

BOARD OF ZONING APPEALS DIVISION II

October 13, 2026

Case Number:	2026-DV2-031
Address:	3030 Southeastern Avenue (approximate address)
Location:	Center Township, Council District #18
Zoning:	MU-2 (FF)
Petitioner:	JO & CE Real Estate LLC, by Alicia Downs
Request:	Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for 0% first floor facade transparency in an existing building (60-90 percent required).
Current Land Use:	Vacant Mixed-Use Building
Staff Recommendations:	Staff recommends approval of this petition subject to the plans submitted.
Staff Reviewer:	Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition subject to plans submitted.

PETITION OVERVIEW

- The currently proposed development would allow for the renovation and reuse of an existing vacant mixed-use building. The ground floor would contain 3,600 square feet in commercial retail use, that requires façade transparency. The upper floor would contain 6,176 square feet in seven multi-family residential apartments.
- This property is zoned MU-2 (Mixed Use Two), which is intended to meet the daily needs for surrounding neighborhoods, and include small social spaces that serve as neighborhood gathering places. The district includes primarily neighborhood-serving businesses and institutions, including a wide range of small-scale retail and service uses that typically do not draw customers from beyond the adjacent neighborhoods, and employment, institutional and residential uses that complement the compact, walkable development pattern. The MU-2 District is implemented as a small node or on busy corridors in the Traditional Neighborhood or City Neighborhood Typologies of the Land Use Pattern Book, or as a Village Mixed Use Typology. The typical size of a district is from 2 to 20 acres (1 to 4 blocks) but depends on the context and what integrates best into surrounding neighborhoods and complimentary zoning districts.

- Similarly, the Comprehensive Plan Pattern Book recommends this site for the Village Mixed-Use working typology to allow for the creation of neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well as to promote new neighborhood centers.
- Regulations on building transparency within the Ordinance exist to ensure both public safety and visibility for emergency responders as well as to allow for activation of facades that contain public pedestrian entrances. The request is a result of the reuse of an existing vacant building that predates the transparency requirement. The findings of fact indicate that the installation of the required transparency would create additional structural hardships for the building, due to it being constructed prior to the current Ordinance requirements. Therefore, a practical difficulty does exist because of the existing building earlier design, and limitation on modifying the structural integrity.
- Staff would note that although this building is not a contributing historic building, the Pattern Book does encourage the reuse of, or incorporation of historic buildings into new development, which this proposed use does.

GENERAL INFORMATION

Existing Zoning	MU-2	
Existing Land Use	Vacant Mixed-use building	
Comprehensive Plan	Village Mixed Use	
Surrounding Context		<u>Zoning</u>
	North:	D-5
	South:	C-4
	East:	C-4
	West:	D-5
		Surrounding Context
		Single-family residential
		Commercial restaurant
		Undeveloped
		Commercial use
Thoroughfare Plan		
	Southeastern Avenue	Secondary Arterial 70-foot existing right-of-way and 78-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	100-year flood plain	
Overlay	No	
Wellfield Protection Area	No	
Site Plan - Revised	August 18, 2026	
Elevations	September 16, 2026	
Landscape Plan	N/A	
Findings of Fact	August 18, 2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Marion County Land Use Plan Pattern Book recommends the Village Mixed-Use typology that creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.

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 – Village Mixed Use 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 developments 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.
- Where possible, contributing historic buildings should be preserved or incorporated into new development.

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

2026-ZON-016 / 2026-VAR-005; 3030 Southeastern Avenue (subject site), requested the Rezoning of 0.34-acre from D-5 (FF) to MU-2 (FF), for an existing building to be renovated for commercial retail uses and up to six dwelling units on the second floor, **approved**.

Requested a Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a zero-foot front transitional yard from English Avenue, a zero-foot west transitional side yard, with 15 on-site parking spaces, **granted**.

2017-UV3-017; 3009 English Avenue (west of site), requested a Variance of Use and Development Standards to provide for a tire shop, and a zero-foot north front yard, without landscaping, and a zero-foot south front yard, with deficient landscaping, and to provide for four parking spaces, with insufficient maneuvering, within the front yard setback, **granted**

