

BOARD OF ZONING APPEALS DIVISION III

October 21, 2025

Case Number: 2025-SE2-003

Property Address: 21 Virginia Avenue, 122 & 130 East Maryland Street (approximate addresses)

Location: Center Township, Council District #18

Petitioner: Virginia Street Capital LLC, by Brian Schubert

Current Zoning: CBD-1 (RC) (TOD)

Request: Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for 1). a parking garage within the CBD-1 District (special exception required), and 2). vehicular access for the parking garage from two streets within the CBD-1 District (special exception required).

Current Land Use: Office Building / Commercial Parking Lot

Staff Recommendations: Staff **recommends approval** of the parking garage within the CBD-1 District, and for vehicular access from one (1) street (Maryland Street) within the CBD-1 District, subject to commitments.

Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

- This petition was continued and transferred from the September 9, 2025 BZA Division II hearing to the September 16, 2025 BZA Division III hearing.
- The petition was continued to the October 21, 2025 Division III hearing to allow for revisions to be made to the request.

STAFF RECOMMENDATION

- Staff **recommends approval** of the parking garage within the CBD-1 District, and for vehicular access from one (1) street (Maryland Street) within the CBD-1 District, subject to commitments.
- Staff's approval recommendation is subject to the following commitments being reduced to writing on the BZA's Exhibit "A" forms, prior to the issuance of any decision letter related to any action of the Regional Center Hearing Examiner:
 - The Special Exception grant providing for a parking garage, as a primary use within the CBD-1, shall be conditioned upon architectural treatments or artistic screening in areas of the façade where the garage would be visible.
 - The Special Exception grant shall be conditioned upon incorporating recommended commitments from the Indianapolis Cultural Trail, including: a minimum two-foot setback of the entrance along Virginia Avenue, a minimum of one pedestrian entrance

to the retail space along Maryland Street, a minimum of one pedestrian entrance along Maryland Street to the parking garage, a prohibition of sidewalk cafes on the Cultural Trail (café's on the sidewalk would be permitted, subject to Regional Center Approval), any planter boxes shall be within the proposed arcade along Virginia Avenue, any rebuilding of any portion of the Cultural Trail shall be coordinated with the Indianapolis Cultural Trail and shall follow the Cultural Trail standards, any plaza construction shall be coordinated with the Indianapolis Cultural Trail, there shall be coordination with the Indianapolis Cultural Trail during construction, with the petitioner responsible for repairing and restoring any damage, including lighting and landscaping, and there shall be a minimum of eight feet width for pedestrian use shall be retained during construction.

- The primary proposed use of this petition is a parking garage. A parking garage in the CBD-1 district is not required, thus the need for this special exception request.
 - The CBD-1 district was created in 1964 and has the general boundaries of Maryland Street, Capitol Avenue, New York Street, and Delaware Street.
 - The goals of CBD-1 include to encourage pedestrian activity in a dense commercial area that establishes the image of Indianapolis, while limiting vehicle accommodations.

PETITION OVERVIEW

- The petitioner has revised the proposed site plan and floor plans to indicate a removal of the curb cut for vehicular access from Virginia Avenue so that portion of the request is now only for vehicular access from one (1) street within the CBD-1 District, being Maryland Street.
- Additionally, the revised floor plans indicate an additional floor of residential uses, bringing the total of residential units from 78 to 90. The revised floor plans also indicate a reduction of the proposed number of parking spaces from 306 to 290 plus 3 van spaces for loading. The revised proposal calls for the demolition of the existing office building to allow for a 11-story structure with an additional subterranean level. Six (6) levels, including the subterranean level, would be solely used for vehicular parking, the ground floor would contain retail space, and the top five (5) stories would be residential units. These changes will result in the proposed floor area dedicated to vehicular parking being reduced from just over 70% of the proposed building's total floor area to approximately 59% of the total floor area.
- With these revisions to the request, Staff finds the proposal to be far more in line with the goals of the CBD-1 District, Mile Square, and the Regional Center Secondary Zoning District. The proposal will no longer call for vehicular access from Virginia Avenue, and thus will result in the removal of the current curb cut that crosses over the Cultural Trail. The elimination of this conflict point with pedestrians and cyclists will improve safety, walkability, and bikeability along the heavily-used walk/bike path. Further, with the proposal now calling for only one point of vehicular access to the site, being from Maryland Street, Staff finds the Special Exception request to be reasonable as this

will provide for vehicular access to the site that is not excessive and does not conflict with one of the foremost amenities of the Downtown core.

- Additionally, with the addition of a fifth floor of residential units, and a modest reduction in the number of proposed vehicular spaces, Staff finds the proposed use to be more productive and appropriate for the site's context and does more to achieve a quality pedestrian environment. While the Special Exception is still needed, the revised proposal represents a substantial improvement from the original plans and would provide much-needed residential units in the downtown core within close proximity to various amenities. Further, with the proposed parking garage to serve not only the proposed residential and commercial space but also the existing office, retail, and residential uses adjacent to the subject site, Staff finds the Special Exception request for the parking garage to be reasonable in nature.
- Finally, Staff would emphasize that the design, façade treatment, and site plan are subject to change based on the outcomes of the Regional Center Hearing Examiner and that the design shown in this Staff Report is not necessarily the final design of the structure.

