



METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER

December 11, 2025

Case Number: 2025-ZON-126
Property Address: 3441 West Washington Street (Approximate Address)
Location: Wayne Township, Council District #17
Petitioner: Jesus Ivan Ibarra Tamayo
Current Zoning: I-3 (FF) (TOD)
Request: Rezoning of 0.76-acre from the I-3 (FF) (TOD) district to the C-5 (FF) (TOD) district to provide for general commercial uses.
Current Land Use: Commercial
Staff Recommendations: Denial
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends denial** of the request.

If approved against staff's recommendation, approval shall be subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three (3) days prior to the MDC hearing:

A 44-foot half right-of-way shall be dedicated along the frontage of Washington Street, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).

PETITION OVERVIEW

LAND USE

The subject site is comprised of three (3) parcels and consists of approximately 0.76-acre developed with a commercial building and associated parking areas. The site abuts the public right-of-way of West Washington Street to the north with a commercial property across the street, zoned C-5, an auto repair business to the east, zoned I-3, railroad tracks to the south, zoned I-3, and Eagle Creek Stream to the west, zoned I-3 and D-5.

REZONING

The grant of the request would rezone the property from the I-3 district to the C-5 district to provide for general commercial uses, but specifically a used car dealership.

The I-3 district is an intermediate district for industries that present moderate risks to the general public. Wherever practical, this district should be away from protected districts and buffered by intervening lighter industrial districts. Where this district abuts protected districts, setbacks are large, and enclosure of activities and storage is required.

The C-5 District is designed to provide areas for those retail sales and service functions whose operations are typically characterized by automobiles, outdoor display, or sales of merchandise; by major repair of motor vehicles; by outdoor commercial amusement and recreational activities; or by activities or operations conducted in buildings or structures not completely enclosed. The types of uses found in this district tend to be outdoor functions, brightly lit, noisy, etc. Therefore, to provide a location where such uses can operate in harmony with the vicinity, the C-5 district should be located on select heavy commercial thoroughfares and should avoid locating adjacent to protected districts.

Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 44-foot half right-of-way along Washington Street. This dedication would also be consistent with the Marion County Thoroughfare Plan.

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 explicitly prohibited by ordinance, all uses allowed by the primary zoning would also be allowable within the FF secondary zoning layer and subject to certain development standards of the Flood Control Districts Zoning Ordinance.

This site lies partially within the floodway fringe of Eagle Creek, which runs outside of the site's west property boundary line. Aerial imagery does not indicate development within these areas.

However, runoff water with oil or other contaminants would be detrimental to the waterways.

STAFF ANALYSIS

The site falls within the Transit Oriented Development (TOD) Secondary District which is intended to coordinate more compact, walkable, and urban development patterns with public investment in the transit system. These development patterns ensure that walking and biking are viable options for short trips and transit is a priority for longer trips. Development patterns and site designs that prioritize automobile travel

undermine these public and private investments. This district follows the policies and principles of the comprehensive plan, the transit-oriented development strategic plans, and the Livability Principles in this code, and has the following specific design objectives:

1. Place a wide range of housing types within walking distance of commercial centers and transit stops or stations, and at a critical mass that supports these places.
2. Create connections through many different modes of transportation between neighborhoods and places for commercial services and employment.
3. Provide a concentration of many different and small-scale uses with a fine-grained pattern that integrates and transitions well with the neighborhoods they support.
4. Ensure human-scale design that prioritizes relationships of sites and buildings to the streetscapes.

The Ordinance notes that Automobile, Motorcycle, and Light Vehicle Sales or Rental use in its typical form as well as other vehicular related uses when concentrated in areas have a detrimental effect on the intent and design objectives of the Transit Oriented Development Secondary District. Where these uses are enabled by the primary zoning district, they shall be further limited in the TOD Secondary District as stated in Table 742- 707-2 Location and Limitation of Specific Uses.

An automobile dealership would be limited to lots no larger than 0.5-acre in the TOD Secondary District. If the intended use of an automobile dealership as noted in the application form were proposed, a variance of use would be required. This information was relayed to the petitioner.

To allow for general commercial uses to be permitted on site, staff would support a rezoning to the C-3 district which would align with the Community Commercial Uses recommendation of the West Washington Street Corridor Plan (2012).

In staff's opinion, the C-5 district at this location within the newly proposed Blue Line Bus Rapid Transit Corridor would be counterintuitive to the purpose of the Transit Oriented Secondary District which promotes walkable development with a variety of services for the community.

One final item to note is that the dumpster on site would need to be enclosed per the Ordinance standards.

For these reasons, staff is recommending denial of the request.

