



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 12, 2024

Case Number: 2024-ZON-083
Property Address: 1627, 1631 and 1635 Woodlawn Avenue
Location: Center Township, Council District #18
Petitioner: Indy Real Estate Consulting, LLC, by David Kingen and Emily Duncan
Current Zoning: D-5
Request: Rezoning of 0.51 acres from the D-5 district to the D-8 district to allow for multi-family structures.
Current Land Use: Residential development
Staff Recommendations: Denial.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the August 15, 2024 hearing, to the September 12, 2024 hearing, at the request of staff to provide additional time for the petitioner's representative to submit additional information.

STAFF RECOMMENDATION

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

Final site plan and elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).

PETITION OVERVIEW

This 0.51-acre site, zoned D-5, is comprised of three parcels each developed with a single-family dwelling (according to the Assessor's Office). It is surrounded by single- and multi-family dwellings to the north, across Woodlawn Avenue, zoned D-5; undeveloped land, a vacant commercial structure and a single-family dwelling to the south, zoned C-4; and single-family dwellings to the east and west, zoned D-5.



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

Petition 2021-DV2-017 requested variances of development standards to provide for five lots with reduced lot area, lot width, street frontage and separation between structures. The petition was denied.

This request would rezone all three parcels to the D-8 (Walkable Neighborhood) 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.”

The Comprehensive Plan recommends traditional neighborhood typology, which is a living typology that is primarily residential neighborhoods - places where people live. They may have some other uses mixed in, such as small shops, schools, or places of worship, but homes are the priority in these typologies.

Site Plan

The site plan, file-dated August 20, 2024, provides for two buildings consisting of four townhomes on the easternmost and westernmost parcels. Two detached garages with four spaces would be located south of each of these buildings with access from the east / west alley.

A duplex would be constructed on the middle parcel with attached garages accessed from the alley. This building would be located on the southern portion of the parcel with open space on the northern portion of the parcel resulting in a courtyard configuration. There would be a total of 10 dwelling units, 10 off-street parking spaces and seven on-street parking spaces along Woodlawn Avenue.

Analysis

The request would be consistent with the Comprehensive Plan but not the recommendations and guidelines of the Pattern Book. The design and site plan provide for development that would not be consistent with the neighborhood character of primarily one and two-story single- and two-family dwellings. The introduction and mass of three-story townhomes and would, in fact, be detrimental to the surrounding land uses.

Staff believes that this site would be representative of a terrace frontage that would lend itself to single-family dwellings and duplexes within this neighborhood, rather than the proposed courtyard with attached townhomes that would be classified as neighborhood yard frontage located along higher speed or higher volume streets.

In other words, as proposed this development would be contrary to the Pattern Book, Infill Housing Guidelines and the intent of the transit-oriented overlay and would be disruptive to the existing neighborhood architectural pattern.



Staff also believes that the two proposed four-space detached garages would not be functional in terms appropriate space for maneuverability.

Staff believes that proposed site plan providing for ten dwelling units with two detached four-space garages represent over development of this site originally platted for three single-family dwellings.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Single-family dwellings	
Comprehensive Plan	Traditional Neighborhood Typology	
Surrounding Context	Zoning	Land Use
North:	D-5	Single-family dwellings
South:	C-4	Vacant land / commercial building / single-family dwelling
East:	D-5	Single-family dwelling
West:	D-5	Single-family dwelling
Thoroughfare Plan		
Woodlawn Avenue	Local Street	Existing 60-foot right-of-way and proposed 48-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Transit-Oriented Development	
Wellfield Protection Area	No	
Site Plan	June 13, 2024	
Site Plan (Amended)	August 20, 2024	
Elevations	June 13, 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

The Comprehensive Plan recommends Traditional Neighborhood typology. The Traditional Neighborhood 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 five 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.

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 – Traditional 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.