BACKGROUND INFORMATION

- The subject site is zoned CBD-1 (Central Business District One) and is located within both the Regional Center secondary zoning overlay, and the TOD (Transit Oriented Development) secondary zoning overlay. The site is also located within the Mile Square and directly abuts the Indianapolis Cultural Trail along Virginia Avenue. The site is currently improved with a medium-rise office building and a surface parking lot. The site's location is within a highly walkable portion of downtown, as well as directly along the highly used Cultural Trail, and one block away from the Julia Carson Transit Center.
- With the primary use of the structure being the parking garage, the structure would be defined as a commercial parking garage, which requires the approval of a Special Exception petition within the CBD-1 zoning district. Additionally, the proposal requests vehicular access from East Maryland Street, which also requires a Special Exception per Chapter 743. Article III. Section 5. DD.2. which states:
 - A. ...off-street parking facilities obtaining access from any street within the CBD-1 District shall only be permitted upon the approval of a Special Exception by the Board of Zoning Appeals in accordance with 740-705 and upon the Board's determination that: a. The parking facility and the location of entrances and exits will not unduly inhibit traffic; and
 - B. The parking facility and the location of entrances and exits will not hinder or compromise the pedestrian traffic or walkability.
- Per Chapter 742. Article I. Section 6B the CBD-1 district is:

- “Designed to protect the ambience and spectacular view of the (Soldiers and Sailors) Monument, the district also provides for a robust and diverse accumulation of business in the city’s highest-density development pattern. It is a pedestrian oriented environment and establishes much of the image of Indianapolis. To foster the highly pedestrian environment and maximize land efficiency, off-street parking is not required, vehicle accommodations are strictly limited, and surface parking is prohibited.
- Staff would note that there is no minimum parking requirement within the Mile Square in effort to advance the goal of fostering a highly pedestrian-oriented environment.
- Staff finds the revised proposal to be broadly in accordance with the goals of Mile Square and the CBD-1 district, due to the mixed-use component beyond just the parking garage use, the high amount of residential units proposed, and due to the proposed garage being to serve the adjacent properties as well, which do not currently have dedicated parking.
- Staff would note that this approval recommendation is not an indication that Staff would necessarily be supportive of other Special Exception requests for parking garages as a primary use in the CBD-1 district, especially proposals that are seen by Staff to request an excessive amount of parking in relation to the uses that would be served.

REGIONAL CENTER

- The site is within the Regional Center secondary zoning district. Proposed development within the Regional Center is required to obtain design review approval, through the submittal of a Regional Center Approval petition. Furthermore, the proposed development is considered a High Impact project, which would require a public hearing, review, and recommendation by the Regional Center Hearing Examiner. The Metropolitan Development Commission is the final authority on Regional Center Approval petitions.
- The final design, façade treatment, and site plan are subject to change based on the outcomes of the Regional Center Hearing Examiner and the design shown in the renderings in this Staff Report is not necessarily the final design of the structure.

GENERAL INFORMATION

Existing Zoning	CBD-1 (RC) (TOD)	
Existing Land Use	Office Building / Commercial Parking Lot	
Comprehensive Plan	Core Mixed-Use	
Surrounding Context	Zoning	Surrounding Context
North:	CBD-1 (RC) (TOD)	North: Mixed-Use
South:	CBD-2 (Wholesale District - IHPC) (TOD)	South: Mixed-Use
East:	CBD-2 (RC) (TOD)	East: Mixed-Use

West:	CBD-1 (RC) (TOD)	West: Mixed-Use
Thoroughfare Plan		
Virginia Avenue	Local Street	90 feet of right-of-way existing and 48 feet proposed
East Maryland Street	Primary Arterial	90 feet of right-of-way existing and 78 feet proposed
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes, Regional Center overlay, Transit-Oriented Development overlay	
Wellfield Protection Area	No	
Site Plan	8/7/25	
Site Plan (Amended)	10/7/25	
Elevations	8/7/25	
Elevations (Amended)	10/9/25	
Landscape Plan	8/21/25	
Findings of Fact	8/7/25	
Findings of Fact (Amended)	10/14/25	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book
- Indy Moves
- Transit-Oriented Development Strategic Plans (Red Line, Purple Line, Blue Line)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan pattern Book recommends the Core Mixed-Use typology for this site., which is characterized by “Dense, compact, tall building patterns, ... buildings are a least six stories in height and all off-street parking should be in garages. While buildings in this typology are larger than in other mixed-use typologies, they should still be designed with the pedestrian in mind, with entrances and large windows facing the street. This typology has a residential density in excess of 50 units per acre.”

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The subject site is located approximately 250 feet from the Julia Carson Downtown Transit Center, which serves all IndyGo bus lines including all three of the Bus Rapid Transit lines.

- The Downtown Transit Center is located in the Central Business District typology, which is characterized as the densest core of the city containing a mix of office, entertainment, civic, retail, public space, and residential uses. Buildings should contain a minimum of 5 stories with structured parking only with an activated first floor.
- The investment framework strategy selected for this location is “Infill and Enhance”, which is described as: these stations are the most TOD Ready, generally characterized by good urban form, pedestrian and bicycle connectivity, and medium to strong market strength. TOD investments here should leverage significantly higher residential and employment densities, demonstration projects, urban living amenities and workforce housing. These are the most appropriate locations for significant infill development. The primary focus is on the private sector.
- The Transit Center scored among the highest of all TOD stations on the TOD Readiness scale and the highest on the Market Strength scale.

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 subject site abuts the Indianapolis Cultural Trail along Virginia Avenue.

