

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**June 26, 2025**

**Case Number:** 2025-ZON-055  
**Property Address:** 6225, 6233, and 6245 Kentucky Avenue (approximate addresses)  
**Location:** Decatur Township, Council District #21  
**Petitioner:** GBT Realty Corporation, by Joseph D. Calderon  
**Current Zoning:** D-A  
**Request:** Rezoning of 3.11 acres from the D-A districts to the C-4 district to provide for community-regional commercial uses, including an automobile fueling station.  
**Current Land Use:** Residential  
**Staff Recommendations:** Denial  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

**PETITION HISTORY**

This is the first public hearing on this petition.

**STAFF RECOMMENDATION**

Staff **recommends denial** of the request.

**PETITION OVERVIEW**

**LAND USE**

This 3.11-acre site is currently zoned D-A and is composed of three (3) parcels: 2003060, 2003409, and 2001611. The site contains three (3) existing single-family dwelling units. It is surrounded by single-family residential uses to the south, east, and west, all zoned D-A. To the north, across Kentucky Avenue Penn Central Railroad and Department of Revenue, zoned C-S.

**REZONING**

This petition request would rezone the property from the DA, Dwelling Agriculture, District to the C-4, Community-Regional Commercial, District to allow for a convenience store and gas station.

**D-A** (Dwelling Agriculture District) which holds the agricultural lands of Marion County and 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.

**C-4** (Community-Regional Commercial District) designed for major business groupings and regional-size shopping centers to serve a population ranging from a neighborhood to a major segment of the total metropolitan area. The district accommodates a number of large traffic generators, such as home improvement stores, department stores, and theatres, and allows limited outdoor activities.

## STAFF ANALYSIS

According to the 2018 Comprehensive Plan, the site is primarily recommended for Regional Commercial development. This typology supports general commercial, and office uses that serve a wide population base, typically including large freestanding buildings or integrated centers such as shopping malls, strip centers, and big-box retail stores.

However, Parcel 2003060 is recommended for Village Mixed-Use, which encourages compact, walkable neighborhood centers with a mix of small-scale businesses, housing types, and civic spaces. This typology emphasizes pedestrian orientation, human-scale design, and compatibility with surrounding residential neighborhoods.

The proposed gas station and convenience store would not align with the Village Mixed-Use recommendation. While it may be more consistent with the Regional Commercial designation, its proximity to a well-established residential neighborhood raises significant concerns.

The nature of the proposed use—characterized by continuous 24-hour operations, vehicle traffic, lighting, noise, and potential litter—would be disruptive to nearby residential properties. The intensity of the proposed commercial development would represent a significant departure from the surrounding low-density residential context and could undermine neighborhood stability.

Given the established residential character of the surrounding area, and the potential adverse impacts of this use on nearby homes, staff does not support the rezoning request. The proposed use would represent an incompatible encroachment of intense commercial activity into a predominantly residential area and could lead to long-term negative impacts on the character and cohesion of the neighborhood.

## GENERAL INFORMATION

<b>Existing Zoning</b>	D-A	
<b>Existing Land Use</b>	Enter Land Use	
<b>Comprehensive Plan</b>	Village Mixed-Use/ Regional Commercial	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
North:	C-S	Penn Central Railroad/ Department of Revenue
South:	D-A	Residential (Single-family dwelling)
East:	D-A	Residential (Single-family dwelling)
West:	D-A	Residential (Single-family dwelling)

Thoroughfare Plan		
Kentucky Avenue Ameriplex Parkway	Primary Arterial Primary Arterial	175-foot existing right-of-way and a 175-foot proposed right-of-way 0-foot existing right-of-way 141-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Airspace	
Wellfield Protection Area	No	
Site Plan	February 4, 2025	
Site Plan (Amended)	N/A	
Elevations	February 4, 2025	
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 Pattern Book (2019)

### Pattern Book / Land Use Plan

The **Village Mixed-Use** typology 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.

The **Regional Commercial** typology provides for general commercial and office uses that serve a significant portion of the county rather than just the surrounding neighborhoods. Uses are usually in large freestanding buildings or integrated centers. Typical examples include shopping malls, strip shopping centers, department stores, and home improvement center.

**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

**2011-ZON-001; 6225 Kentucky Avenue (subject site)**, Rezoning of 3.1 acres, from the D-A District to the C-3 classification to provide for commercial uses, **dismissed**.

