

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 14, 2025

Case Number: 2025-MOD-015

Property Address: 2326 Southport Commons Drive

Location: Perry Township, Council District #22

Petitioner: Wellingshire Partner, LLC, by Timothy Ochs and Jennifer Milliken

Current Zoning: D-P (FF) (W-1)

Request: Modification of the Development Statement related to petition 2024-ZON-014 to provide for vehicle entry point signs and five incidental signs to be installed as indicated on the site plan, file-dated July 3, 2025 (minimum two-foot setback from a street for vehicle entry point signs and a maximum of 3.2 incidental signs permitted).

Current Land Use: Commercial uses currently under development

Staff Recommendations: Approval

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first public hearing on this petition.

STAFF RECOMMENDATION

Approval, subject to the modified Development Statement file-dated July 3, 2025, and site plans file-dated July 3, 2025 and August 12, 2025.

PETITION OVERVIEW

This 1.6-acre site, zoned D-P, is currently being developed with a commercial use. It is surrounded by West Southport Road right-of-way to the north; commercial uses to the south; undeveloped land to the east; and Wellingshire Boulevard right-of-way, to the west, all zoned D-P (FF) (W-1).

This site was included in petition 2025-ZON-014 that rezoned 57.81 acres to the D-P district to revise the list of permitted uses and update the D-P Statement associated with Petitions 97-Z-14 / 97-DP-3 and subsequent modification and approval petitions.

MODIFICATION

The request would modify the Development Statement related Petition 2024-ZON-014 to provide for vehicle entry point signs and five incidental signs to be installed as indicated on the site plans, file-dated July 3, 2025 and August 12, 2025. The approved Sign Program deferred to the Sign Regulations for all secondary freestanding signage. See Exhibit A.

The request would permit the vehicle-entry sign to be located more than the minimum of two feet from a street. Staff supports this because of the configuration of Wellingshire Boulevard and the landscaped areas within the center of the boulevard and as well as the along the street sides. Additionally, the five-foot wide sidewalk along the western site boundary pushes the proposed sign further into the site and away from the street. Consequently, staff supports this modification.

This request would also provide for seven incidental (free standing secondary) signs when the Sign Regulations would allow 3.2 incidental signs based upon the site acreage. Despite the proposed increase in the number of signs and given the traffic generated by this use, staff believes the additional signs are supportable and would result in a more organized functional circulation within the site and improved pedestrian and vehicle safety, with minimal impact on surrounding land uses.

Floodway / Floodway Fringe

This site has a secondary zoning classification of a Floodway (FW) and Floodway Fringe (FF). The Floodway (FW) is the channel of a river or stream, and those portions of the floodplains adjoin the channels which are reasonably required to efficiently carry and discharge the peak flood flow of the base flood of any river or stream. The Floodway Fringe (FF) is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.

The purpose of the floodway district is to guide development in areas identified as a floodway. The Indiana Department of Natural Resources (IDNR) exercises primary jurisdiction in the floodway district under the authority of IC 14-28-1.

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (D-P in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance and all other applicable City Ordinances.

Wellfield Protection Secondary Zoning

A wellfield is an area where the surface water seeps into the ground to the aquifer and recharges the wells that are the source of our drinking water. This secondary zoning district places closer scrutiny on uses and activities that might contaminate the underground drinking water supply.

There are two wellfield district designations. An area identified as W-1 is a one-year time-of-travel protection area. The W-5 is a five-year time-of-travel protection area. All development within these districts is subject to Commission approval. The filing of a site and development plan is required and subject to approval, on behalf of the Commission, by a Technically Qualified Person (TQP), unless exempted by the Ordinance.

“Because of the risk that hazardous materials or objectionable substances pose to groundwater quality, it is recognized that the further regulation of the manufacturing of, handling, transfer, disposal, use or storage of hazardous materials or objectionable substances related to nonresidential use activities is essential in order to preserve public health and economic vitality with Marion County.”

All uses permitted in the applicable primary zoning district shall be those uses permitted in the W-1 and W-5 zoning districts, unless otherwise prohibited by the Ordinance, and provided no other secondary zoning district prohibits the use.

