

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

December 11, 2025

Case Number: 2025-MOD-022
Property Address: 5110 East 82nd Street
Location: Washington Township, Council District #3
Petitioner: Garrett Acquisitions, LLC, by Joseph D. Calderon
Current Zoning: C-S (FF)
Request: Modification of Commitments and Site Plan related to rezoning petition 2023-CZN-816, to modify commitment #3, to provide for the development to comply with the site plan, file-dated October 29, 2025 (previous commitment required compliance with the site plan, file-dated March 23, 2023).
Current Land Use: Undeveloped.
Staff Recommendations: Approval.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing on this petition.

STAFF RECOMMENDATION

Approval, subject to the C-S Statement and substantial compliance with the site plan and elevations, file dated October 29, 2025.

PETITION OVERVIEW

This 10.5-acre site, zoned C-S (FF), is undeveloped and surrounded by the White River to the north; multi-story office buildings to the south and east; and an event center to the west, all zoned C-S (FF).

MODIFICATION

The request would modify commitments and site plan related to rezoning petition 2023-CZN-816 to modify commitment #3, that required development of the site to comply with the site plan, file-dated October 29, 2025.

The 2023 rezoning provided for one building consisting of 313 units, with 488 parking spaces. This modification reduces the number of units and parking spaces. Four buildings are proposed for a total of 240 multi-family dwellings, with 304 parking spaces, some of which would be within garages. A club house and pool, dog park, mail kiosk and maintenance building would also be provided.

Overlays

This site is also located within an overlay, specifically the Environmentally Sensitive overlay (ES). “Overlays are used in places where the land uses that are allowed in a typology need to be adjusted. They may be needed because an area is environmentally sensitive, near an airport, or because a certain type of development should be promoted. Overlays can add uses, remove uses, or modify the conditions that are applied to uses in a typology.”

The Environmentally Sensitive Areas (ES) Overlay is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected. The purpose of this overlay is to prevent or mitigate potential damage to these resources caused by development. This overlay is also appropriate for areas that present an opportunity to create a new environmental asset. This overlay is not intended for the preservation of open space.

Most of this site is located within the 100-year floodplain, with the remainder of the site within the unregulated 500-year floodplain.

Floodway Fringe

This site has a secondary zoning classification of a Floodway Fringe (FF), which 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 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 (C-S in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance.

Planning Analysis

Staff supports the modification because minimal changes are proposed. No additional uses are requested and the reduction in the number of units and parking spaces would result in a less impactful development on the surrounding land uses and public infrastructure.

GENERAL INFORMATION

Existing Zoning	C-S (FF)	
Existing Land Use	Undeveloped	
Comprehensive Plan	Office Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-S (FF)	White River
South:	C-S (FF)	Commercial office building
East:	C-S (FF)	Commercial office building
West:	C-S (FF)	Event Center

Thoroughfare Plan		
East 82 nd Street	Primary arterial	Existing 134-foot right-of-way and proposed 134-foot right-of-way.
Allison Pointe Boulevard	Local Street	Existing 70-foot right-of-way and proposed 50-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes. White River	
Overlay	Environmentally Sensitive Areas (ES)	
Wellfield Protection Area	No	
Site Plan	October 29, 2025	
Site Plan (Amended)	N/A	
Elevations	October 29, 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	October 29, 2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Office Commercial typology. The Office Commercial typology provides for single and multi-tenant office buildings. It is often a buffer between higher intensity land uses and lower intensity land uses. Office commercial development can range from a small freestanding office to a major employment center. This typology is intended to facilitate establishments such as medical and dental facilities, education services, insurance, real estate, financial institutions, design firms, legal services, and hair and body care salons.

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 – Office 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.
 - Master planned developments in excess of two acres should include pedestrian amenities for passive and active recreation internal to the 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)

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

2023-CZN-816 / 2023-CVR-8156, 5110 East 82nd Street, requested rezoning of 10.5 acres from the C-S (FF) district to the C-S (FF) district to provide for a multi-family uses and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 62-foot-tall multi-family building, **approved and granted**.

