

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**June 26, 2025**

**Case Number:** 2025-ZON-056  
**Property Address:** 8501 and 8651 South Emerson Avenue and 5260 Noggle Way  
**Location:** Franklin Township, Council District #25  
**Petitioner:** Claybrooke Luxury Living, LLC, by Joseph D. Calderon  
**Current Zoning:** C-4 / C-S  
**Request:** Rezoning of 9.186 acres from the C-4 and C-S districts to the D-10 district to provide for an approximately 202-unit multi-family development.  
**Current Land Use:** Undeveloped  
**Staff Recommendations:** Approval, subject to the commitment noted below:  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

This is the first public hearing on this petition.

**STAFF RECOMMENDATION**

Approval, subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least five business days prior to the MDC hearing:

The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.

**PETITION OVERVIEW**

This 9.198-acre site, zoned C-4 and C-S, is undeveloped and surrounded by undeveloped land to the north, zoned C-4 and C-S; hotels to the south, across Claybrooke Commons Drive, zoned C-S; automobile related uses to the east, across Claybrooke Commons Drive, zoned C-4; and commercial uses to the west, zoned C-S.

Petition 96-Z-232 rezoned a portion of the site to C-4 district and Petition 2004-ZON-169 rezoned the remaining portion of the site to the C-S district.

## **REZONING**

The request would rezone the site to the D-10 district. “The D-10 district is intended for high density housing formats, in moderate- or large-scale multi-unit building types. This district can be used at transitions and urban centers and corridors, including the high-density residential recommendations of the Comprehensive Plan, and the City Neighborhood and Urban Mixed-Use Typologies of the Land Use Pattern Book. “

“To advance the Livability Principles of this Code, the D-5, D-5II, D-8, D9 and **D-10** districts implement walkable, compact neighborhoods within a well-connected street network and block structure, using slow neighborhood streets, walkable connectors, and multi-mode thoroughfares. Access to parks and recreation, transit and neighborhood services within walking distance is important. Street trees, landscape and trees along private frontages, and an active amenity zone create comfortable walking environment and add appeal to neighborhoods. These districts require urban public and community facilities and services to be available. These districts may be used in combination to supply critical mass of residents to support nearby commercial and transit investments.”

The purpose of the Walkable Neighborhood design standards and objectives is to advance the Livability Principles of this code, and to promote walkable neighborhoods. Any exceptions to the standards in the Ordinance, or discretionary review processes related to a specific application, shall be judged against these design objectives, in addition to any other criteria in this code for the application.

This request would align with the Comprehensive Plan recommendation of Interchange Area Mixed-Use.

### **Site Plan**

The site plan, file-dated May 16, 2025, depicts four multi-story buildings surrounding an amenity space with surface and garage parking around the perimeter of the site.

There would be approximately 202 dwelling units, with 364 parking spaces. Amenities would include a clubhouse, pickleball court, firepit, pool and dog park.

### **Environmental Public Nuisances**

The purpose of the Revised Code of the Consolidated City and County, Sec.575 (Environmental Public Nuisances) is to protect public safety, health and welfare and enhance the environment for the people of the city by making it unlawful for property owners and occupants to allow an environmental public nuisance to exist.

All owners, occupants, or other persons in control of any private property within the city shall be required to keep the private property free from environmental nuisances.

Environmental public nuisance means:

1. Vegetation on private or governmental property that is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and that has attained a height of twelve (12) inches or more;
2. Vegetation, trees or woody growth on private property that, due to its proximity to any governmental property, right-of-way or easement, interferes with the public safety or lawful use of the governmental property, right-of-way or easement or that has been allowed to become a health or safety hazard;
3. A drainage or stormwater management facility as defined in Chapter 561 of this Code on private or governmental property, which facility has not been maintained as required by that chapter; or
4. Property that has accumulated litter or waste products, unless specifically authorized under existing laws and regulations, or that has otherwise been allowed to become a health or safety hazard.

Staff would request a commitment that emphasizes the importance of maintaining the site in a neat and orderly manner at all times and provide containers and receptacles for proper disposal of trash and other waste.

