

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 24, 2026

Case Number: 2026-CAP-852 / 2026-CVR-852

Property Address: 524 East 16th Street

Location: Center Township, Council District #13

Petitioner: Kroger Limited Partnership I, Alex Barnett

Current Zoning: PK-II

Request: Park District Two Approval to provide for one freestanding sign and one building sign on existing building.

Current Land Use: Commercial uses

Staff Recommendations: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 188.4-square-foot building sign (maximum 74-square-foot building sign or 3% of building façade permitted)

Staff Reviewer: Approval of Park District Approval and Variance of Development Standards.

Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued 2026-APP-014 (now void) from the August 13, 2026 hearing, to the September 24, 2026 hearing, at staff's request, to provide additional time to submit a petition for a variance of development standards that would be companioned with the approval petition and provide notice.

STAFF RECOMMENDATION

Staff recommends approval of park district approval and the variance of development standards.

PETITION OVERVIEW

This 1.88-acre site, zoned PK-II, is developed with a grocery store and associated parking. It is surrounded by a parking lot to the north, zoned PK-II; a multi-family dwelling to the south, across East 16th Street, zoned D-8; multi-family dwellings to the east, across North Park Avenue, zoned PK-II; and undeveloped land to the west, zoned PK-II.

This site was included in Petition 70-Z-260 that rezoned 80 acres to the PK-II district. Petitions 89-AP-14 and 94-AP-31 provided for signage.

PARK DISTRICT TWO APPROVAL

This request would provide for Park District Two Approval to provide for updated existing signs, including a wall sign and a freestanding sign.

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 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. The Commission must, also make written findings concerning any decision to approve or disapprove a Site and Development Plan.”

This request would allow for replacement of the existing wall sign and the sign face of the existing free-standing sign with the new logo. Staff finds that the proposed updated signs would be acceptable and compatible with the surrounding residential uses. Signage on this site has existed over 40 years, with occasional updates without a negative impact on adjacent land uses.

Staff would note that approval of this request relates only to signage and not approval of the site plan that depicts development of a fueling center and small retail building fronting on East 16th Street.

VARIANCE OF DEVELOPMENT STANDARDS

The request would provide for a 188.4-square-foot building sign when the Ordinance limits square-footage to a maximum of 74-square feet or 3% of the building façade in special use districts.

The existing wall sign is approximately 99 square feet that received Administrator Approval in 2017 (2017-ADM-087). The proposed wall sign would be approximately 89 square feet larger but given the historical use of this site and improvements to the building façade, staff finds that the larger sign would not be out of scale with the building and would not negatively impact the surrounding residential character of the surrounding neighborhood. Therefore, staff supports this request.

GENERAL INFORMATION

Existing Zoning	PK-II	
Existing Land Use	Commercial uses	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Land Use
North:	PK-II	Parking lot
South:	D-8	Multi-family dwelling
East:	PK-II	Multi-family dwellings
West:	PK-II	Undeveloped land
Thoroughfare Plan		
East 16 th Street	Primary Arterial	Existing 55-foot right-of-way and proposed 78-foot right-of-way.
North Park Avenue	Local Street	Existing 55-foot right-of-way and proposed 78-foot right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	August 12, 2026	
Site Plan (Amended)	N/A	
Elevations	August 12, 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	August 12, 2026	
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 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.”

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.

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 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

2022-APP-005; 524 East 16th Street, requested Park district Two Approval to provide for an automobile fueling station, **withdrawn**.

94-AP-31; 524 East 16th Street, requested Park District Two approval to provide for the placement of a 100-square-foot wall sign, **approved**.

89-AP-13; 524 East 16th Street, requested Park District Two approval for the relocation of existing building signs, **approved**.

