

BOARD OF ZONING APPEALS DIVISION III

October 20, 2026

Case Number:	2026-DV3-042
Property Address:	240 South Pennsylvania Street (approximate address)
Location:	Center Township, Council District #18
Petitioner:	Boxcar Development, LLC, by Jennifer Milliken
Current Zoning:	CBD-2 (FF) (RC) (TOD)
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for permanent banner signs on the east façade of a proposed entertainment facility and projecting into the right-of-way of Pennsylvania Street (only temporary banner signs permitted and banner signs not permitted in the right-of-way).
Current Land Use:	Entertainment Facility Under Construction
Staff Recommendations:	Staff recommends approval of this petition.
Staff Reviewer:	Jeffrey York, Manager

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

240 South Pennsylvania Street is currently under development for an entertainment facility, immediately south of a proposed hotel and mixed-use development. The hotel and mixed-use development are within the Wholesale District and is under the jurisdiction of the Indianapolis Historic Preservation Commission (MDC).

The subject site was rezoned from I-3 (FF) (RC) (TOD) district to the CBD-2(FF) (RC) (TOD) in 2024, per 2024-ZON-095. In 2025, a Regional Center Approval petition was approved for the proposed entertainment facility, per 2025-REG-046. Later, in 2025, a Regional Center Approval petition was approved for updated plans for the proposed entertainment facility, per 2025-REG-095.

Construction began earlier this year on the facility. Signage was not specifically reviewed during the Regional Center Approval process, which is normal. This request would provide for four banner signs to extend from the building's east façade within the right-of-way of Pennsylvania Street. The banners would be 3-foot by 17.25 foot in size and would be placed above the 20-foot level of the building. The building is approximately 38 feet in height.

The following variances of development standards would be required to allow for placement of the banners as shown within the below renderings:

- Ordinance does not permit banners to extend from the building. They are required to be affixed entirely on the building's façade.
- Ordinance does not permit banners within the public right-of-way.

Staff would note that the proposed banners would provide for quick change of the signage to promote upcoming events within the facility. It should be noted that the banners cannot advertise a business, profession, commodity, or service offered at another site. That type of sign would be an off-premises sign and is not permitted.

This site is zoned CBD-2, which is a district for the general downtown area of Indianapolis representing the typical urban core of the city to be developed at a very high density. It is a pedestrian oriented environment that is also the focus of the City's transit system providing excellent accessibility. The Comprehensive Plan recommends the site to the Regional Special Use typology given its proximity to Gainbridge Fieldhouse (additional information within Comprehensive Plan Analysis below). Additionally, the property is within the Regional Center (RC) and Transit-Oriented Development (TOD) secondary zoning overlays, given its location downtown and near an IndyGo BRT stop, respectively.

Findings of Fact provided by the applicant indicate that the type of signage would provide visual interest to the building and upcoming events. The Findings state that the signage would not negatively affect the property values of adjacent properties. Staff agrees recommends **approval** of the petition.

GENERAL INFORMATION

Existing Zoning	CBD-2 (FF) (RC) (TOD)	
Existing Land Use	Entertainment Facility Under Construction	
Comprehensive Plan	Regional Special Use	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	CBD-2 (FF) (RC) (TOD)	North: Mixed-use development (under construction)
South:	CBD-2 (FF) (RC) (TOD)	South: Active railroad
East:	CBD-2 (FF) (RC) (TOD)	East: Gainbridge Fieldhouse
West:	CBD-2 (FF) (RC) (TOD)	West: Commercial
Thoroughfare Plan		
Pennsylvania Street	Primary Arterial	90-foot existing right-of-way and 78-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	

Wellfield Protection Area	No
Site Plan	09/01/2026
Site Plan (Amended)	N/A
Elevations	09/1/2026; amended 10/14/2026
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	00/01/2026
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Regional Special Use non-typology land use category provides for public, semi-public and private land uses that serve a specific institutional purpose for a significant portion of the county. Examples are large-scale, generally stable institutional uses such as cemeteries, hospitals, universities, high schools, government complexes, large museums, the Indiana State Fairgrounds, and the Indianapolis Motor Speedway.

