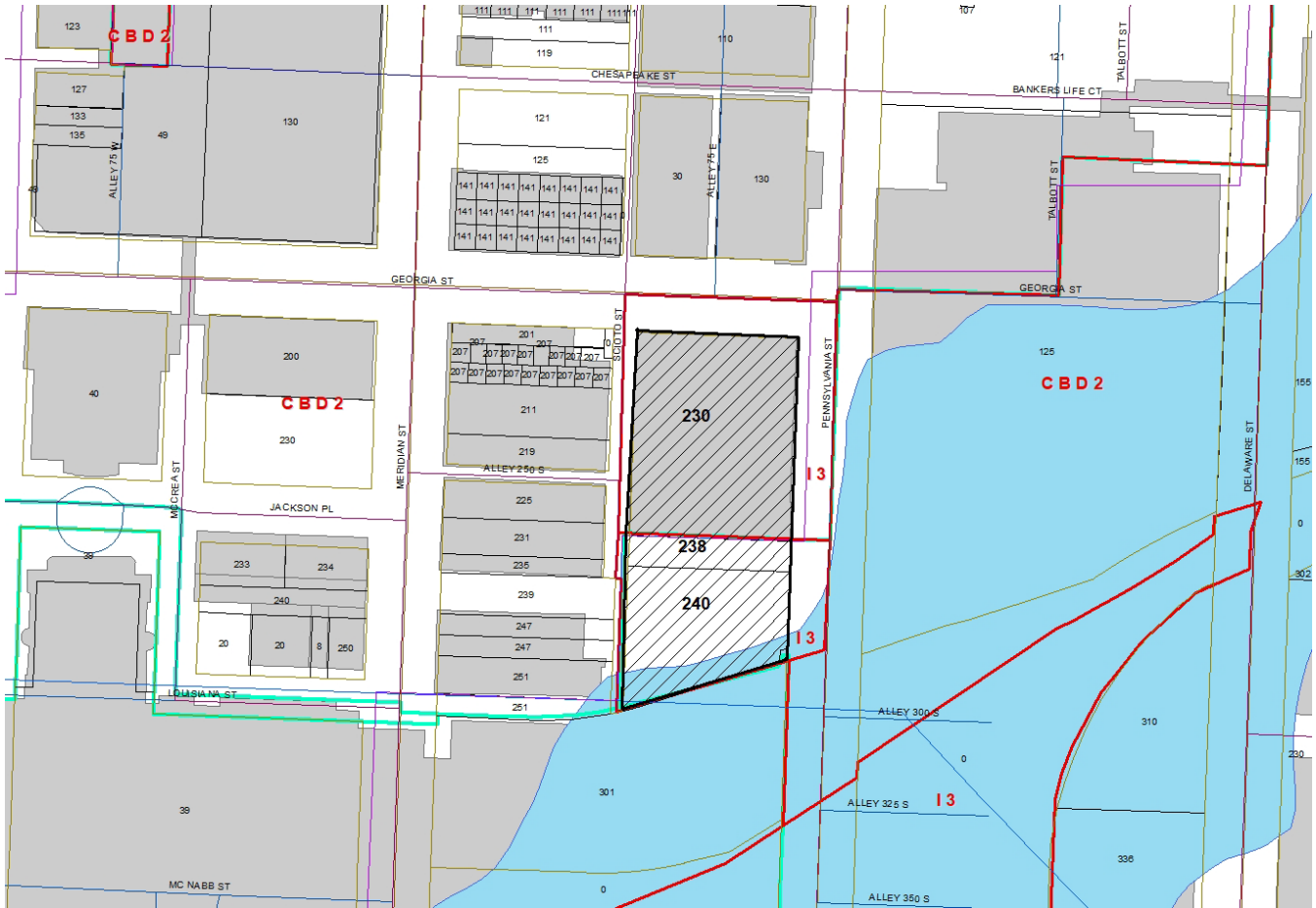
ZONING HISTORY – SITE

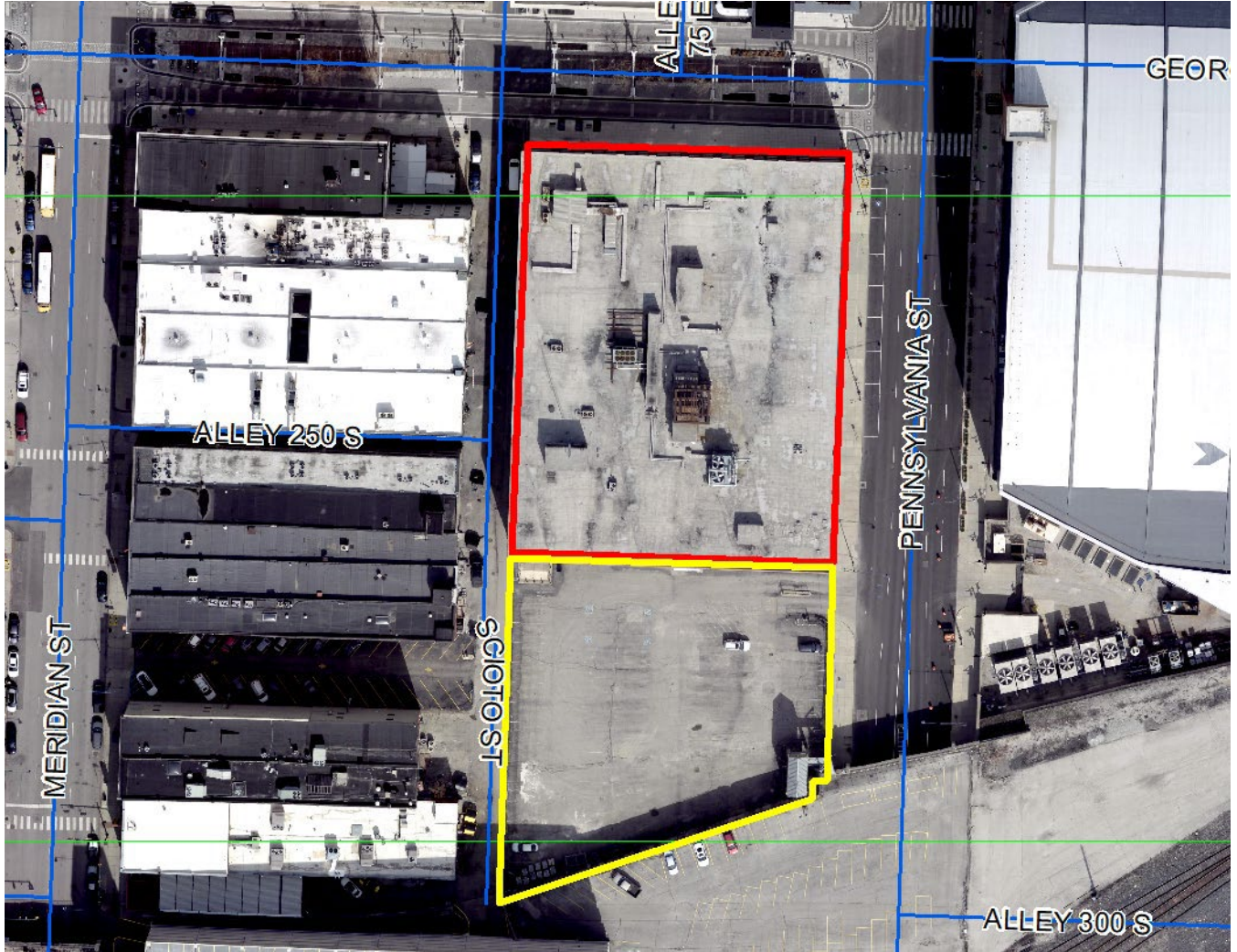
2024-VHP-008; 230 South Pennsylvania Street, requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 13-story hotel with encroachments into the Sky Exposure Plane Two development standard, **granted**.

ZONING HISTORY – VICINITY

None.