2018-ZON-115; 8580 Allison Pointe Boulevard and 5110 East 82nd Street, requested rezoning of 13.79 acres from the C-S (FF) district to the C-S (FF) classification to provide for multi-family residential uses, in addition to the uses previously approved by 86-Z-81, **withdrawn**.

2000-ZON-132; 8580 Allison Point Boulevard, requested rezoning of 4.73 acres from the C-S District to the C-S classification to provide for the reuse of an existing restaurant building for a banquet hall and catering facility, **approved**.

86-Z-81 / 86-CV-17, 5252 East 82nd Street, requested rezoning of 111 acres, from the A-2 and C-S Districts to the C-S classification to provide for a mixed-use business park with office buildings, hotels, restaurants, health club, branch bank and heliport and a variance of a reduction in required parking, **approved and granted**.

80-Z-1377; 5102 East 82nd Street, requested rezoning of 180.0 acres, being in the A-2 and C-4 districts, to the C-S classification, to provide for commercial office and residential complex, **approved**.

EXHIBITS



**C-S Development Statement
5110 East 82nd Street**

Introduction: Petitioner, Garrett Acquisitions, LLC ("Garrett") seeks to acquire approximately 10.5 acres of property commonly known as 5110 East 82nd Street (collectively, the "Subject Property") and develop it as a multifamily complex, consistent with the concept plans submitted with this Approval Petition.

Zoning: The Subject Property is currently zoned C-S, which allowd for offices, hotels (collectively, the "Original C-S Uses"), pursuant to that certain Development Statement filed with Zoning Case 86-Z-81 (the "Original Development Statement") and more recently, Mutlifamily Dwellings, in conjunction with Zoning Case 2023-CZN/CVR-816. Proposed Permitted Uses of the Subject Property shall remain as follows:

- 1) Multifamily dwellings, as defined in the City of Indianapolis Consolidated Zoning/Subdivision Ordinance in affect as of October 30, 2025 (the "Zoning Ordinance") and
- 2) Original C-S Uses, under the Original Development Statement.

Permitted Accessory Uses of the Subject Property shall include all permitted accessory uses allowed under the D-8 zoning classification as set forth in Table 743-1 of the Zoning Ordinance.

Development Standards:

The Site Plan shall control all setbacks and bulk standards for the Subject Property; however, if the Site Plan is silent as to a standard required by the Zoning Ordinance, the Zoning Ordinance shall apply.