## GENERAL INFORMATION

|                                   |                            |  |
|-----------------------------------|----------------------------|--|
| <b>Existing Zoning</b>            | C-4 / C-S                  |  |
| <b>Existing Land Use</b>          | Undeveloped land           |  |
| <b>Comprehensive Plan</b>         | Interchange Area Mixed-Use |  |
| <b>Surrounding Context</b>        | <u><b>Zoning</b></u>       | <u><b>Land Use</b></u>   |
| North:                            | C-4 / C-S                  | Undeveloped land   |
| South:                            | C-S                        | Hotels   |
| East:                             | C-4                        | Auto related uses  |
| West:                             | C-S                        | Commercial uses  |
| <b>Thoroughfare Plan</b>          |                            |  |
| South Emerson Avenue              | Primary arterial           | Existing 120-foot right-of-way and proposed 119-foot right-of-way. |
| Noggle Way                        | Local Street               | Existing 70-foot right-of-way and proposed 50-foot right-of-way.   |
| <b>Context Area</b>               | Metro                      |  |
| <b>Floodway / Floodway Fringe</b> | No                         |  |
| <b>Overlay</b>                    | No                         |  |

|                                   |              |
|-----------------------------------|--------------|
| <b>Wellfield Protection Area</b>  | No           |
| <b>Site Plan</b>                  | May 16, 2025 |
| <b>Site Plan (Amended)</b>        | N/A          |
| <b>Elevations</b>                 | May 16, 2025 |
| <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

Not Applicable to the Site.

### Pattern Book / Land Use Plan

Not Applicable to the Site.

### Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

### Neighborhood / Area Specific Plan

I-65/County Line Road Strategic Plan (2008) recommends Interchange Area Mixed-Use for this site.

The Interchange Area Mixed-Use designation for this area allows for flexibility in development of industrial, commercial and multi-family residential projects. However, the mix of these uses within the Critical Area should not be haphazard or indiscriminate. Traffic generation, truck traffic, compatibility of uses, integration of uses, and building heights and mass should all be evaluated when considering siting of uses within the Critical Area.

This site is located within Critical Area I that includes County Line Road from I-65 to Smock Golf Course, with Todd Road being the northern boundary.

Recommended land use: "Large-scale developments are recommended for the interchange area. Large sites in proximity to interchanges are scarce and should be reserved for uses that need the combination of a large site and immediate interstate access. Examples are large industrial uses, large-scale shopping centers or corporate headquarters. Although small-scale outlot development may be appropriate along

some streets or at certain intersections, small- to medium-scale uses should not be sited in ways that preclude large-scale development.”

I-65 at County Line Road is the most heavily traveled entry point into Indianapolis and Marion County from the south. It is important that a good first impression is made. The following design considerations are important in proximity to the interstate.

- **Materials** - buildings visible to the interstate should be constructed of high quality, durable and aesthetically pleasing materials. Examples include such materials as brick, stone, pre-cast concrete panels, tile, decorative block, wood lap siding, ceramic and glass.
- **Finished sides** - buildings should have the same materials, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public rights-of-way.
- **Blank walls** - walls visible from the interstate should be articulated with openings, changes in materials, or architectural ornamentation.
- **Landscaping** - landscaping along the I-65 frontage should be balanced between providing a lush landscape with a variety of vegetation heights, colors and textures and providing reasonable visibility of structures and signs.
- **Trash receptacles and refuse areas** - trash receptacles and refuse areas should not be located where visible from I-65 and other public rights-of-way.
- **Signs** - Signs should be architecturally compatible with and accentuate the buildings and landscaping on the site in terms of colors, materials, and style. Examples of appropriate types of signs are ground signs, awning signs, wall signs, projecting signs, suspended signs, and window signs. Types of signs that are inappropriate are animated signs, roof signs, marquee signs, message centers, digital signs and electronic variable message signs. An excessive number of signs and excessively large signs are discouraged.
- **Billboards** - Off premises advertising should be restricted from the gateway area.

Pedestrian connectivity within the area and pedestrian connectivity with the surrounding development is important. Sidewalks should be provided along all public streets except Interstate 65. Within Critical Area I walkways and bike paths should be provided to form a walkway system that functionally connects all of the buildings' main front entrances with the sidewalks located along the public streets. Provisions should be made for adequate bicycle and scooter parking.

Streetscapes and the interiors of parking lots in the Critical Area should be well landscaped to provide a lush landscape with a variety of vegetation heights, colors and textures while providing reasonable visibility of structures and signs. Trees should be planted extensively to cool paved surfaces and intercept stormwater.

### **Infill Housing Guidelines**

Not Applicable to the Site.