ZONING HISTORY

ZONING HISTORY – SITE

2016-HOV-016, Variance of Development Standards of the Consolidated Zoning / Subdivision Ordinance to provide for a 459-square foot upper-level sign, being the sixth upper-level sign (maximum one upper level sign permitted), exceeding more than 10% of upper-level sign area, **approved**.

2013-HOV-071, Variance of Development Standards of the Sign Regulations to provide for a 12.5-foot projecting sign and a 56.5-square foot wall sign, being the third and fourth upper-level signs on the northwest elevation (one upper-level sign permitted), **approved**.

ZONING HISTORY – VICINITY

2021-HOV-024; 141 E Washington Street (north of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 79-square foot projecting sign

(maximum 54 square feet permitted) and a canopy sign extending more than 18 inches from the wall, **approved**.

2019-DV1-056; 155 S Delaware Street (southeast of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 13-square foot illuminated vehicle entry point parking sign and a 16-square foot vehicle entry point electronic variable message sign, within approximately 500 feet of a local historic district (six square feet permitted, 600-foot separation from a protected district required), **approved**.

2016-DV3-004; 201 E Washington Street (east of site), Variance of Development Standards of the Sign Regulations and Regional Center Zoning Ordinance to provide for a four-foot tall, 33-square foot freestanding sign (not permitted), encroaching approximately 19 feet into the right-of-way of East Washington Street (not permitted), **approved**.

2015-DV3-040; 201 E Washington Street (east of site), Variance of Development Standards of the Sign Regulations to provide for an identity and wayfinding sign program, to provide for multiple signs, including electronic variable message signs (EVMS) (not permitted) and generally including the following types of signs: Wall signs, informational signs, internal suspended digital (EVMS) bus stop identification signs, external suspended digital (EVMS) bus stop identification signs within the right-of-way, seven-foot tall freestanding digital (EVMS) information kiosk within the right-of-way, egress identification signs, room identification signs, projecting signs, parking signs, etiquette signs and building dedication panel signs, **approved**.

2014-HOV-034; 201 E Washington Street (east of site), Variance of Development Standards of the Central Business Districts Zoning Ordinance to provide for a transit center building within the Sky Exposure Plane Two of Alabama Street and to provide for structural and miscellaneous encroachments within the rights-of-way of Alabama Street, Washington Street and Delaware Streets, including the roof encroaching approximately 32.33-foot into the Alabama Street right-of-way (not permitted), **approved**.

2011-DV1-049; 41 E Washington Street (west of site), Variance of Development Standards of the Sign Regulations and the Regional Center Zoning Ordinance to provide for a 63.94-square foot projecting sign, (maximum size of 54 square feet permitted), **approved**.

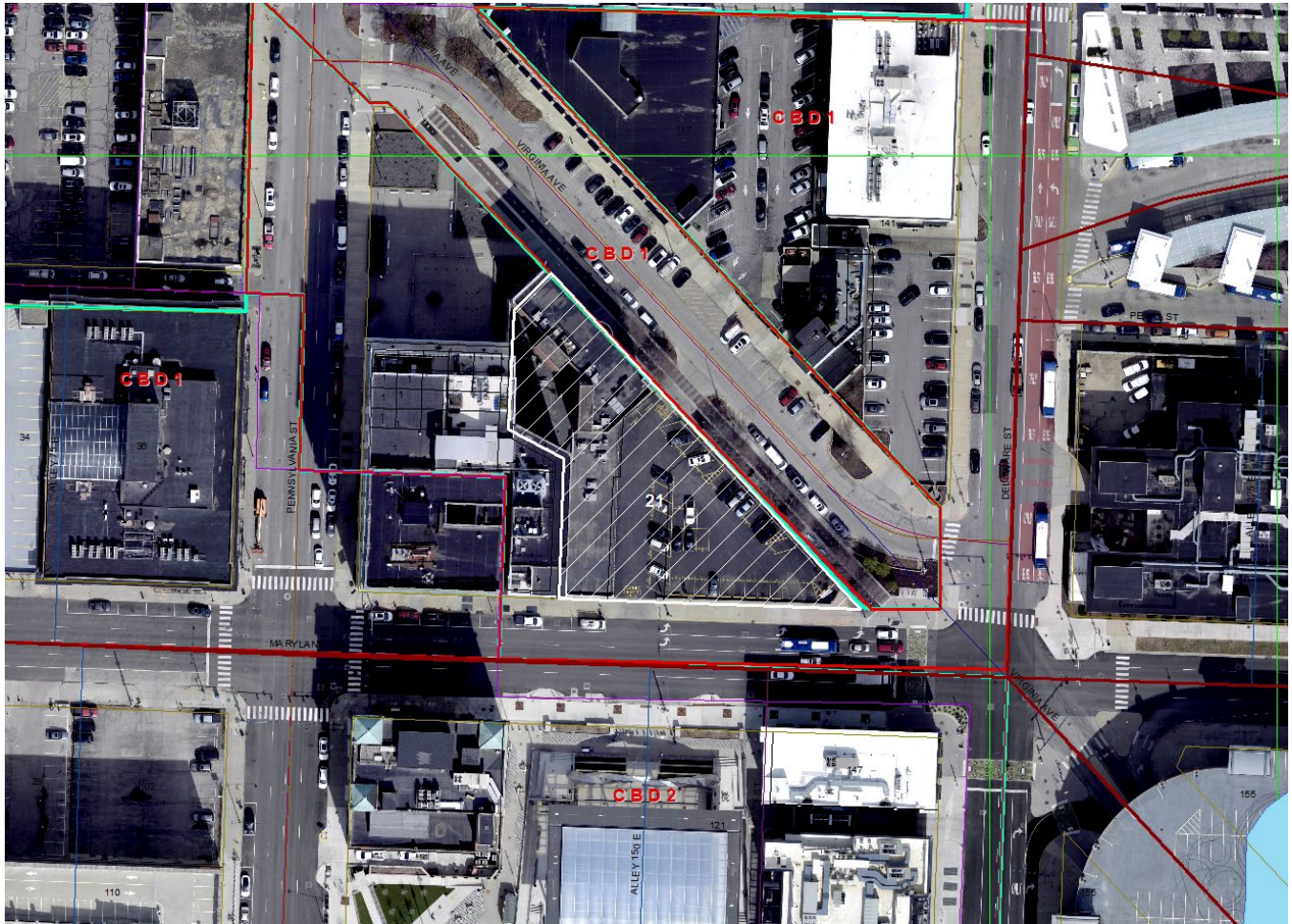
2009-DV3-042; 41 E Washington Street (west of site), Variance of Development Standards of the Sign Regulations to provide for an electronic variable message sign (not permitted), within 70 feet of a signalized intersection (minimum separation distance of 125 feet required), **denied**.

