



METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER

January 29, 2026

<b>Case Number:</b>	2025-ZON-138
<b>Property Address:</b>	7125 Fall Creek Road (Approximate Address)
<b>Location:</b>	Lawrence Township, Council District #3
<b>Petitioner:</b>	Central Indiana Council, Boy Scouts of America, by Timothy Ochs and Jennifer Milliken
<b>Current Zoning:</b>	SU-7
<b>Request:</b>	Rezoning of 11.93-acres from the SU-7 (FF) district to the C-S (FF) classification to provide Business, art, or other post-secondary proprietary school, Community Center, Museum, Library or Art Gallery, Medical or Dental Offices, Centers or Clinics, Medical or Dental Laboratory, Financial and Insurance Services, Hair and Body Care Salon or Service, Indoor Recreation & Entertainment, Food Preparation, Banquet Facility or Event Center, Office: Business, Professional or Government, and Information Technology R&D with any accessory use associated with the C-1 District and those associated with a permitted use.
<b>Current Land Use:</b>	Vacant Building
<b>Staff Recommendations:</b>	Approval with commitments.
<b>Staff Reviewer:</b>	Marleny Iraheta, Senior Planner

**PETITION HISTORY**

This is the first hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommend approval** of the request subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three (3) days prior to the MDC hearing:

1. A revised Development Statement shall be submitted to remove the Medical or Dental Laboratory uses.
2. A Landscape Plan shall be submitted to indicate the northern street frontage landscaping and interior landscaping to be maintained.
3. A Tree Preservation Plan shall be submitted to note the existing wooded area east of the building, along the west and southwest portions of the site, and along the southern property boundary will be maintained.

## PETITION OVERVIEW

### LAND USE

The 11.93-acre subject site is developed with a vacant commercial building and associated parking lot.

It is surrounded by multi-family dwellings to the north, zoned D-6, campground facilities to the south, zoned SU-7, and city owned property and right-of-way to the west, zoned C-1.

### REZONING

The SU- 7 district permits charitable, philanthropic, and not-for-profit institutions.

The grant of the request would allow for the rezoning of the site to the C-S district to provide Business, art, or other post-secondary proprietary school, Community Center, Museum, Library or Art Gallery, Medical or Dental Offices, Centers or Clinics, Medical or Dental Laboratory, Financial and Insurance Services, Hair and Body Care Salon or Service, Indoor Recreation & Entertainment, Food Preparation, Banquet Facility or Event Center, Office: Business, Professional or Government, and Information Technology R&D and any accessory use associated with the C-1 District and those associated with a permitted use.

The Special Commercial district (C-S) is established for the following purposes:

1. To encourage:
  - i. A more creative approach in land planning.
  - ii. Superior site and structural design and development.
  - iii. An efficient and desirable use of open space.
2. To provide for a use of land with high functional value.
3. To assure compatibility of land uses, both within the C-S district and with adjacent areas.
4. To permit special consideration of property with outstanding features, including, but not limited to, historical, architectural or social significance, unusual topography, landscape amenities, and other special land characteristics.
5. To provide maximum adaptability and flexibility in zoning and development controls to meet the changing and diverse needs of the metropolitan area.

The C-S District is designed to permit, within a single zoning district, multi-use commercial complexes or land use combinations of commercial and noncommercial uses, or single-use commercial projects. The primary objective of this district is to encourage development which achieves a high degree of excellence in planning, design or function, and can be intermixed, grouped or otherwise uniquely located with maximum cohesiveness and compatibility. The district provides flexibility and procedural economy by permitting the broadest range of land use choices within a single district, while maintaining adequate land use controls. The C-S District can include high-rise or low-rise developments, can be applied to large or small land areas appropriately located throughout the metropolitan area, and can be useful in areas of urban renewal or redevelopment.

Development site plans should incorporate and promote environmental considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage and wildlife.

## **FLOOD FRINGE**

This site has a secondary zoning classification of a 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 proposed in the C-S primary zoning district are permitted except for the Medical and Dental Laboratories. Permitted uses are subject to certain development standards of the Flood Control Secondary Zoning Districts regulations.

This site lies within the floodway fringe of Fall Creek, which runs south of Fall Creek Parkway North Drive.

