



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

January 23, 2025

Case Number: 2024-ZON-139
Property Address: 1135 and 1141 North Tacoma Avenue (Approximate Address)
Location: Center Township, Council District #13
Petitioner: Ariana & Joel D. Mathews, by Paul J. Lambie
Current Zoning: D-5
Request: Rezoning of 0.36 acres from the D-5 district to the D-5II classification to provide for residential uses.
Current Land Use: Undeveloped
Staff Recommendations: Denial
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This petition was automatically continued from the December 19, 2024 hearing to the January 23, 2025 hearing at the request of a registered neighborhood organization.

STAFF RECOMMENDATION

Staff **recommends denial** of the request.

PETITION OVERVIEW

LAND USE

The 0.36-acre subject site is comprised of two individual parcels (1043708 and 1010745) located in the Near Eastside Neighborhood. The sites are surrounded by D-5 zoned properties in each direction with undeveloped lots and single-family dwellings. There are two two-family dwellings southwest of the site, but they have not been individually subdivided and were developed with different development standards when constructed.

REZONING

This petition would rezone this site from the D-5 district to the D-5II district.

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 D-5II district is intended for small-lot housing formats, primarily for small, detached houses, but also including a mix of small-scale multi-unit building types. This district can be used for new, walkable suburban neighborhoods or for infill situations in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood or Traditional Neighborhood Typologies of the Land Use Pattern Book.

STAFF ANALYSIS

Staff determined that the rezoning to the D-5II would not be supportable at this location.

An approval to the D-5II district would create a precedent for additional rezonings to the D-5II district within this predominant single-family dwelling neighborhood that is currently zoned D-5. To prevent spot zoning and the possibility of row house development in the immediate area that could possibly not align with the context of the surrounding neighborhood or the Infill Housing Guidelines, staff cannot support the request as submitted.

Instead, staff would note that the exiting D-5 district already allows for a mix of residential development in line with the context of the surrounding area such as single-family dwellings with secondary dwellings unit or the construction of two-to-four-unit multi-unit houses. Both options provide an increase in housing opportunities and density without the need to alter the zoning district.

Furthermore, staff would prefer that the D-5 zoning district remain and variances for a duplex be filed instead of proceeding with the rezoning petition.

The desire to seek the zoning change is solely for the individual sale of units, which is not an adequate reason to rezone the property.

GENERAL INFORMATION

| | | |
|----------------------------|--------------------------|--|
| Existing Zoning | D-5 | |
| Existing Land Use | Undeveloped | |
| Comprehensive Plan | Traditional Neighborhood | |
| Surrounding Context | <u>Zoning</u> | <u>Land Use</u> |
| | North: | D-5 Residential (Single-family dwelling) |
| | South: | D-5 Residential (Single-family dwelling) |
| | East: | D-5 Residential (Single-family dwelling) / Undeveloped |
| | West: | D-5 Residential (Single-family dwelling) |
| Thoroughfare Plan | | |
| Tacoma Avenue | Local Street | 48-foot proposed right-of-way and 60-foot existing right-of-way. |

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|-----------------------------------|--------------|--|
| 12 th Street | Local Street | 48-foot proposed right-of-way and 50-foot existing right-of-way. |
| Context Area | Compact | |
| Floodway / Floodway Fringe | No | |
| Overlay | No | |
| Wellfield Protection Area | No | |
| Site Plan | N/A | |
| 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 (2019)
- The Near Eastside Quality of Life Plan (2020)
- Infill Housing Guidelines (2021)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends traditional neighborhood development of the site.
- 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 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.

- **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.
 - Developments with densities higher than 15 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.
- **Detached Housing**
 - The house should extend beyond the front of the garage. Garages should be loaded from an alley or side street when possible and should be detached if located on the side of the house.
 - Secondary units are encouraged.
 - Lots should be no larger than one and a half times the adjacent lots.
- **Attached Housing**
 - 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.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- The site falls within The Near Eastside Quality of Life Plan (2020).
- One priority of this plan is to develop quality affordable and market-rate homeownership opportunities.
- Another priority is to develop quality affordable and market-rate rental opportunities. An action step is to develop carriage houses for low-moderate income households in areas experiencing rapid increase in property values in order to increase density and enable homeowners to stay in the neighborhood.