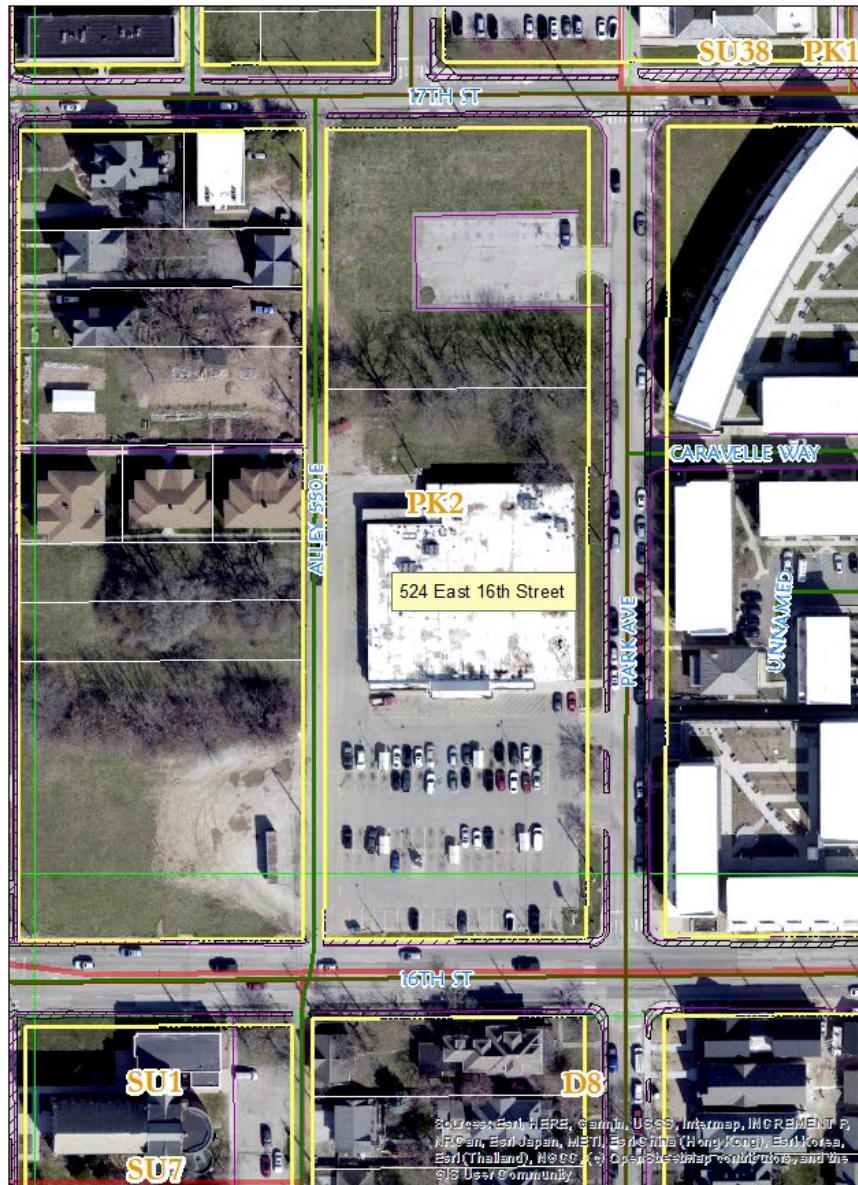
74-AP-46, 1642 North Park Avenue, requested Park District Two approval for a kitchen addition, **approved**.

70-Z-260; 500-600 block of East 16th Street, requested rezoning of 80 acres, being in the C-1, C-3, C-4 and D-8 districts, to the PK-2 classification to provide for PK-2 uses, **approved**.

