



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

May 9, 2024

|                               |  |
|-------------------------------|--|
| <b>Case Number:</b>           | 2024-ZON-035   |
| <b>Property Address:</b>      | 1201 South Holt Road (approximate address)   |
| <b>Location:</b>              | Wayne Township, Council District #17   |
| <b>Petitioner:</b>            | Badesha Bros, by Jamilah Mintze  |
| <b>Current Zoning:</b>        | C-4 / I-3  |
| <b>Request:</b>               | Rezoning of 1.4 acres from the C-4 and I-3 districts to the C-4 district to provide for commercial uses. |
| <b>Current Land Use:</b>      | Commercial   |
| <b>Staff Recommendations:</b> | Approval   |
| <b>Staff Reviewer:</b>        | Marleny Iraheta, Senior Planner  |

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the request.

**PETITION OVERVIEW**

**LAND USE**

The 1.4-acre subject site developed with a fueling station and convenience store that has two empty tenant spaces. It is surrounded by a fueling station and convenience store north, zoned C-4 and C-7, a fueling station and convenience store west, zoned C-7, a trucking company east, zoned I-3, and a commercial parking lot south, zoned I-3.

**REZONING**

This petition would rezone the split-zoned property from the C-4 and I-3 districts to the C-4 district.

The C-4 District is designed to provide for the development of major business groupings and regional-size shopping centers to serve a population ranging from a community or neighborhoods to a major segment of the total metropolitan area. These centers may feature a number of large traffic generators such as home improvement stores, department stores, and theatres. Even the smallest of such freestanding uses in this district, as well as commercial centers, require excellent access from major



thoroughfares. While these centers are usually characterized by indoor operations, certain permitted uses may have limited outdoor activities, as specified.

The I-3 district is an intermediate district for industries that present moderate risks to the general public. Wherever practical, this district should be away from protected districts and buffered by intervening lighter industrial districts. Where this district abuts protected districts, setbacks are large and enclosure of activities and storage is required.

**Staff Analysis**

The rezoning of the entire site to the C-4 district is compatible with the Community Commercial Use recommendation of the Comprehensive Plan and would allow for two tenant spaces to be utilized when they would not have been able to be used for retail purposes in the existing I-3 district.

Staff would have required that sidewalks be installed with this rezoning, but the developer contributed to the sidewalk fund in lieu of installing the required sidewalks along the perimeter street frontages.

**GENERAL INFORMATION**

|                                   |                           |   |
|-----------------------------------|---------------------------|---|
| <b>Existing Zoning</b>            | C-4 / I-3                 |   |
| <b>Existing Land Use</b>          | Commercial                |   |
| <b>Comprehensive Plan</b>         | Community Commercial Uses |   |
| <b>Surrounding Context</b>        | <b>Zoning</b>             | <b>Land Use</b>   |
|                                   | North: C-4 / C-7          | Fueling Station / Convenience Store   |
|                                   | South: I-3                | Industrial  |
|                                   | East: I-3                 | Industrial  |
|                                   | West: C-7                 | Fueling Station / Convenience Store   |
| <b>Thoroughfare Plan</b>          |                           |   |
| Holt Road                         | Primary Arterial Street   | 95-foot proposed right-of-way and 85-foot existing right-of-way.                  |
| Morris Street                     | Primary Arterial Street   | 78-foot proposed right-of-way and 85-foot to 90-foot existing right-of-way range. |
| <b>Context Area</b>               | Compact                   |   |
| <b>Floodway / Floodway Fringe</b> | No                        |   |
| <b>Overlay</b>                    | No                        |   |
| <b>Wellfield Protection Area</b>  | No                        |   |
| <b>Site Plan</b>                  | February 22, 2024         |   |
| <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>          | N/A |
|                                   |     |

**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 Community Commercial Uses recommendation is a legacy recommendation.
- The Comprehensive Plan recommendation of Community Commercial typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.

**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)

- Indy Moves Transportation Integration Plan (2018) proposes an on-street bike lane on Hold Road starting at Kentucky Avenue to Morris Street and from Morris Street up to Rockville Road.

## ZONING HISTORY

### Zoning History - Vicinity

**2021-CZN-835 / 2021-CVR-835; 3801 West Morris Street** (west of site), Rezoning of 4.572 acres from the I-4 district to the C-7 district and Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for reduced transparency on the north and west elevations of 13% (30% transparency required for the wall surface between three and eight feet above grade and within 50 feet of a public entrance), **approved**.