## **STAFF ANALYSIS**

The proposal would utilize the approximate 25,000 square-foot existing building and available 112 on-site parking spaces. The building would be used as an office, coworking, meeting and event facility per the Plan of Operation submitted.

The site is perfectly situated for the primary intended use as offices and event facility after rezoning the site due to the isolated location surrounded by public street frontages. Additionally, the site has two (2) entrances and two (2) exits along Fall Creek Road North with one exit along Fall Creek Road. This allows for good circulation on site with minimal traffic impact on Fall Creek Road with the right-only exit preventing traffic incidents.

The Development Statement would include a variety of uses which would be supportable. However, staff would request the removal of the Medical and Dental Laboratories from the list of permitted uses since they would not be permitted in the Floodway Fringe. If the petitioner intends to pursue these uses, the petition will need to be amended with a Variance of Use to allow the use within the Floodway Fringe.

The petitioner's representative confirmed that the site would not be redeveloped and the intent is to leave the site as is, but staff would request that a landscape plan and tree preservation plan be submitted to ensure the existing landscaping and wooded areas would be maintained.

In conclusion, staff will be recommending approval of the request subject to three (3) commitments as outlined above.

## **GENERAL INFORMATION**

<b>Existing Zoning</b>	SU-7
<b>Existing Land Use</b>	Vacant Building

<b>Comprehensive Plan</b>	Regional Special Use	
<b>Surrounding Context</b>	<u>Zoning</u>	<u>Land Use</u>
North:	D-6	Residential (Multi-family dwellings)
South:	SU-7	Campground
East:	SU-7	Campground
West:	C-1	City right-of-way
<b>Thoroughfare Plan</b>		
Fall Creek Road North	Local Street	50-foot proposed right-of-way and 58-foot to 95-foot existing right-of-way range.
Fall Creek Road	Secondary Arterial Street	80-foot proposed right-of-way and 103-foot to 168-foot existing right-of-way range.
Shadeland Avenue	Primary Arterial Street	60-foot proposed right-of-way 60-foot existing right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	Yes	
<b>Overlay</b>	Yes	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	N/A	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	December 5, 2025	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Indy Moves Transportation Integration Plan (2018)

### Pattern Book / Land Use Plan

- The Comprehensive Plan recommends Regional Special Use development of the site.

- The Regional Special Use is a non-typology land use, which is a stand-alone land use mapped outside of the typology system due to its scale or the nature of its use.
- This category provides for public, semi-public and private land uses that serve a specific institutional purpose for a significant portion of the county. Examples are large-scale, generally stable institutional uses such as cemeteries, hospitals, universities, high schools, government complexes, large museums, the Indiana State Fairgrounds, and the Indianapolis Motor Speedway. Long Range Planning staff should provide guidance regarding any property use changes in this typology. Partial property changes should remain thematically or economically supportive of the special use while also being contextually sensitive to adjacent existing development and land use plans. Redevelopment, use changes, or other significant changes to the entire property must be informed by a planning study conducted by Department of Metropolitan Development to determine Land Use Plan recommendations.

#### 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)

- The site falls within the Indy Moves Transportation Integration Plan (2018) which proposes an off-street multi-use path along Shadeland Avenue / 71<sup>st</sup> Street from Johnson Road / Fall Creek to Hague Road / 82<sup>nd</sup> Street.

## ZONING HISTORY

### Zoning History – Site

**2009-DV2-065; 7125 Fall Creek Road North** (subject site), Variance of Development Standards of the Sign Regulations to provide for a 42-foot tall signal tower as a component of a free-standing sign, with a flag-pole and flag extending 8.5 feet above the signal tower for a total height of 50.5 feet, being within approximately 180 feet of the D-6 protected district to the north (maximum height of four feet permitted within 600 feet of a protected district), **withdrawn**.

**98-Z-104; 6201 North Shadeland Avenue** (subject site), Rezone from SU-7 to C-S to provide for a gasoline station, convenience store, and car wash, **withdrawn**.

### Zoning History – Vicinity

**95-Z-15; 6202 North Shadeland Avenue** (west of site), Rezone from C-1 to SU-35 to provide for cellular mobile communication public utility service, **approved**.