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)

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2025-REG-016, Regional Center Approval to provide for updated plans for a three-story entertainment venue previously approved through 2024-REG-046, **approved**.

2024-ZON-095, Rezoning of 1.89 acres from the I-3 (FF) (RC) (TOD) district to the CBD-2(FF) (RC) (TOD) district for a mixed-use development, **approved**.

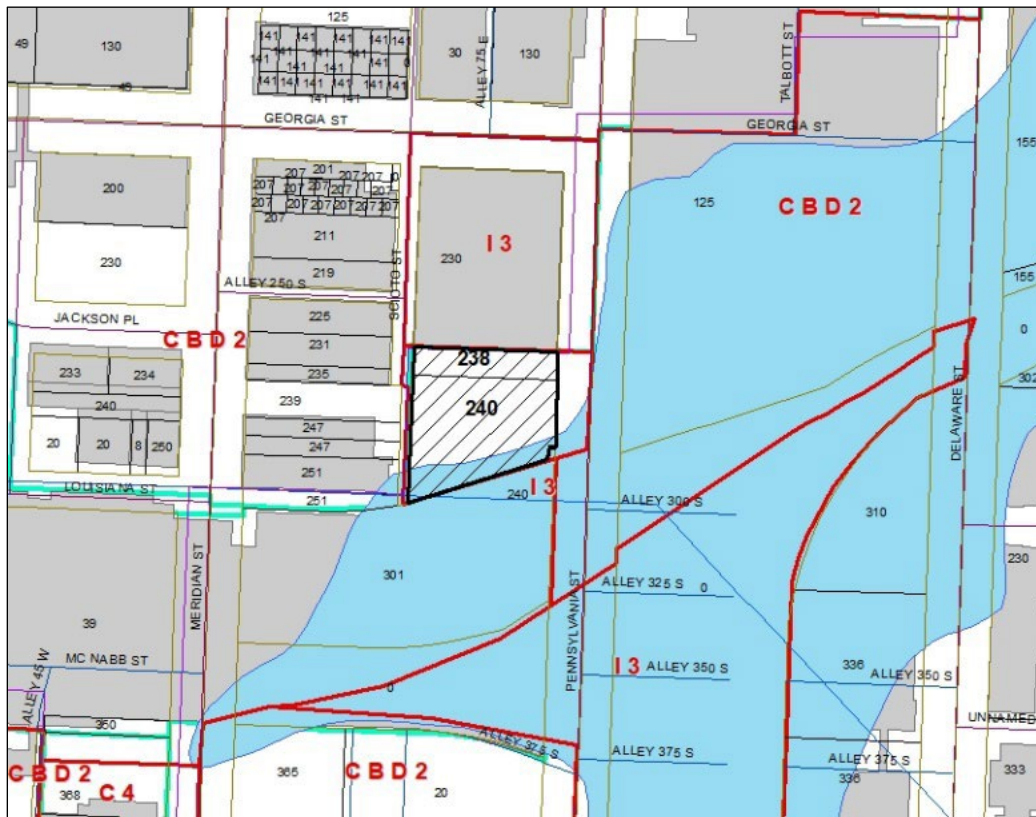
2024-REG-046, Regional Center Approval to provide for a three-story entertainment venue, **approved**.