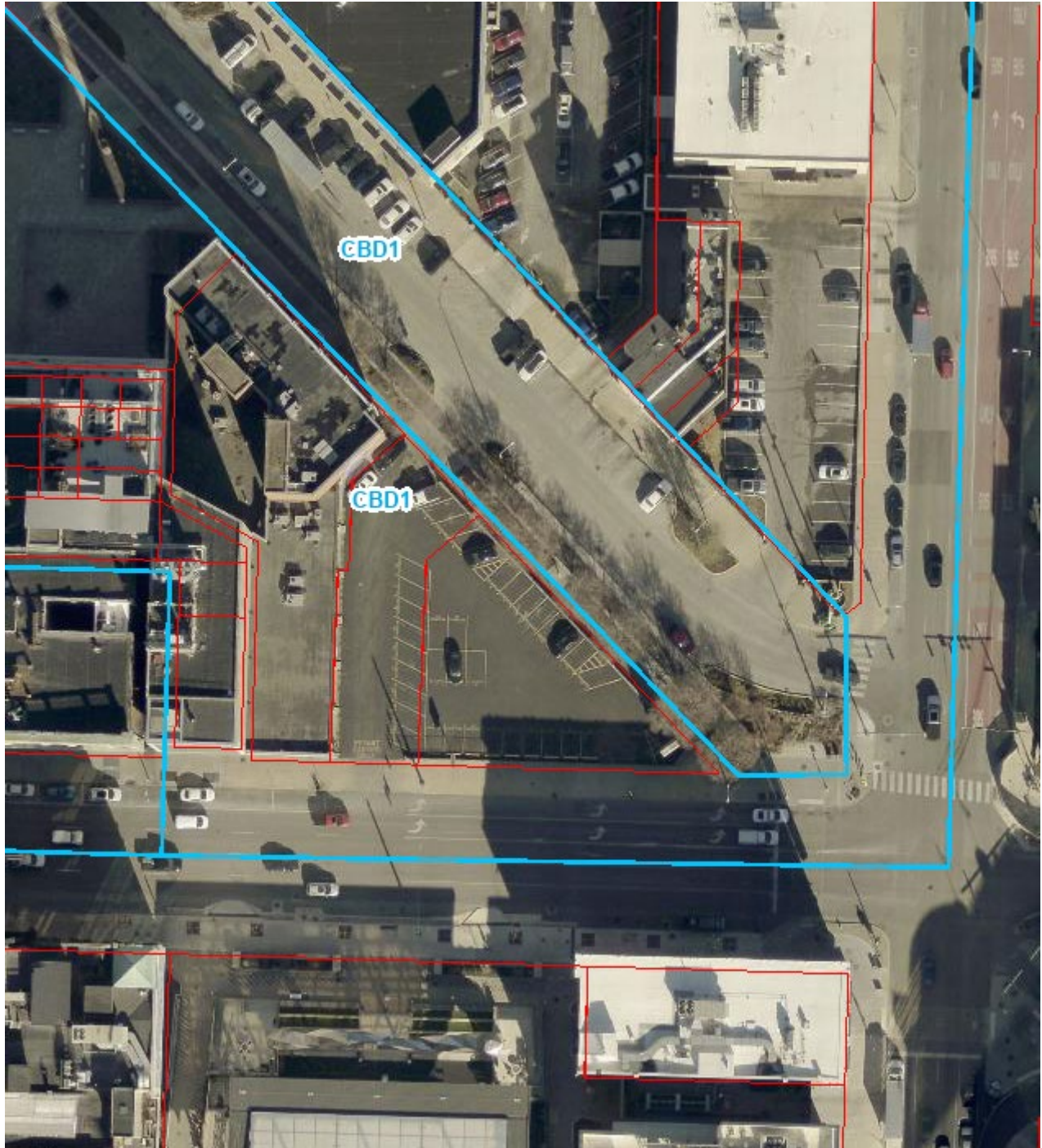
2008-DV2-035; 1 Virginia Ave (northwest of site), Variance of Development Standards of the Central Business Districts Zoning Ordinance to provide for: a) an approximately 3,500-square foot outdoor bar and dining area, with 176 outdoor seats, a fire pit, and a four sided, digital television display (not permitted), b) outdoor live entertainment (not permitted) on a 216-square foot stage, **approved**.

