

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 14, 2025

Case Number: 2025-MOD-012

Property Address: 8809 South Meridian Street

Location: Perry Township, Council District #23

Petitioner: Financial Center First Credit Union by James J. Ammeen, Jr.

Current Zoning: C-1

Request:

Modification of the Commitments related to petition 88-Z-214 to modify Commitments #3, #4 and #5 to allow for development of a proposed financial services office building, with low-level lighting of parking areas, an illuminated monument sign, and with a drive-through for teller and ATM services, (previous commitments required use of the existing structure, prohibited external lighting to reflect onto adjacent residences to the north, south, or east, and only permitted a non-illuminated incidental sign, with a maximum size of 16 square feet.

Current Land Use: Single-family dwelling (vacant)

Staff No recommendation to modify Commitment #4.

Recommendations: Denial to modify Commitments #3 and #5.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the June 26, 2025 hearing, to the July 10, 2025 hearing, to provide time for notice to be provided to those requiring notice.

The Hearing Examiner acknowledged the timely automatic continuance filed by a registered neighborhood organization that continued these petitions from the July 10, 2025 hearing, to the August 14, 2025 hearing.

STAFF RECOMMENDATION

No recommendation to modify Commitment #4 (lighting), but if approved, staff would request that approval be 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.

Staff recommends denial of the modification of Commitments #3 (maintain residential structure) and #5 (signage limitation).

PETITION OVERVIEW

This 0.93-acre site, zoned C-1, is developed with a single-family dwelling that was used commercially but is now vacant. It is surrounded by a single-family dwelling to the north, across Crosby Drive, zoned D-A; single-family dwellings to the south and east, zoned D-3; and medical offices to the west, across South Meridian Street, zoned C-1.

Petition 88-Z-214 rezoned the site to the C-1 district to provide for an accounting office.

MODIFICATION

The request would modify Commitments #3, #4 and #5 to allow for development of a proposed financial services office building, with low-level lighting of parking areas, an illuminated monument sign, and with a drive-through for teller and ATM services. These commitments required use of the existing structure, prohibited external lighting to reflect onto adjacent residences to the north, south, or east, and only permitted a non-illuminated incidental sign, with a maximum size of 16 square feet. See Exhibit A.

The Comprehensive Plan recommends suburban neighborhood typology for the site.

This request would modify commitments for the rezoning petition 88-Z-214. The commitments were originally the result of negotiation between the petitioner and remonstrators during the 1988 rezoning process. Because staff played no role in the negotiation of these subject commitments, staff would ordinarily provide no recommendation under such circumstances. Staff would note, however, that the neighborhood organization(s) negotiated in good faith with the petitioner during the petition process, and their agreement was contingent upon all commitments being included with the rezoning petition.

It appears that the commitments were an effort to minimize the impact of encroachment of commercial uses into a solidly residential neighborhood. Staff would note that the staff report for this petition strongly recommended denial and stated that the request would create a “spot commercial zone and would damage the viability of surrounding residential property.”

Staff further offered the following “amendments” to the 1988 petition, with the statement that the inclusion of these amendments did not alter staff’s recommendation for denial:

1. The existing residential structure shall be utilized for the office, and the site shall retain a residential character.
2. Any signs shall be limited to wall signs on the front of the residential structure and shall be compatible with the design of the structure.
3. Site access shall only be from South Meridian Street.
4. Right-of-way shall be dedicated along South Meridian Street in accordance with the Thoroughfare Plan as per the request of the Department of Transportation.

Even though the C-1 district permitted the financial office use (bank, savings and loan, credit union, etc.) at the time of the 1988 rezoning and the current Ordinance permits financial services in the C-1 district, the Pattern Book guidelines and recommendations exclude drive through operations because of required separation from protected districts. This is particularly critical in this situation because the services would likely be available 24 hours a day, seven days a week, and 365 days a year, resulting in a negative and detrimental impact on the surrounding neighborhood to the north, east and south.