### **Indy Moves**

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”

The following listed items describe the purpose, policies and tools:

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW)
- Identify roadways for planned expansions or new terrain roadways
- Coordinate modal plans into a single linear network through its GIS database

## ZONING HISTORY

**2005-ZON-169; 8601, 8651 and 8921 South Emerson Avenue**, requested the rezoning of 58 acres from the D-A district to the C-S classification to provide for C-4, HD-1 and D-7 uses, **approved**.

**96-Z-232; 8821 South Emerson Avenue**, requested the rezoning of 29.8 acres from the D-A district to the C-4 classification, **approved**.

## VICINITY

**2019-ZON-153; 8516, 8600, 8814, and 8816 South Arlington Avenue, 5624 and 5740 East County Line Road (east of site)** requested the rezoning of 137 acres from the C-4 and D-A districts to the C-S classification, **approved**.

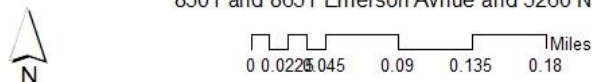
**2007-DV3-012; 8921 South Emerson Avenue (southwest of site)**, requested a variance of development standards to provide for a 77-foot-tall hotel, **approved**.

**2006-ZON-123; 8051 South Emerson Avenue (north of site)**, requested the rezoning of 31 acres from the HD-2 district to the HD-1 classification, **approved**.

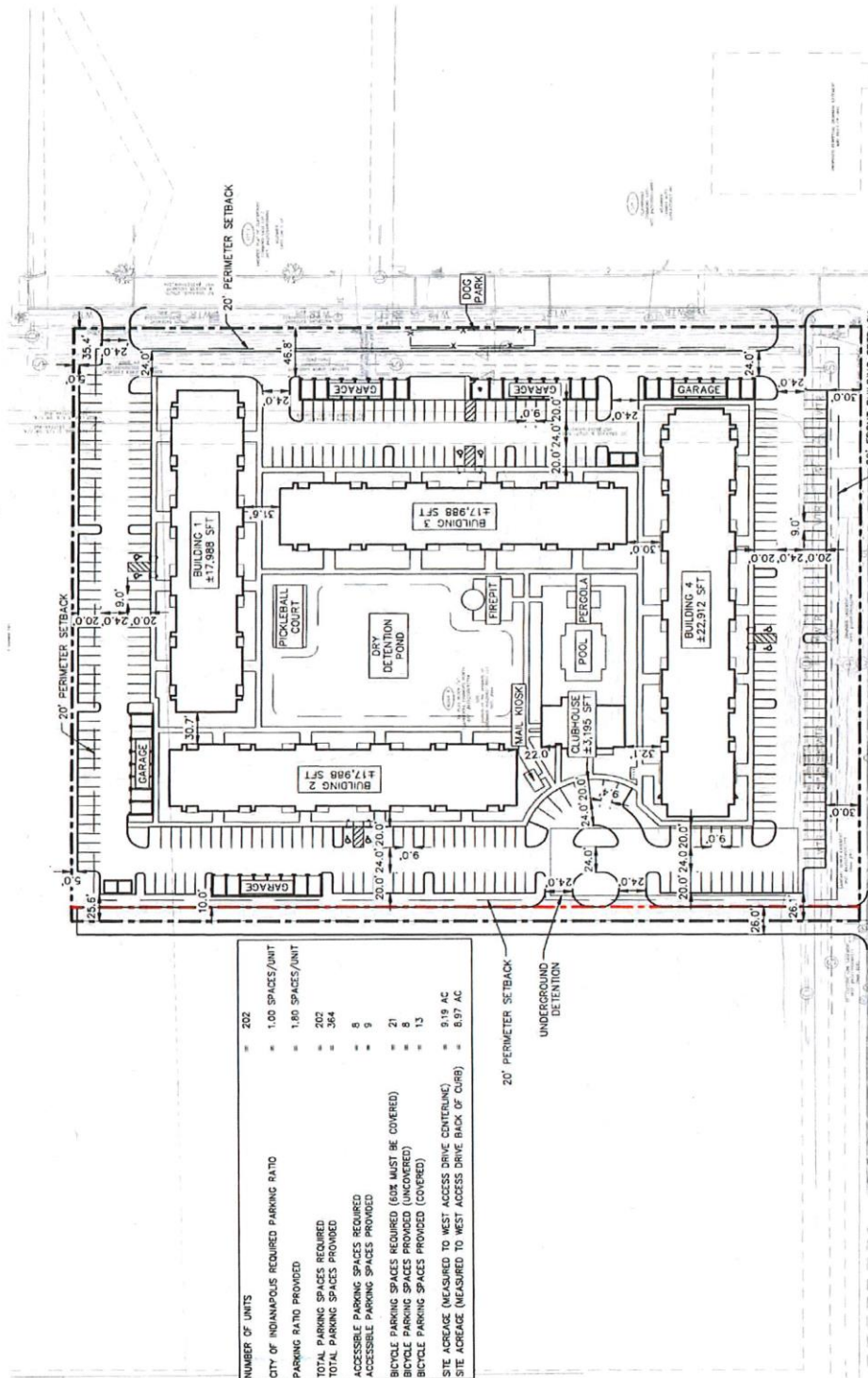
**2003-ZON-153; 8111 South Emerson Avenue (west of site)**, requested the rezoning of 56.5 acres from the D-A district to the C-4 classification, **withdrawn**.