- *Conditions for All Housing*
 - A mix of housing types is encouraged.
 - Should be within a one-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.
 - Primary structures should be no more than one and a half times the height of other adjacent primary structures.
 - 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 (defined Duplexes, triplexes, quads, townhouses, row houses, stacked flats, and other, similar legally complete dwellings joined by common walls and typically with each unit on its own lot or part of a condominium.)*
 - **Duplexes should be located on corner lots**, with entrances located on different sides of the lot.
 - It is preferred that **townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood-serving retail.**
 - If the above conditions are not met, individual buildings of attached housing (not part of a complex) may be interspersed with single-family homes but should not make up more than 25% of the primary residential structures on a block.
- *Modified Uses – Transit-Oriented Development Overlay*
 - Attached Housing - A residential density of 15+ units per acre is recommended.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The Red Line Transit-Oriented Development Strategic Plan (2021)
- 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 transit stop (Fountain Square) located at the intersection of Virginia Avenue and Woodlawn Avenue with a District Center typology.
- 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.

- Characteristics of the District Center typology are:
 - A dense mixed-use hub for multiple neighborhoods with tall buildings
 - Minimum of three stories at core with no front or side setbacks
 - Multi-family housing with a minimum of five units
 - Structured parking only with active first floor

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- The Infill Housing Guidelines (2021)
- 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.”
- 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

2021-DV2-017, 1627, 1631 and 1635 Woodlawn Avenue, requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for five 4,300-square foot lots with 24 feet of street frontage and lot width and six feet between dwellings, **denied**.

VICINITY

2020-HOV-002; 1528 Woodlawn Avenue (northwest of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a covered deck over an existing porch with a seven-foot front setback (18-foot front setback or average), **granted**.

2019-PLT-024; 1021 South State Avenue (east of site), requested approval of a Subdivision Plat to be known as State Avenue Subdivision, A replat of Lot Seven in Morris and Mills Subdivision, dividing 0.15 acre into two single-family attached lots, **granted**.

2018-DV3-036; 1529 Woodlawn Avenue (west), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for two single-family dwelling lots with 4,208 square-foot lot sizes and 22.5-foot lot widths (minimum lot size of 5,000 square feet required, minimum lot width of 50 feet required), to legally establish existing single-family dwelling on each lot with front yard setbacks of 4.8 feet, side yard setbacks of ranging from one-two feet, and distance between dwellings ranging from 1.7 feet to three feet (front yard setback of 18 feet or average required, three-foot side yard setback required, minimum 10 feet between dwellings required), and to provide for a detached garage at 1531 Woodlawn Avenue with west side setback of 2.6 feet (three-foot side yard setback required), **granted**.

2018-DV1-041; 1715 Woodlawn Avenue (northeast of site), requested variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling, with five feet between dwellings (10 feet between dwellings), **granted**.

2018-HOV-053; 1724 Prospect Street (southeast of site), requested a variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish and provide for primary and accessory single-family residential uses (not permitted), including, but not limited to a single-family dwelling with a zero-foot west side transitional yard and a detached garage with an eight-foot west side transitional yard and a two-foot north rear transitional yard, (10-foot side transitional yard and eight-foot north rear transitional yard required), **granted**.

2018-HOV-090; 935 Spruce Street (northwest of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached garage, creating an open space of 50% (60% required), **granted**.

2018-PLT-071; 1529 and 1531 Woodlawn Avenue (west of site), requested approval of a Subdivision Plat, to be known as Replat of Lot 246 in ET SK & AE Fletcher's Woodlawn Suburb, dividing 0.20 acre into two lots, **granted**.



Department of Metropolitan Development
Division of Planning
Current Planning

2018-ZON-136; 1622 Prospect Street (southwest of site), requested rezoning of 0.16 acre from the C-4 district to the D-5 classification, **approved**.

2017-UV1-024; 1618 Prospect Street (southwest of site), requested a variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for primary and accessory single-family residential uses, including, but not limited to, a single-family dwelling, with a secondary dwelling above a detached garage (not permitted), **withdrawn**.

2017-ZON-092; 1618 Prospect Street (southwest of site), requested rezoning of 0.18 acre from the C-4 district to the D-5 classification, **approved**.

2016-DV1-024; 939 Spruce Street (northwest of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance, to permit the construction of a dwelling and porch addition and a detached garage, with a five-foot front setback from Woodlawn Avenue and three-foot rear setback (18-foot front setback and five-foot rear setback required), creating a 36% open space (60% open space required), **granted**.