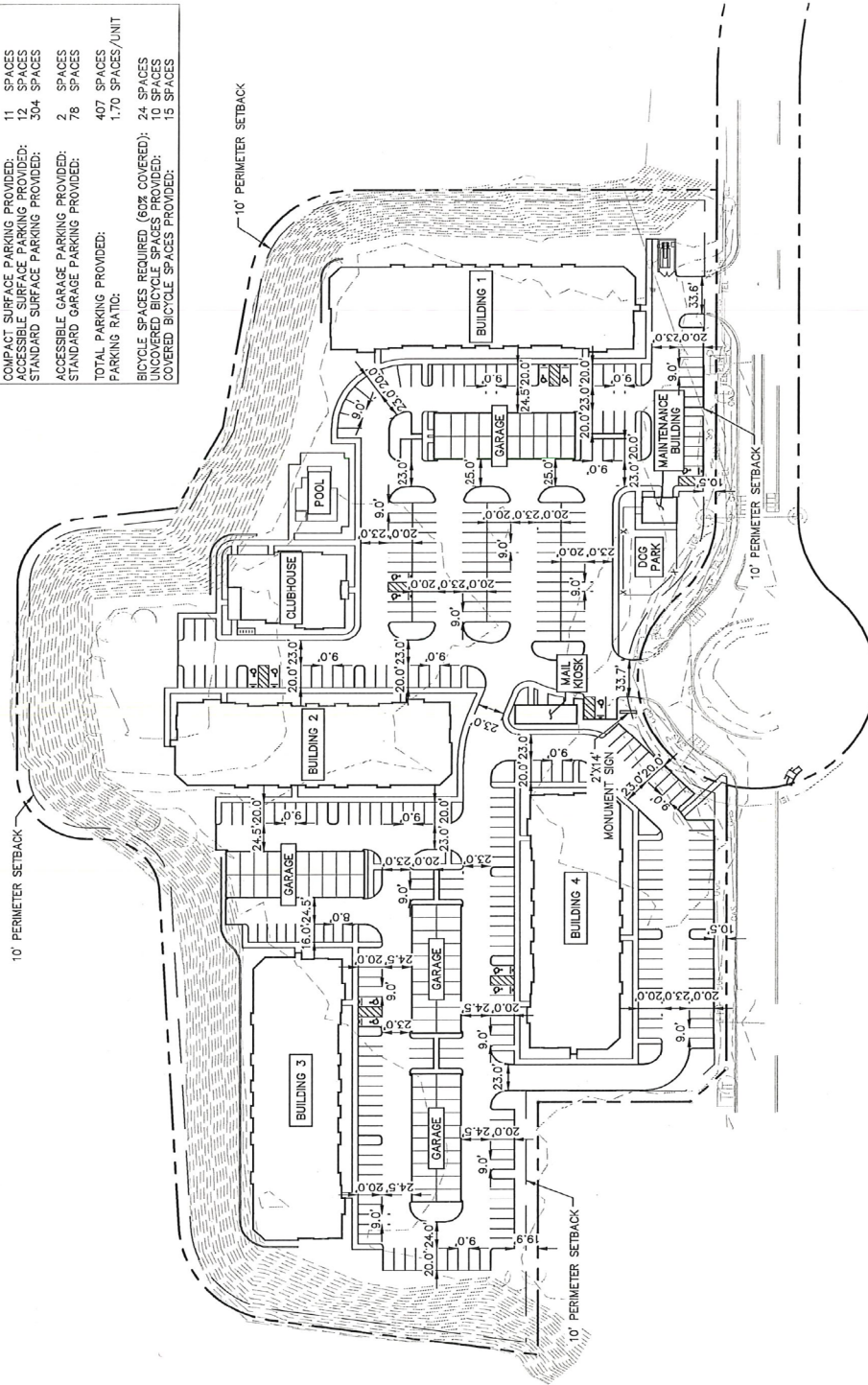
Landscaping:

Landscaping of the proposed multifamily project on the Subject Property shall be substantially compliant with the Preliminary Landscaping Plan submitted with the Approval Petition. Final landscaping plans shall be submitted for Administrator's Approval prior to application for an Improvement Location Permit.

Signs:

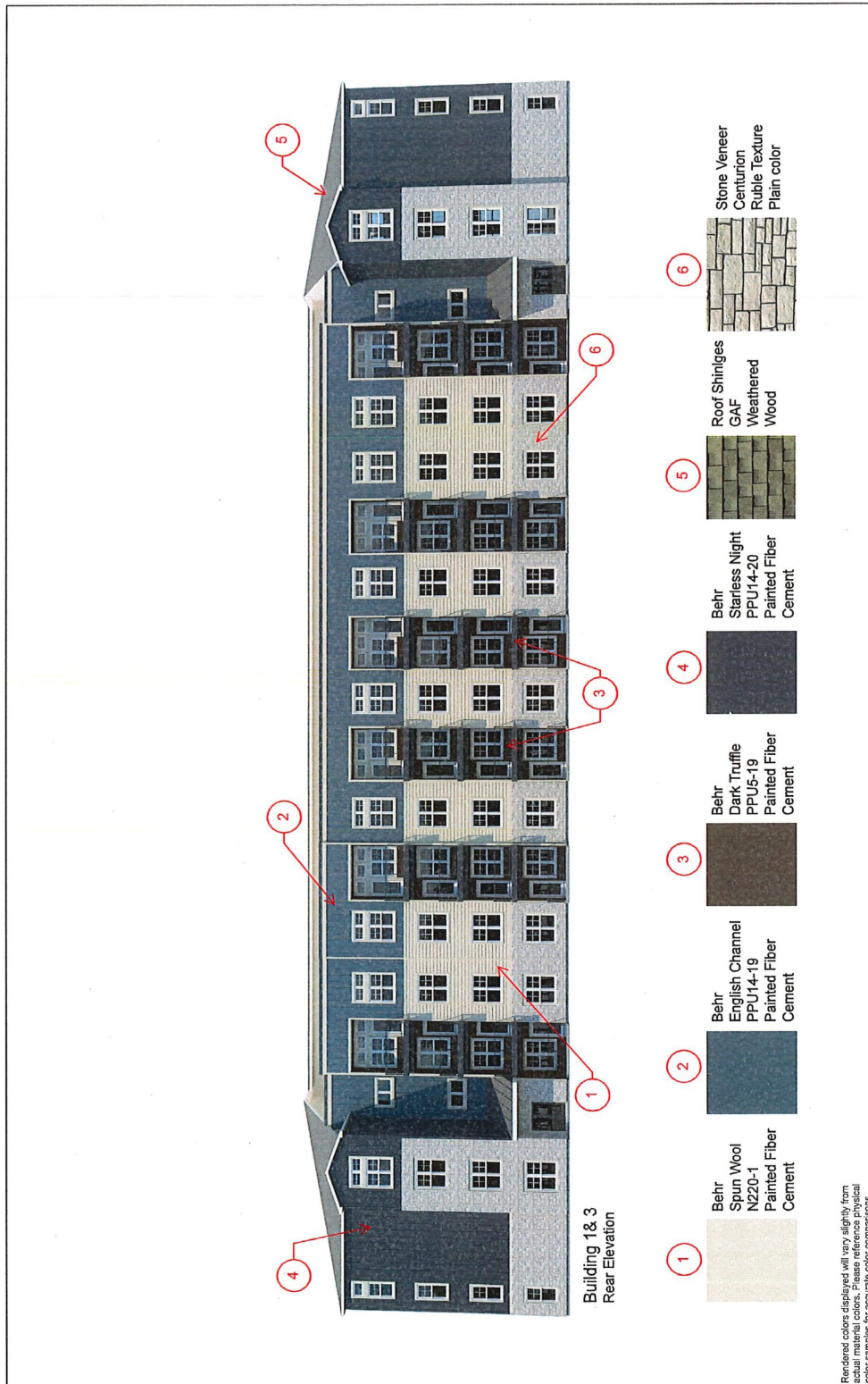
There are sign criteria applicable to the Subject Property as a part of Zoning Case 86-Z-81. Garrett has not yet developed a sign program for its proposed use of the Subject Property. Therefore, Garrett proposes to prepare a proposed sign program for the Subject Property for Administrator's Approval prior to application for any sign permit.

TOTAL SITE AREA:	10.5 AC
MULTIFAMILY UNITS:	240 UNITS
COMPACT SURFACE PARKING PROVIDED:	11 SPACES
ACCESSIBLE SURFACE PARKING PROVIDED:	12 SPACES
STANDARD SURFACE PARKING PROVIDED:	304 SPACES
ACCESSIBLE GARAGE PARKING PROVIDED:	2 SPACES
STANDARD GARAGE PARKING PROVIDED:	78 SPACES
TOTAL PARKING PROVIDED:	407 SPACES
PARKING RATIO:	1.70 SPACES/UNIT
BICYCLE SPACES REQUIRED (60% COVERED):	24 SPACES
UNCOVERED BICYCLE SPACES PROVIDED:	10 SPACES
COVERED BICYCLE SPACES PROVIDED:	15 SPACES