**74-Z-68; Between I-465 and Shadeland Avenue north of Fall Creek Road** (northwest of site), Rezoning from the D-6 district to the C-1 classification, **approved**.

**68-Z-233; Between I-465 and Shadeland Avenue, Fall Creek Road and East 71<sup>st</sup> Street** (northwest of site), Rezoning from the A-2 and D-2 districts to the D-6 classification, **approved**.

**66-Z-61; North of Fall Creek and East of Shadeland Avenue** (north of site), Rezoning of 40.8 acres being in R-2 district to D-6 classification to provide for the construction of a town house and cluster house addition, **approved**.

**62-Z-139; 1908 Churchman Avenue** (northeast of site), Rezoning of 1.125 acres, being in the R-1 district to the R-2 classification to permit a six-unit apartment building, **approved**.

## EXHIBITS

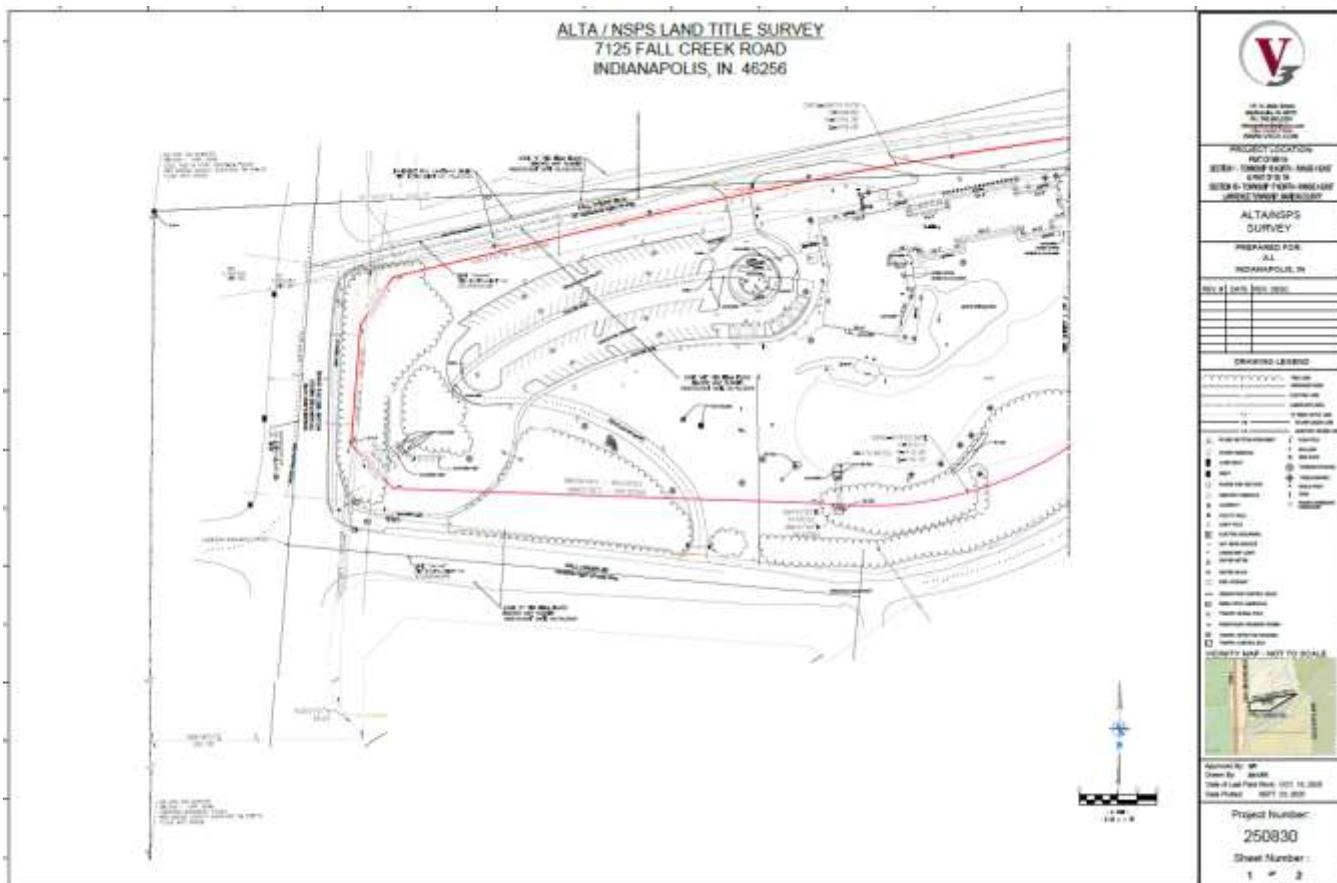