“No building, structure, premises or part thereof shall be altered, constructed, converted, erected, enlarged, extended, modified, or relocated except in conformity with this Section, and not until the proposed Site and Development Plan has been filed with and approved on behalf of the Commission by the Technically Qualified Person (TQP). Regulations found in Chapter 742, Article II, Section 4 shall apply to all land within the Wellfield Protection Zoning Districts. The entire site shall be subject to review by the TQP. These regulations shall be in addition to all other primary and secondary zoning district regulations applicable to such land, and in case of conflict, the more restrictive regulations shall apply.”

The subject site is located within the W-1 South wellfield protection area and any use or development within a wellfield protection district would be subject to the Technically Qualified Person (TQP) review and approval, unless and until the property owner provides sufficient justification that the type of use, type of facility, and chemical quantity limits, independent of the land use would be exempt from the requirements for filing a development plan. Otherwise, a development plan would be required to be filed and approved on behalf of the Metropolitan Development Commission by the (TQP). Contaminants that would have an adverse effect would include chemicals that are used in the home, business, industry, and agriculture. Chemicals such as furniture strippers, lawn and garden chemicals, cleaning chemical and solvents, gasoline, oil, and road salt can all contaminate groundwater supplies if poured on the ground or improperly used or stored.

GENERAL INFORMATION

Existing Zoning	D-P (FF) (W-1)
Existing Land Use	Under development with commercial uses
Comprehensive Plan	Community Commercial

Surrounding Context	Zoning	Land Use
North:	D-P (FF) (W-1)	West Southport Road right-to-way
South:	D-P (FF) (W-1)	Commercial uses
East:	D-P (FF) (W-1)	Undeveloped land
West:	D-P (FF) (W-1)	Wellingshire Boulevard right-of-way
Thoroughfare Plan		
Southport Commons Drive	Local Street	TBD
Context Area	Metro	
Floodway / Floodway Fringe	Yes – Little Buck Creek	
Overlay	No	
Wellfield Protection Area	Yes - South W-1	
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	July 3, 2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Community Commercial. The Community Commercial typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.

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 – Community Commercial 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 development should include sidewalks along the street frontage.

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)

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

2024-PLT-031, 7125 Wellingshire Boulevard, requested approval of a Subdivision Plat to be known as Southern Dunes Commons at Wellingshire, subdividing 18.73 acres into two lots and three blocks, with a waiver of sidewalk requirements along Southport Road, per Chapter 741, Article III, Section 6 of the Consolidated Zoning and Subdivision Ordinance, **pending**.

2024-ZON-014; 7125 Wellingshire Boulevard, requested rezoning of 57.81 acres from the D-P (FF) (W-1) district to the D-P (FF) (W-1) district to revise the list of permitted uses for Parcel 2 of the Southern Dunes (formerly Wellingshire) Planned Unit Development. Permitted uses would be as follows: Parcel 2 (7125 Wellingshire Boulevard) Public, Institutional, Religious and Civic Uses, Medical or Dental Offices, Centers or Clinics, Animal Care, Boarding, Veterinarian Services, Artisan Food and Beverage, Farmers Market, Financial and Insurance Services, Hair and Body Care Salon or Service, Bar or Tavern, Eating Establishment or Food Preparation (any type), Indoor Recreation and Entertainment, Hotel, Motel, Offices (Business, Professional or Government), Outdoor Recreation and Entertainment, Grocery Store, Liquor Store, Retail, Light and Heavy General, Automobile and Light Vehicle Wash, Automobile, Motorcycle, Light Vehicle Service or Repair, Vehicle Charging Station and other Accessory Uses, **approved**.

2013-MOD-016; 7185 Wellingshire Boulevard and 7500 South Belmont Avenue, requested modification of the Development Statement for 97-Z-14 (97-DP-3), as modified by 2000-APP-038, 2000-APP-161, 2001-APP-161, 2001-APP-158, 2002 APP-03 and 2002-APP-127 to generally include: a) 2,341 dwelling units and 2.17 units per acre; b) multi-family developed on Parcels One and 25; c) 250,000 square feet of commercial development, 400 multi-family units and a 15-acre assisted living facility within Parcel Two; d) multi-family and commercial on Parcels 12 and 13, subject to the overall 2.17 units per acre density; and e) perimeter street improvements: The west approach of Stop 11 Road at the intersection of Stop 11 Road and State Road 37 and the east and west approaches of County Line Road at the intersection of County Line Road and State Road 37 shall be improved to the extent approved by DPW and INDOT (requires double right-turn and left-turn lanes, and double-left turn lanes, one through land and one right-turn lane, respectively, **approved**.