The Pattern Book also recommends that commercial uses be located on arterial streets. South Meridian Street is a primary arterial, but Crosby Drive is a local street serving the residential neighborhood to the north, east and south. Staff would note that access would also be provided along Crosby Drive that would increase and expand the negative impact on the neighborhood and erode the viability of the residential uses.

The Pattern Book also recommends that that this commercial use be no closer than one mile from another commercial node. The commercial node at the intersection of South Meridian Street and County Line Road is approximately 180 feet to the south of this site.

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

Existing Zoning	C-1	
Existing Land Use	Commercial uses - vacant	
Comprehensive Plan	Suburban Neighborhood Typology	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-A	Single-family dwelling
South:	D-3	Single-family dwelling
East:	D-3	Single-family dwellings
West:	C-1	Medical offices
Thoroughfare Plan		
South Meridian Street	Primary Arterial	Existing 104-foot right-of-way and proposed 80-foot right-of-way.
Crosby Drive	Local Street	Existing 50-foot right-of-way and proposed 50-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	May 16, 2025	
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	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Suburban Neighborhood typology. The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-

serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of one to five dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.

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 – Suburban Neighborhood 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.
 - Hydrological patterns should be preserved wherever possible.
 - Curvilinear streets should be used with discretion and should maintain the same general direction.
 - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- *Small-Scale Offices, Retailing, and Personal or Professional Services (defined as commercial uses with minimal outdoor operations, storage, or display on lots of less than 1.5 acres and a height of less than 35 feet.)*
 - If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
 - Should be **located at the intersections of arterial streets** and should be **no closer than one mile to another commercial node** with one acre or more of commercial uses except as reuse of a historic building.
 - Should be limited to an aggregate of 3.5 acres per intersection, with no one corner having more than 1.5 acres.
 - Should be limited to areas and parcels with adequate space for required screening and buffering.
 - Automotive uses (such as gas stations and auto repair) and uses requiring a distance of separation of greater than 20 feet under the zoning ordinance (such as liquor stores, adult uses, and **drive-through lanes**) are **excluded**.

- Should not include outdoor display or merchandise.

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

88-Z-211; 8809 South Meridian Street requested rezoning of one acre, being in the D-A district, to the C-1 classification to provide for office uses, **approved**.

VICINITY

93-Z-126; 8824 South Meridian Street (west of site), requested rezoning of 8.4 acres, being in the D-A District, to the C-1 classification to provide for a medical office buildings and out-patient surgery center, **approved**.

90-Z-183 / 90-CV-26; 8905 South Meridian Street (south of site), requested rezoning of 12 acres, being in the D-A District, to the C-3 classification to provide for commercial development and a variance of development standards to permit a single- establishment of 46,000 square feet on an integrated center site, **approved and granted**.

90-Z-82; 102 and 208 East County Line Road, (south of site), requested rezoning 3.0 acres, being the D-A District, to the D-6 classification to provide for multi-family residential development **approved**.

89-Z-204; 8 Dixie Drive (south of site), requested rezoning of 0.45-acre, being in the D-3 District to the C-1 classification to provide for office use, **denied**.

88-Z-94; 116 East County Line Road (south of site), requested rezoning of 7.84 acres, being in the D-A District, to the D-6 classification to provide for multi-family residential development, **approved**.

87-Z-233; 20 East County Line Road (south of site), requested rezoning of 5.5 acres, being in the D-A District, to the C-S classification to provide for offices, personal and professional service establishments, and mini-warehouses, **withdrawn**.

87-Z-219; 402 West County Line Road (south of site), requested rezoning of 31.4 acres, being in the D-P, A-2 (FW) (FP) Districts, to the D-3 (FW) (FP) classifications to provide for single-family residential development, **approved**.

87-Z-96; 8892 South Meridian Street (north of site), requested rezoning of 68 acres, being in the D-P (FW) (FP) Districts to the D-3 (FW) (FP) classifications to provide for single-family residential development, **approved**.

86-Z-57; 8901 South Meridian Street (south of site) requested rezoning of 0.85 acre, being in the D-3 District the C-1 classification to provide for office uses, **approved**.

