



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

January 23, 2025

Case Number: 2024-APP-031
Property Address: 5700 East 23rd Street
Location: Warren Township, Council District #9
Petitioner: City of Indianapolis, Department of Parks and Recreation, by Henry Woodburn
Current Zoning: PK-1 (Virginia Lee O'Brien Park)
Request: Park District One approval to provide for a new playground, sidewalks, a shade structure, parking area, pickleball courts, locations for future improvements, and drainage improvements.
Current Land Use: Open Space / Park
Staff Recommendations: Approval.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first public hearing on this petition.

STAFF RECOMMENDATION

Approval of the approval request, subject to substantial compliance with the site and development plan file dated December 13, 2024.

PETITION OVERVIEW

This 3.30-acre site, zoned PK-1, is developed with a park and surrounded by single-family dwellings to the north, across East 24th Street and the south, across East 23rd Street, zoned D-4; two-family dwellings and an elementary school to the east, across Bolton Avenue, zoned D-5; and single-family dwellings to the west, zoned D-4.

Petition 2009-ZON-034 the Metropolitan Development Commission rezoned 463.544 acres of park land and natural areas located throughout the city to the PK-1 district to align the zoning district with the use of the land. This park was included in the rezoning.

APPROVAL

Park District One Approval

The Ordinance classifies Park District One and Two as Development Plan Districts. “No use, building or structure shall hereafter be established, constructed or used on any land in a Development Plan district for any purpose, until a Site and Development Plan for such land, including the proposed use or uses, has been filed with and approved by the Commission in accordance with this zoning ordinance.”

“The Commission may consider and act upon any such proposed use and Site and Development Plan, approve the same in whole or in part, and impose additional development standards, requirements, conditions, or commitments thereon at any public hearing of the Commission.”

Land in the development plan districts is subject to the following site and development requirements. In review of the proposed Site and Development Plan, the Commission must assess whether the Site and Development Plan, proposed use, buildings and structures must:

- a. Be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan;
- b. Create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the development plan district and with adjacent uses;
- c. Provide sufficient and adequate multi-modal access, such as parking and loading areas, transit provisions, and bicycle facilities;
- d. Integrate a multi-modal transportation network using active and passive traffic control with the existing and planned public streets and interior roads;
- e. Provide adequately for sanitation, drainage and public utilities in a sustainable, low impact manner;
- f. Allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan; and
- g. Provide pedestrian accessibility and connectivity, which may be paths, trails, sidewalks, or combination thereof. Pedestrian accessibility to available public transit must be provided. Sidewalks along eligible public streets consisting of the walkway and any curb ramps or blended transitions must be provided. If sidewalks are required to be installed, the Administrator or the Commission must be guided by the provisions of Section 744-304 for the installation of sidewalks.



The Site and Development Plan must include layout and elevation plans for all proposed buildings and structures, and must indicate:

- a. Proposed uses, buildings and structures.
- b. All existing uses, buildings, and structures, in addition to any proposed to be demolished.
- c. Proposed buildings and structures and the use of each.
- d. Elevations of all sides of each building.
- e. Zoning and existing land uses of adjacent properties.
- f. Off-street vehicle and bicycle parking layouts with summary table of the number of required off-street parking, loading, and stacking spaces.

The request would upgrade the existing amenities and add new amenities within this park that would expand and improve recreation opportunities for the surrounding residential neighborhood, resulting higher quality of life for the park users and surrounding land uses.

The development plan for this park would include a new playground, sidewalks, a shade structure, parking area, pickleball courts, locations for future improvements, and drainage improvements.

GENERAL INFORMATION

Existing Zoning	PK-1	
Existing Land Use	Park	
Comprehensive Plan	Suburban Neighborhood typology	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North:	D-4 Single-family dwellings
	South:	D-4 Single-family dwellings
	East:	D-5 Two-family dwellings / school
	West:	D-4 Single-family dwellings
Thoroughfare Plan		
East 23 rd Street	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
East 22 nd Street	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
North Bolton Avenue	Local Street	Existing 25-foot right-of-way and proposed 48-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	

Site Plan	December 13, 2024
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	December 13, 2024
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends suburban neighborhood typology. “The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 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.