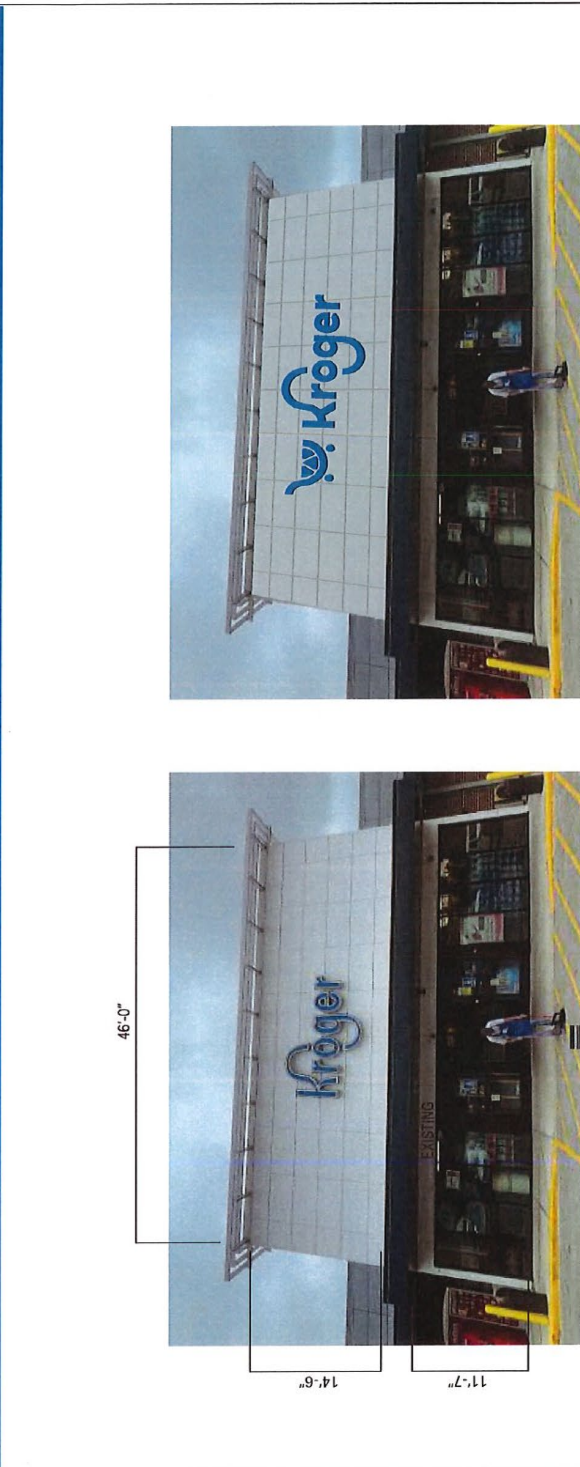
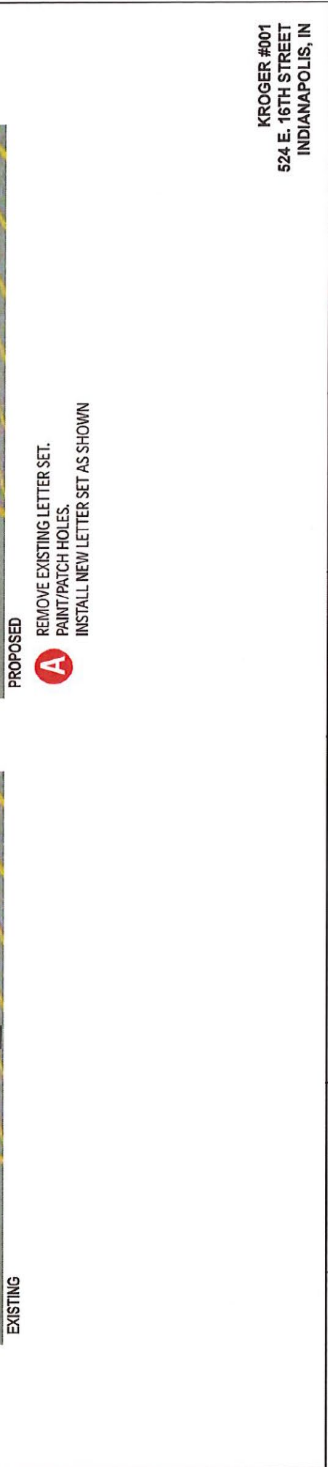
VICINITY

