



Department of Metropolitan Development
Division of Planning
Current Planning

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER

November 13, 2025

Case Number: 2025-APP-010
Property Address: 7331 West 34th Street (approximate address)
Location: Wayne Township, Council District #11
Petitioner: Antonio Palmero, by Brianna Cushman
Current Zoning: PK-2
Request: Park District Two Approval to provide for a detached single-family dwelling.
Current Land Use: Undeveloped
Staff Recommendations: Approval with commitment.
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This petition was automatically continued from the October 9, 2025 hearing to the November 13, 2025 hearing at the request of a Registered Neighborhood Organization.

STAFF RECOMMENDATION

Staff **recommends approval** of the request subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least three (3) days prior to the MDC hearing:

A 40-foot half right-of-way shall be dedicated along the frontage of 34th 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 an undeveloped lot that is surrounded by single-family dwellings on all sides, zoned PK-2.



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PARK DISTRICT -TWO APPROVAL

The purpose of the PK-2 district is to provide for flexible, but excellent and complementary development in proximity to a park. Dwellings, institutions, agriculture, and certain commercial and industrial uses are permitted in the PK-2 district.

This request would provide for PK-2 approval to provide for single-family dwelling. No use, building or structure is permitted for any purpose until a site and development plan for such land, including the proposed use or uses, has been filed with and approved by the Commission in accordance with the Zoning Ordinance.

Land in the Development Plan districts is subject to the following site and development requirements. In review of the proposed Site and Development Plan, the Commission must assess whether the Site and Development Plan, proposed use, buildings and structures must:

- a. Be so designed as to create a superior land development plan, in conformity with the Comprehensive Plan;
- b. Create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the development plan district and with adjacent uses;
- c. Provide sufficient and adequate multi-modal access, such as parking and loading areas, transit provisions, and bicycle facilities;
- d. Integrate a multi-modal transportation network using active and passive traffic control with the existing and planned public streets and interior roads;
- e. Provide adequately for sanitation, drainage and public utilities in a sustainable, low-impact manner;
- f. Allocate adequate sites for all uses proposed - the design, character, grade, location and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan; and
- g. Provide pedestrian accessibility and connectivity, which may be paths, trails, sidewalks, or combination thereof. Pedestrian accessibility to available public transit must be provided. Sidewalks along eligible public streets consisting of the walkway and any curb ramps or blended transitions must be provided. If sidewalks are required to be installed, the Administrator or the Commission must be guided by the provisions of Section 744-304 for the installation of sidewalks.

DEPARTMENT OF PUBLIC WORKS

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 40-foot half right-of-way along 34th Street. This dedication would also be consistent with the Marion County Thoroughfare Plan.

STAFF ANALYSIS

This request would provide for the construction of a single-family dwelling. As proposed, the filing noted the total living space would be 5,340 square feet with a main floor area of 3,100 square feet, a second-floor area of 2,240 square feet, and an attached garage measuring 4,300 square feet.

The site plan notes an approximate front setback of 183.25 feet and east side setback of 67.92 feet. Based on these measurements, the west side setback was determined to be approximately 71 feet from the covered porch with an approximate 510-foot rear yard. Considering the 6.14-acre lot size, these setbacks would be appropriate and reasonable for the lot size.

The single-family dwelling to the west has an approximate 124-foot front setback and two properties east of the subject site has a single-family dwelling with an approximate front setback of 156 feet. This is an indicator that the proposed front setback would not be uncommon or an outlier in the immediate area.

Furthermore, the proposed residential development of the site would be consistent with the Suburban Neighborhood recommendation of the Comprehensive Plan.

The Infill Housing Guidelines (2021 update) identify details related to site configuration and aesthetic considerations to guide growth and change to assure compatibility with the existing neighborhood.

Staff determined the construction of a single-family dwelling would be compatible with the neighborhood and would not cause an undue burden on the neighborhood.

For these reasons, staff is recommending approval of this request.

GENERAL INFORMATION

Existing Zoning	PK-2	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	PK-2	Residential (Single-family dwellings)
South:	PK-2	Residential (Single-family dwelling)
East:	PK-2	Residential (Single-family dwelling)
West:	PK-2	Residential (Single-family dwellings)
Thoroughfare Plan		
34 th Street	Primary Collector Street	80-foot proposed right-of-way and 40-foot existing right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	No	

Site Plan	July 17, 2025
Site Plan (Amended)	N/A
Elevations	August 25, 2025
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	July 24, 2025
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Infill Housing Guidelines (2021)
- Indy Moves Transportation Integration Plan (2018)

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends Suburban Neighborhood development of the site.
- 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 1 to 5 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.
- **Conditions for All Land Use Types**
 - 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.
- **Conditions for All Housing**
 - A mix of housing types is encouraged.

