



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

March 13, 2025

Case Number: 2025-ZON-005
Property Address: 8830 and 8850 Rockville Road (Approximate Addresses)
Location: Wayne Township, Council District #17
Petitioner: HKZ Properties, LLC, by Ron Sears
Current Zoning: D-A
Request: Rezoning of 1.527 acres from the D-A and D-3 districts to the C-3 district to provide for commercial uses.
Current Land Use: Residential
Staff Recommendations: **Denial**
Staff Reviewer: Desire Irakoze, Principal Planner II

PETITION HISTORY

The petitioner requested and was granted a continuance for cause from the February 27, 2025 hearing to the March 13, 2025.

STAFF RECOMMENDATION

Staff **recommends denial** of the request.

PETITION OVERVIEW

LAND USE

The 0.37-acre subject site is developed with a commercial building and associated parking lot.

The surrounding land use are as follows.

To the north: A single-family dwelling, zoned D-3.

To the east: A commercial property, zoned C-1.

To the south: A mix of commercial and residential properties, zoned C-S and D-2.

To the west: Residential properties, zoned D-A and D-3

REZONING

The petitioner seeks to rezone the property from the D-A and D-3 districts to the C-3 district to provide for drive-through related commercial uses.

D-A (Dwelling Agriculture District):

provides for a variety of agricultural uses. Most agricultural uses (farms) are permitted in this District. A single-family dwelling is intended to be permitted as a part of such agricultural uses. A secondary provision of this district is large estate development of single-family dwellings. The district does not require public water and sewer facilities.

D-3 (Dwelling District Three): provides for low or medium intensity residential development at typically 2.6 units per acre. Land in this district should have good thoroughfare access, be relatively flat in topography, and be afforded pedestrian linkages to community and neighborhood services and facilities. Two-family dwellings are permitted on corner lots only.

C-3 (Neighborhood Commercial District): characterized extensive range of retail sales and personal, professional and business services required to meet the demands of the residential neighborhood in proximity. C-3 generally does not allow those businesses that require the outdoor display, sale or storage of merchandise; or require outdoor operations.

STAFF ANALYSIS

Per 2021-ZON-128 staff report: “The site has long history of land use petitions. The western parcel has been the subject of six previous petitions spanning the period from 1983 to 2006. In 1983, variance petitions were approved for a detached a garage and for use of a garage for a gift shop. Other variances have been granted for the site’s use as an office. Petitions for lawnmower sales and service and for a rezoning to the C-1 district were withdrawn.”

Concerns:

1. **Uses Restrictions: Per Sec. 744-210 Table 743-1,** Automobile and Light Vehicle Wash is not permitted in the C-3 Zoning District – However, the submitted site plan dated (11/02/2021) is for a Carwash.
2. **Previous Staff Determination:** the 2021-ZON-128 staff report stated, “In staff’s opinion, this is not an appropriate site for the C-4 district in general and a car wash specifically. The petition does not meet the criteria of the Comprehensive Land Use, the use is too intense for a mid-block site that abuts a day care and single-family dwellings, and the site is too small for the use and the district.” Staff maintains this opinion.
3. **Pedestrian Access: Per Sec. 744-301-F.1,** walkways must connect the sidewalk system to public pedestrian entrances. The submitted site plan does not include such a walkway.
4. **Proximity to Protected Districts: Per Sec. 743-305. D.3,** the proposed use must not be located within 100 feet of a protected district. The property abuts a protected district.
5. **Driveway Length Requirement: Per Sec. 743-305. D.4,** exit drives must be at least 100 feet in length from the car wash exit to the street. The site plan shows only 67 feet.



6. **Drive-Through Circulation: Per Sec. 774-406. C.5**, sites in the Metro Context area with stacking spaces must include a bypass aisle or other circulation design. Staff is concerned that the site cannot adequately accommodate a drive-through use.
7. **Drive-Through Location Restrictions: Per Sec. 744-406. C.7**, drive-through service units must not be located on the side or rear of a building abutting a protected district unless they meet landscaping and screening requirements. The site plan does not demonstrate compliance.
8. **Fence Height Violation: Per Sec. 744-510.B, Table 744-510-2**, the maximum permitted fence height in the rear and side yards of a C-3 district is 6 feet. The site plan proposes an 8-foot fence in these areas.