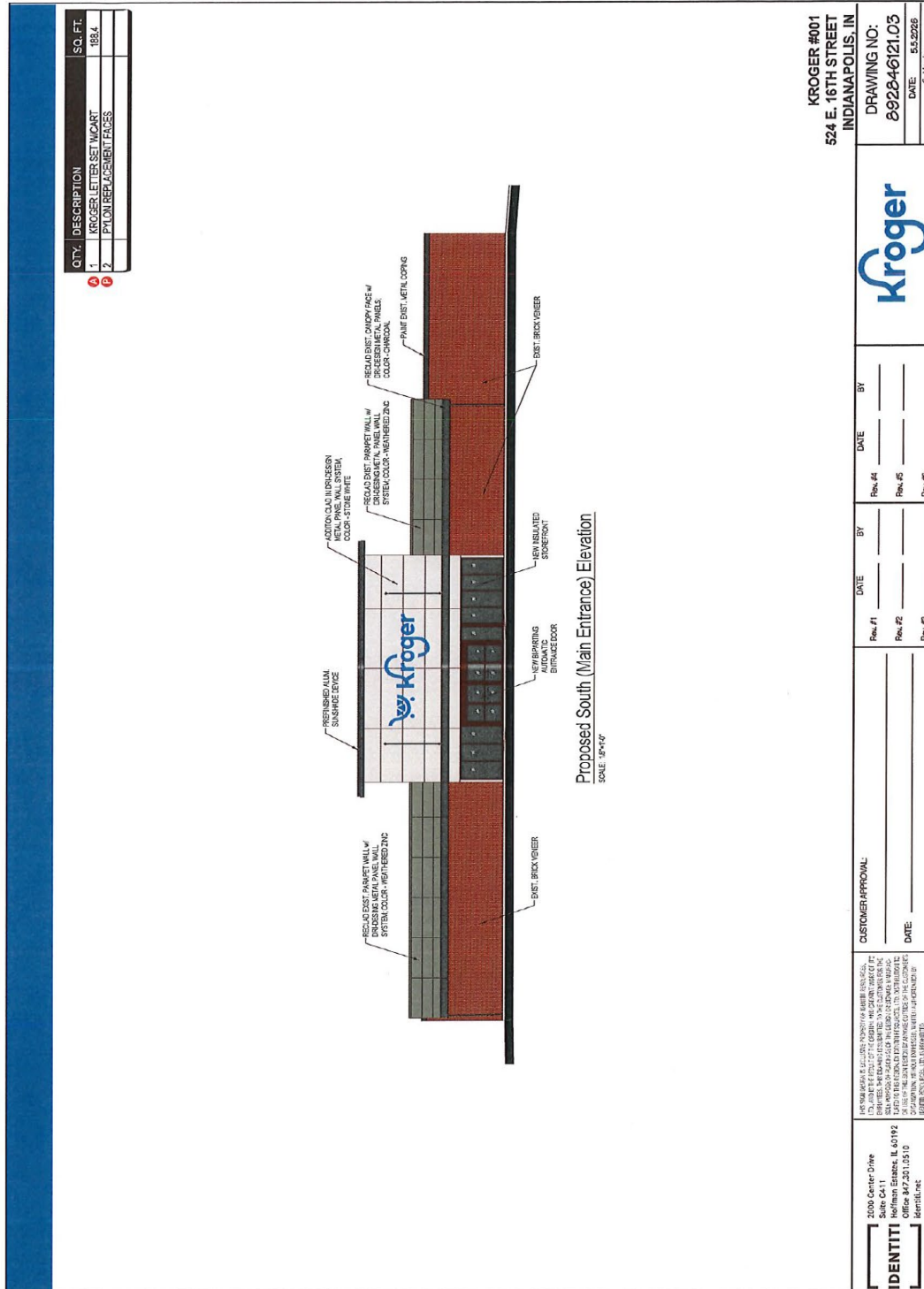
2004-APP-826 / VAR-826; 1605 Central Avenue (west of site), requested Park District-Two Approval to provide for a 3,082-square foot bank with three drive-through lanes, a 10-foot tall, 101.60 square foot pylon sign and an eighteen-foot tall, 65.41-square foot pole sign; and a variance of development standards of the Sign Regulations to provide for increased height for a ground sign and pole site **dismissed**.