- Developments of more than 30 housing units must have access to at least one arterial street of 3 or more continuous travel lanes between the intersections of two intersecting arterial streets.
- Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
- Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
- Developments with densities higher than 5 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.
- **Detached Housing**
 - The house should extend beyond the front of the garage.
 - Lots should be no more than 1.5 times the size (larger or smaller) of adjacent/surrounding lots, except in cases where lots abut existing residential lots of one acre or more in size. In those cases, lots should be no smaller than 10,000 square feet and no larger than 1.5 times the size of the abutting lot.
- **The Environmentally Sensitive Areas Overlay modifies the detached housing uses as follows:**
 - Detached Housing - Should be oriented to minimize impact on the natural environment, including trees, wetlands, and exceptional topography. Housing is significantly discouraged in floodplains. Additionally, development should preserve or add at least 30% 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

- **BUILDING ELEVATIONS AND ARCHITECTURAL ELEMENTS**
 - **1. Utilize Foundation Styles and Heights that are Consistent with Nearby Houses:** The height of the foundation affects where doors, porches, and windows are located. Unless there are special circumstances that require additional height, such as the location is in or near a floodplain, the foundation height for new construction should be consistent with nearby buildings.
 - **2. Be Consistent with Surrounding Entry Locations:** Main entries should be visible from the street. Entries should not be hidden, obscured, or missing from the main street

elevation (front). The entry should reflect a similar characteristic to those that surround it, such as formal or casual, recessed or flush, narrow or wide.

- **3. Where Appropriate, Include Porches or Stoops:** Use context to determine if front porches are consistent elements used in the neighborhood. If so, add porches or stoops to new construction.
- **4. Coordinate the Location and Door Style of Balconies with the Surrounding Neighborhood:** Balconies are common architectural elements in some neighborhoods, but uncommon in others. Balconies along the street should be used when appropriate. When a balcony is used, consider the appropriate door access for the type of balcony. For example, Juliet balconies, which are intended to bring the outside in, make the most sense when French doors are used.
- **5. Consider Nearby Roof Styles:** The basic outline of a new building should reflect building outlines typical of the area. Roof selection and overall height contribute to the building outline. Select roof shapes that are frequently used in the neighborhood.
- **6. Fenestration Should Relate to the Surrounding Context:** Windows and doors should be arranged on buildings so as not to conflict with the basic fenestration patterns in the neighborhood. The proportion of glass (windows) to solid materials (wood, bricks, and other materials) which is found within the surrounding context should be reflected in new construction. Every elevation (sides and rear) should have windows on each story to help break up the monotony of the façade.
- **7. Materials Used Should Reflect the Context of the Neighborhood:** Introducing new materials that are not used in the existing context should be done in a way where those materials are not the dominant material and make up less than 30% of the overall façade design.
- **8. Consider Unique Neighborhood Features:** In addition to the architectural features mentioned above, consider other common features like chimneys, dormers, gables, and overhanging eaves that shape the character of a neighborhood. When possible, include these features into new construction.

Indy Moves

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

- Indy Moves Transportation Integration Plan (2018) proposes an on-street bike lane along 34th Street from Dandy Trail to Faculty Drive.



ZONING HISTORY

Zoning History – Site

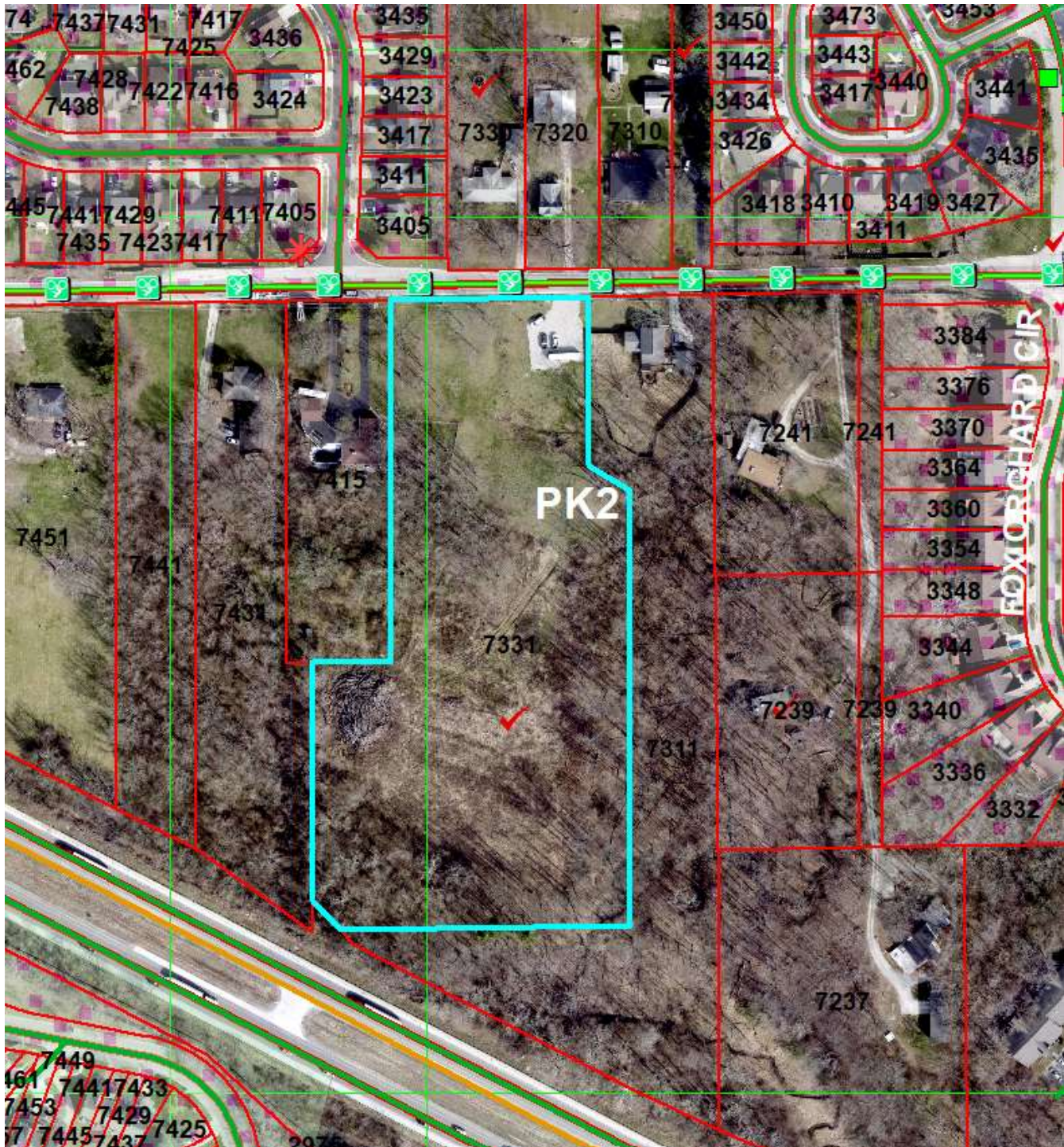
2001-APP-142; 7311 West 34th Street (subject site), Park District-Two Approval to provide for a 60-unit multi-family residential condominium development, resulting in a density of 7.8 units per acre, **withdrawn**.