EXHIBITS

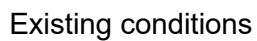
- An historical photograph that includes the site and development along Maryland Street and Virginia Avenue was submitted with the petition. That photograph is below:

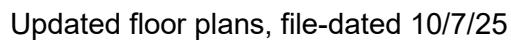




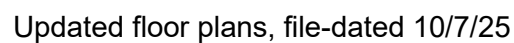


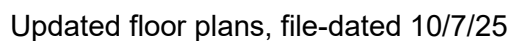
Aerial Photos

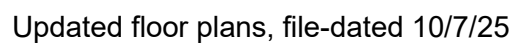


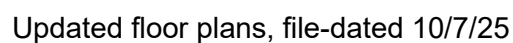


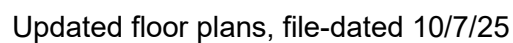


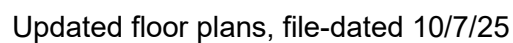


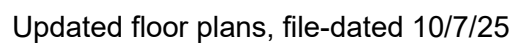


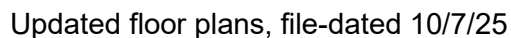


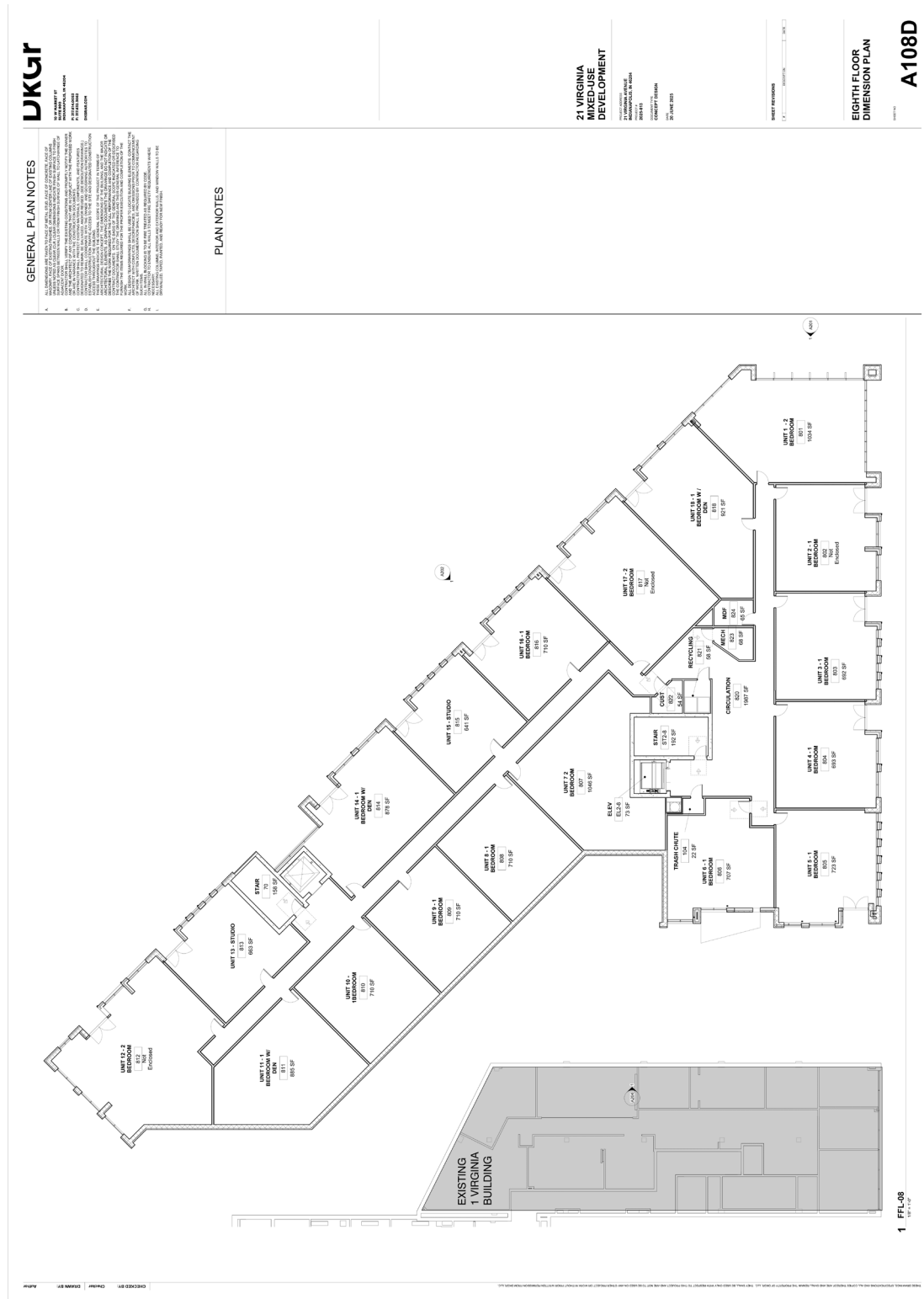


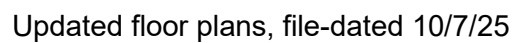


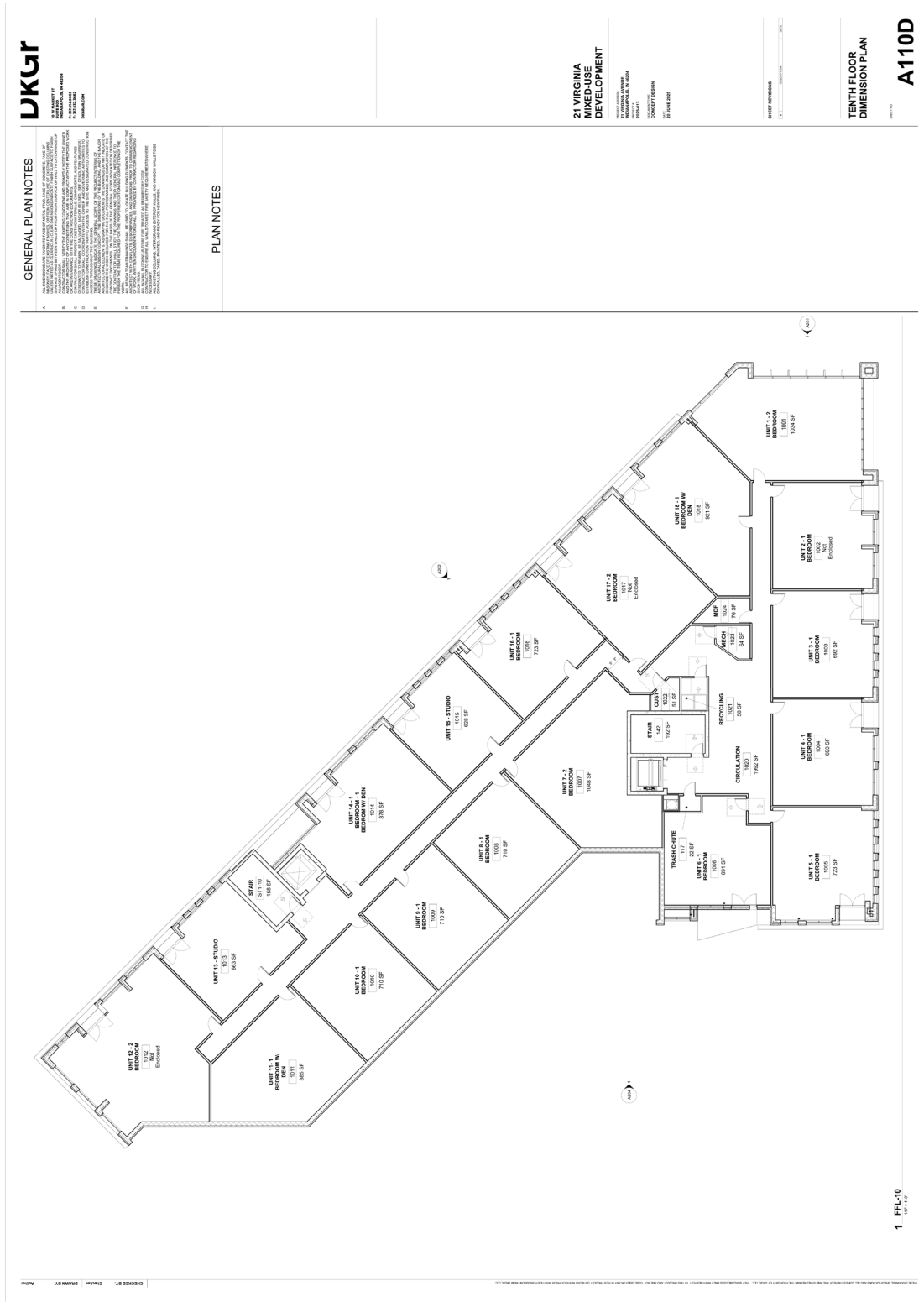




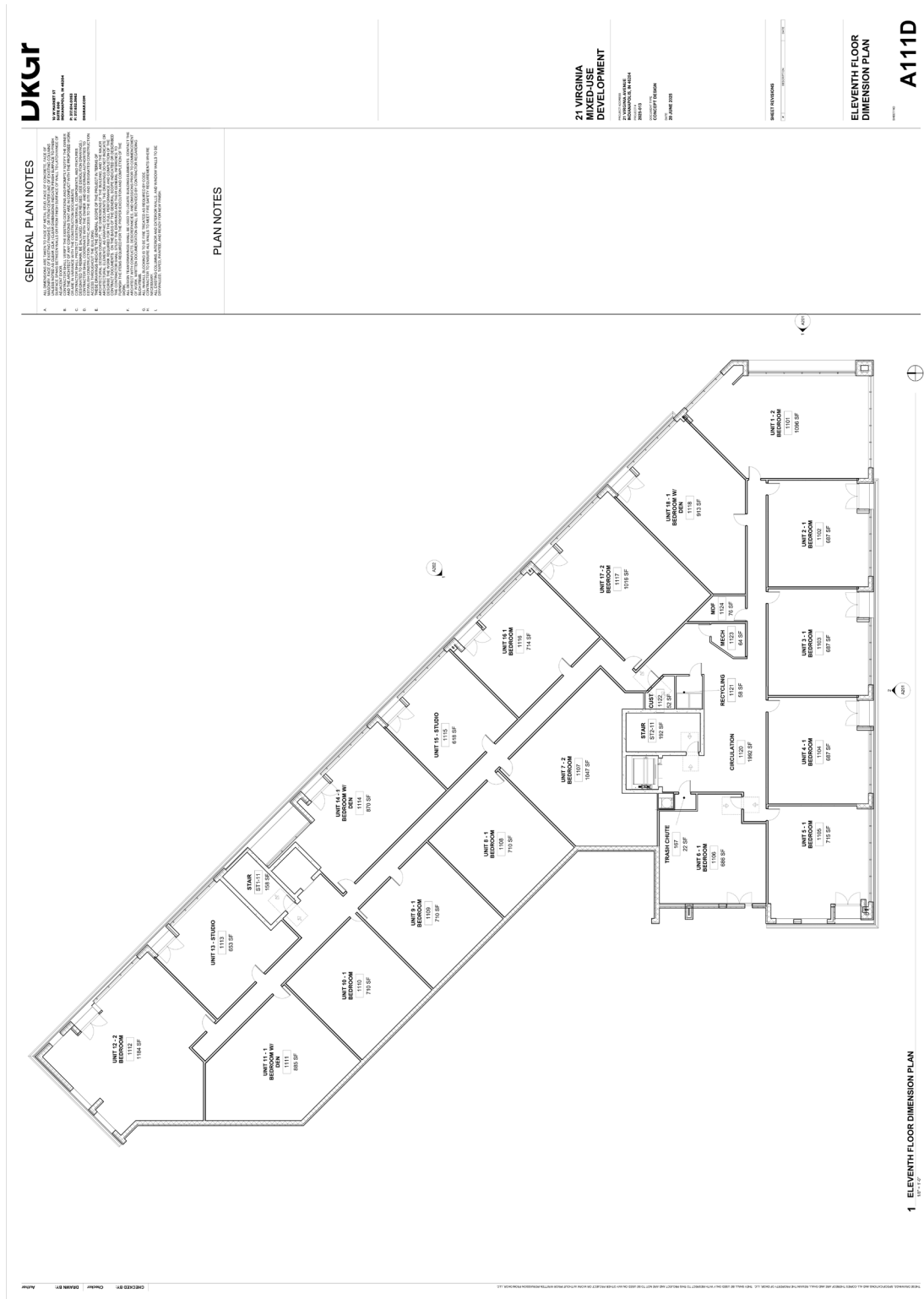








Updated floor plans, file-dated 10/7/25



UKGf

10/07/2025
TO: City of Indianapolis Planning + Board of Zoning Appeals
RE: 21 Virginia Development Statement

21 Virginia is a proposed mixed-use development that includes retail, multi-unit housing, and structured parking in downtown Indianapolis. The site is at the intersection of Maryland Street, Delaware Street, and Virginia Avenue to the southeast and Pennsylvania Street and Virginia Avenue to the northwest. The site is zoned CBD-1 and is the Regional Center District.