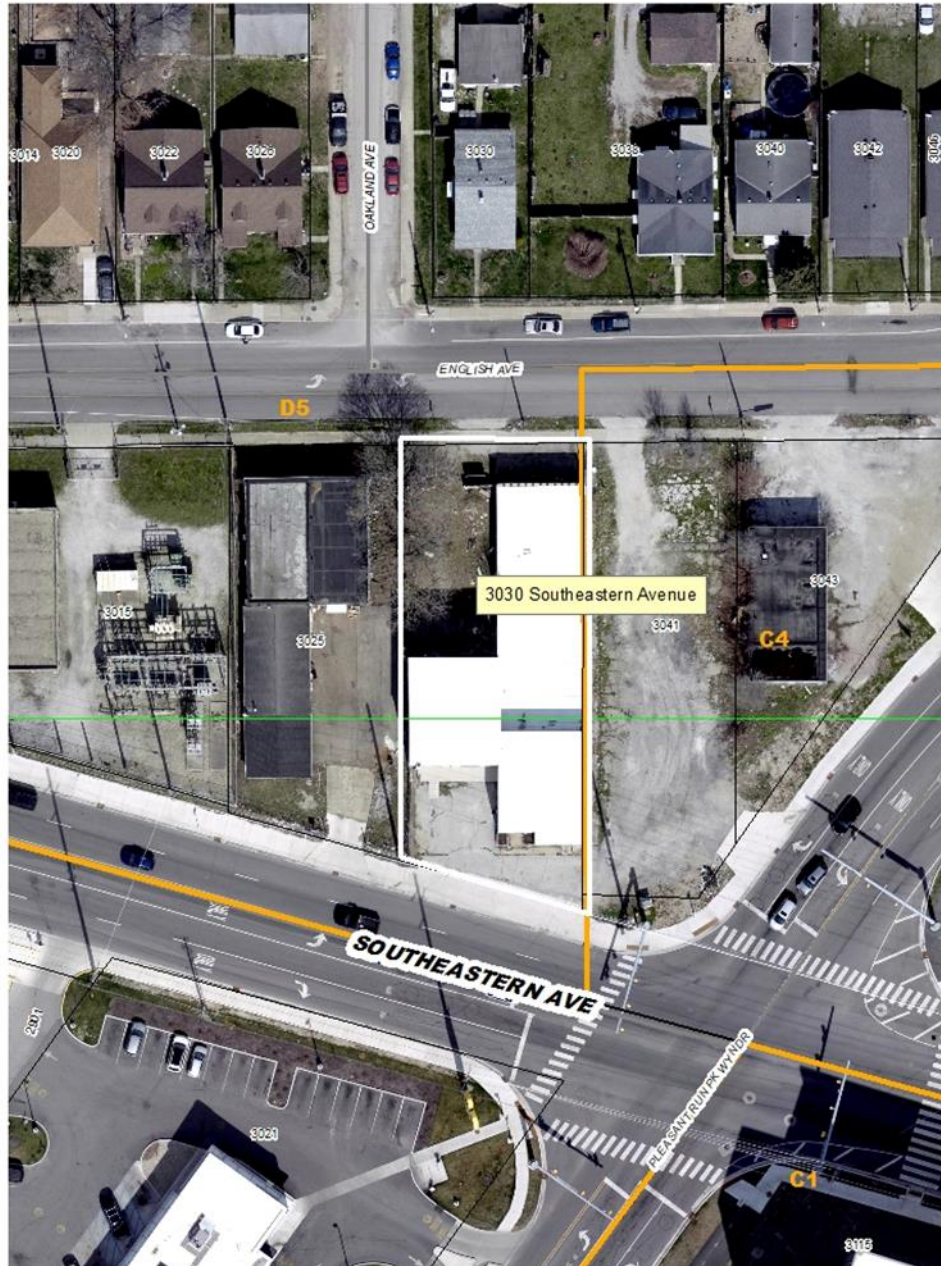
2015-ZON-069; 2815 English Avenue (west of site), requested the Rezoning of 4.18 acres, from the D-5 and C-4 districts to the D-10 classification to provide for multi-family uses, **approved**.

99-Z-160; 3009 English Avenue (subject site), requested the Rezoning of 0.23 acre from D-5 to C-3 to conform to the recommendation of the Southeastside Neighborhood Plan, **approved**.

