



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

February 29, 2024

Case Number: 2024-ZON-008
Property Address: 8560 North College Avenue (Approximate Address)
Location: Washington Township, Council District #2
Petitioner: Blake and Associates, by Jonathan Blake
Current Zoning: SU-7
Request: Rezoning of 0.64 acre from the SU-7 district to the SU-1 district to provide for religious uses.
Current Land Use: Vacant Building
Staff Recommendations: Staff **recommends approval** subject to one commitment.
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends approval** of the rezone petition, subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

The existing building shall be maintained and operations should take place within the existing building.

PETITION OVERVIEW

LAND USE

The 0.64-acre subject site consists of two parcels that are developed with a vacant building and associated parking area. The site is in the Meridian Hills/Williams Creek Neighborhood and College Avenue Highlands Subdivision platted July 10, 1923. It is bordered to the north by a church, zoned SU-1, single-family dwellings to the west and south, zoned D-3, and a bank to the east, zoned C-1.

REZONING

The request would rezone the site from the SU-7 district to the SU-1 district to provide for residential religious uses.



The current SU-7 district is only intended for charitable, philanthropic, and not-for-profit institutional uses where the SU-1 District is intended for religious uses.

Staff Analysis

Staff determined that the proposed SU-1 district aligns with the Comprehensive Plan recommendation of suburban neighborhood development since the religious use is permitted within residential areas.

Staff would not want the existing building to be demolished for the construction of a different building since the one that exists is residential in nature and fits within the surrounding neighborhood context.

Therefore, a commitment to operate within the existing building is requested by staff.

GENERAL INFORMATION

Existing Zoning	SU-7	
Existing Land Use	Vacant Building	
Comprehensive Plan	Suburban Neighborhood and Linear Park	
Surrounding Context	Zoning	Land Use
	North:	SU-1 Church
	South:	D-3 Residential (Single-family dwellings)
	East:	C-1 Bank
	West:	D-3 Residential (Single-family dwellings)
Thoroughfare Plan		
College Avenue	Primary Arterial Street	Proposed 80-foot right-of-way and 71-foot existing right-of-way.
86 th Street	Primary Arterial Street	Proposed 112-foot right-of-way and 107-foot existing right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Yes	
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)
- Red Line Transit-Oriented Development Strategic Plan (2021)
- Indy Moves Transportation Integration Plan (2018)

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends suburban neighborhood development for the majority of the site and a portion of the site is recommended as a linear park. The site also has a Residential Corridor Reserve Overlay.
- 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.
- **The Small-Scale Schools, Places of Worship, Neighborhood Serving Institutions/Infrastructure, and Other Places of Assembly**
 - Should be located along an arterial street. If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided. Schools should not be within 1000 feet of a highway, freeway, or expressway. Should be located within one-half mile of a bus or rapid transit stop, unless there is no or limited bus service within the institution's service area.
- The linear park land use category is intended for public or private property designated for active or passive recreation and is primarily used for the passage of people or wildlife. Examples are greenways, parkways, trails, off-street paths, and conservation areas.
- The Residential Corridor Reserve (RR) overlay is intended for areas where the residential nature of a corridor is at risk due to encroachment from other land uses. An example might be residential areas that are being overtaken by school, hospital, or corporate campuses.



- The site was previously used for a group home, which was in line with the residential nature of the Residential Corridor Reserve. However, keeping the existing building that has a residential appearance would ensure that future use of the site could always be reverted to a residential use if the proposed use were to no longer be operated on site.
- Therefore, staff is requesting a commitment for the existing building to be maintained and for the religious use to be operated within the existing building.
- The site also falls within a Transit-Oriented Development (TOD) overlay within the Pattern Book, but it does not remove the use included in this request.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The site is located within the Red Line TOD Strategic Plan (2021) and is located within the Transit Oriented Development Secondary Zoning District. However, with this being an existing building on an already developed lot the standards would not apply to this 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) has this portion of 86th Street recommended as a greenway from Northwest Boulevard to Hague Road as a high priority project.
- The existing right-of-way dedication meets the proposed right-of-way required by the Thoroughfare Plan.



ZONING HISTORY

ZONING HISTORY – SITE

90-SE2-1; 8560 North College Avenue (subject site), Special Exception of the Dwelling District Zoning Ordinance to permit the development of a group home for children, **granted**.

90-UV2-4; 8560 North College Avenue (subject site), Variance of use to permit a group home for children, **denied**.

90-Z-124; 8560 North College Avenue (subject site), Rezoning of 0.6 acre, being in the D-3 District, to the SU-7 classification to provide for the development of a children's group house, **approved**.

ZONING HISTORY – VICINITY

2012-ZON-084; 8515 Cedar Place Drive (east of site), Rezoning 2.44 acres, from the C-S District to the C-2 classification to provide for office use and up to 14 multifamily dwelling units, **approved**.

2003-HOV-048; 611 East 86th Street (west of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a 680 square foot accessory structure with a 5.5-foot south side yard setback (minimum six-foot side yard setback required), **granted**.