85-Z-179 / 85-DP-10; 185 Country Woods Drive (north of site), requested rezoning of 1.48 acres, being in the D-P District, to the D-P classification to provide for 60 two-bedroom apartments, **approved**.



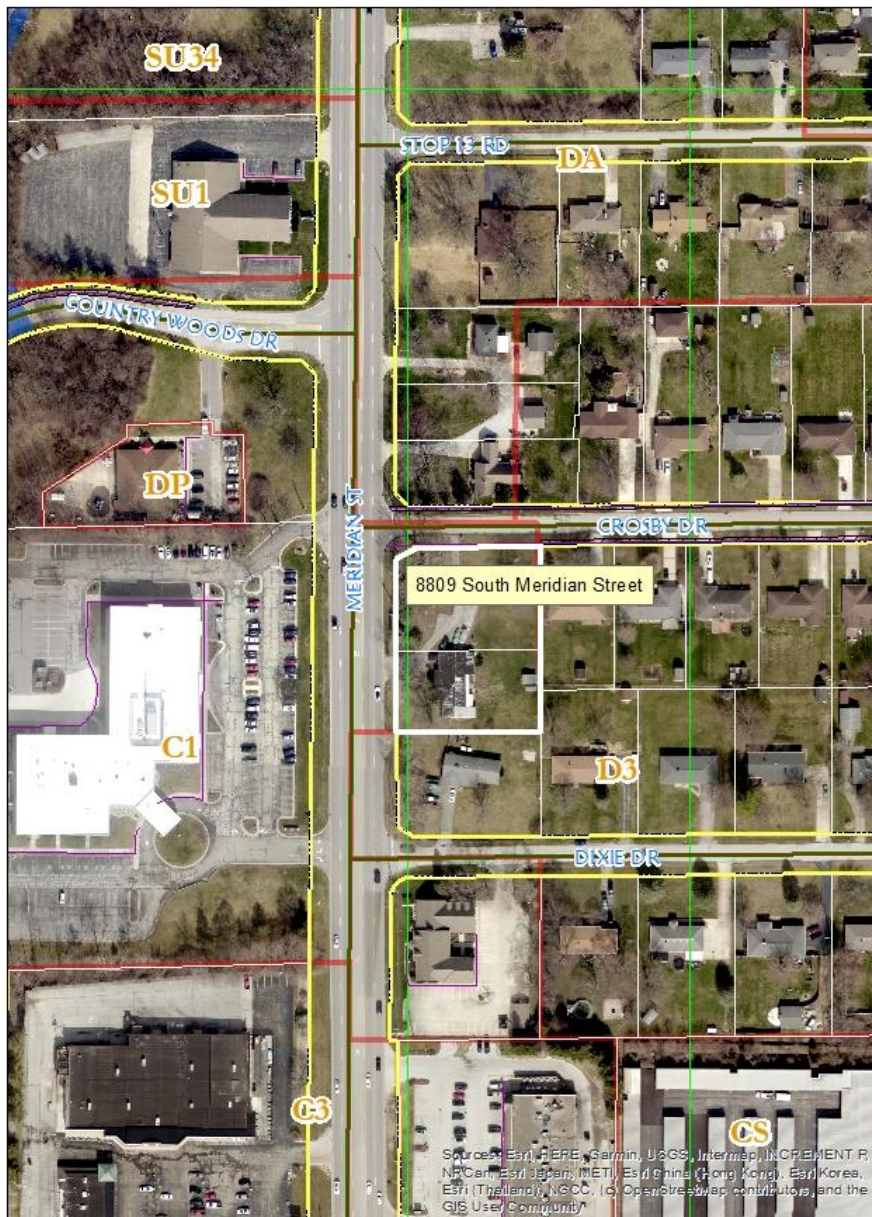
**Department of Metropolitan Development
Division of Planning
Current Planning**

79-Z-103; 6 East County Line Road (south of site), requested rezoning of 0.69 acre, being in the D-A District, to the C-3 classification to provide for a restaurant, **dismissed**.

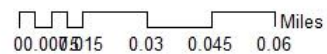
72-Z-150; 8500 South Meridian Street (north of site), requested rezoning of 25 acres, being in the D-A District, to the SU-34 classification to provide for a recreation center, **approved**.