DEVELOPMENT PROJECT OVERVIEW

The proposed project will link the current 1 Virginia (formerly Jefferson Plaza and Allen Plaza) and adjacent parking lots to the new 21 Virginia development. The project consists of a structured parking deck, retail, office, and for-sale housing. The expansion project will provide dedicated outdoor space along the Cultural Trail to serve both the tenants of 1 + 21 Virginia, as well as the public along the Cultural Trail. The expansion includes 72 new market-rate rental apartments, 12,842 square feet of retail, and 306 parking spaces in a structured parking garage, with an additional freight elevator that will serve 1 + 21 Virginia at the lower level for dedicated internal refuse, deliveries, move-ins/outs, etc. within the garage space. The new construction will also have a pedestrian connection to the current 1 Virginia building. The current 1 Virginia building contains twenty-three (23) market-rate for-sale condominiums, 49,560 square feet of office space, and 1,120 square feet of retail (restaurant/bar) space. The comprehensive project will provide outdoor amenity spaces along the Cultural Trail, as well as elevated common space for occupants of the project. Please reference the table below, the attached civil and architectural drawings, and the attached design presentation deck which are also part of this overall submission.

1 + 21 VIRGINIA AVENUE DEVELOPMENT PROJECT					
USE	UNITS PROVIDED	AREA	PARKING RATIO	PARKING SPACES	% OF PROGRAM
Restaurant/Bar Space (Existing)		11,210	1 per 200 SF	56	2.79%
Office Space (Existing)		49,560	1 per 350 SF	142	12.31%
Residential Condominiums (Existing)	23	49,960	.75 Per Unit	17	12.41%
Building Common Area (Existing)		19,783	0	0	4.92%
Retail (New)		12,231	1 per 200 SF	61	3.04%
Residential Apartments (New)	90	83,604	.75 Per Unit	68	20.77%
Building Common Area (New)		13,896	0	0	3.45%
Parking (290 Spaces)		162,200	0	0	40.30%
TOTALS		402,444		344	100%
TOTAL PARKING SPACE	290				
PROPOSED:	3				
TOTAL VAN SPACES					

10 W PARKET ST
SUITE 800
INDIANAPOLIS, IN 46204
DNH@AECOM

21V
DEVELOPMENT STATEMENT
21 VIRGINIA MIXED-USE REGIONAL CENTER FILING
29 JULY 2025

10 W PARKET ST
SUITE 800
INDIANAPOLIS, IN 46204
DNH@AECOM

UNIT MATRIX	2 BEDROOM	1 BEDROOM	1 BEDROOM W/ DEN	STUDIO	TOTAL
FLOOR 7	4	9	2	3	18
FLOOR 8	4	9	3	2	18
FLOOR 9	4	9	3	2	18
FLOOR 10	4	9	3	2	18
FLOOR 11	4	9	3	2	18
TOTAL PROPOSED IN NEW BUILDING	20	45	14	11	90

The above "Parking Spaces" column illustrates what parking expectations would be based on the uses and ignoring that Regional Center does not require parking. Parking is, however, important for marketing and business reasons.)