Staff believes appropriate application of The Pattern Book for the proposed D-8 district in this area would be those guidelines associated with the traditional neighborhood typology.

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.
 - Hydrological patterns should be preserved wherever possible.

- Curvilinear streets should be used with discretion and should maintain the same general direction.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- *Small-Scale Parks (defined as public or private parks that are generally under 10 acres in size).*
 - With the exception of minimally improved natural areas or golf courses, parks should be integrated as focal points and should not have more than 25% of their perimeter comprised of adjoining rear or side yards.
 - Should be situated along streets on which the front door of housing units is located.
 - If a component of a master planned development, continuous pedestrian infrastructure (sidewalk, greenway, or off-street path) between the proposed site and any residential uses within the development should be provided.

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 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:

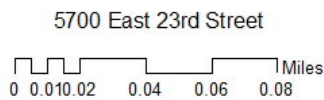
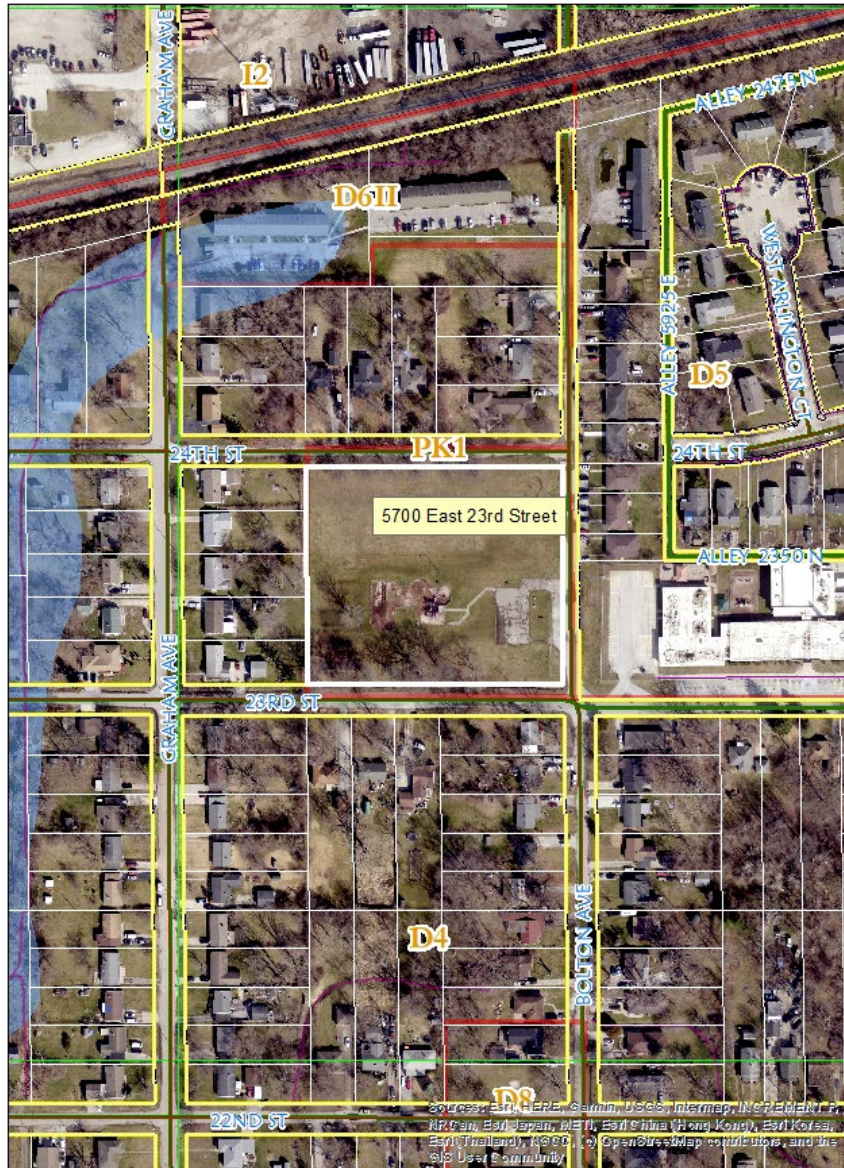
- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.