91-Z-165; 8550 North College Avenue (south of site), Rezoning of 0.322 acre, being in the D-3 District, to the C-1 classification to provide for office use, **withdrawn**.

90-AP2-3; 8560 North College Avenue (south of site), Waiver of the 12-month refiling rule after an adverse decision of the Board (petition 90-UV2-4), **granted**.

88-UV3-104; 651 East 86th Street (west of site), Variance of use to permit an art gallery, **denied**.

87-SE2-3; 8647 North College Avenue (northeast of site), Special Exception of the Dwelling Districts Zoning Ordinance to provide for a group home for the developmentally disabled, **withdrawn**.

84-UV2-57; 740 East 86th Street (northeast of site), Variance of use and development standards of the Dwelling Districts Zoning Ordinance and the Commercial Zoning Ordinance to provide for accessory parking for a mortuary on the lot zoned for residential development and to allow the erection of a 20 x 20-foot accessory structure on the commercial property. The proposed parking lot will not provide sufficient transitional yards and the proposed accessory structure will be placed within the required setbacks, **granted**.

83-Z-167; 757 East 86th Street (east of site), Rezoning of 2.03 acres, being in the C-S District, to the C-1 classification, **approved**.

EXHIBITS

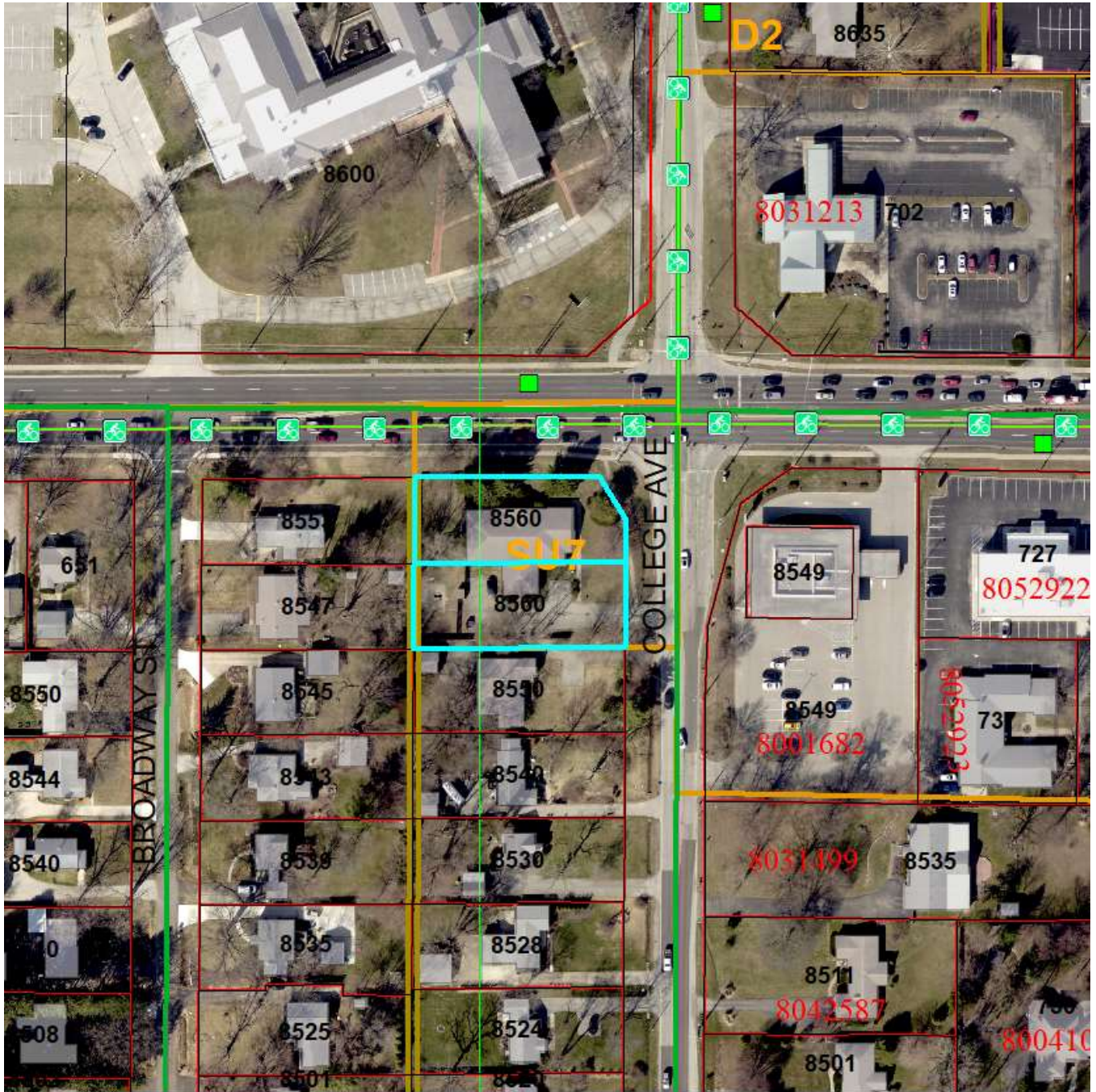


EXHIBIT "A"

DETAILED STATEMENT OF REASONS

Petitioner seeks to rezone the real estate commonly known as 8560 N. College Ave., (the "Real Estate") from the SU7 "Charitable, Philanthropic, and Not-for-profit Institution" to the SU1 "Religious Use" classification for the purpose of starting a small community congregation. The property, located on the southwest corner of E. 86th Street and N. College Ave., is located in a transitional area from heavier commercial retail uses east of the site, to lower density single family and institutional uses to the west and south of the site.