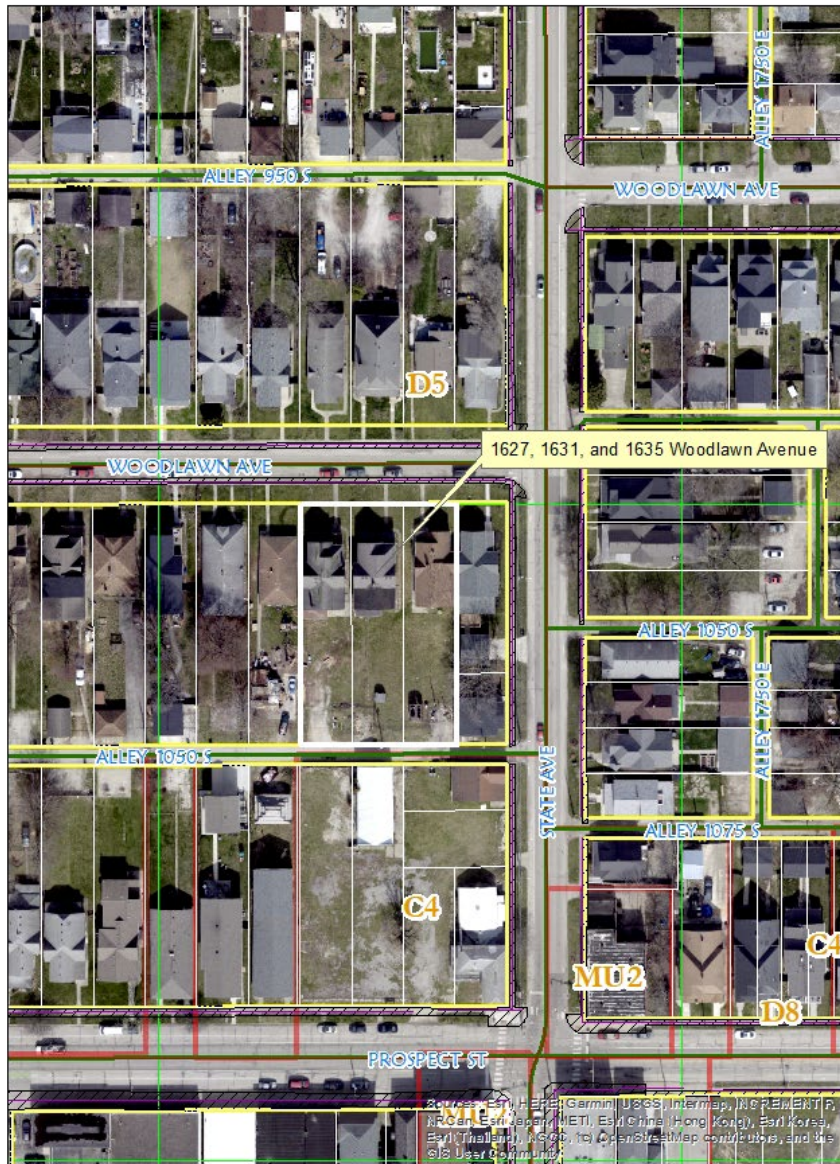
2016-PLT-044; 1714 and 1720 Prospect Street (southeast of site), Approval of a Subdivision Plat, to be known as Replat of Lots Three and Four in D.B. Hosbrooks Subdivision in Dunlap's Addition, dividing 0.26 acre, into four single-family attached lots, **granted**.

2016-ZON-045; 1714 Prospect Street (southeast of site), requested rezoning of 0.13 acre from the C-4 district to the D-8 classification, **approved**.

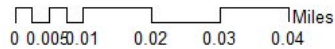
2014-ZON-031; 1702 Prospect Street (southeast of site), requested rezoning of a property, being in the C-4 District, to the C-3C classification, **approved**.