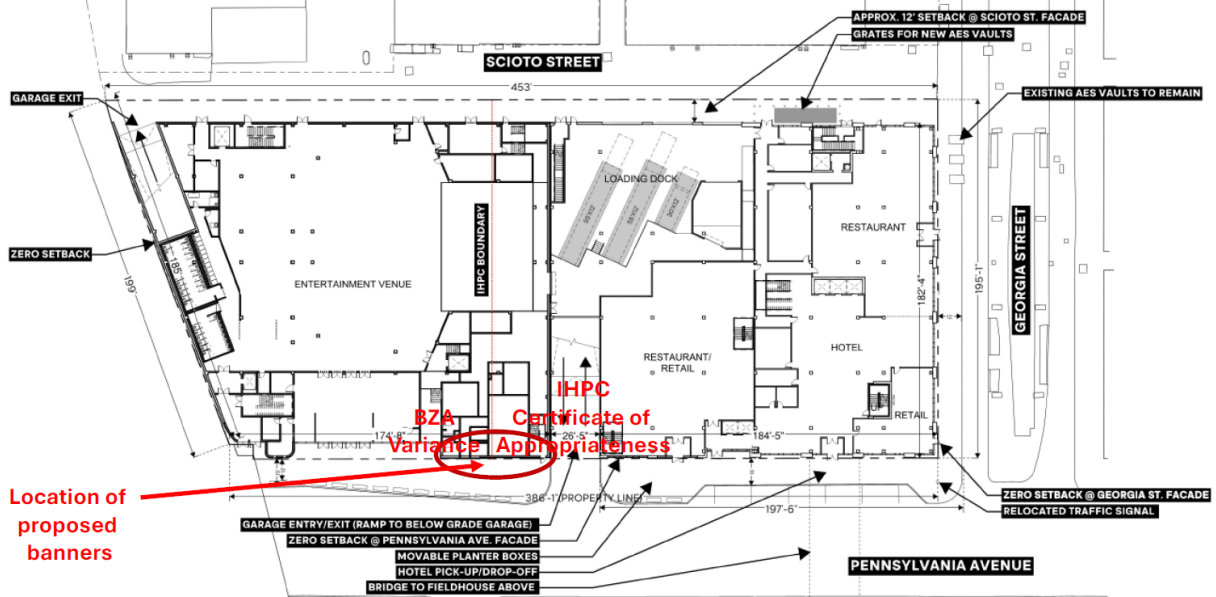
ZONING HISTORY – VICINITY

None.