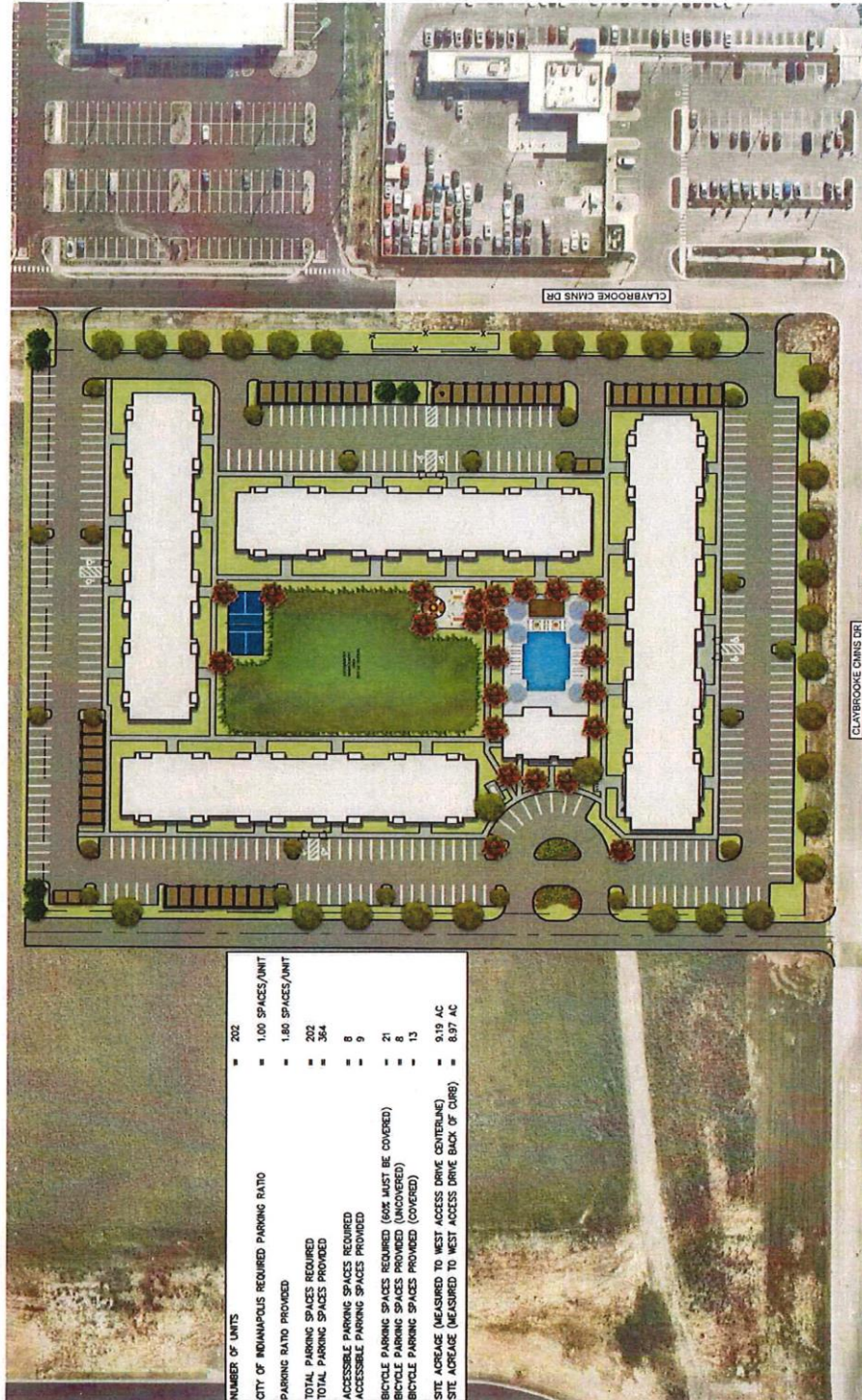
**99-ZON133; 8921 South Emerson Avenue (southwest of site)**, requested the rezoning of 17 acres from the D-A district to the C-4 classification, **approved**.