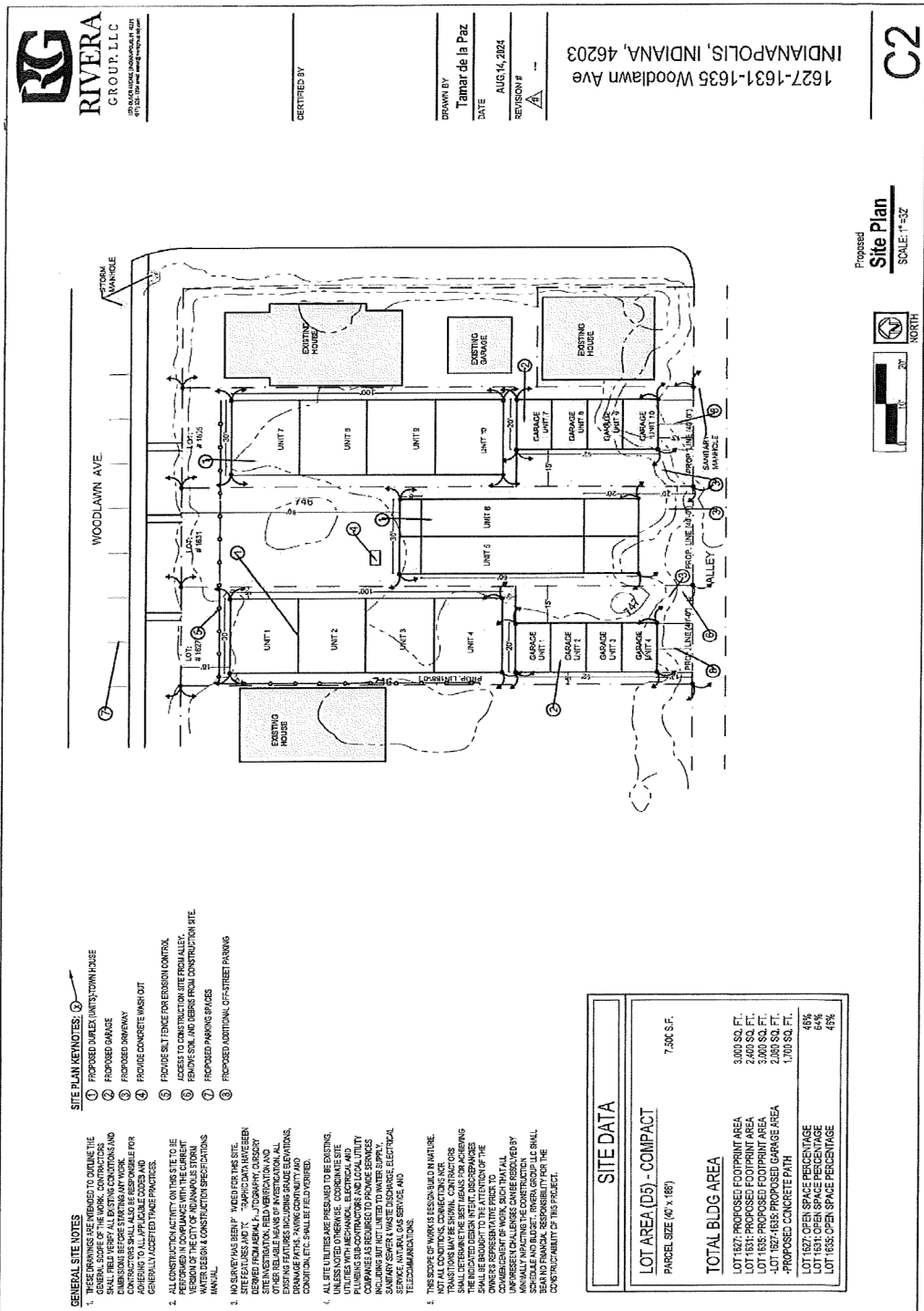
97-Z-95; 1542, 1602-1610 East Prospect Street (southwest of site), requested rezoning of 0.69 acre, being in the C-4 District, to the D-8 classification to provide for residential uses, **approved**.

EXHIBITS



1627 1631 and 1635 Woodlawn Avenue





RIVERA GROUP, LLC
200 S. WASHINGTON AVENUE, SUITE 1000
INDIANAPOLIS, INDIANA 46202
317.221.1000

CERTIFIED BY _____
DRAWN BY **Tamar de la Paz**
DATE **AUG 14, 2024**
REVISION # **A**

1627-1631-1635 Woodlawn Ave
INDIANAPOLIS, INDIANA, 46203

C2

Proposed
Site Plan
SCALE: 1" = 20'