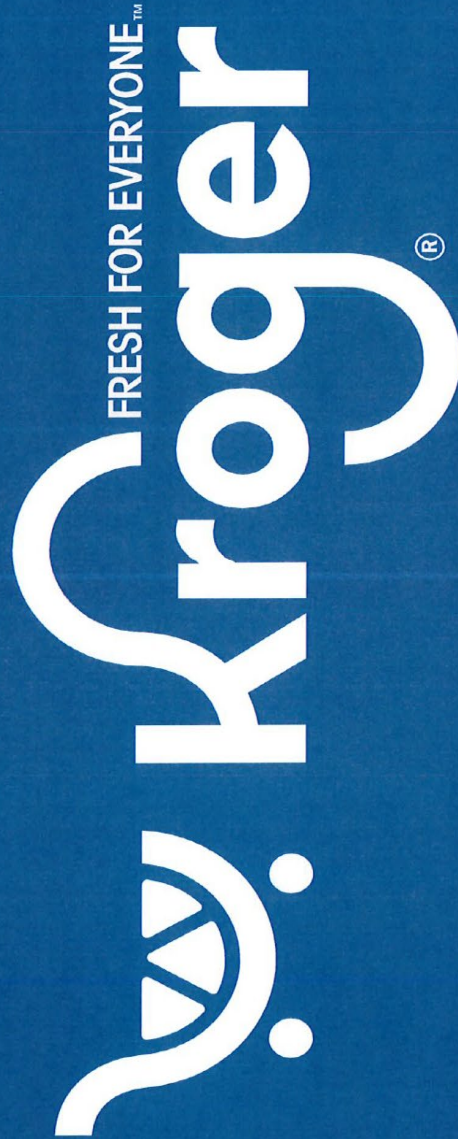
EXHIBITS





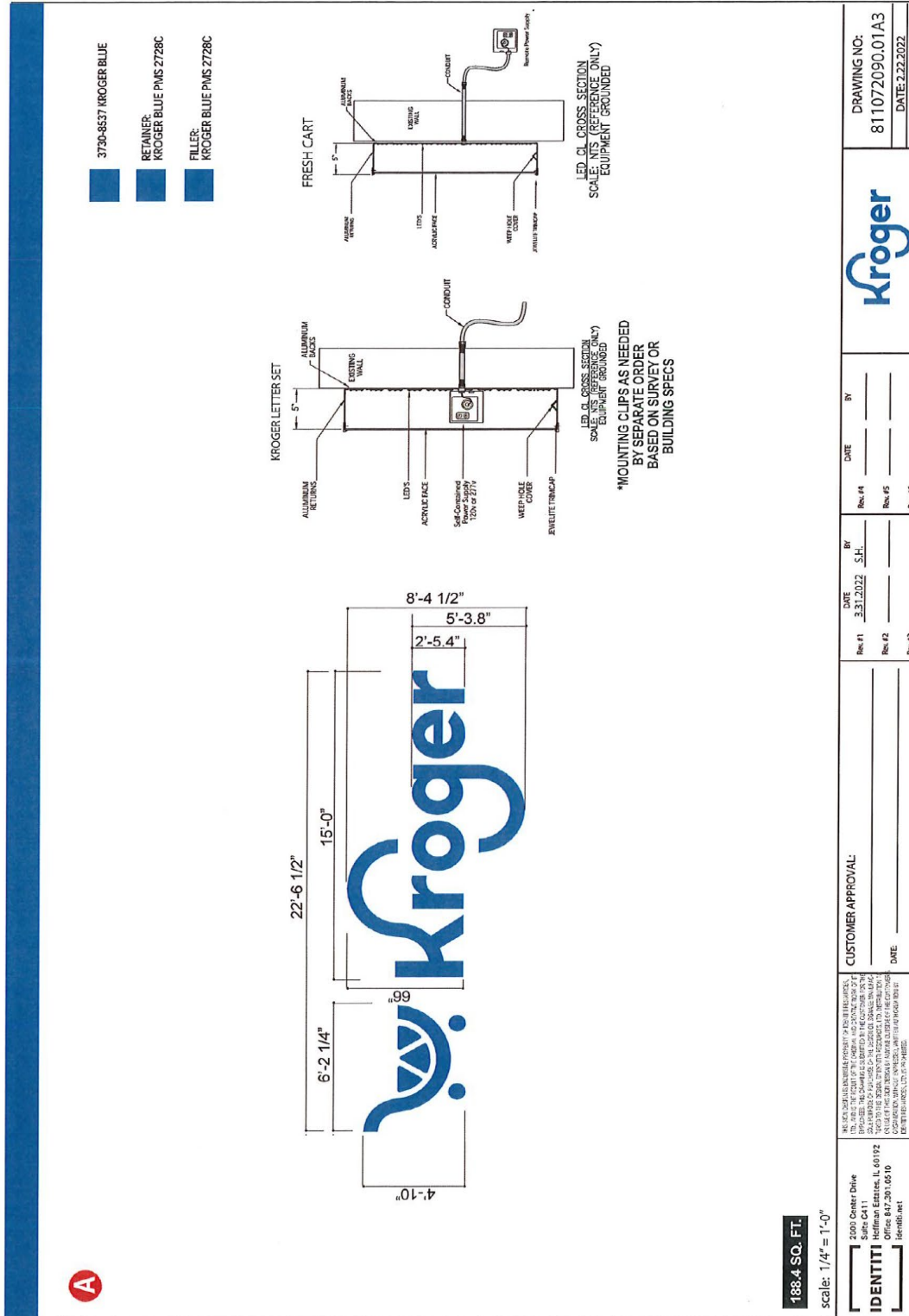
	 EXISTING	 PROPOSED A REMOVE EXISTING LETTER SET. PAINT/PATCH HOLES. INSTALL NEW LETTER SET AS SHOWN	KROGER #001 524 E. 16TH STREET INDIANAPOLIS, IN DRAWING NO: 892846121.05 DATE: 5.3.2025 S. YEMAS
	CUSTOMER APPROVAL: DATE: _____	IDENTITI 2000 Center Drive Suite 401 Hoffman Estates, IL 60112 Office 847.301.0510 identiti.net THE INFORMATION CONTAINED HEREIN IS THE PROPERTY OF IDENTITI, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF IDENTITI, INC.	Kroger Rev. #1 _____ Rev. #2 _____ Rev. #3 _____ Rev. #4 _____ Rev. #5 _____ Rev. #6 _____