77-AP-173; (7311 West 34th Street subject site), Approval to construct addition to family room and utility area being in PK-2 district, **approved**. ‘

Zoning History – Vicinity

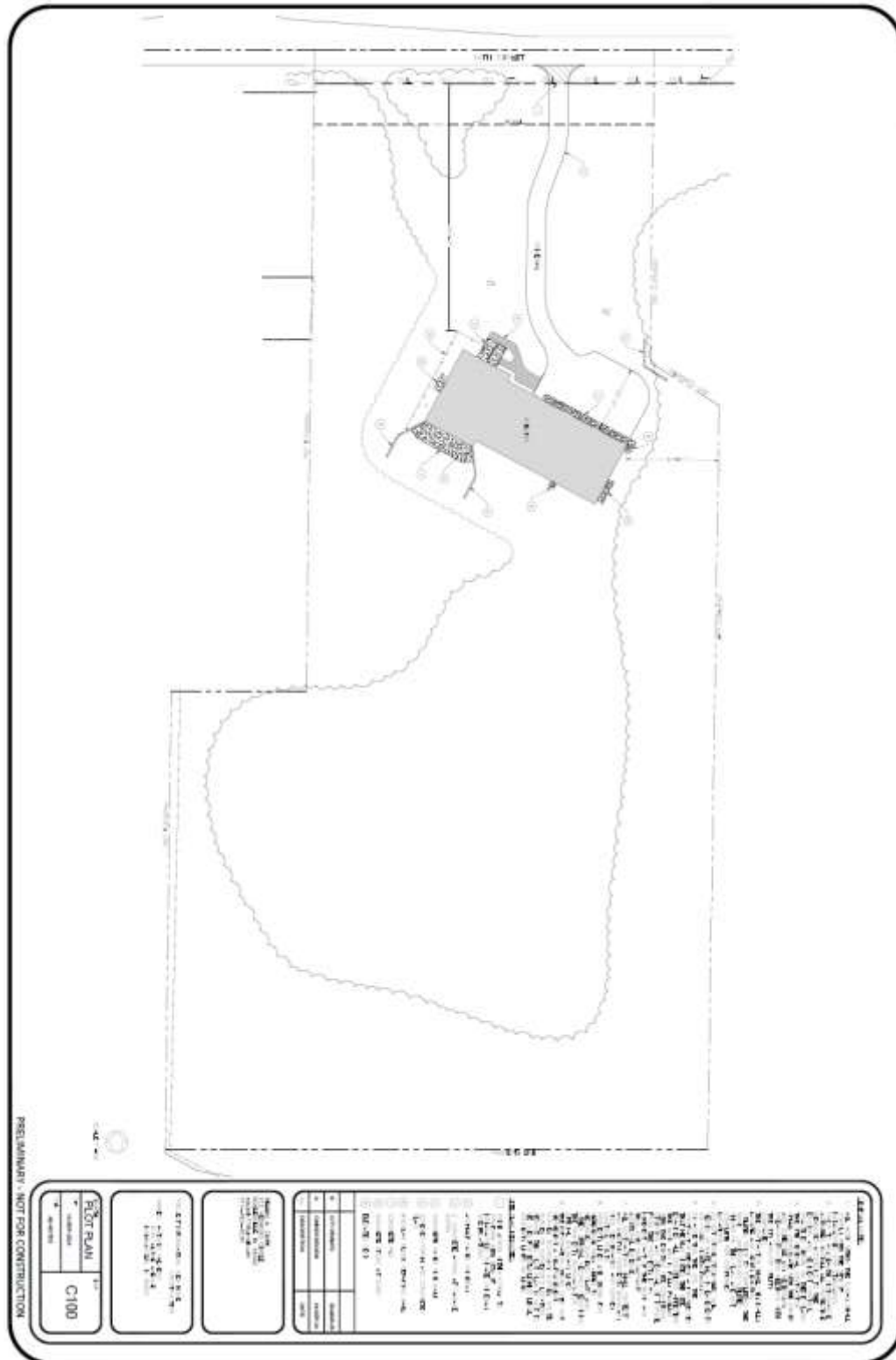
88-AP-89; 7239 West 34th Street (east of site), Approval to provide for construction of a detached garage, **approved**.