**2019-ZON-088; 3712, 3722 and 3730 West Morris Street** (northeast of site), Rezoning of 1.5 acres from the D-5 district to the C-7 district, **denied**.

**88-Z-90; 1151 and 1153 South McClure Street** (northwest of site), Rezoning of 0.2 acre from the D-5 district to the C-4 district and to provide for a parking lot, **approved**.

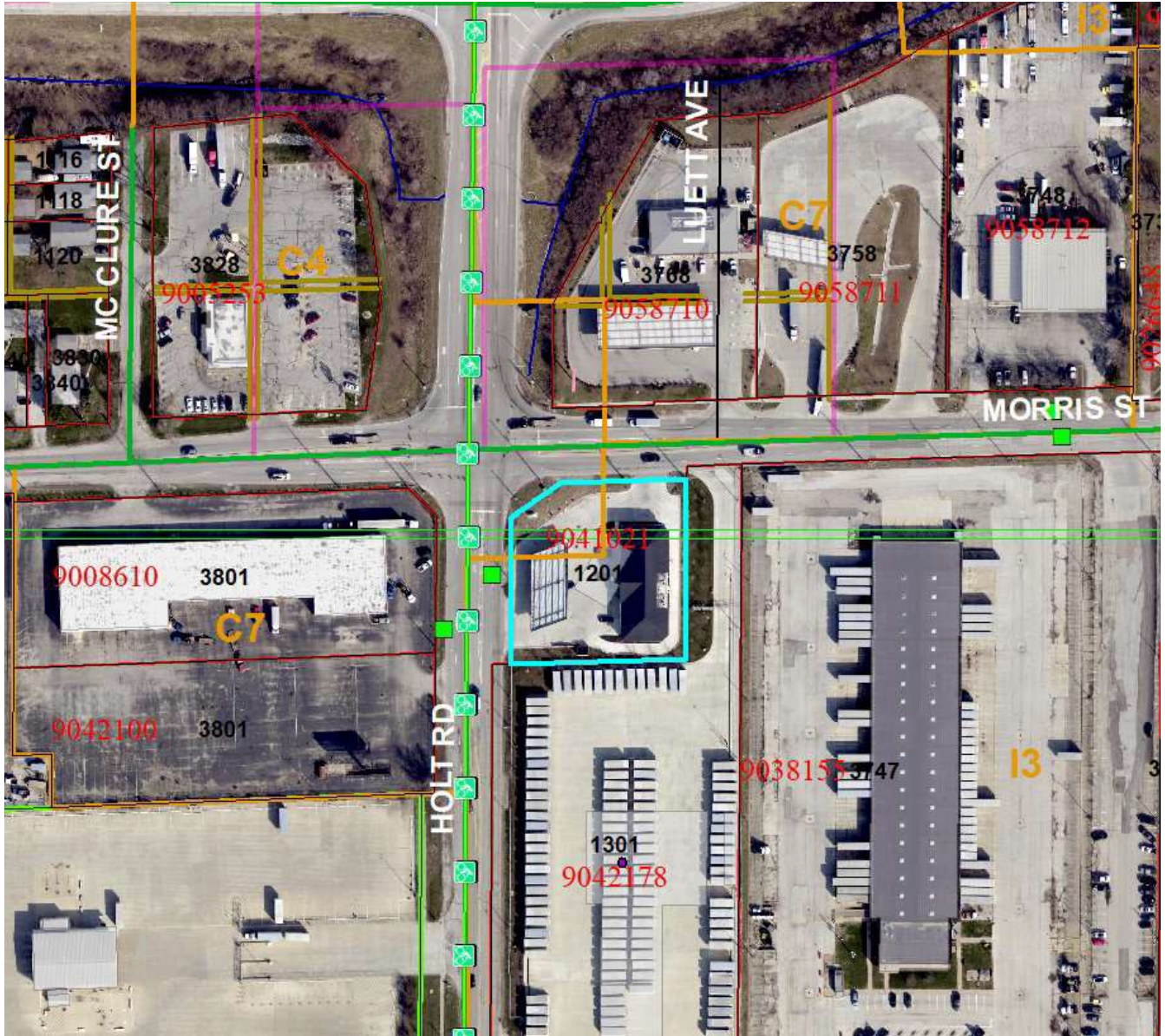
**87-Z-46; 1117 South McClure Street** (northwest of site), Rezoning of 0.2 acre from the D-5 district to the C-4 district, **approved**.