KROGER #001
524 E. 16TH STREET
INDIANAPOLIS, IN
892846121.03 5.5.2026

[IDENTITI]



P

118.5"
2" RETAINER

92.5"

87" X 113" VISIBLE OPENING

PAN FORMED POLYCARBONATE
 FACES DECORATED WITH
 FLAT, 1ST SURFACE GRAPHICS.
 3730-8537 KROGER BLUE

EXISTING

PROPOSED

KROGER #001
 524 E. 16TH STREET
 INDIANAPOLIS, IN

DRAWING NO:
 892846121.03

DATE: 5.5.2028
 S. Hanks

CUSTOMER APPROVAL:		DATE	BY	DATE	BY
Rev. #1				Rev. #4	
Rev. #2				Rev. #5	
Rev. #3				Rev. #6	

3000 Center Drive
 Suite C411
IDENTITI
 Hoffman Estates, IL 60132
 Office 847.291.5519
 identiti.net

THE SIGN DESIGNER'S LIABILITY FOR THE DESIGN OF THE SIGN IS LIMITED TO THE DESIGN OF THE SIGN. THE SIGN DESIGNER IS NOT RESPONSIBLE FOR THE INSTALLATION OF THE SIGN OR THE MAINTENANCE OF THE SIGN. THE SIGN DESIGNER IS NOT RESPONSIBLE FOR THE DAMAGE TO THE SIGN OR THE DAMAGE TO THE PROPERTY OF THE CLIENT. THE SIGN DESIGNER IS NOT RESPONSIBLE FOR THE DAMAGE TO THE SIGN OR THE DAMAGE TO THE PROPERTY OF THE CLIENT.



Department of Metropolitan Development
Division of Planning
Current Planning

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 Comprehensive plan does not take into account Kroger's new branding that is being applied enterprise wide. This request is to update the lettering and add the signature "fresh cart" logo. This helps provide consistency not just regionally, but also with the other Kroger locations in Indianapolis.
of clutter.

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 sign is reasonable and scalable to the building elevation. It does not create a cluttered appearance. This is a commercial zone and the signage is appropriate considering the surroundings.

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

Not affected by this proposal

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

Not affected by this proposal

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

Not affected by this proposal



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:

Not affected by this proposal

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:

Not affected by this proposal

DECISION

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

Adopted this _____ day of _____, 20 ____

Commission President/ Secretary

Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

This sign is not designed to distract or compete for the attention of drivers. The sign as proposed only advertises for Kroger.

Who has been a productive member of the community in which it serves. The signage helps to aid in the availability of food for all communities.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

This sign helps Kroger maintain its property and continue to offer a consistent branding package across the region.

The economic contribution to the local economy by providing jobs and access to food, the surrounding properties stand to benefit from this proposal

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

The setback and size of the building make for a scenario where larger signage is required. This signage is scalable to the size of the building and appropriate given the ±200 ft setback of the sign to the road. The current signage is small in comparison to the facade it is located on. The proposed sign is appropriate in size and does not create a cluttered appearance.

DECISION

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

Adopted this _____ day of _____, 20 ____



View looking east along East 16th Street



View looking west along East 16th Street



View looking north along North Park Avenue



View looking north at existing wall sign



View of existing free-standing sign looking east



View from site looking southeast across East 16th Street



View from site looking southwest across East 16th Street



View from site looking west at adjacent property