Although the Real Estate has been vacant for an unknown length of time however, the most recent recorded use of the property was as a Childrens Group Home, compliant with the present SU7 zoning classification approved by the City on August 27, 1990 (Case 90-Z-124).

The local neighborhood is characterized by a mix of residential (single-family attached, and single-family detached), institutional, retail, senior living and educational land uses, including Fifth Third Bank, DL Lowry Salon, Chase Bank, First Baptist Church, City of Lights Church and The Commons on Meridian.

Petitioner is under contract to purchase said Real Estate, subject to and conditioned upon approval of this rezoning petition by the City to SU1 for the purpose of establishing a small community congregation. Petitioner's operations will include two services per week, one mid-week and one on Saturday, with normal attendance not exceeding 20-25 individuals at any given service, and a peak attendance of up to 50 individuals once a year.

Petitioner's proposed use is less intense than the site's former use as Childrens Group Home, and the neighboring commercial uses to the east, as operations will generally be limited to two days per week. Furthermore, the proposed use is consistent with the existing uses north, east and west of the Real Estate, particularly the neighboring religious uses (First Baptist Church and City of Lights Church).

If Petitioner is successful in changing the zoning of the property, it will engage an architect and contractor to renovate the interior of the facility, and complete exterior façade repairs, to support their use. However, it should be noted that no expansion of the building footprint is anticipated at this time.

Community Benefits

Religious organizations contribute positively to the social, cultural and humanitarian aspects of the local community, including community advocacy, expanded social services and outreach, cultural diversity, social justice, and economic cooperation.

Community Advocacy: Religious organizations not only serve their parishioners, they also serve as advocates for the broader community, hosting activities and gatherings that bring people together, fostering a sense of belonging and community cohesion.

Social Services and Outreach: As an outward facing element of its organization, they seek to make a positive impact on their community through outreach to vulnerable populations.

Cultural Diversity: Faith-based organizations reach followers from diverse ethnic, cultural, and linguistic backgrounds, leading to a rich tapestry of cultural traditions and experiences.

Social Justice: Religious organizations emphasize principles of justice, fairness, and ethical conduct, encouraging followers to advocate for social justice and engage in ethical behavior in their personal and community lives.

Economic Cooperation: Adhering to principles of fairness and ethical conduct in economic transactions, faith-based organizations contribute to the development of a community where economic activities are conducted with integrity and social responsibility.

Traffic + Parking

The Real Estate includes paved parking with access to/from N. College Avenue. The Indianapolis-Marion County Consolidated Zoning and Subdivision Ordinance (the "Ordinance") establishes minimum off-street parking space thresholds for various land uses.

Pursuant to Chapter 744, Article IV, Section 01, Subsection C of the Ordinance, "*Whenever the type of land use of a building, structure or premises is hereafter changed to a new type of land use permitted by this ordinance, parking spaces and areas shall be provided as required by the provisions of this chapter for such new type of land use, subject to the exception noted in Section 744-401.B[.]*"

According to Table 744-402-1: Required Parking Table, on page 510 of the Ordinance, the Minimum Off-Street Parking Spaces Required for 'Religious Uses' is as follows:

1 per 4 seats in the place of worship, or 1 per 1,000 sf, whichever is greater

~ plus ~

3 Bicycle Parking Spaces

The present Gross Floor Area of the existing building is 4,656 sq. ft., and the proposed occupancy of the facility will be up to 25 individuals on any given day of worship. Based on these assumptions, the Minimum Off-Street Vehicle Parking Spaces required by the Ordinance is as follows:

Table 744-402-1

Land Use	1 per 4 seats in the pance of worship	1 per 1,000 sf
Religious Use	25 persons/4 = 6 spaces	4,656 sf/1,000 = 5 spaces

As presently configured, the existing parking area has sufficient space to accommodate up to six (6) parking stalls (9' x 20').

Conclusion

Petitioner has been searching for a new property for more than two years and is extremely excited by the potential of this building to help them grow their organization and build strong relationships with the local neighborhood. Petitioner's use is compatible as a transitional use between the higher intensity commercial uses to the east and the lower density residential uses to the south and west.



Photo of the subject site looking west from College Avenue



Photo of the front building façade facing College Avenue.



Photo of the existing parking lot on site.



Two parking spots on site that would need to be restriped.



Three other parking spaces on site that would need to be restriped.



Photo of the fenced in yard along the western property boundary.



Photo of the single-family dwellings west of the site.



Photo of the church north of the site across 86th Street.



Photo of the bank east of the site across College Avenue.