



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

June 25, 2026

Case Number:	2026-ZON-030 (Amended)
Property Address:	3505 South Harding Street (<i>approximate address</i>)
Location:	Perry Township, Council District #22
Petitioner:	Jose de Jesus Padilla Zavala, by Jorge Oscar Gonzales
Current Zoning:	D-4 (FF)
Request:	Rezoning of 0.24-acre from the D-4 (FF) district to the C-1 (FF) district to provide for a multi-tenant retail building.
Current Land Use:	Unoccupied Residential
Staff Recommendations:	Staff recommends approval of this petition.
Staff Reviewer:	Michael Weigel, Principal Planner I

PETITION HISTORY

6/11/2026: The petition was continued to the June 25, 2026 hearing date by the Hearing Examiner given that the petitioner was not present. Additionally, the petitioner agreed to amend their request to the C-1 (FF) district instead of C-3 (FF) per a request from a neighborhood group.

5/14/2026: A timely automatic continuance request was filed by a registered neighborhood group.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

LAND USE

The 0.24-acre site is comprised of a parcel developed with a vacant residential structure built around 1920 as well as a detached garage built in 1952. The site is surrounded by industrial uses to the north and south (zoned D-4 and I-2 respectively), residential uses to the east zoned D-4, and commercial uses to the west zoned C-3 and D-4.

REZONING

The request would rezone the property from the D-4 (FF) district to the C-3 (FF) district to allow for a multi-tenant retail building that would not be permitted in the existing D-4 district.



Department of Metropolitan Development
Division of Planning
Current Planning

The D-4 district is intended for low or medium intensity single-family and two-family residential development. Land in this district needs good thoroughfare access, relatively flat topography, and nearby community and neighborhood services and facilities with pedestrian linkages. Provisions for recreational facilities serving the neighborhood within walking distance are vitally important. The D-4 district has a typical density of 4.2 units per gross acre.

The C-3 (Neighborhood Commercial) zoning district is for the development of an extensive range of retail sales and personal, professional and business services required to meet the demands of a fully developed residential neighborhood, regardless of its size. Examples of such types of use include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail, and personal and professional service establishments.

The FF (Floodway Fringe) is a secondary zoning district that overlays the primary zoning district. FF indicates a 1% chance for significant flooding as well as shallow flooding in any given year. FF is based upon hydrological data and is delineated on the FEMA maps.

STAFF ANALYSIS

The Comprehensive Plan Pattern Book recommends this property to the Heavy Industrial working typology, and also places it within an Environmentally Sensitive Areas (ES) overlay. More detailed information is available in the “Comprehensive Plan Analysis” section below, but staff would note that (a) most heavy industrial land uses would be removed from consideration by the Plan when near residential areas as would be the case here, (b) the Plan contemplates small-scale retail or professional service uses within the Heavy Industrial typology in some instances, and (c) the size of this parcel would not allow for feasible industrial development that would respect setback requirements.

The Plan of Operation provided by the applicant indicates that potential users might include a barbershop or coffee shop, and that no drive-thru facilities are being considered for the property. Staff feels that uses of this intensity could be supportive for residences to the east, and that the C-3 district might serve as a buffer between those homes and higher-intensity zoning and uses along the Harding Street corridor.

The site plan provided by the applicant indicates a design that would require multiple variances, including but not limited to deficient landscaped area and a reduction of the required transitional yard to the east. Staff would be unlikely to support variances to allow for development that does not meet the standards of the C-3 zoning district. Staff would note that the level of parking and paving shown would almost double the required minimum, and that it would likely make meeting stormwater retention standards within the Floodway Fringe difficult.

The petitioner has indicated that they will explore options to amend the site plan in the future to either avoid the need for variances or would apply for variances separately at a later date. The only questions considered by this staff report would be the appropriateness of the C-3 zoning district for the site, and staff feels that given the surrounding land use context and Plan recommendation that a commercial district of this intensity would be appropriate. Therefore, staff recommends **approval** of the rezoning request, with the caveat that substantial future variances would be unlikely to be supported.