2004-ZON-093; 2201 and 3425 West Southport Road, 7500 State Road 37, 2701 West Stop 11 Road and 8808 Bluff Road, requested rezoning of 1,023 acres, being in the D-P (GSB)(FW)(FF)(W-1) District to the D-P (FW)(FF)(W-1) classification to provide for a map correction to rezoning case 97-Z-14 to remove all property from the Gravel Sand =Borrow (GSB) classification, **approved**.

2002-APP-127; 2201 West Southport Road, requested a modification of the Development Statement related to petitions 97-Z-14 (97-DP-003), 2000-APP-38, 2000-APP-161, 2001-APP-158 and 2002-APP-033 to provide for 1) Parcel 3 and Parcel 3a of southern Dunes to be developed with two-family dwellings; 2) a decrease of acreage of Parcel 1B from 62 acres to 38 acres; 3) improvements / upgrades of State Road 37 to the extent approved by DPW and INDOT; 4) changes to traffic signal improvements, the method of provided for "fair share" costs of improvements, and "in kind" improvements, times in which a Letter of Credit shall be obtained and the amount of funds required for the Letter of Credit; and 5) deletion of VI.A.3.g which provided for reservation of right-of-way at the intersection of State Road 37 and

Southport Road, and the expiration of said reservation after ten years for those parts of the right-of-way not required, **approved**.

2002-APP-033; 2201 West Southport Road, requested modification of the Development Statement related to petitions 97-Z-14 (97-DP-3), 2000-APP-038, 2000-APP-161 and 2001APP-158 to modify Section 1 to read: No building, with the exception of the clubhouse, shall exceed 35 feet. The Clubhouse located on Parcel 14 shall not exceed 48 feet, **approved**.

2001-APP-158; 2201 West Southport Road, requested modification of the development statement related to petition 97-Z-14 (97-DP-2), 2000-APP-038, and 2001-APP-161 to provide for the reconfiguration of the proposed residential, commercial recreational and miscellaneous uses within the proposed development to include a) a corrected legal description of 1,189 acres; b) 12 single-family residential communities; c) total acreage within each residential community of development parcel may increase or decrease by as much as 10%; d) proposed number of lots or units within each residential community of development parcel may increase or decrease by as much as 25%; e) creation parcel 9a as three acres of open space, with development of this site limited to a pylon sign not to exceed 30 feet in height to serve as identification of the proposed adjacent commercial uses; and f) density to be based on the entire development minus the commercial properties, **approved**.

2000-APP-161; 2201 West Southport Road, requested modification of the Development Statement related to petitions 97-Z-14 (97-DP-3) and 2000-APP-038 to provide for 43-foot-tall multi-family dwellings on Parcels 25 and / or 1, **approved**.

2000-APP-038, 2201 West Southport Road, requested modification of the Development Statement, related to petition 97-Z-14 (97-DP-3), of Southern Dunes (formerly known as Wellingshire) to provide for a reconfiguration of the proposed residential, commercial, recreational, and miscellaneous uses within the proposed development, **approved**.

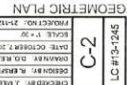
97-Z-14 (97-DP-3); 2201 West Southport Road, requested rezoning of 1,130 acres, being in the D-A (FF), SU-23 (GSB)(FF), SI-3 (FF), D-6 (FF), and C-3 (FF) districts to the D-P (GSB)(FF) classification to provide for a residential and golf course community development consisting of eight single-family residential communities, three multi-family residential communities, a 27-hole golf course, a nine-hole golf course, a golf academy, club house and practice area, two neighborhood commercial centers, two neighborhood commercial services, a mini-warehouse use, recreational amenities and open space areas, **approved**.