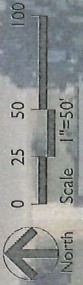
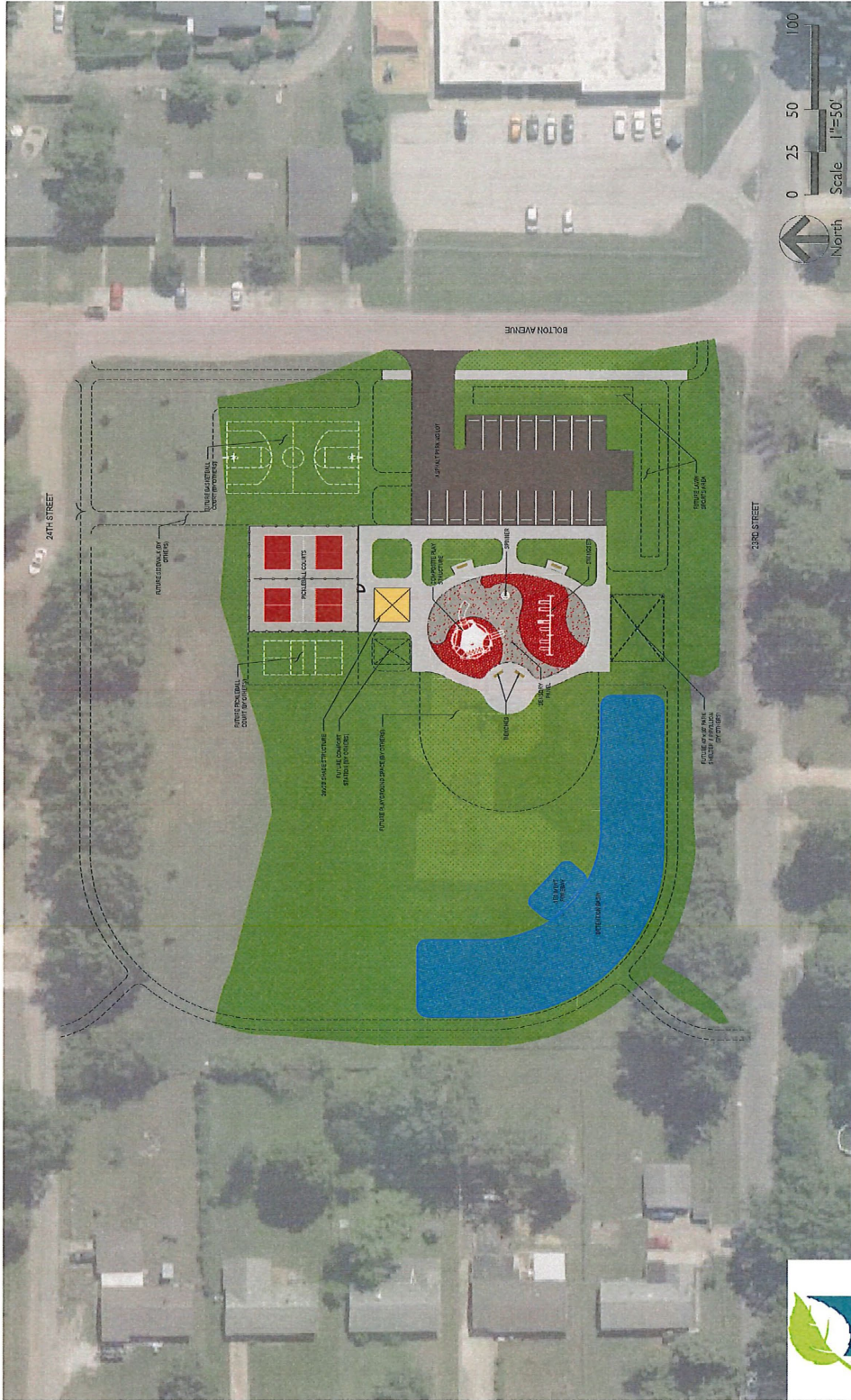