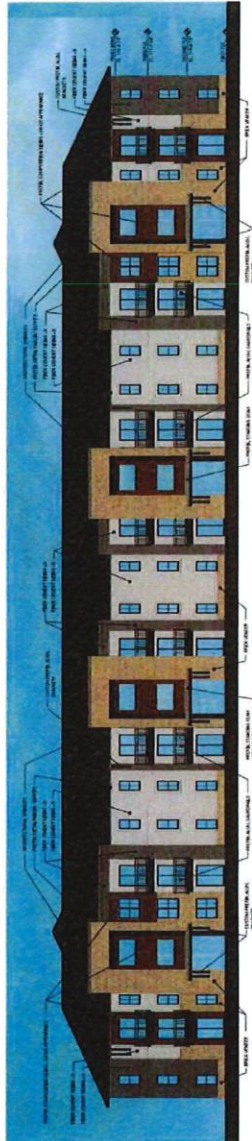
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MIA ROSE CLAYBROOKE COMMONS MULTIFAMILY | INDIANAPOLIS, IN  
 04.17.2025

|  |                    |
|--|--------------------|
| NUMBER OF UNITS  | = 202              |
| CITY OF INDIANAPOLIS REQUIRED PARKING RATIO            | = 1.00 SPACES/UNIT |
| PARKING RATIO PROVIDED                                 | = 1.80 SPACES/UNIT |
| TOTAL PARKING SPACES REQUIRED                          | = 202              |
| TOTAL PARKING SPACES PROVIDED                          | = 364              |
| ACCESSIBLE PARKING SPACES REQUIRED                     | = 8                |
| ACCESSIBLE PARKING SPACES PROVIDED                     | = 9                |
| BICYCLE PARKING SPACES REQUIRED (60% MUST BE COVERED)  | = 21               |
| BICYCLE PARKING SPACES PROVIDED (UNCOVERED)            | = 8                |
| BICYCLE PARKING SPACES PROVIDED (COVERED)              | = 13               |
| SITE AREA (MEASURED TO WEST ACCESS DRIVE CENTERLINE)   | = 0.19 AC          |
| SITE AREA (MEASURED TO WEST ACCESS DRIVE BACK OF CURB) | = 0.37 AC          |



|                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |
|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| <p>REVISIONS</p> | <p>REVISIONS</p> | <p>REVISIONS</p> | <p>REVISIONS</p> | <p>REVISIONS</p> | <p>REVISIONS</p> | <p>REVISIONS</p> | <p>REVISIONS</p> | <p>REVISIONS</p> | <p>REVISIONS</p> | <p>REVISIONS</p> | <p>REVISIONS</p> |
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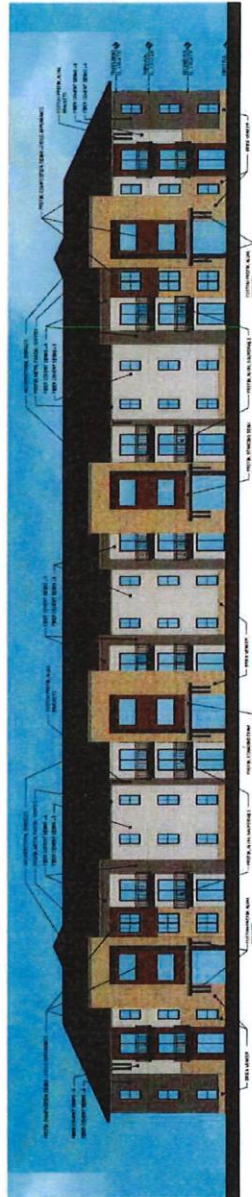
1. FRONT ELEVATION - BUILDING 'B'  
 BY JACOB JENSEN