**87-Z-134; 3748 West Morris Street** (northeast of site), Rezoning of 2.23 acres from the D-5 district to the C-7 district, **approved**.

**83-Z-28; 3844 West Morris Street** (northwest of site), Rezoning of 0.32 acres, being in D-5 district to the C-5 district classification, to permit the erection of an auto repair garage, **approved**.

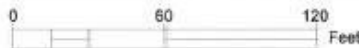
**74-Z-190; 3758 West Morris Street** (north of site), Rezoning of 2.62 acres from the D-5, C-4, and I-3-U districts to the C-7 district, **approved**.

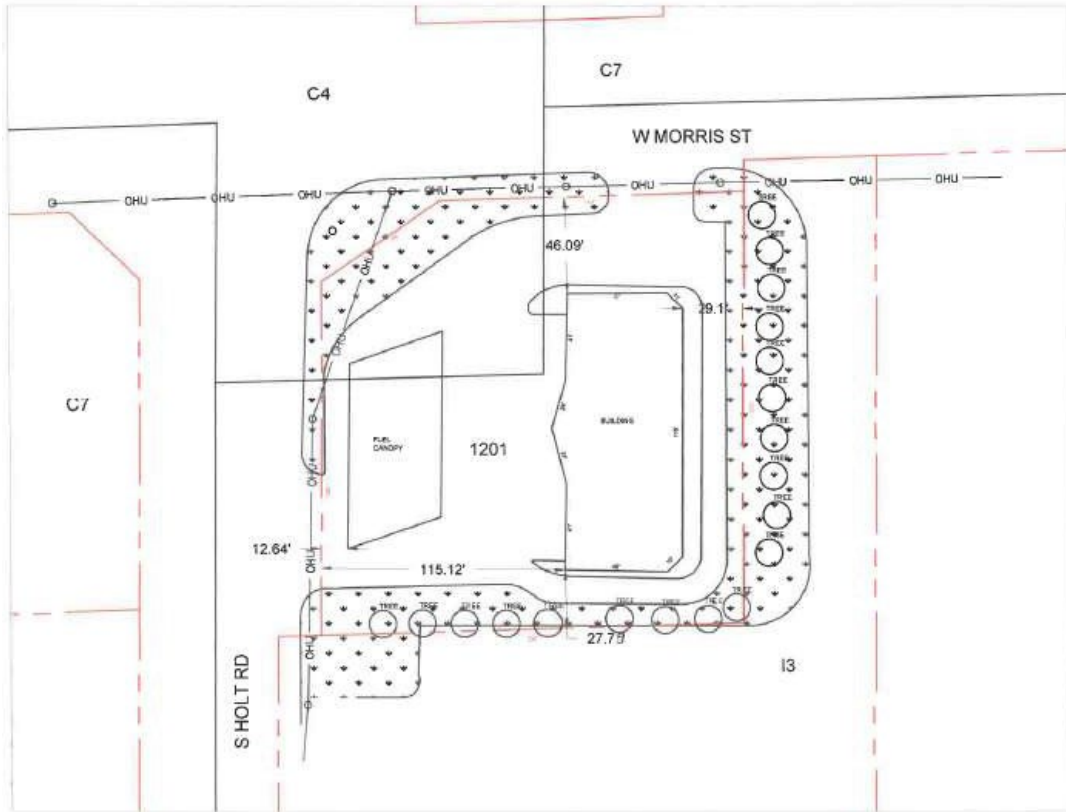
**EXHIBITS**





**1201 S HOLT RD**





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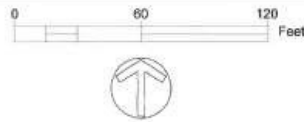




Photo of the convenience store on site.



Photo of one of the empty tenant spaces.





Photo of the fuel station and canopy on site.



Photo of the street frontage along Holt Road looking north.



Photo of the street frontage along Holt Road looking south.



Photo of the street frontage along Morris Street looking east.



Photo of a gas station north of the site.



Photo of a gas station west of the site.



Photo of the trucking company east of the site.



Photo of the commercial parking lot south of the site.