EXHIBITS

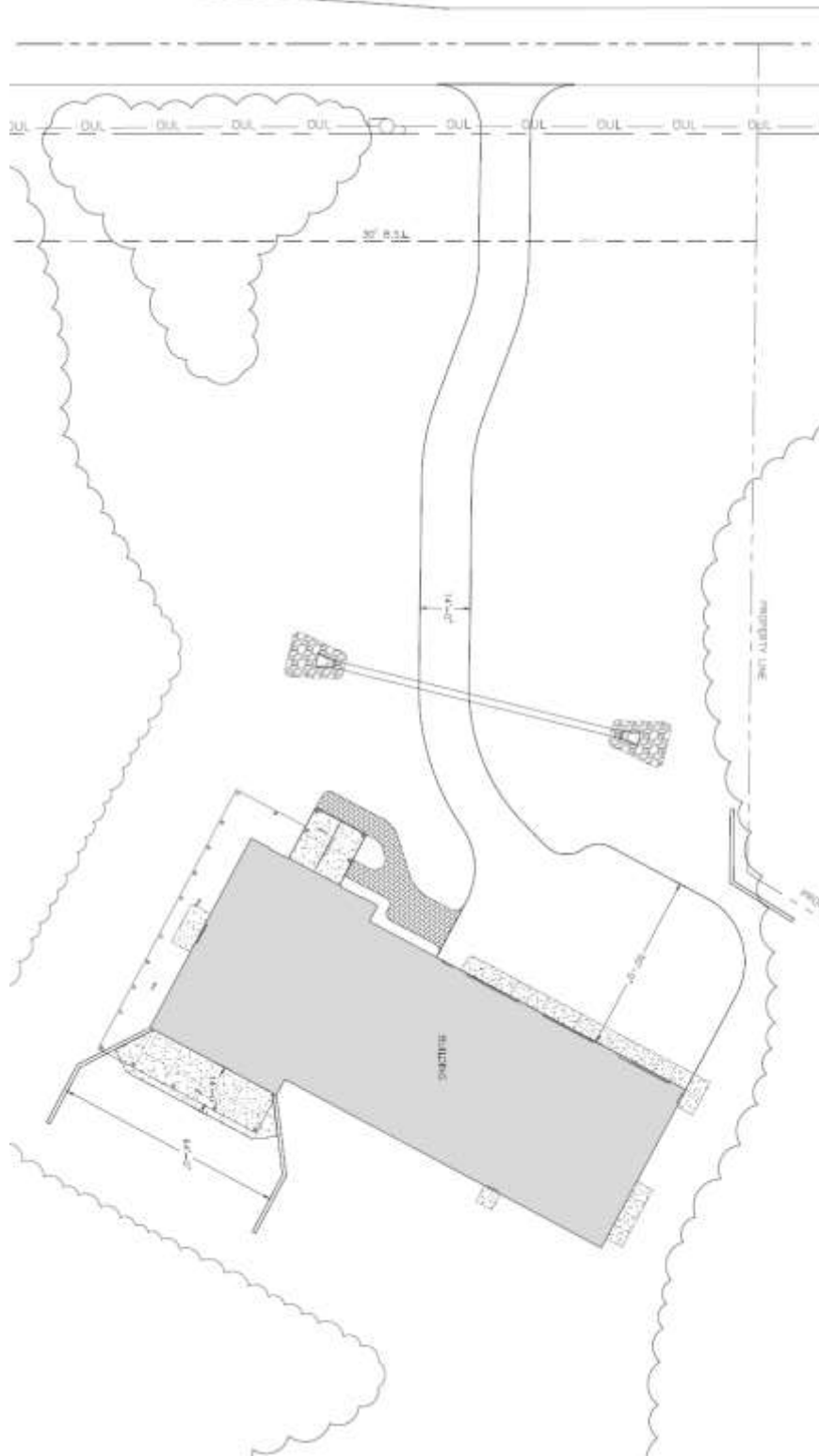


AERIAL MAP

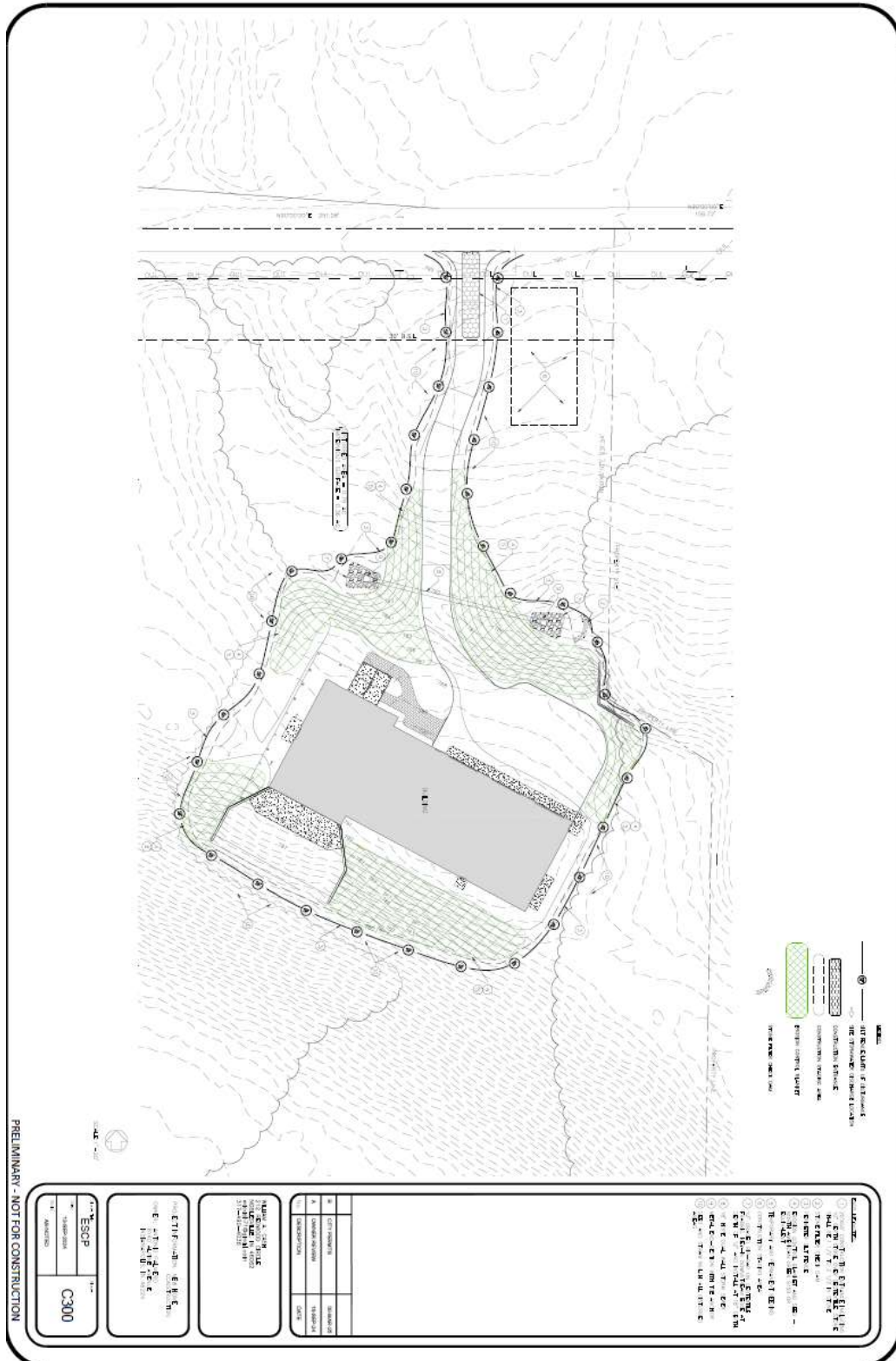
SITE PLAN



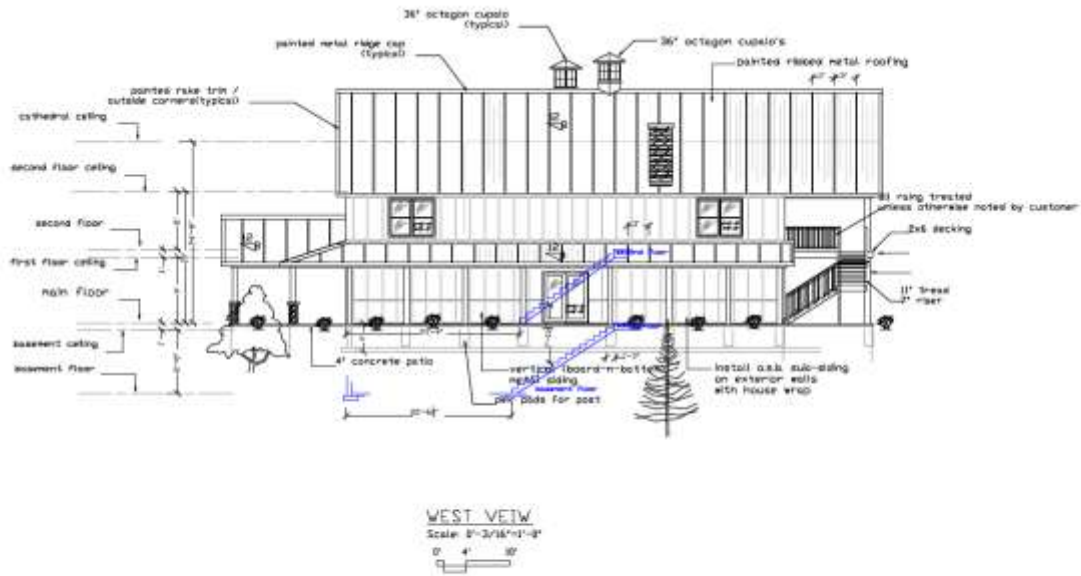
SITE PLAN CLOSE-UP



ERROSION CONTROL PLAN



WEST ELEVATION



DURHAM
GRAPHICS

Owner: Mr. Paul Cohen
 1700 W. 10th St.
 Minneapolis, MN 55408
 612-460-0700

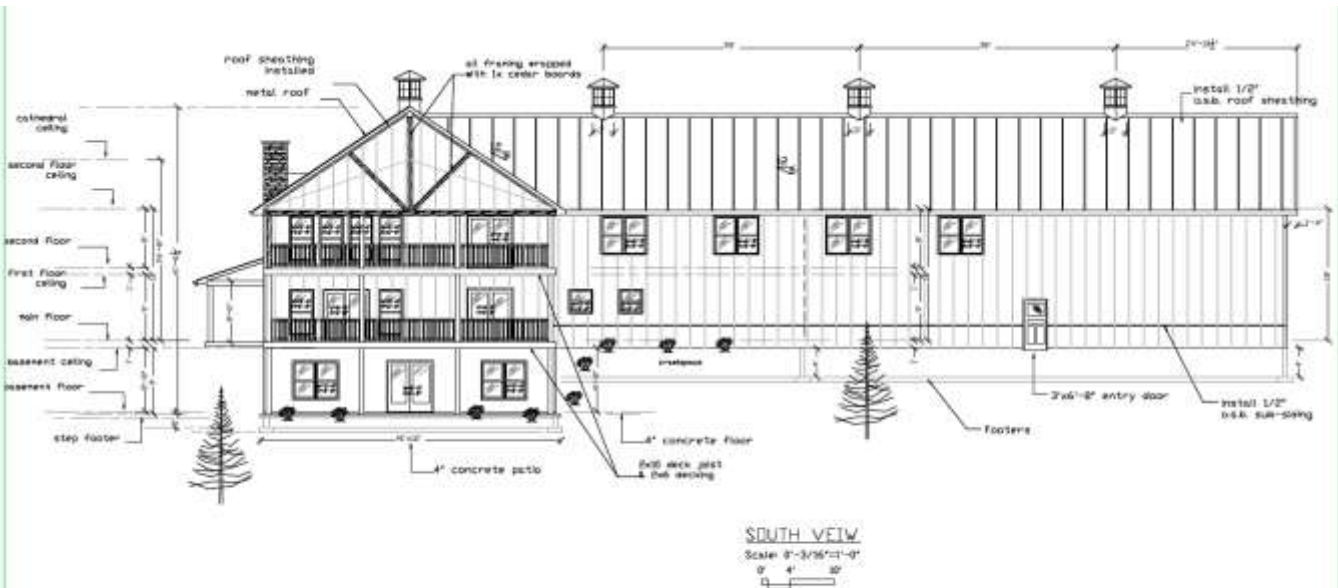
Customer Name: Joseph Hansen
 Project: New Home Construction
 Location: 1701 West 10th St. Minneapolis, MN
 Contact:

Phone: 774-242-0000
 Address: 1701 West 10th St. Minneapolis, MN
 Email: jhansen@durham.com
 Project: AUGUST

Size: 31'x20'00"
 Sheet: 2 of 2
 Location: Main Elev.
 Scale: 3/32"=1'-0"

This set of drawings is to be used for informational purposes only. It is not to be used for construction purposes. The user assumes all responsibility for the accuracy of the information provided. The user assumes all responsibility for the accuracy of the information provided. The user assumes all responsibility for the accuracy of the information provided.