GENERAL INFORMATION

Existing Zoning	D-4 (FF)	
Existing Land Use	Unoccupied Residential	
Comprehensive Plan	Heavy Industrial	
Surrounding Context	Zoning	Surrounding Context
	North: D-4	North: Industrial
	South: I-2	South: Industrial
	East: D-4	East: Residential
	West: D-4 / C-3	West: Commercial
Thoroughfare Plan		
Harding Street	Primary Arterial	84-foot existing right-of-way and 102-foot proposed right-of-way
Sumner Avenue	Primary Collector	74-foot existing right-of-way and 80-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	Yes	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	03/05/2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Heavy Industrial typology provides for industrial, production, distribution, and repair uses that are intense and may create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding building or groups of buildings, often within industrial parks. Outdoor operations and storage are common. Typical uses include food processing, milling, storage of petroleum products, recycling, welding, and concrete mixing. Industrial or truck traffic should be separated from local/residential traffic.
 - Small-scale Offices, Retailing, and Personal or Professional Services land uses are contemplated for the typology in instances where they would be subordinate to and serving primarily industrial uses, when adjacent to interstate interchanges or arterial streets at the edge of the typology, and when placed in a manner that would not interfere with industrial traffic or loading.
- 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.

- For Small-scale Offices, Retailing, and Personal or Professional Services land uses, development impacting wetlands or woodland should include a one-for-one replacement of such features, and development should preserve or add at least 10% of the entire parcel as tree canopy or naturalized area.

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)

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

95-UV1-77, variance of use of the Dwelling Districts Zoning Ordinance to provide for retail sales (not permitted), including furniture, baby items and sports equipment, **approved**.

ZONING HISTORY – VICINITY

2023ZON021 ; 3449 South Harding Street (north of site), Rezoning of 0.75 acre from the D-4 (FF) district to the C-3 (FF) district to provide for retail sales of accessories and parts for semi-tractors and trailers, **approved**.

2022CZN812 ; 3602 South Harding Street (southwest of site), Rezoning of 4.47 acres from the D-4 (FF) district to the I-3 (FF) district, **approved**.

2022CVR812 ; 3602 South Harding Street (southwest of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 65-foot east transitional yard (150 feet required) and 22-foot south side yard (30 feet required), **approved**.

2021ZON066 ; 3449 South Harding Street (north of site), Rezoning of 0.75 acre from the D-4 (FF) district to the C-S (FF) district to provide for a convenience store and gasoline station, **denied**.

2016UV1011 ; 3512 South Harding Street (west of site), Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the indoor parking and storage of construction vehicles (not permitted), related to a construction business (not permitted), **approved**.

2015HOV003 ; 3544 South Harding Street (southwest of site), Variance of use of the Dwelling Districts Zoning Ordinance to legally establish two single-family dwellings on one lot (not permitted), per plans filed, **approved**.

2005ZON016 ; 1309 West Sumner Avenue (east of site), rezone 1.717 acres, being in the D-4 (FF) District, to the C-S (FF) classification to provide for a truck and trailer sales and storage facility, **withdrawn**.

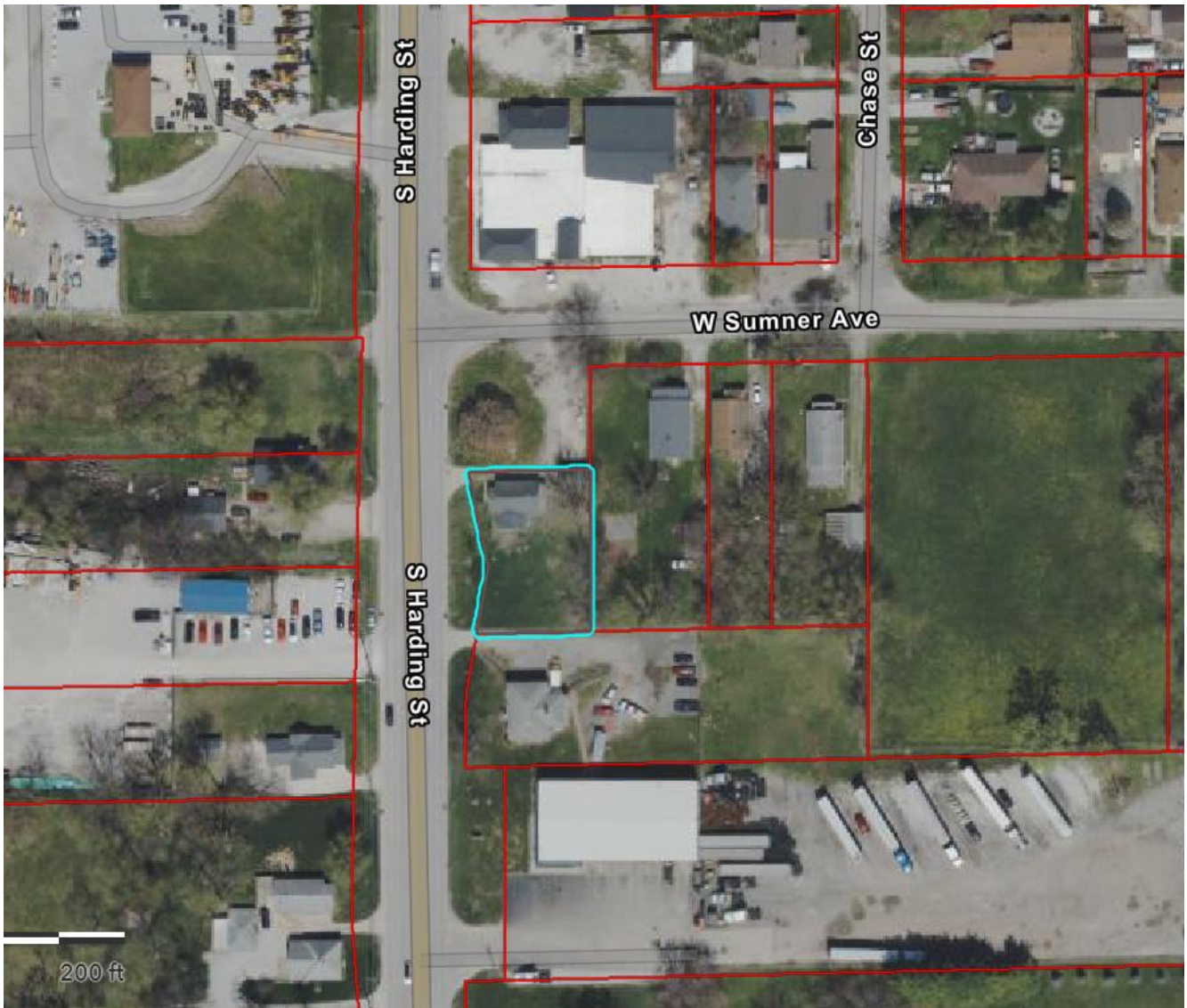
2004ZON032 ; 3515 South Harding Street (south of site), rezone 0.80 acre, being in the D-4 (FF) District, to the I-2-S (FF) classification to provide for industrial uses, **approved**.