- SITE PLAN KEYNOTES:**
- ① PROPOSED DUREX UNIT/STOWNHOUSE
 - ② PROPOSED GARAGE
 - ③ PROPOSED DRIVEWAY
 - ④ PROPOSED CONCRETE WALK OUT
 - ⑤ PROPOSED SILL TENCE DIMENSION CONTROL
 - ⑥ SUBJECT TO CONSTRUCTION SITE FROM ALLEY, REVISIONS TO BE MADE TO THIS SITE PLAN
 - ⑦ PROPOSED PARKING SPACES
 - ⑧ PROPOSED ADDITIONAL OFF-STREET PARKING

GENERAL SITE NOTES:

- THESE DRAWINGS ARE PREPARED TO OBTAIN THE GENERAL SCOPE OF THE WORK. CONTRACTORS SHALL VERIFY ALL EXISTING CONDITIONS AND UTILITIES PRIOR TO CONSTRUCTION. CONTRACTORS SHALL ALSO BE RESPONSIBLE FOR ADHERING TO ALL APPLICABLE CODES AND GENERALLY ACCEPTED TRADE PRACTICES.
- ALL CONSTRUCTION ACTIVITY ON THIS SITE TO BE PERFORMED IN COMPLIANCE WITH THE CURRENT CITY OF INDIANAPOLIS ZONING ORDINANCE AND WATER DESIGN CONSTRUCTION SPECIFICATIONS MANUAL.
- NO SURVEY HAS BEEN MADE FOR THIS SITE. SITE FEATURES AND "C" MARKING DATA HAVE BEEN DERIVED FROM AERIAL P.H. "DOMINANT" ORDSKY SURVEY. CONTRACTORS SHALL VERIFY ALL EXISTING CONDITIONS AND UTILITIES PRIOR TO CONSTRUCTION. CONTRACTORS SHALL ALSO BE RESPONSIBLE FOR ADHERING TO ALL APPLICABLE CODES AND GENERALLY ACCEPTED TRADE PRACTICES.
- ALL UTILITIES ARE PREPARED TO BE EXISTING. CONTRACTORS SHALL VERIFY ALL EXISTING CONDITIONS AND UTILITIES PRIOR TO CONSTRUCTION. CONTRACTORS SHALL ALSO BE RESPONSIBLE FOR ADHERING TO ALL APPLICABLE CODES AND GENERALLY ACCEPTED TRADE PRACTICES.
- THE SCOPE OF WORK IS DESIGN BUILT IN NATURE. TRANSITIONS MAY BE SHOWN. CONTRACTORS SHALL DETERMINE THE BEST MEANS FOR ACHIEVING THE DESIGN INTENT. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND APPROVALS FROM THE OWNER'S REPRESENTATIVE PRIOR TO COMMENCEMENT OF WORK. DESIGN SHALL BE MANUALLY ADJUSTING THE CONSTRUCTION SCHEDULE AND BUDGET. RIVERA GROUP, LLC SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR THE CONSTRUCTION OF THIS PROJECT.

SITE DATA	
LOT AREA (DG) - COMPACT	7,300 S.F.
TOTAL BLDG AREA	
LOT 1627 PROPOSED FOOTPRINT AREA	3,000 SQ. FT.
LOT 1631 PROPOSED FOOTPRINT AREA	2,400 SQ. FT.
LOT 1635 PROPOSED GARAGE AREA	2,000 SQ. FT.
LOT 1627-1635 PROPOSED GARAGE AREA	1,700 SQ. FT.
-PROPOSED CONCRETE PATH	
LOT 1627 OPEN SPACE PERCENTAGE	62%
LOT 1631 OPEN SPACE PERCENTAGE	64%
LOT 1635 OPEN SPACE PERCENTAGE	45%



RIVERA
GROUP, LLC
1025 S. UNIVERSITY BLVD., SUITE 400
INDIANAPOLIS, IN 46202
317.331.1100 | www.riveragroup.com

CERTIFIED BY

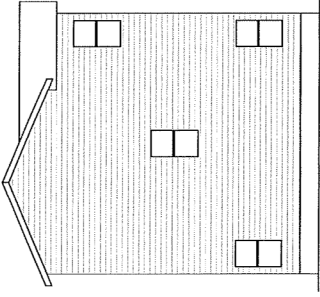
DRAWN BY
Tamar de la Paz

DATE
MAY 01, 2024

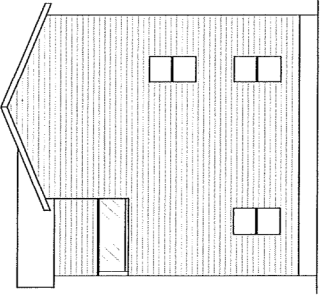
REVISION #
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1635 Woodlawn Ave.
INDIANAPOLIS, INDIANA, 46203