SOUTH ELEVATION



DURHAM
GRAPHICS

Owner: Mr. Paul Cohen
 1700 W. 10th St.
 Minneapolis, MN 55408
 612-460-0700

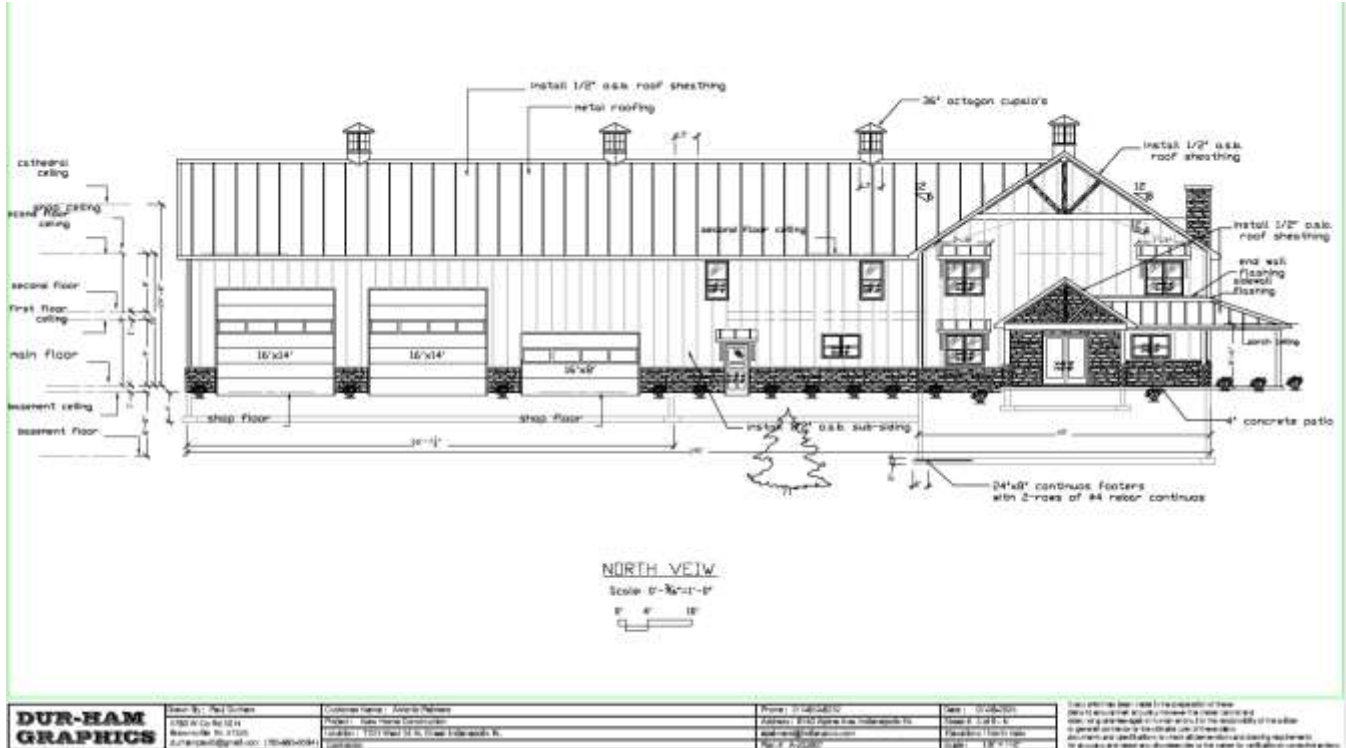
Customer Name: Joseph Hansen
 Project: New Home Construction
 Location: 1701 West 10th St. Minneapolis, MN
 Contact:

Phone: 774-242-0000
 Address: 1701 West 10th St. Minneapolis, MN
 Email: jhansen@durham.com
 Project: AUGUST

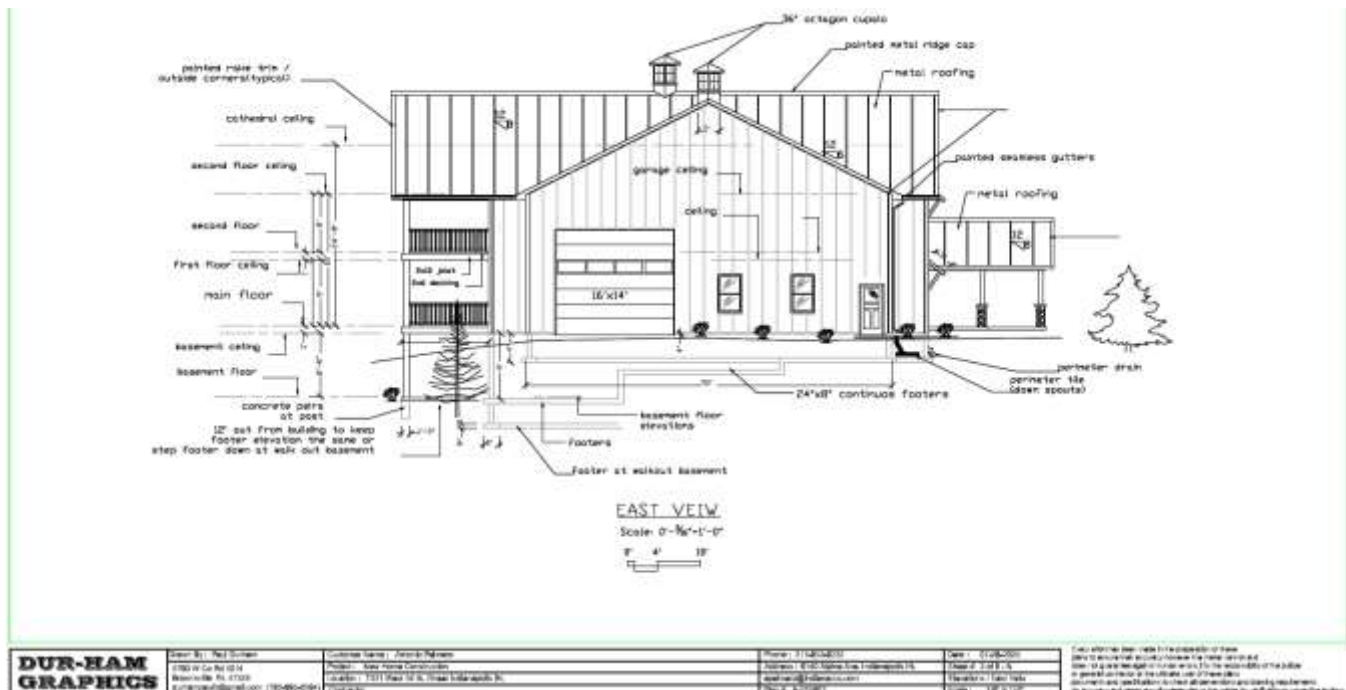
Size: 31'x20'00"
 Sheet: 2 of 2
 Location: Main Elev.
 Scale: 3/32"=1'-0"