ZONING HISTORY

2009-ZON-034; 7400 Acton Road, 5706 North Meridian Street, 2605 Kentucky Avenue, 9501 East 36th Place, 5335 & 5353 South High School Road and 6038-6240 Valley Lane, 8401 Rockville Road, 1934 North DeQuincy Street, 5398 Milhouse Road, 750 Greer Street, 4241 Fairview Terrace and 4242 Crown Street, 5670 Stonehill Drive, 1700 North Franklin Road, 7425 Mendenhall Road, 1313 Madison Avenue, 254 East Beecher Street, 5624 South Carroll Road, 4900 West Southport Road, 1616 East 71st Street; 1603 and 1625 West Ohio Street, 1618 Everett Street, 120 North Reisner Street, and 135 North Richland Street; 4459 Shelbyville Road, 5700 East 23rd Street, and 1701 East Washington Street, rezoning of 463.544 acres from multiple zoning classifications to the PK-1 classification to provide for park and recreational uses, **approved.**

EXHIBITS





INFRASTRUCTURE
 ENGINEERING | INC. AND ARCHITECT

context
 DESIGN

Indy Parks Playgrounds Improvements
 Virginia Lee O'Brien Park





Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
OF MARION COUNTY, INDIANA
PETITION FOR UNIVERSITY QUARTER ONE/TWO APPROVAL
PETITION FOR PARK DISTRICT ONE/TWO APPROVAL
PETITION FOR HOSPITAL DISTRICT ONE/TWO APPROVAL**

FINDINGS OF FACT

The Metropolitan Development Commission finds that the site and development plan file-dated _____, 20____

A. Has been designed to create a superior land development plan, in conformity with the Comprehensive Plan because:

The Land Use Plan identifies that the parcel is a suburban neighborhood park. Per the Consolidated Zoning/Subdivision Ordinance, parks or playgrounds are permitted uses in all zoning districts. The site development plan improves the condition of the park through the construction of a new playground with new playground surface, sidewalk, benches, a new shade structure, pickleball courts, parking area, as well as landscape and drainage improvements.

B. Creates and maintains a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the development plan district and with adjacent uses because:

The site development plan calls for a new playground, playground surface, sidewalk, benches, a new shade structure, proposed parking area, and additional improvements. These additions will improve the current state of the park.

C. Provides sufficient and adequate multi-modal access, such as parking and loading areas, transit provisions, and bicycle facilities because:

The sidewalk and proposed parking area and bicycle racks within the proposed plan will enhance the park's connectivity to the surrounding neighborhood.

D. Integrates a multi-modal transportation network using active and passive traffic control with the existing and planned public streets and interior roads because:

The new sidewalk and parking area will enhance connectivity to the park, its features, and the neighborhood.

E. Provides adequately for sanitation, drainage, and public utilities in a sustainable, low-impact manner because:

The park is serviced by the owner (Indy Parks) and the Department of Public Works. Property drainage is being designed by a professional engineer and incorporates appropriate low-impact designs.



Department of Metropolitan Development
Division of Planning
Current Planning

F. Allocates adequate sites for all uses proposed, - the design, character, grade, location, and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan, because:

The property is currently a suburban neighborhood park.
The proposed design maintains the current use of the park and proposes enhancements that are appropriate in design, character, grade, location, and orientation with existing conditions.

G. Provides pedestrian accessibility and connectivity, which may be paths, trails, sidewalks (If sidewalks are required to be installed, the Administrator or the Commission must be guided by provisions of Section 744-304 for the installation of sidewalks), or combination thereof; provides pedestrian accessibility to available public transit; and provides sidewalks along eligible public streets consisting of the walkway and any curb ramps or blended transitions because:

New sidewalk will be built within the park. The new sidewalk connects the new playground to existing park features and to a proposed parking area.

DECISION

IT IS THEREFORE the decision of this body that this APPROVAL petition is APPROVED.

Adopted this _____ day of _____, 20 ____

Commission President/ Secretary



View of site looking west across North Bolton Avenue



View of site looking west across North Bolton Avenue



View of site looking west across North Bolton Avenue



View of site looking south across East 24th Street



View of site looking south across East 24th Street



View of site looking south across East 24th Street



View of site looking north across East 23rd Street



View of site looking north across East 23rd Street



View of site looking north across East 23rd Street



View of site looking north across East 23rd Street