- Ultimately, these two priorities of the Plan could be met if variances for the development standards were sought instead of attempting to introduce them by rezoning sites that could already be developed appropriately.

Infill Housing Guidelines

- **BUILDING ELEVATIONS AND ARCHITECTURAL ELEMENTS**
 - **1. Utilize Foundation Styles and Heights that are Consistent with Nearby Houses:** The height of the foundation affects where doors, porches, and windows are located. Unless there are special circumstances that require additional height, such as the location is in or near a floodplain, the foundation height for new construction should be consistent with nearby buildings.
 - **2. Be Consistent with Surrounding Entry Locations:** Main entries should be visible from the street. Entries should not be hidden, obscured, or missing from the main street elevation (front). The entry should reflect a similar characteristic to those that surround it, such as formal or casual, recessed or flush, narrow or wide.
 - **3. Where Appropriate, Include Porches or Stoops:** Use context to determine if front porches are consistent elements used in the neighborhood. If so, add porches or stoops to new construction.
 - **4. Coordinate the Location and Door Style of Balconies with the Surrounding Neighborhood:** Balconies are common architectural elements in some neighborhoods, but uncommon in others. Balconies along the street should be used when appropriate. When a balcony is used, consider the appropriate door access for the type of balcony. For example, Juliet balconies, which are intended to bring the outside in, make the most sense when French doors are used.
 - **5. Consider Nearby Roof Styles:** The basic outline of a new building should reflect building outlines typical of the area. Roof selection and overall height contribute to the building outline. Select roof shapes that are frequently used in the neighborhood.
 - **6. Fenestration Should Relate to the Surrounding Context:** Windows and doors should be arranged on buildings so as not to conflict with the basic fenestration patterns in the neighborhood. The proportion of glass (windows) to solid materials (wood, bricks, and other materials) which is found within the surrounding context should be reflected in new construction. Every elevation (sides and rear) should have windows on each story to help break up the monotony of the façade.
 - **7. Materials Used Should Reflect the Context of the Neighborhood:** Introducing new materials that are not used in the existing context should be done in a way where those materials are not the dominant material and make up less than 30% of the overall façade design.



- **8. Consider Unique Neighborhood Features:** In addition to the architectural features mentioned above, consider other common features like chimneys, dormers, gables, and overhanging eaves that shape the character of a neighborhood. When possible, include these features into new construction.

Indy Moves

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

- Not Applicable to the Site.



ZONING HISTORY

Zoning History - Vicinity

2005-LNU-027; 1213 North Tacoma Avenue (north of site), Certificate of Legally Established Non-Conforming Use (LNCU) to legally establish a three-dwelling unit building in a D-5 zoning district, **denied**.

90-UV2-79; 1128-1130 North Tacoma Avenue (southwest of site), Variance of use and development standards of the Dwelling District Zoning Ordinance to permit the continued use of a four-unit apartment building with exterior stairway and landing 2.5 feet from south property line (four feet required) and a lot width of 42 feet (50 feet required), **denied**.

87-UV2-117; 1118 North Tacoma Avenue (southwest of site), Variance of use and development standards of the Dwelling Districts Zoning Ordinance to legally establish the conversion of a single-family residence into a two-family residence with exterior stairs that encroach into the required side yard, **withdrawn**.