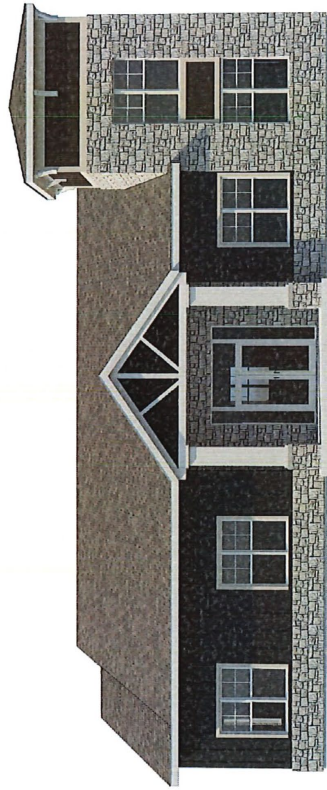
Rendered colors displayed will vary slightly from actual colors. Please refer to physical color samples for accurate color comparisons.



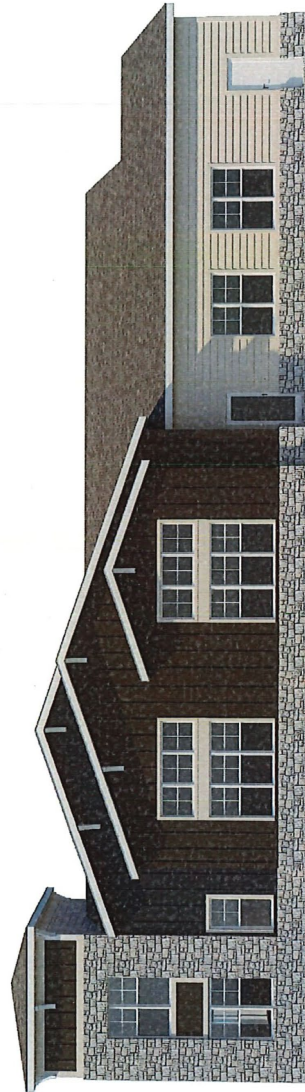
- 1 Behr Spun Wool N220-1 Painted Fiber Cement
- 2 Behr English Channel PPU14-19 Painted Fiber Cement
- 3 Behr Dark Truffle PPU5-19 Painted Fiber Cement
- 4 Behr Starless Night PPU14-20 Painted Fiber Cement
- 5 Roof Shingles GAF Weathered Wood
- 6 Stone Veneer Centurian Ruble Texture Plain color

Rendered colors displayed will vary slightly from actual material colors. Please reference physical color samples for accurate color comparisons.





Clubhouse
 South Elevation



Clubhouse
 East Elevation

Rendered colors displayed will vary slightly from actual material colors. Please reference physical color samples for accurate color comparisons.