EXHIBITS







View of north and east elevations of the existing structure



East elevation



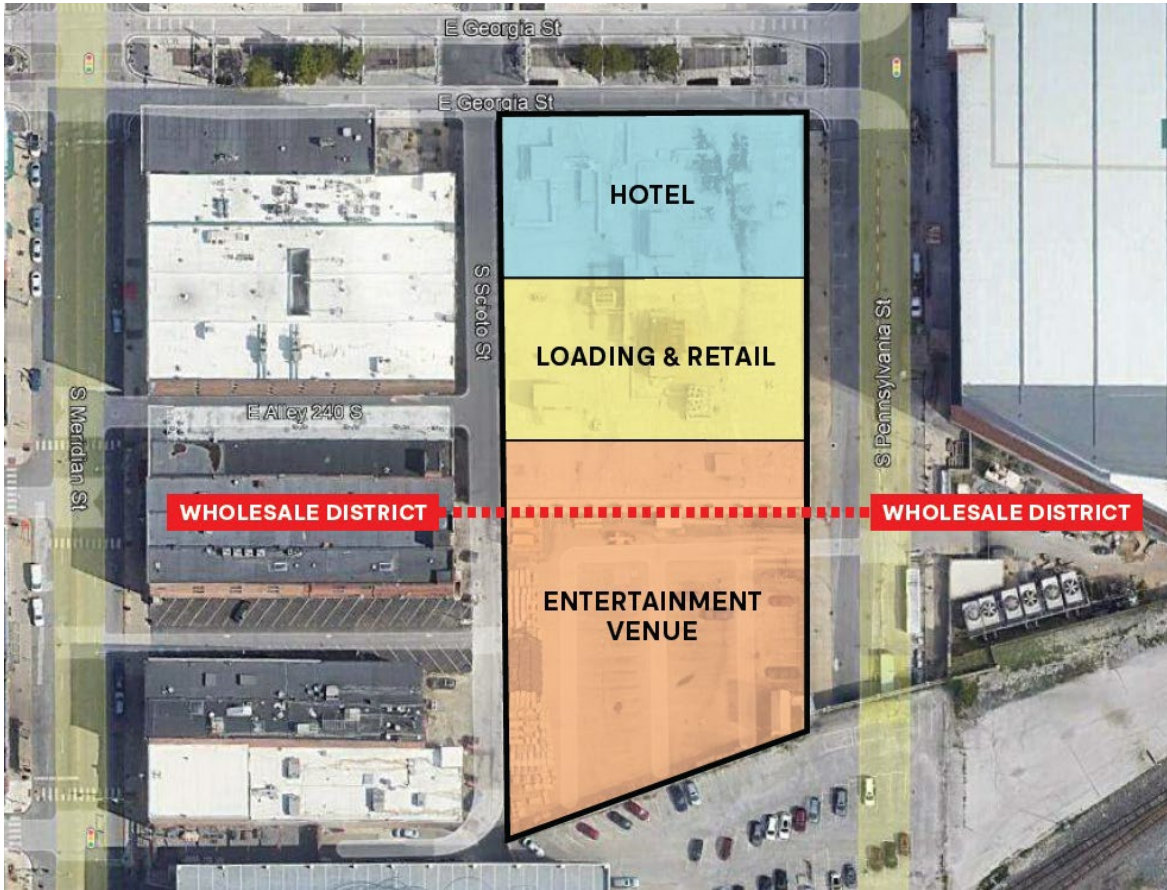
South elevation



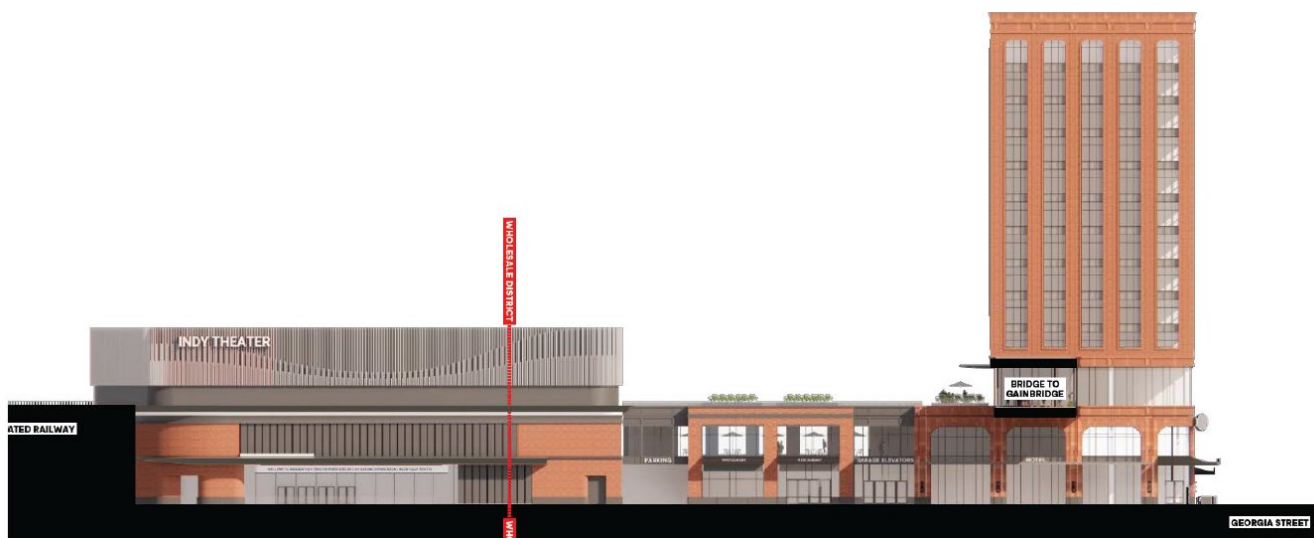
Existing parking lot at 240 South Pennsylvania Street