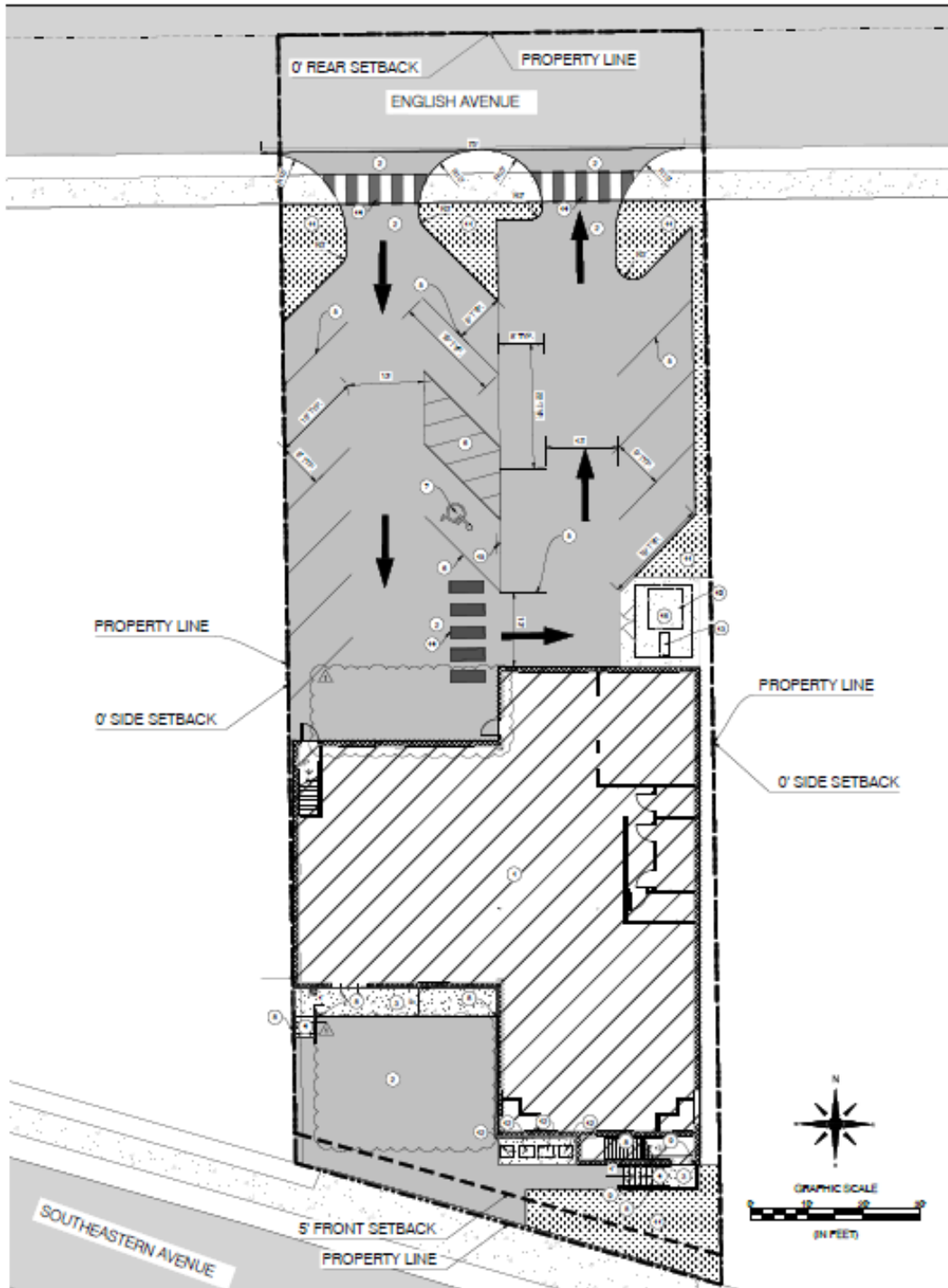
87-UV2-18; 3025 English Avenue (west of site), requested a Variance of Use of the Dwelling Districts Zoning Ordinance to provide for a machine shop, **granted**.

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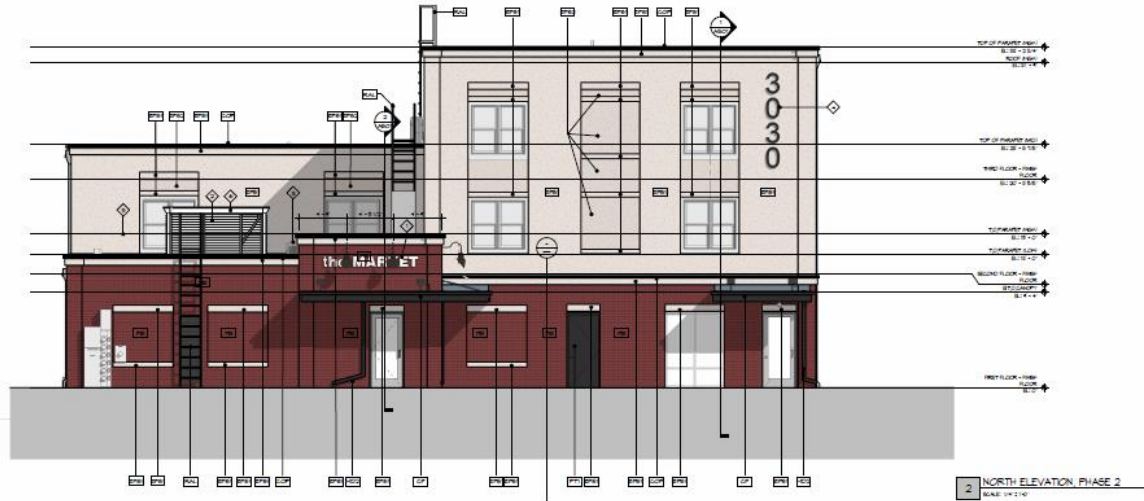
Aerial Map