## AERIAL MAP



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

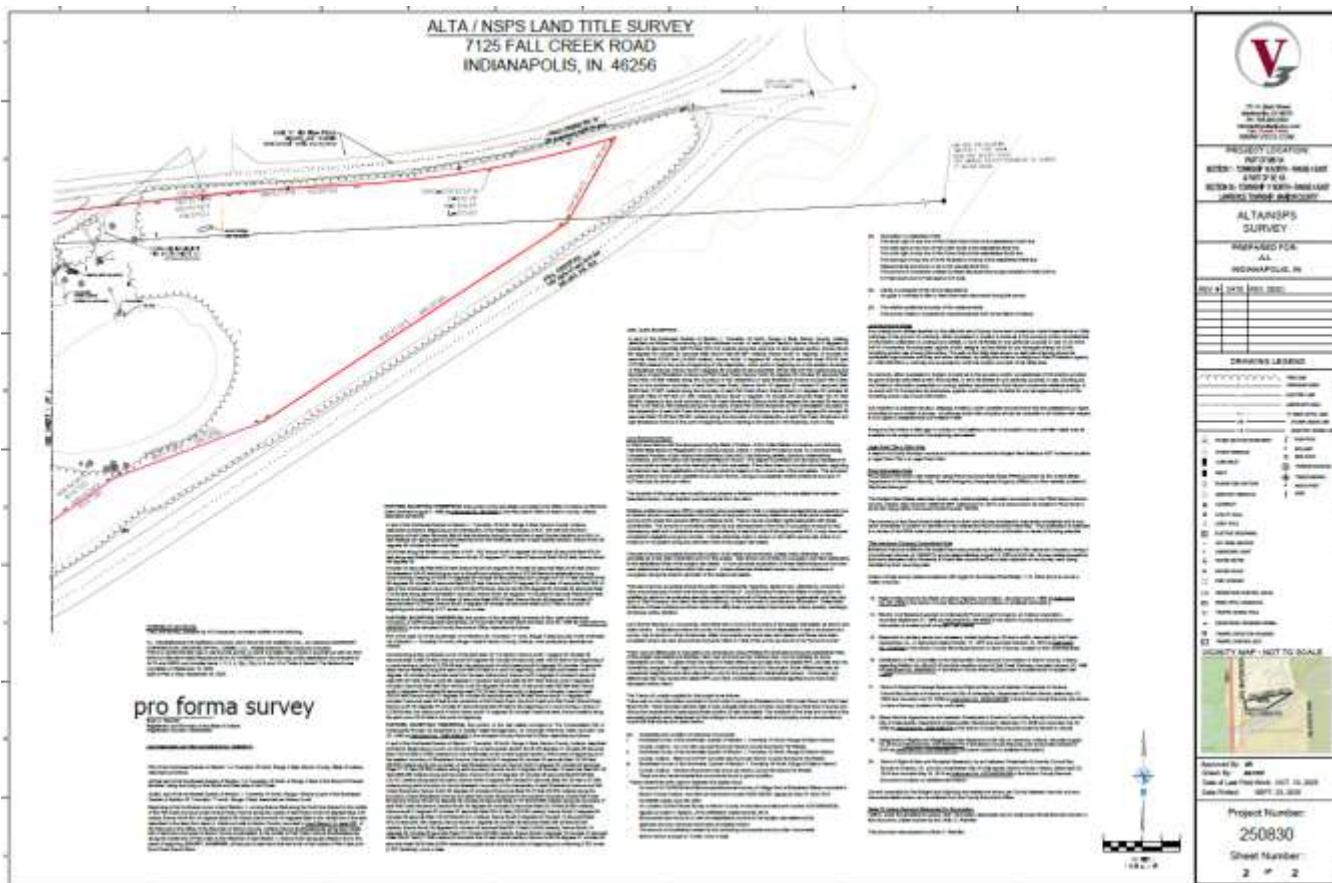
## SURVEY





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

## **SURVEY (Continued)**



## PLAN OF OPERATION

**Exhibit B.**  
**PLAN OF OPERATION**  
**7125 Fall Creek Parkway (Former Boy Scouts Building)**

The proposed operations at the Fall Creek property will consist of a professionally managed private office, coworking, meeting, and event facility serving local businesses, entrepreneurs, and community organizations. The building will also host limited social events, such as private receptions and weddings, consistent with the space's size, layout, and available on-site parking.