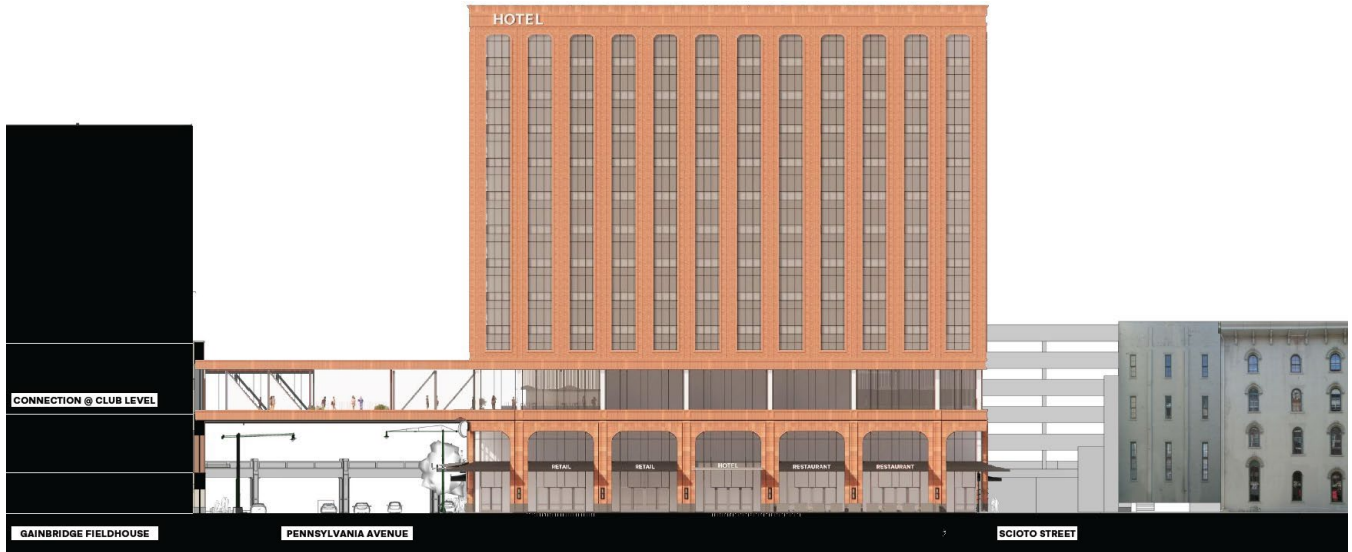
West and north elevations



Proposed site plan



Proposed east elevation



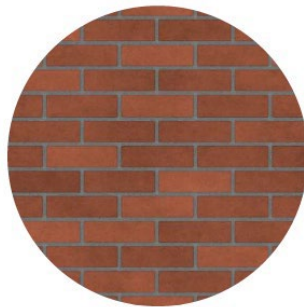
Proposed north elevation



Proposed west elevation



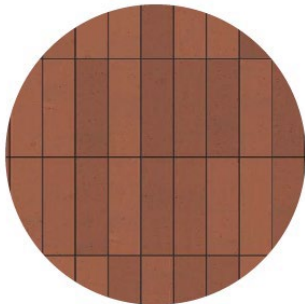
Proposed south elevation



BRICK



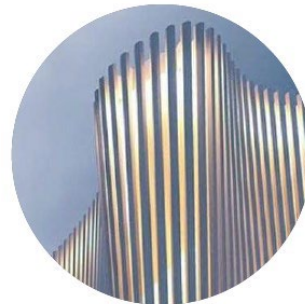
METAL PANEL



TERRACOTTA



GRANITE



METAL CROWN

Proposed building materials