In staff's opinion, approval of the request would be inappropriate and would not align with the context of the surround area. As previously noted in 2021-ZON-128, the proposed use does not align with the Comprehensive Land Use Plan, it is too intense for a mid-block location adjacent to a daycare and single-family residences, and the site is undersized for the proposed use.

For these reasons, staff is recommending **denial** of the request.

GENERAL INFORMATION

Existing Zoning	D-A and D-3	
Existing Land Use	Residential	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
North:	D-3	Residential (Single-family dwellings)
South:	D-2 and C-S	Commercial
East:	D-A and D-3	Residential (Single-family dwellings)
West:	C-1	Commercial
Thoroughfare Plan		
Rockville Road	Primary Arterial	135 to 150 -foot existing right-of-way and 110-foot proposed right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Yes- Airspace Secondary Zoning District.	
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 Wayne Township Comprehensive Plan (2018)

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends light industrial and suburban neighborhood development of the site.

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.

- **Conditions for All Land Use Types**
 - 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.

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)

- Thoroughfare Plan 2019

ZONING HISTORY

ZONING HISTORY – SITE

2021ZON128; 8830 and 8850 Rockville Road (subject site), Rezoning of 1.53 acres from the D-A and D-3 districts to the C-4 district to provide for a car wash facility. **Withdrawn.**

2006-UV1-051; 8850 Rockville Road, requested a variance of use to provide for an office in a dwelling district, **Approved.**

2006-ZON-091; 8850 Rockville Road, requested a rezoning of 0.8 acre from the D-A and D-3 districts to the C-1 district, **Withdrawn.**

87-UV1-143; 8850 Rockville Road, requested a variance of use for a dentist office and a variance of development standards to provide for a pylon sign. **Approved.**

86-UV2-105; 8850 Rockville Road, requested a variance of use to provide for the sale and service of lawnmowers, **Withdrawn.**

83-V1-156; 8850 Rockville Road, requested a variance of use to provide for a detached garage, **Approved.**

83-UV3-38; 8850 Rockville Road, requested a variance of use to provide for a gift shop in a garage, **Approved.**

ZONING HISTORY – VICINITY

2005-ZON-015; 8801-8835 Rockville Road (south of site), requested the rezoning of 2.9 acres from the D-2 district to the C-1 district, **Approved.**

98-UV2-97; 8853 Rockville Road (southeast of site), requested a variance of use to provide for a dentist office and a variance of development standards to provide for a pylon sign, **Approved.**

95-UV1-59; 8853 Rockville Road (south of site), requested a variance of use to provide for an office in a D-2 district and a variance of development standards to provide for a pylon sign, **Approved.**

87-Z-7; 8801 Rockville Road (southeast of site), requested the rezoning of 1.1 acre from the D-2 district to the C-4 district, **Withdrawn.**

EXHIBITS



SITE LAYOUT NOTES:

1. INDICATED DIMENSIONS MUST CONFORM TO THE CITY OF INDIANAPOLIS DESIGN STANDARDS AND SPECIFICATIONS.
2. ALL PAVEMENTS ARE TO BE 4" PAVED UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO EDGE OF PAVEMENT OR FACE OF CURB, WHERE APPLICABLE.
4. WHERE APPLICABLE, CONTRACTOR TO BE PER TO ARCHITECTURAL DRAWINGS.
5. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND ELEVATIONS IN THE FIELD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DIMENSIONS AND ELEVATIONS TAKEN IN THE FIELD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DIMENSIONS AND ELEVATIONS TAKEN IN THE FIELD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DIMENSIONS AND ELEVATIONS TAKEN IN THE FIELD.
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9. ALL UTILITY TRENCHES WITHIN 5 FEET OF PAVEMENT SHALL BE COMPLETELY BACKFILLED WITH GRANULAR MATERIAL.
10. ALL RAILS INDICATED SHALL BE CONSTRUCTED AS CIRCULAR ARCS.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND BE RESPONSIBLE FOR RESTORATION TO AN INDISCRIMINATE CONDITION.

DEVELOPMENT SUMMARY

TOTAL SITE AREA = 1.52 AC.±
 ZONING = CA, REGIONAL COMMERCIAL
 PARKING CALCULATIONS: REQUIRED 5 EMPLOYEE SPACES PROVIDED
 PROPOSED VACUUM SPACES = 35

LEGEND