GENERAL INFORMATION

Existing Zoning	I-3 (FF) (TOD)	
Existing Land Use	Commercial	
Comprehensive Plan	Community Commercial Uses and Park	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-5	Auto Dealer
South:	I-3	Railroad
East:	I-3	Auto Repair Shop

West:	I-3	Eagle Creek Stream
Thoroughfare Plan		
Washington Street	Primary Arterial	88-foot proposed right-of-way and 73-foot existing right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	Yes	
Overlay	Yes	
Wellfield Protection Area	No	
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	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Blue Line Transit-Oriented Development Strategic Plan (2024)
- West Washington Street Corridor Plan (2012)
- Indy Moves Transportation Integration Plan (2018)

Pattern Book / Land Use Plan

- Not Applicable to the Site. Please see West Washington Street Corridor Plan (2012) below.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The site falls within the Blue Line Transit-Oriented Development Strategic Plan (2024).
- It falls within a ½ mile from the Hole Road and Washington Street station to the west and Central Greens Boulevard station to the east.
- The Community Center station typology to the west calls for the following:

- A dense mixed-use neighborhood center
 - Minimum of 2 stories at core
 - No front or side setbacks at core; 0-10 ft. front setbacks and 0-10 ft. side setbacks at the periphery
 - Multi-family housing with a minimum of 3 units
 - Structured parking at the core and attractive surface parking at the periphery
- This typology would have varying types of commercial developments, from large strip centers to shopping malls, along arterial corridors. Development opportunities vary from redevelopment into mixed-use, walkable patterns to multi-family residential infill development.
- The District Center station typology to the east calls for the following:
 - A dense mixed-use hub for multiple neighborhoods with tall buildings
 - Minimum of 3 stories at core with no front or side setbacks
 - Multi-family housing with a minimum of 5 units
 - Structured parking only with active first floor
- This typology is located at the center of regionally significant districts with several blocks of retail or office at their core. Development opportunities include infill and redevelopment, dense residential, employment near transit stations, neighborhood retail and a focus on walkability and placemaking.

Neighborhood / Area Specific Plan

- West Washington Street Corridor Plan (2012) recommends Community Commercial Uses along the eastern two-thirds of the site and Park development on the western third.
- The Community Commercial Uses land use category is for low-intensity retail commercial and office uses, which serve a predominantly residential market adjacent to or very near, the location of the use. The uses in this land use category are designed to fulfill a broad range of retail, personal, professional and business services and are either freestanding or part of a small integrated center typically anchored by a grocery store. These centers contain no, or extremely limited, outdoor display of merchandise. Generally, these uses are consistent with the following characteristics:
 - Maximum Gross Floor Area: 125,000 square feet
 - Maximum Acreage: 25 acres
 - Service Area Radius: 2 miles
 - Location: On an arterial or at the intersection of an arterial with a collector.
 - Maximum out lots: 3
- The Park land use category consists of public or private property designated for active and/or passive recreational amenities. It also includes publicly and privately held conservation and preservation areas.
- The plan anticipated that the future needs of the pedestrian will reverse the proliferation of automotive uses and continue to increase the need for transit and pedestrian connections to transit facilities.



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

- For the West Washington Street corridor, Bus Rapid Transit is proposed for the length of West Washington Street, connecting from downtown to the airport.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

- Indy Moves Transportation Integration Plan (2018) proposes a Complete Streets Upgrade of an off-street multi-use path along Washington Street from Eagle Creek to Koehne Street.
- Right-of-way dedication would ensure that these projects would be possible to complete.



ZONING HISTORY

Zoning History - Vicinity

2004-ZON-164; 3409-3415 West Washington Street (east of site), Rezoning of 1.2 acres, being in the I-3-U District, to the C-5 classification to provide for commercial uses, **approved**.

93-UV1-31; 3421- 3429 West Washington Street (east of site), Variance of Use of the Industrial Zoning Ordinance to provide for the expansion of an existing automobile sales lot with parking in the front yard (10% permitted only), **granted**.

90-UV1-91; 3241 West Washington Street (east of site), Variance of Use and Development Standards to permit the outdoor display and sales of automobiles with parking in the front yard, **granted**.

AERIAL MAP



WEST WASHINGTON STREET CORRIDOR PLAN – Park in Pink / Community Commercial Uses in Orange.



Photo of the subject site looking south on Washington Street.



Photo of the subject site looking southwest.



Photo of the wooded area around Eagle Creek Stream west of the site.



Photo of an auto repair shop east of the site.



Photo of a used car dealer north of the site.



Photo of the subject site's rear yard.



Photo of the subject site's front parking area looking west.



Photo of the site's western side yard and unenclosed dumpster.



Subject site's street frontage looking west along Washington Street.