### ZONING HISTORY- VICINITY

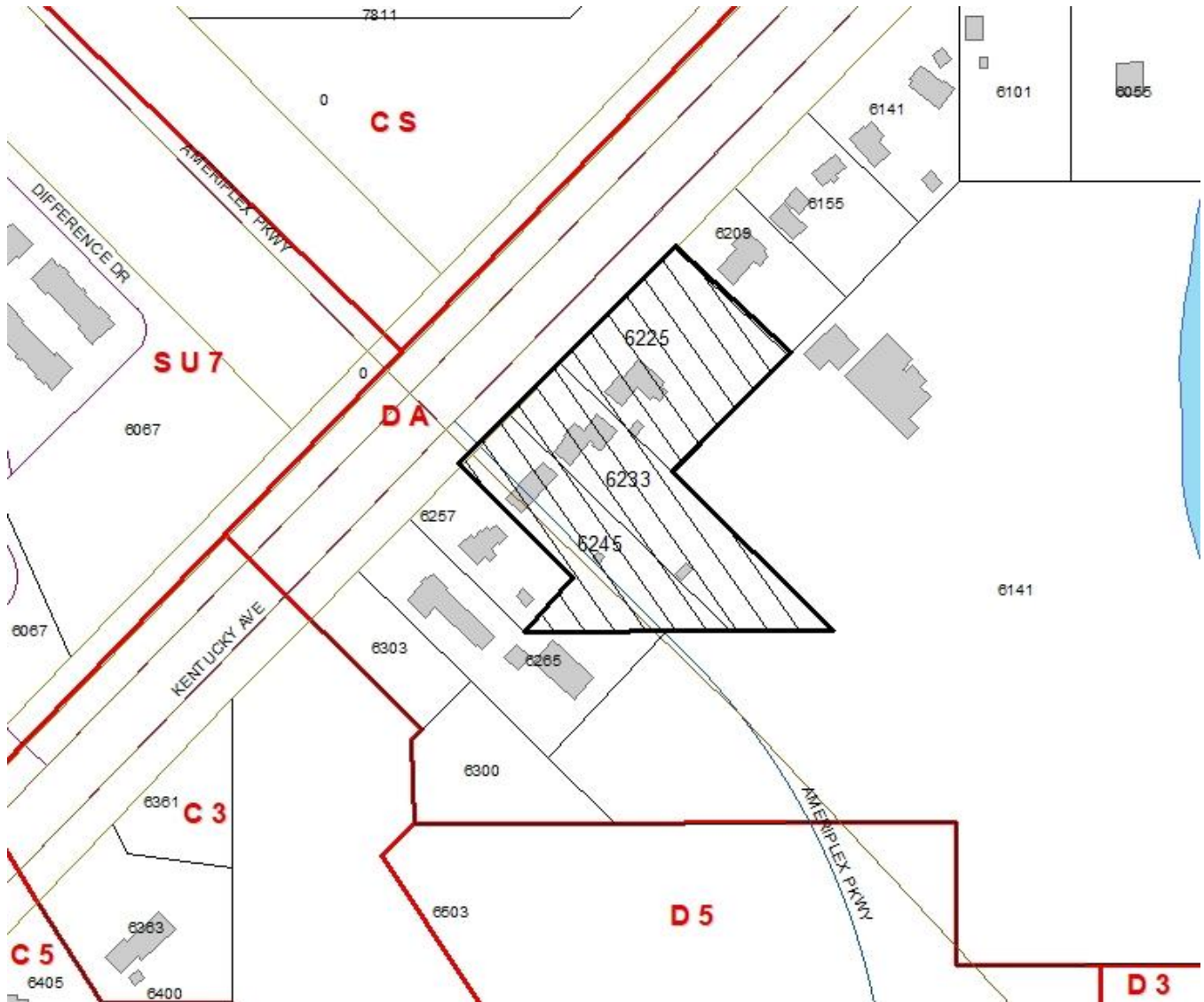
**2023ZON052; 5745 Kentucky Ave (south of site)**, Rezoning of 2.575 acres from the D-A district to the C-4 district to provide for a gas station/convenience store, **withdrawn**.

**2007-UV3-017; 6265 Kentucky Avenue (South of site)**, Variance of Use of the Dwelling Districts Zoning Ordinance to provide for a gift shop (not permitted) within the existing building located nearest to Kentucky Avenue (not permitted), and to legally establish the construction of a 576-square foot building related to a plumbing contractor (not permitted, plumbing contractor previously permitted by petition 2000-UV3-011) Variance of Development Standards of the Sign Regulations to provide for an eight-foot tall, 64-square foot pylon sign (not permitted), **granted**.

**2000-UV3-011; 6565 Kentucky Avenue (south of site)**, variance of use to provide for a plumbing contractor in D-A, **granted**.

**91-UV2-35; 6265 Kentucky Avenue (south of site)**, variance of use to provide for the construction of a second single-family dwelling on one lot in D-A, **dismissed**.

EXHIBITS



Zoning and location of the subject site.





Looking north along Kentucky Avenue from subject site.



Looking east from Kentucky Avenue to subject site.





Looking at the intersection of Ameriplex and Kentucky Avenue



Looking east from Kentucky avenue from subject site.





Looking at the subject site, abandon single family home.



Looking at the rear yard of the subject site.