The building is approximately 25,000 square feet and will continue to be used in its current footprint. No exterior construction or additions are proposed beyond routine repairs, maintenance, and interior renovations necessary for tenant improvements and building modernization.

### **Business Use & Hours of Operation**

#### **Coworking, Offices & Meetings**

The facility will provide coworking, private offices, meeting rooms, and small conference uses. Typical hours of operation:

- **Monday–Friday:** 7:00am – 7:00pm
- **Saturday:** 8:00am – 4:00pm
- **Sunday:** Closed except for special events

Daily operations include building access control, receptionist or community management presence, and routine maintenance and cleaning.

#### **Events**

The event portion of the building will accommodate corporate gatherings, workshops, nonprofit functions, and limited private social events such as wedding ceremonies and receptions.

Event hours will be limited to:

- **Sunday–Thursday:** Events conclude by 10:00pm
- **Friday–Saturday:** Events conclude by 11:00pm

No more than 448 seats will be permitted on site, consistent with available parking.

## PLAN OF OPERATION (Continued)

### **Staffing**

Between 3–6 employees will typically be on site during normal business hours, including community management, administrative staff, and custodial or maintenance personnel. Additional contracted staff may be present during scheduled events.

### **Deliveries & Vendors**

Delivery traffic will consist primarily of small commercial vehicles (vans, box trucks) typical of office supply deliveries, catering vendors, or event rental drop-offs.

- Deliveries will occur during normal business hours only.
- No outdoor storage of materials, equipment, or supplies will occur.

### **Parking**

The site includes approximately 112 parking spaces (104 standard, 8 ADA). Parking is adequate to support the proposed office and event uses, and no off-site parking is required.

### **Noise**

All activities will comply with city noise ordinances.

### **Security & Access**

The building includes security lighting and a 24-hour camera system covering entrances, parking areas, and interior common spaces.

Access is controlled via electronic key or scheduled entry, and the building is locked and secured outside business hours and event windows.

### **Waste Handling**

Waste and recyclables will be stored indoors or in screened containers and removed by a commercial waste provider. No hazardous materials will be stored or used on site.

### **Summary**

The Fall Creek facility will operate as a professional, well-managed office and event center with limited, responsibly managed social events. Operations will remain fully contained within the existing building footprint, with predictable hours, controlled parking, and neighborhood-appropriate uses.

## DEVELOPMENT STATEMENT

List of Permitted Uses and Development Standards for  
CS Rezoning Petition of 7125 Fall Creek Road

1. Defined Terms. Except as specifically provided herein, defined terms shall have the same meaning as provided in the Zoning Ordinance for Marion County, Indiana (the "Zoning Ordinance").
2. Preliminary Site and Development Plan. The Site and Development Plan attached hereto as Exhibit A (the "Development Plan") is a final site and development plan which applies to the real estate described therein (the "Real Estate").
3. General Intent. The general planning and development intent with respect to the Real Estate is to allow the operation of a business on the Real Estate as provided on the Plan of Operation attached hereto as Exhibit B.
4. Permitted Uses. The following uses shall be permitted on the Real Estate: Business, art, or other post-secondary proprietary school; Community Center; Museum, Library or Art Gallery; Medical or Dental Offices, Centers or Clinics; Medical or Dental Laboratory; Financial and Insurance Services, Hair and Body Care Salon or Service, Indoor Recreation & Entertainment; Food Preparation; Banquet Facility or Event Center; Office: Business, Professional or Government; and Information Technology R&D. Accessory uses may include any accessory use associated with the C-1 District under the Zoning Ordinance and those accessory uses customarily associated with a permitted use.
5. Application of Development Standards. Except as specifically provided for herein, permitted uses and development in this CS district shall conform to the regulations and requirements of the Zoning Ordinance.