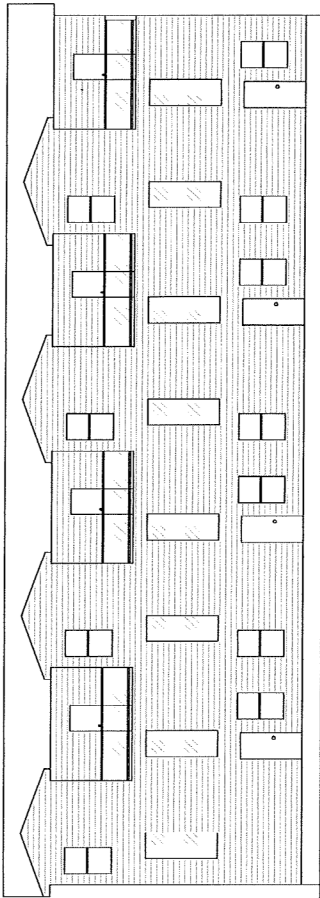
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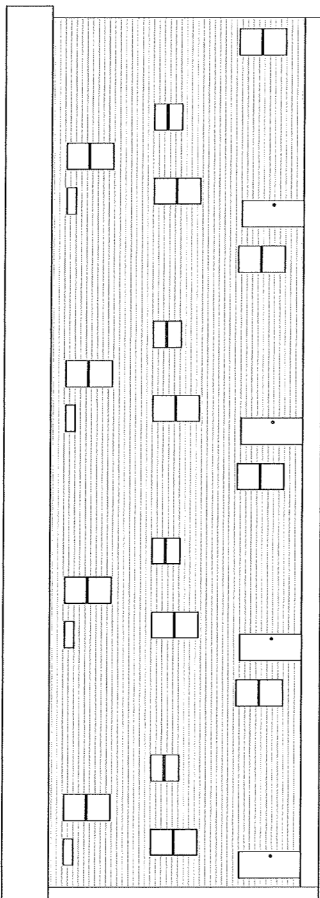
PROPOSED NORTH ELEVATION



PROPOSED SOUTH ELEVATION





PROPOSED WEST ELEVATION



PROPOSED EAST ELEVATION

Proposed Elevations
SCALE 3" = 32'





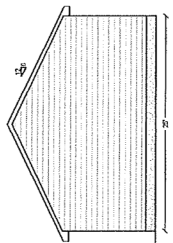
RIVERA
 GROUP, LLC
 12345678901 (INDIANAPOLIS, IN 46201)
 (317) 555-1234 | www.riveragroup.com

CERTIFIED BY _____

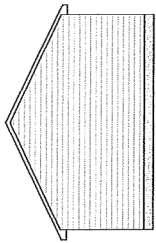
DRAWN BY **Tamar de la Paz**
 DATE **MAY 01, 2024**
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1635 Woodlawn Ave.
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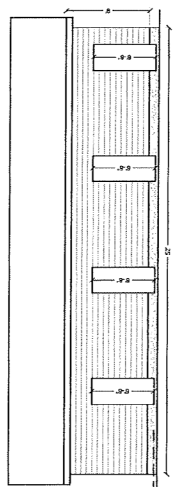
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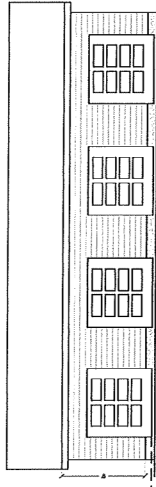
PROPOSED NORTH ELEVATION



PROPOSED SOUTH ELEVATION

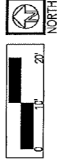


PROPOSED EAST ELEVATION



PROPOSED WEST ELEVATION

PROPOSED Elevations
Garage
 SCALE: 3" = 32'



NORTH



View looking east along Woodlawn Avenue



View looking west along Woodlawn Avenue



View of existing dwelling (1627 Woodlawn Avenue) looking south



View of existing dwelling (1635 Woodlawn Avenue) looking south



View of existing dwelling (1631 Woodlawn Avenue) looking southeast ac