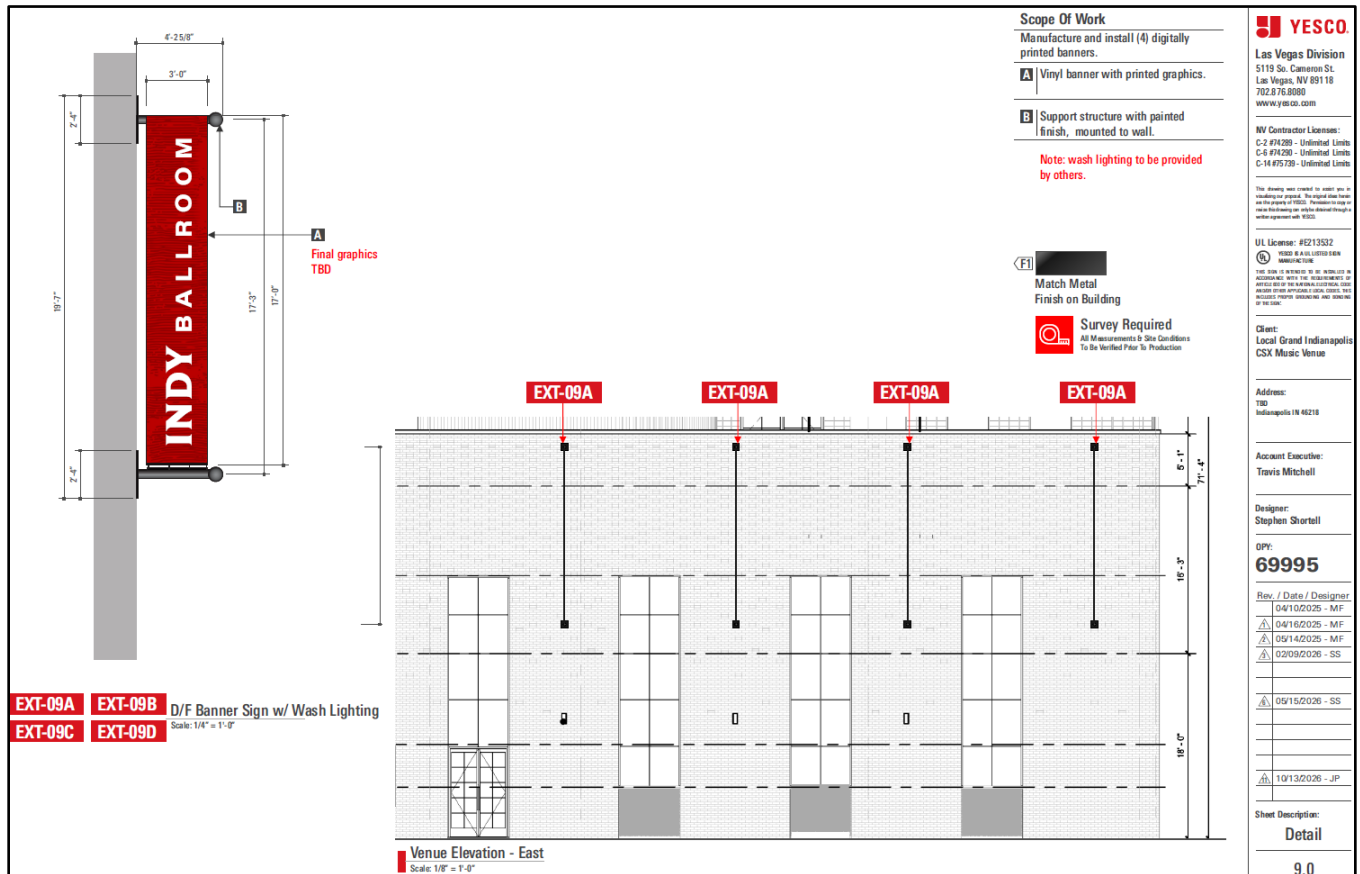
EXHIBITS

2026-DV3-042; Map





2026-DV3-042; Building Elevations and Sign Elevation



2026-DV3-042; Building Rendering



Customer Render
 Scale: NTS

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This drawing was created to assist you in understanding the project. The project shall be constructed in accordance with the requirements of the Nevada State Building Code and all applicable local codes. The client is responsible for obtaining all necessary permits and approvals from the local authorities.

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Client:
 Local Grand Indianapolis
 CSX Music Venue

Address:
 700
 Indianapolis IN 46218

Account Executive:
 Travis Mitchell

Designer:
 Stephen Shortell

DPI:
69995

Rev.	Date / Designer
1	04/10/2025 - MF
2	05/14/2025 - MF
3	02/09/2026 - SS
4	02/12/2026 - SS
5	03/03/2026 - SS
6	05/15/2026 - SS
7	06/02/2026 - SS
8	06/08/2026 - JP
9	07/08/2026 - SS

Sheet Description:
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1.0

2026-DV3-042; Findings of Fact

**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:

The banners and their hardware supporting mechanism are being professionally designed and installed by an expert national sign company.

The lowest part of the banners will be 14 feet above grade, out of reach of pedestrians on the sidewalk.

They will extend only 6' 5.5" from the building face, which is narrower than the sidewalk in front of the building - i.e., they are well outside of the street.

Their design is subtle and will not be a distraction to drivers.

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:

The area is an entertainment district with a variety of signage appropriate to their use.

The proposed banners are appropriate to the current and planned character of this area.

Therefore, they will not adversely affect the use or value of the area.

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

The proposed banners will serve an important role as a part of the Live Nation streetscape, adding visual interest by breaking up the large brick wall planes with a three dimensional element. The fact that these are banners, specifically, adds a missing element, in that they are of a softer material that will provide a welcome contrast against the brick walls and the other, hard-surfaced signage.

2026-DV3-042; Photograph



Subject Site from Pennsylvania Street (site under construction)