## AMENDED DEVELOPMENT STATEMENT

### List of Permitted Uses and Development Standards for CS Rezoning Petition of 7125 Fall Creek Road

1. Defined Terms. Except as specifically provided herein, defined terms shall have the same meaning as provided in the Zoning Ordinance for Marion County, Indiana (the "Zoning Ordinance").
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5. Application of Development Standards. Except as specifically provided for herein, permitted uses and development in this CS district shall conform to the regulations and requirements of the Zoning Ordinance.

## PETITONER PROPOSED COMMITMENTS

AND, ALSO EXCEPTING:

A part of the Northwest Quarter of Section 1, Township 16 North, Range 4 East, Marion County, Indiana, described as follows: Commencing at the northwest corner of said quarter section; thence South 0 degrees 06 minutes 38 seconds West 893.76 feet (272.419 meters) along the west line of said quarter section; thence South 89 degrees 53 minutes 22 seconds East 222.97 feet (67.981 meters); thence North 31 degrees 15 minutes 45 seconds West 52.03 feet (15.859 meters); thence North 3 degrees 58 minutes 54 seconds East 575.00 feet (175.280 meters) to the point of beginning of this description, which point of beginning is on the eastern boundary of Shadeland Avenue; thence North 3 degrees 58 minutes 54 seconds East 150.00 feet (45.720 meters) along the boundary of said Shadeland Avenue and Fall Creek Road; thence North 48 degrees 23 minutes 30 seconds East 42.84 feet (13.059 meters) along the boundary of the intersection of said Shadeland Avenue and said Fall Creek Road to the southern boundary of said Fall Creek Road; thence North 76 degrees 33 minutes 37 seconds East 58.95 feet (17.987 meters) along the boundary of said Fall Creek Road; thence South 41 degrees 33 minutes 48 seconds West 37.69 feet (11.488 meters); thence South 2 degrees 19 minutes 39 seconds West 221.79 feet (67.601 meters) to the north boundary of Fall Creek Boulevard; thence North 86 degrees 56 minutes 20 seconds West 12.32 feet (3.756 meters) along the boundary of said Fall Creek Boulevard to the northeastern boundary of the intersection of said Fall Creek Boulevard and said Shadeland Avenue; thence North 42 degrees 56 minutes 36 seconds West 78.35 feet (23.881 meters) along the boundary of the intersection of said Fall Creek Boulevard and said Shadeland Avenue to the point of beginning and containing 0.320 acres (0.130 hectares), more or less.

### Statement of COMMITMENTS:

1.	<u>The owner agrees to abide by the Open Occupancy and Equal Employment Opportunity Commitments required by Metropolitan Development Commission Resolution No. 85-R-69, 1985, which commitments are attached hereto and incorporated herein by reference as Attachment "A".</u>
2.	<u>A landscape plan shall be drawn upon a copy of the site plan and shall include the location of existing trees and landscaping materials, indicating size and species (common and botanical name). Such plan shall be submitted to the Administrator to be kept on file as a part of the rezoning petition (2025-ZON-138).</u>
3.	<u>The owner agrees not to remove any heritage trees, defined as trees measuring 8 inches in diameter at breast height, except in the event that removal is recommended by a certified arborist.</u>

These COMMITMENTS shall be binding on the owner, subsequent owners of the real estate and other persons acquiring an interest therein; provided that Commitment #1 (Open Occupancy and Equal Opportunity Commitments) shall not be binding on an owner, subsequent owners or other person acquiring an interest therein if such persons are exempt persons or are engaged in an exempt activity as defined on Attachment "A" which is attached hereto and incorporated herein by reference. These COMMITMENTS may be modified or terminated by a decision of the Metropolitan Development Commission made at a public hearing after proper notice has been given.

COMMITMENTS contained in this instrument shall be effective upon the adoption of rezoning petition # 2025-ZON-138 by the City-County Council changing the zoning classification of the real estate from an SU-



Photo of the subject site looking north.



Photo of the subject site looking northwest.



Photo of the existing building on site looking east



Photo of the existing parking lot looking south.



Photo of the existing parking lot looking west.



Photo of the northern property boundary looking west.