EXHIBITS

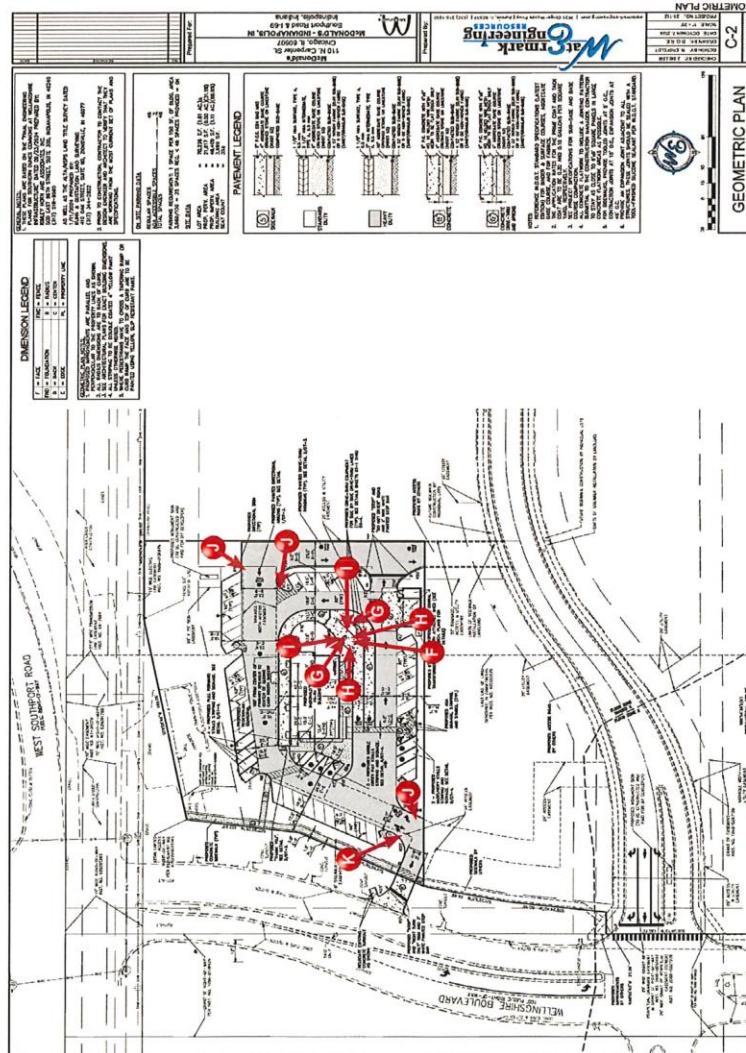


2326 Southport Commons Drive

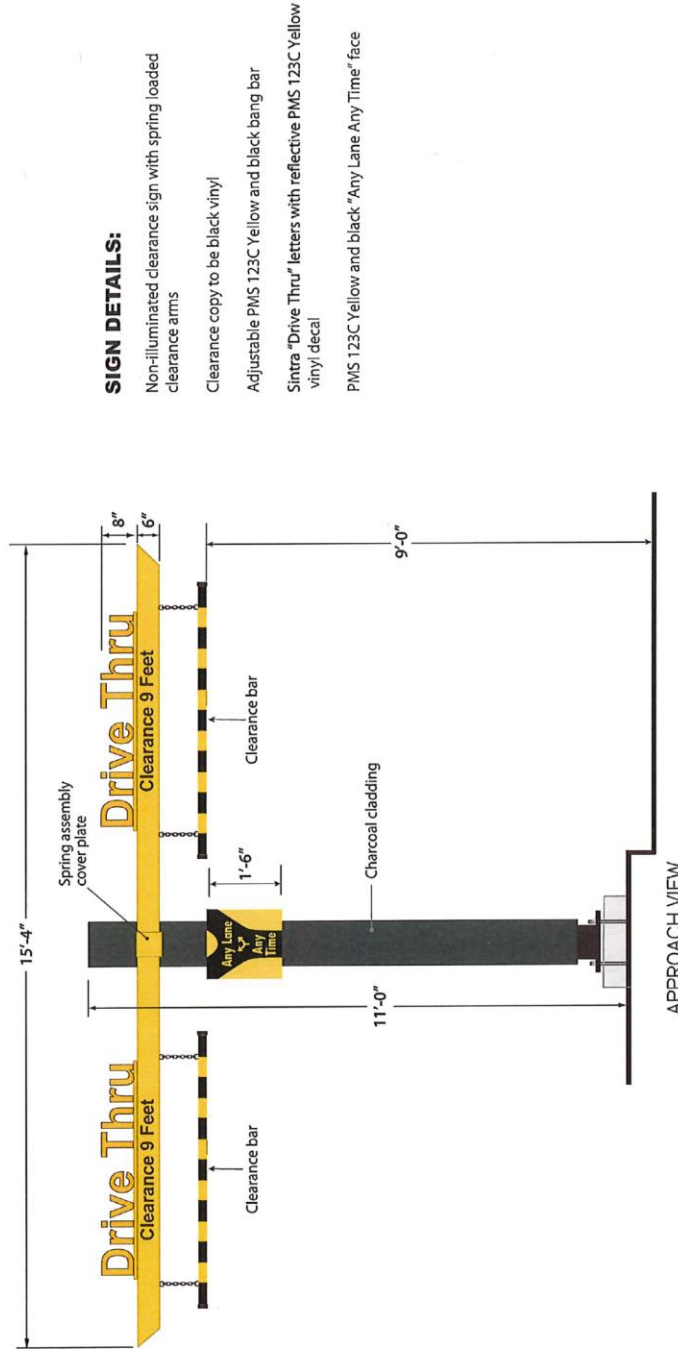




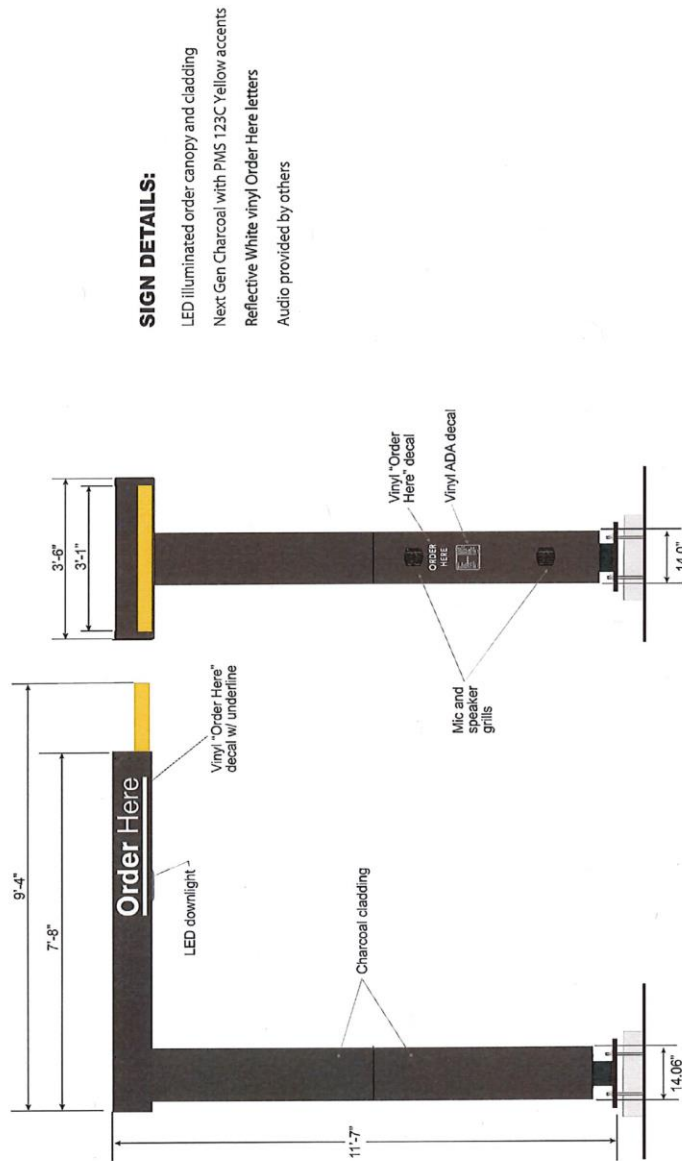
- Sign Schedule**
- F** Double Welcome Point Gateway-Charcoal
 - G** Spring Board Canopy-Charcoal
 - H** Outdoor Digital Pre-Browse
 - I** Outdoor Digital Menu Board
 - J** 3 Sq Foot directional, Welcome w/Arch
 - K** 3 Sq Foot directional, Thank you w/Arch



Double Welcome Point Gateway-Charcoal (DWPG_CHAR)

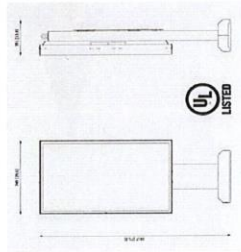


Spring Board Canopy-Charcoal (SSB)



Outdoor Digital Pre-Browse (ODPB)