97-Z-7 ; 1309 West Sumner Avenue (east of site), rezoning of 0.753 acre, being in the D-A District, to the I-3-S classification to provide for industrial uses, **denied**.

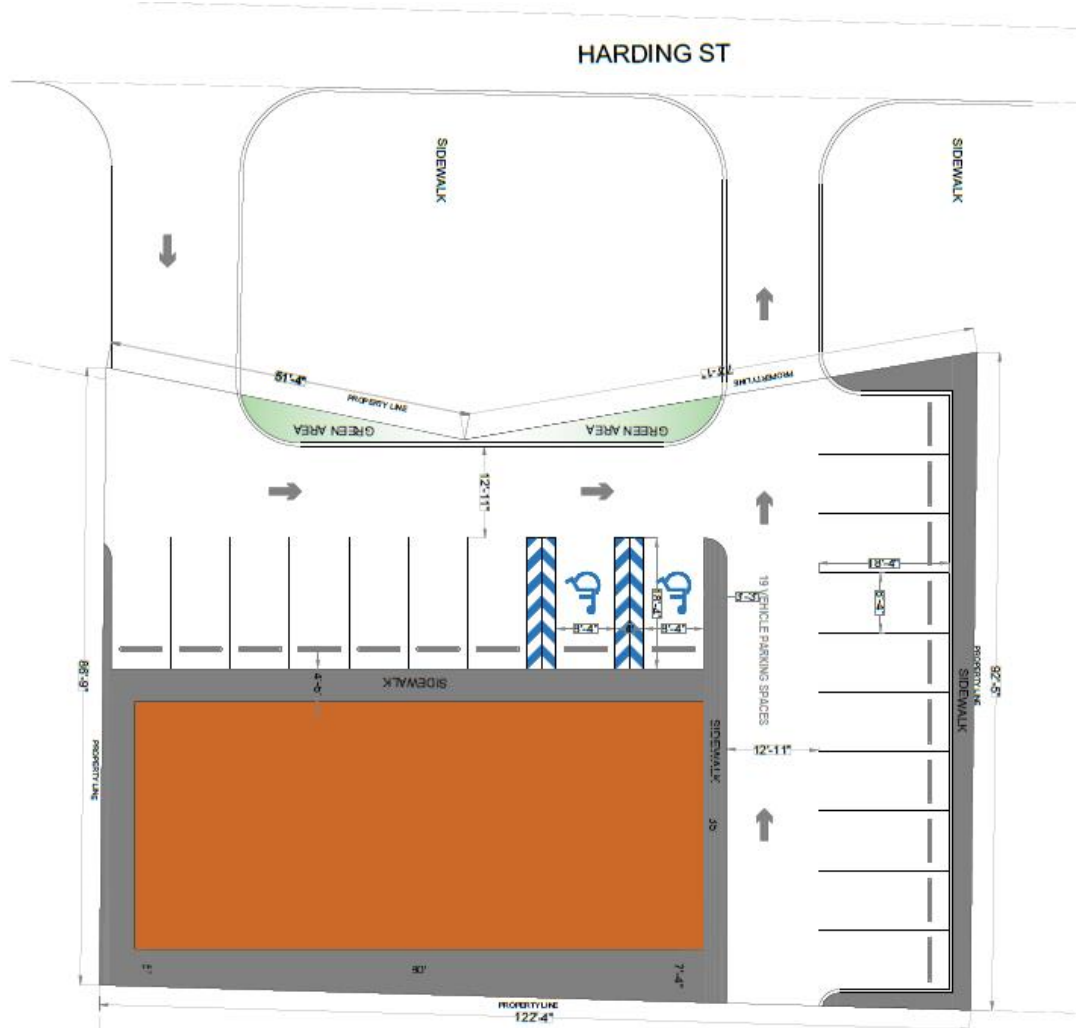
96-V1-103 ; 3602 South Harding Street (southwest of site), variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of 60 by 80 foot accessory building for an existing single-family residence resulting in the total square footage of accessory buildings being 5,241 square feet or 314% of the square footage devoted to the primary structure, **approved**.