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NORTH ELEVATION



EAST ELEVATION



Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
OF MARION COUNTY, INDIANA
PETITION FOR UNIVERSITY QUARTER ONE/TWO APPROVAL
PETITION FOR PARK DISTRICT ONE/TWO APPROVAL
PETITION FOR HOSPITAL DISTRICT ONE/TWO APPROVAL**

FINDINGS OF FACT

The Metropolitan Development Commission finds that the site and development plan file-dated _____, 20____

A. Has been designed to create a superior land development plan, in conformity with the Comprehensive Plan because:

The proposed development is a two story single family residence "SFR" with an attached garage and is considered a permitted use as described in Table 742-108-2 (PK-2) and Table 743-1: USE TABLE - Residential/Household living. The proposed residential dwelling is consistent with other existing residential properties west of Fox Orchard and south of Interstate 74.

B. Creates and maintains a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the development plan district and with adjacent uses because:

The proposed dwelling and garage share many characteristics of the surrounding adjacent neighbors with a compatible and conforming value, design, and overall scale. The proposed residential project will disturb less than one acre of the overall 6 acre tract leaving the majority of the property in open space. A Section 401 WQC Wetlands, Lakes and Streams Pre-Filing Meeting Request was submitted to IDEM and it was determined that the project would not impact any regulated water resources.

C. Provides sufficient and adequate multi-modal access, such as parking and loading areas, transit provisions, and bicycle facilities because:

The proposed residential development provides sufficient multi-modal access consistent with a large scale estate type property. The proposed structure is situated 183 ft from the W 34th Street Right-of-Way and all access to the structure shall be along the planned 14 ft width paved driveway.

D. Integrates a multi-modal transportation network using active and passive traffic control with the existing and planned public streets and interior roads because:

The proposed single family residential development shall include a single access on W 34th Street. Traffic volume shall conform to the typical traffic counts anticipated with single family homes.

E. Provides adequately for sanitation, drainage, and public utilities in a sustainable, low-impact manner because:

The low impact nature of the SFR provides open lawn area for proper drainage. Drainage from the roof area and driveway shall sheet flow to a well defined drainage way bisecting the property. Final utility design may include an on-site sewage disposal system and well or connections to public water and sewer if available.

F. Allocates adequate sites for all uses proposed, - the design, character, grade, location, and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan, because:

The proposed SFR development complies with the Comprehensive Plan of Marion County for a traditional neighborhood with a SFR dwelling, within the PK-2 District zoning. The design, character, grade, location, and orientation take into consideration the existing topographic relief of the property. The properties south of W 34th Street act as an Interstate 74 buffer for the more dense residential neighborhood to the north.

G. Provides pedestrian accessibility and connectivity, which may be paths, trails, sidewalks (If sidewalks are required to be installed, the Administrator or the Commission must be guided by provisions of Section 744-304 for the installation of sidewalks), or combination thereof; provides pedestrian accessibility to available public transit; and provides sidewalks along eligible public streets consisting of the walkway and any curb ramps or blended transitions because:

There currently are no public sidewalks along the north or south side of W 34th Street west of Bayhead Drive. Specifically in the area of the proposed development the existing grades fall off abruptly along the south side of W 34 th Street and prevent the efficiently and economical construction of public sidewalks.

DECISION

IT IS THEREFORE the decision of this body that this APPROVAL petition is APPROVED.

Adopted this _____ day of _____, 20 ____

Commission President/ Secretary



Photo of the subject site's entrance drive and adjacent single-family dwelling to the east.



Photo of the subject site looking south.



Photo of the subject site looking east.



Photo of the subject site looking south towards the rear of the property.



Photo of the subject site looking north from the approximate location of the single-family dwelling.



Photo of the single-family dwelling west of the site.



Photo of the single-family dwellings north of the site.