H



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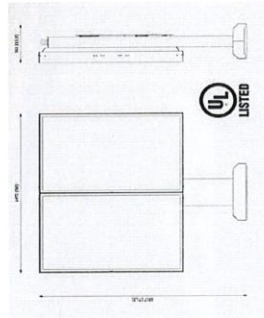
Prepared By: Michelle Zeitl
 Date: 04/16/2025
 PIF: 51957-1
 Customer Signature:

Everbrite, LLC - 4949 South 119th Street - Greenfield, WI 53228 - www.everbrite.com
 Project No: 44763
 Address: 2326 Southport Commons Dr. Indianapolis, IN 46217
 Description: McDonalds Rest. # 40630

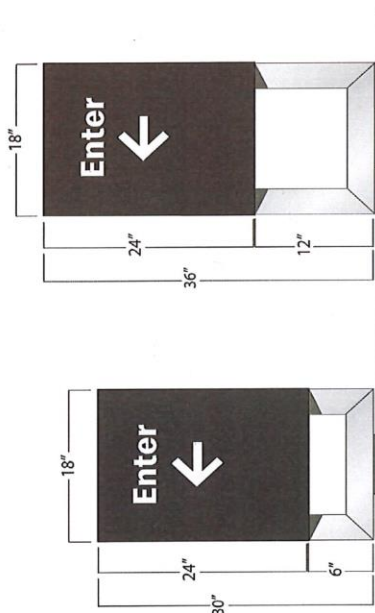


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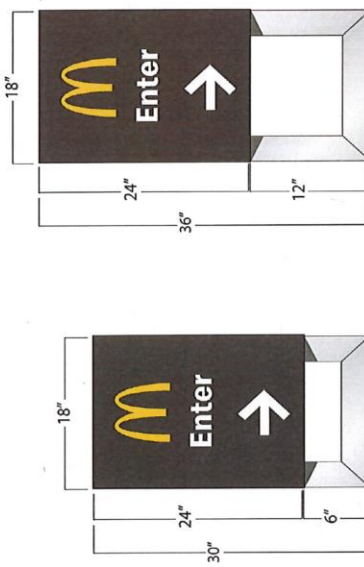
Outdoor Digital Menu Board (ODMB)



3 Sq Foot directional, Welcome w/Arch (E01645S)



Directionals without Arch



Directionals with Arch

SIGN DETAILS:

Routed aluminum Next Gen Charcoal faces and Next Gen Silver frame
 LED illuminated letters, arrow, and optional Arch logo
 White letters and arrow, PMS 123C Yellow Arch

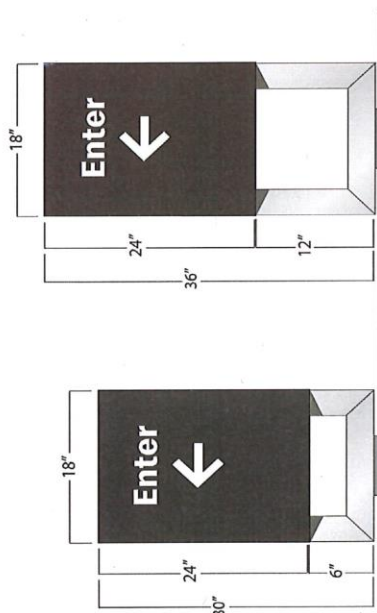
Available Copy

Enter
 Exit
 Welcome
 Thank You
 Drive-Thru

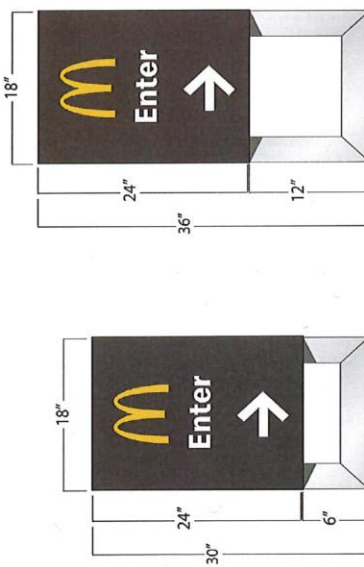
Available Heights

36"
 30"

3 Sq Foot directional, Thank you w/Arch (E01649S)



Directionals without Arch



Directionals with Arch

SIGN DETAILS:

Routed aluminum Next Gen Charcoal faces and Next Gen Silver frame
 LED illuminated letters, arrow, and optional Arch logo
 White letters and arrow, PMS 123C Yellow Arch

Available Copy

Enter
 Exit
 Welcome
 Thank You
 Drive-Thru

Available Heights

36"
 30"

EXHIBIT A

Zoning Ordinance per the particular use. Shared parking is permissible. No parking maximum shall apply.