70-Z-163; 8701 South Meridian Street (north of site), requested rezoning of 27 acres, being in the D-A District, to the D-3 classification to provide for residential use by platting, **approved**.

EXHIBITS



8809 South Meridian Street



Firefox

<https://outlook.office.com/mail/deeplink/attachment/AAMKAGQXODJKNTU1LWM5MWN...>



EXHIBIT A

RECEIVED FOR RECORD
 MAY 15 1988
 000116262
 NOTE: Article 201, Section 3(b) of the rules of the Metropolitan Development Commission required use of this form in all zoning commitments made with respect to zoning and approval cases in accordance with I.C. 36-7-4-607. Resolution No. 85-R-69, 1985 of the Metropolitan Development Commission requires the owner to make Commitment #1.

COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN CONNECTION WITH A REVIEWING OF PROPERTY OR PLAN APPROVAL

In accordance with I.C. 36-7-4-607, the owner of the real estate located in Marion County, Indiana, which is described below, makes the following COMMITMENTS concerning the use and development of that parcel of real estate.

Legal Description: See attached Exhibit "A"

Lots numbered Forty-four and Forty-five (44 and 45) in Southern Homes, an Addition in Marion County, Indiana, the plat of which is recorded in Plat Book 29, Page 280 in the office of the Recorder of Marion County, Indiana.

Statement of COMMITMENTS:

1. The owner agrees to abide by the Open Occupancy and Equal Employment Opportunity Commitments required by Metropolitan Development Commission Resolution No. 85-R-69, 1985, which commitments are attached hereto and incorporated herein by reference as Attachment "A".
2. No C-1 uses are to be conducted on this real estate except those set out under Section A.1. of the C-1 Office Buffer Section of the Commercial Zoning Ordinance of Marion County, Indiana.
3. The existing (residential) structure shall remain and serve as the office premises for this C-1 office use and shall not be altered from its present appearance or design, and shall not be replaced with another commercial building, nor shall any new commercial structure be placed upon this real estate until other real estate in the 8800 block of South Meridian Street that is not presently zoned or used for commercial purposes has been approved for commercial use by local zoning authorities.
4. There shall be no external lighting installed upon or added to the premises that projects onto adjacent residence to the north, south or east.
5. There shall be no commercial signs except an incidental sign identifying the office use, not larger than sixteen (16) square feet in size and it shall be non-illuminated.

(CONTINUED ON REVERSE SIDE)

These COMMITMENTS shall be binding on the owner, subsequent owners of the real estate and other persons acquiring an interest therein; provided that Commitment #1 (Open Occupancy and Equal Opportunity Commitments) shall not be binding on an owner, if such persons are exempt persons or are engaged in an exempt activity as defined on Attachment "A", which is attached hereto and incorporated herein by reference. These COMMITMENTS may be modified or terminated by a decision of the Metropolitan Development Commission made at a public hearing after proper notice has been given.

88-2-214

filed MAY 11-2-88

6. There shall be no outside storage of any material or equipment used in or by the owner's or occupant's business, except that which can be contained within the existing detached structure behind the existing dwellinghouse or store house and garden, etc. equipment.

7. The existing landscaping on this real estate shall be maintained. In the event the existing residential structure is altered or replaced or another commercial structure is placed on the real estate as provided in Commitment (3) above, then a suitable landscape or buffer screen employing evergreen plantings along the east, north and south lot lines to screen or buffer the commercial use from adjacent residences shall be installed and maintained that is approved by the Administrator of Planning and Zoning.

8. These covenants shall run with the land and may be enforced by the Hill Valley Homeowners Association, Inc. or its successors.

9. Right-of-way shall be dedicated along South Meridian Street in compliance with the Marion County Thoroughfare Plan, per the request of the Department of Transportation.

88-116262



View looking south along South Meridian Street



View looking north along South Meridian Street



View looking east along Crosby Drive



View from site looking north



View of dwelling looking south



View of dwelling looking south



View from site looking southwest



View from site looking west



View from site looking north



View from site looking northeast