ALLISON POINTE BOULEVARD

Clubhouse
 INDIANAPOLIS, IN
 October 2022

CONCEPTUAL DESIGN



Clubhouse
North Elevation

Clubhouse
West Elevation

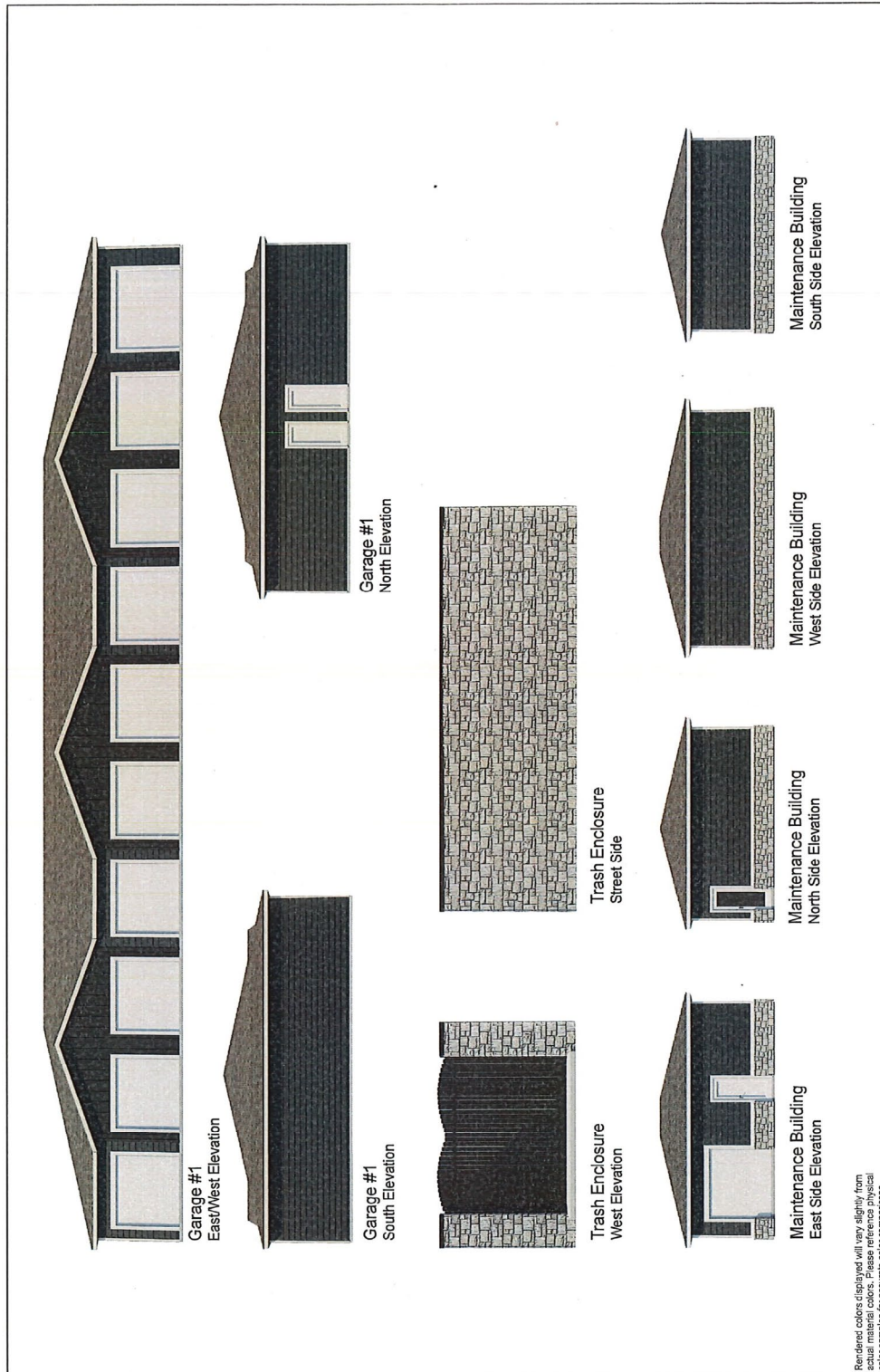
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ALLISON POINTE BOULEVARD

Clubhouse
INDIANAPOLIS, IN
46204-1000

CONCEPTUAL DESIGN



Rendered colors displayed will vary slightly from actual material color. Please reference physical color samples for accurate color comparisons.





View looking east along Allison Pointe Boulevard



View looking west along Allison Pointe Boulevard



View looking east along Allison Pointe Boulevard



View looking east along Allison Pointe Boulevard



View of site looking northwest across Allison Pointe Boulevard circle



View of site looking north across Allison Pointe Boulevard



View of site looking north from adjacent property to the west



View of site looking north across Allison Pointe Boulevard



View of site looking north across Allison Pointe Boulevard



View of site looking north across Allison Pointe Boulevard



View of site looking north across Allison Pointe Boulevard



View from site looking southwest across Allison Pointe Boulevard



View from site looking south across Allison Pointe Boulevard



View of adjacent property looking west