4. Drive-Through:
Service units and stacking spaces may face Wellingshire Boulevard, Southport Road or I-69.

STANDARDS/REQUIREMENTS APPLICABLE TO SOUTHPORT/I-69 PARCEL

Building Setbacks:

1. Front Yard (Wellingshire Boulevard):
Buildings: Twenty (20) feet, measured from the existing right-of-way line.
Accessory Uses: Five (5) feet measured from the existing right-of-way line.
2. Front Yard (Southport Road):
Buildings: Twenty (20) feet, measured from the right-of-way line.

Accessory Uses: Five (5) feet measured from the existing right-of-way line.
3. Front Yard (I-69):
Buildings: Twenty (20) feet, measured from the right-of-way line.

Accessory Uses: Five (5) feet measured from the existing right-of-way line.
4. Side/Rear Yard (Overall boundary line of Subject Property) :
Buildings: Twenty (20) feet, measured from overall south boundary line of Subject Property, and not each lot line.
5. Individual Lots, yards not fronting on Wellingshire Boulevard, Southport Road or I-69:
Buildings: Ten (10) feet, measured from lot line.
Accessory Uses: Zero (0) feet, measured from lot line.

Landscaping: Detailed landscaping plans will be submitted for Administrator's Approval, prior to obtaining an Improvement Location Permit for development of any lot. At a minimum, any such landscaping plan shall provide for perimeter landscaping along Wellingshire Boulevard and Southport Road frontages and along the south property line.

Utilities/Drainage: All utilities are available to the site. There will be no utility poles located on the Subject Property, unless already existing and financially impractical to bury. Storm drainage will be professionally engineered to meet all City of Indianapolis requirements with respect to runoff rate and quantity, as well as water quality. The Petitioner may use a combination of surface and underground drainage systems to meet City of Indianapolis Ordinance requirements.

Lighting: All free standing light fixtures and lighting elements shall meet the requirements of the Zoning Ordinance.

Signs: Petitioner proposes the following signs:

1. Development Identification Signs: Two (2) pylon signs, each oriented to Interstate 69 traffic, not to exceed forty (40) feet in height (measured from the grade where the signs are actually located) and three hundred (300) square feet in area identifying the development and tenants within the development on the Southport/I-69 Parcel, to be located along the I-69 frontage of the Subject Property, in the approximate locations shown on Exhibit "C".
2. One (1) freestanding monument or pylon sign, not to exceed twenty-five (25) feet in height and three hundred (300) square feet in area, identifying tenants in the commercial portion of the development, to be located near the corner of Southport Road and Wellingshire Boulevard in the approximate location shown on Exhibit "C".
3. One (1) freestanding monument or pylon sign, not to exceed ten (10) feet in height and twenty (20) feet in width, but in no event with a square footage exceeding one hundred fifty (150) square feet, identifying the commercial portion of the development, but not identifying specific tenants, in the approximate location shown on "Exhibit "C".
4. Individual lots shall not be permitted to have freestanding individual building identification signs.
5. Wall signs, as permitted by the Sign Regulations of Marion County, on all of the Buildings.
6. Up to three (3) Construction/Leasing signs with a maximum height of twenty (20) feet measured from street level grade and a maximum size of sixty-four (64) square feet. One (1) Construction/Leasing sign may have a maximum height of forty (40) feet and a maximum size of two hundred (200) square feet in sign area.
7. Secondary freestanding signs as permitted by Table 744-906-2 of the Zoning Ordinance for Commercial Districts.

Building Materials: All Buildings shall feature one or more of the following materials: glass, steel, aluminum, wood, masonry, stone, EIFS and fiber cement board.

LIST OF EXHIBITS

Exhibit "A"	Legal Description of Southport/I-69 Parcel
Exhibit "B"	Site Plan
Exhibit "C"	Sign Plan



View looking north along Wellingshire Boulevard



View of site looking east along West Southport Road



View of site looking east across Wellingshire Boulevard



View of site looking east across Wellingshire Boulevard



View of site looking northeast



View of site looking north



View of site looking northwest