EXHIBITS

2026ZON030 ; Aerial Map



2026ZON030 ; Site Plan / Elevation Rendering



PROPOSED ELEVATION

SITE DATA:
 PARCEL SIZE (10281.43 SQ.FT)
 PARCEL : #5011742
 PROP. NEW BUILDING AREA: (2800 SQ.FT)

2026ZON030 ; Operation Plan (Partial)

1. Project Vision and Concept

The vision for 3505 S Harding St is to transform an underutilized industrial property into a vibrant, neighborhood-scale retail hub. The plan is to create a small commercial center that provides essential services to the surrounding community in a walkable and accessible format. The development will consist of a single structure subdivided into multiple suites to accommodate a barber shop, a coffee shop, and other small-scale retail tenants. This adaptive reuse project aims to reduce blight, increase neighborhood amenities, and generate local tax revenue without the need for heavy industrial traffic or infrastructure.

2. Proposed Land Use and Tenancy

The building will be designed for "plug-and-play" retail tenants whose build-out requirements are minimal. The focus is on service and retail uses that are compatible with neighboring properties and do not involve drive-through facilities or outdoor storage.

- **Anchor Tenant Concept:** The space will be subdivided to allow for a coffee shop (which typically requires minimal kitchen exhaust and plumbing) and a barber shop (requiring simple plumbing for sinks).
- **Flex Retail:** Additional offices will be leased to retailers such as tailors, small gift shops, or estheticians, all of which are low-impact uses permitted in the C-4 district.
- **Operating Hours:** Operations will be limited to daytime and early evening hours (e.g., 7:00 AM to 9:00 PM) to minimize impact on adjacent residential or vacant industrial neighbors.

3. Site Plan and Building Modifications

To comply with the application requirements for an Improvement Location Permit (ILP) and the rezoning petition, the following physical plans will be drafted professionally:

- **Building Improvements:** The exterior of the existing industrial structure will be renovated with a more pedestrian-friendly facade, including large display windows and a defined entryway, as required by commercial design standards. Exterior elevation plans will be submitted showing new finishing materials, door and window dimensions, and lighting.
- **Parking and Circulation:** A detailed site plan will be drawn to scale showing new, striping for off-street parking, designated bicycle parking, and clear pedestrian walkways connecting the sidewalk to the building entrances. The plan will indicate dimensions for all curb cuts and driveway connections to S Harding St.
- **Landscaping:** A landscape plan will be prepared to add visual screening and green space, including new trees and shrubs along the frontage to satisfy the city's landscaping and screening requirements.
- **Lighting:** A lighting plan will be included to show low-level, cutoff fixtures for the parking area to ensure safety without creating light pollution for neighboring properties.

2026ZON030 ; Photographs



Photo 1: Existing Buildings Viewed from West



Photo 2: Subject Site Viewed from Northwest

2026ZON030 ; Photographs (continued)



Photo 3: Subject Site + Existing Buffering Viewed from North



Photo 4: Adjacent Property to East

2026ZON030 ; Photographs (continued)



Photo 5: Adjacent Property to North



Photo 6: Adjacent Property to Northwest

2026ZON030 ; Photographs (continued)



Photo 7: Adjacent Property to South



Photo 8: Adjacent Property to West and Southwest