EXHIBITS

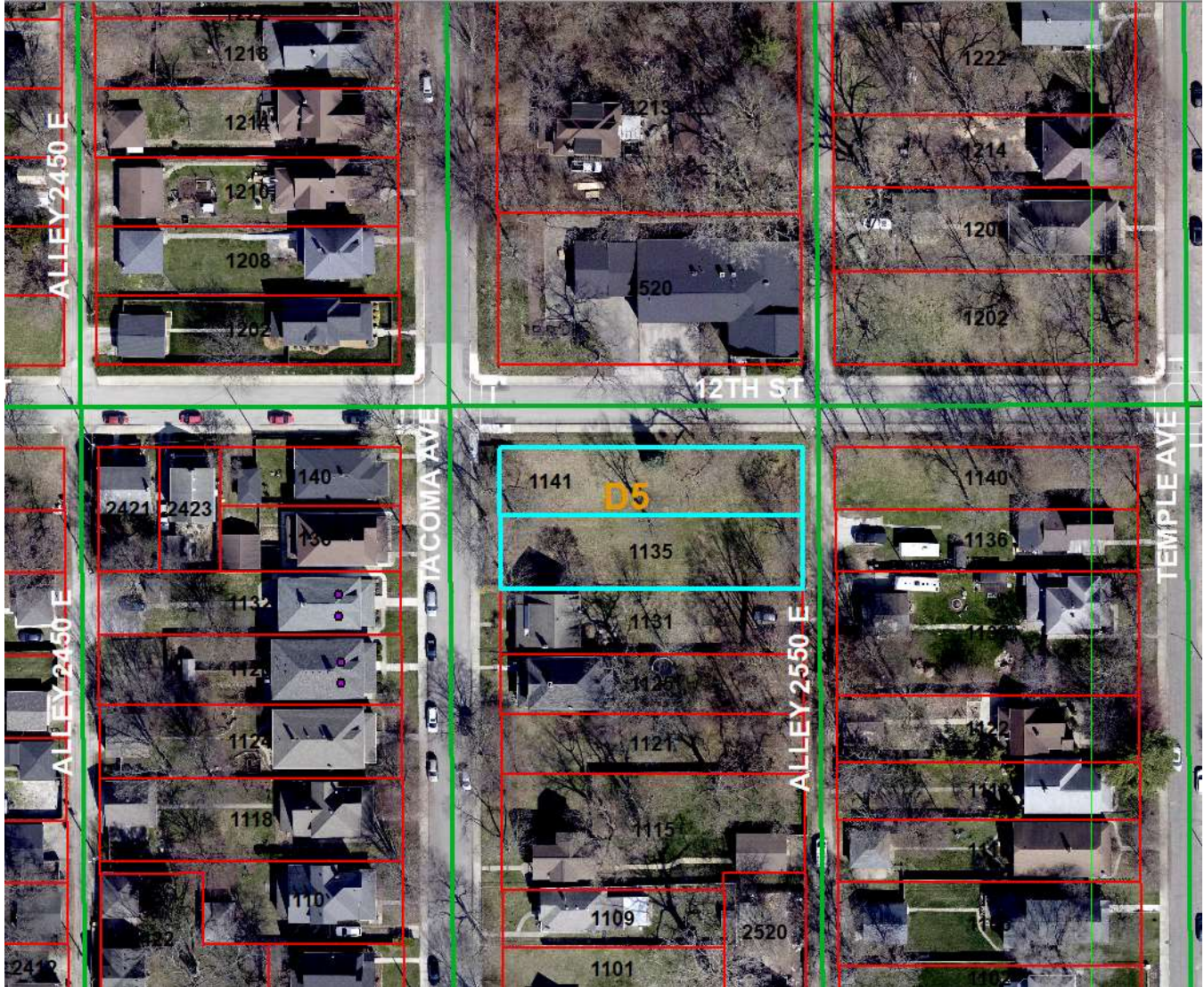




Photo of 1141 North Tacoma Avenue.



Photo of 1135 North Tacoma Avenue.



Photo of the subject site looking southeast from across 12th Street.



Photo of the alley east of they alley looking south.



Photo of single-family dwellings south of the site.



Photo of an undeveloped lot north of the subject site.



Photo of single-family dwellings west of the site.