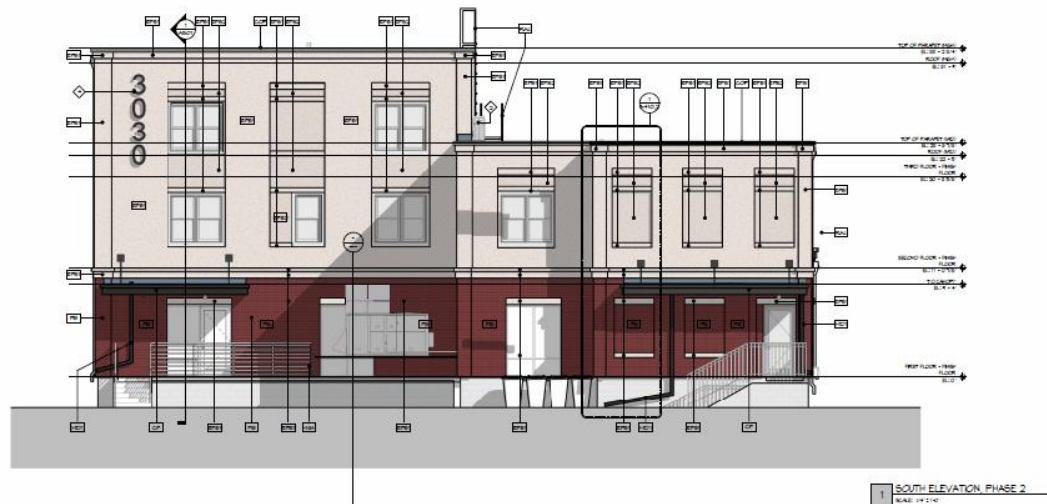
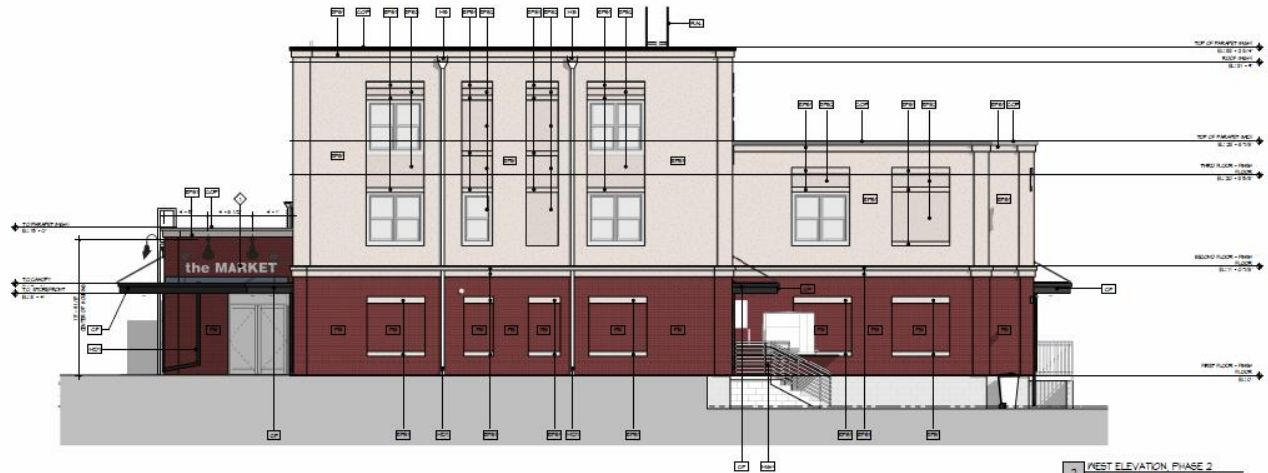


Site Plan



Elevation Plans







Findings of Fact

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:

We are requesting a variance to the Indianapolis Marion-County Zoning Ordinance Building Transparency Standards noted in Table 744-702-3, which requires the minimum first story transparency to be 60-90%. The existing site is an abandoned apartment complex. With our proposed improvements of a mixed-use building of retail and apartment units, we will positively impact the surrounding community through the revitalization of the existing site and the increase of business to the community.

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 adjacent properties are abandoned buildings and therefore would not negatively be impacted by our proposed improvements.

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 project scope is to renovate the existing building which currently does not meet the current City of Indianapolis Transparency Standards. To meet the current Transparency Standards, additional windows would need to be punched into the existing structure creating additional structural hardships to the building.

Photographs



Subject site, existing building north façade, looking south from English Avenue.



Subject site, existing building south façade, looking north from Southeastern Avenue.



Adjacent commercial to the west of subject site, looking south.



Adjacent undeveloped, and commercial to the east of subject site, looking northeast.