2. LEFT SIDE ELEVATION - BUILDING 'B'  
 BY JACOB JENSEN



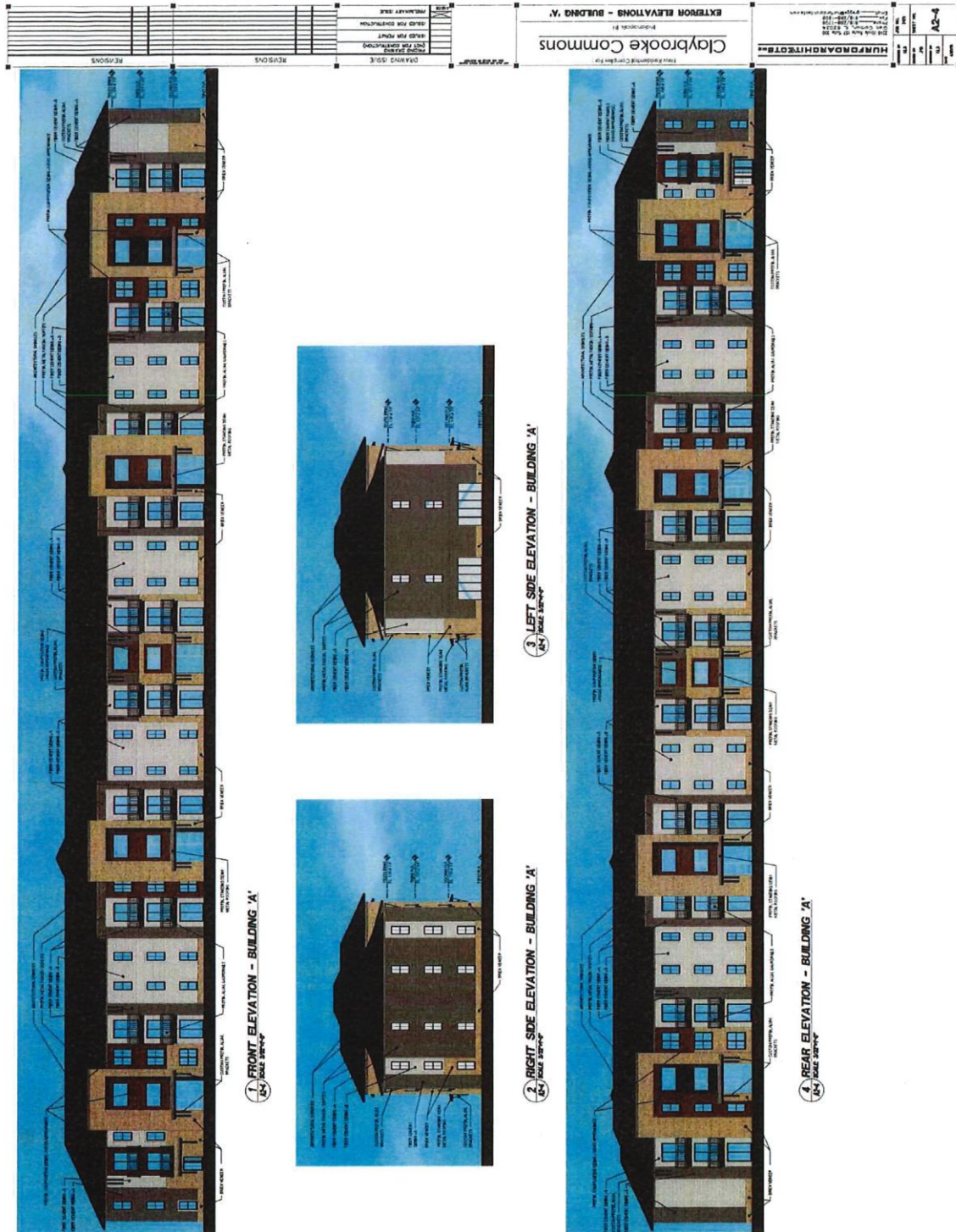
3. RIGHT SIDE ELEVATION - BUILDING 'B'  
 BY JACOB JENSEN



4. REAR ELEVATION - BUILDING 'B'  
 BY JACOB JENSEN

CLAYBROOKE COMMONS  
 1000 10TH AVENUE  
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View looking west along Claybrooke Commons Drive



View looking east along Claybrook Commons Drive (site on left)





View of site looking north across Claybrooke Commons Drive



View of site looking northeast across Claybrooke Commons Drive



View of site looking northwest across Claybrooke Commons Drive



View of site looking west across Claybrooke Commons Drive





View of site looking west across Claybrooke Commons Drive



View of site looking west across Claybrooke Commons Drive



View of site looking southwest across Claybrooke Commons Drive



View looking south along Claybrooke Commons Drive (site on the right)