DESIGN

The proposed design aims to achieve an appealing view for pedestrians and vehicular traffic along Maryland Street and Virginia Avenue. The intent of the design is to create a vibrant environment at street level with the proposed restaurant and retail spaces provided. The new addition will have a 7th floor roof terrace for development use that overlooks the Morris Bicentennial Plaza at Gainbridge Fieldhouse. Please reference the design presentation and drawings for further detail. We drew design inspiration from the Gainbridge Fieldhouse and the proposed Indiana Fever practice facility. The proposed addition is brick masonry and cast stone with limited ACM Panel accents and large glazed openings to allow natural light into the spaces. The proposed building has relief along the Maryland Street, Delaware Street, and Virginia Avenue facades with balconies at the residences. The design cohesively blends into the urban nature of the site and the surrounding structures.

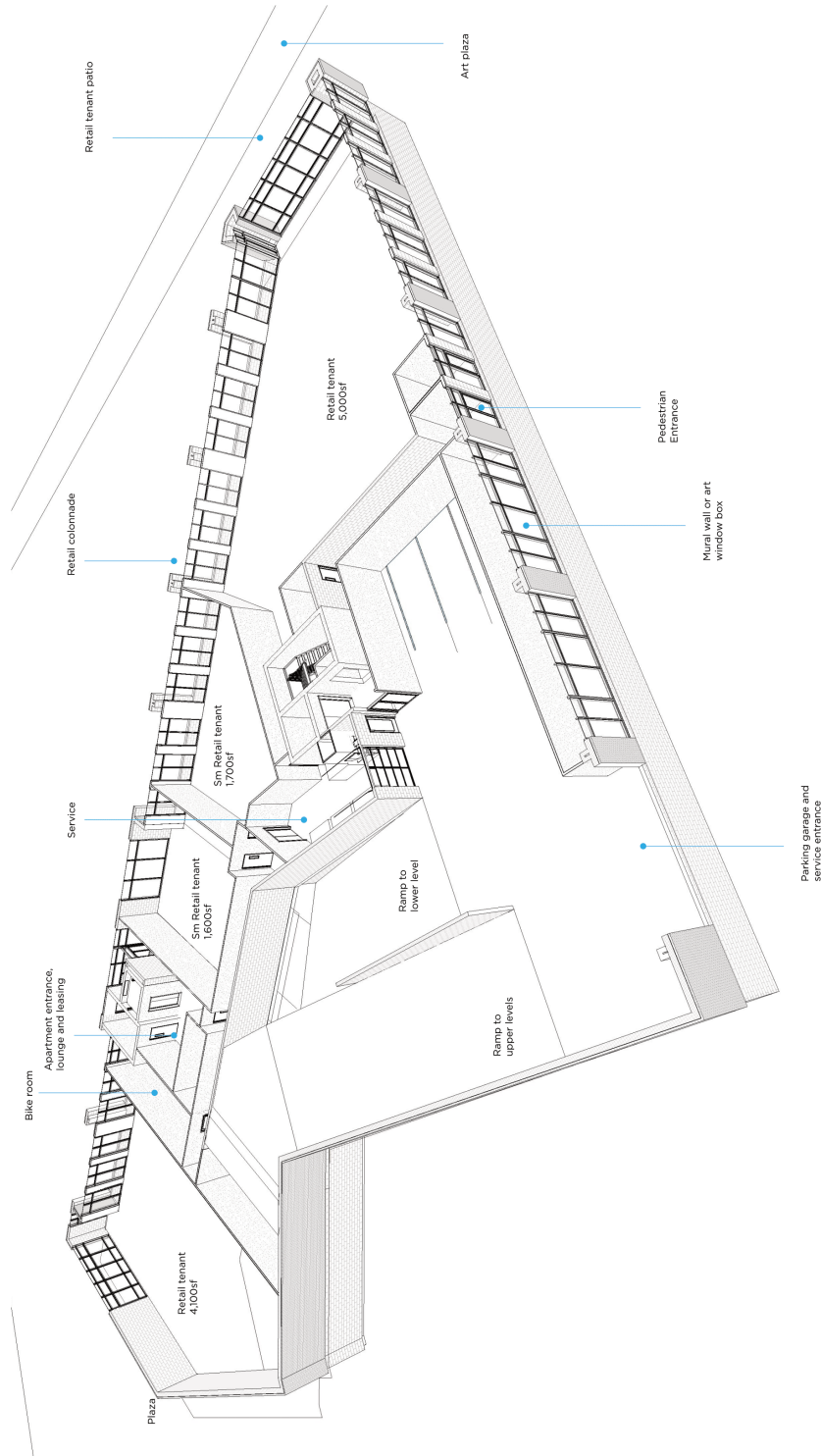
21 VIRGINIA RESIDENTIAL MULTI-UNIT HOUSING

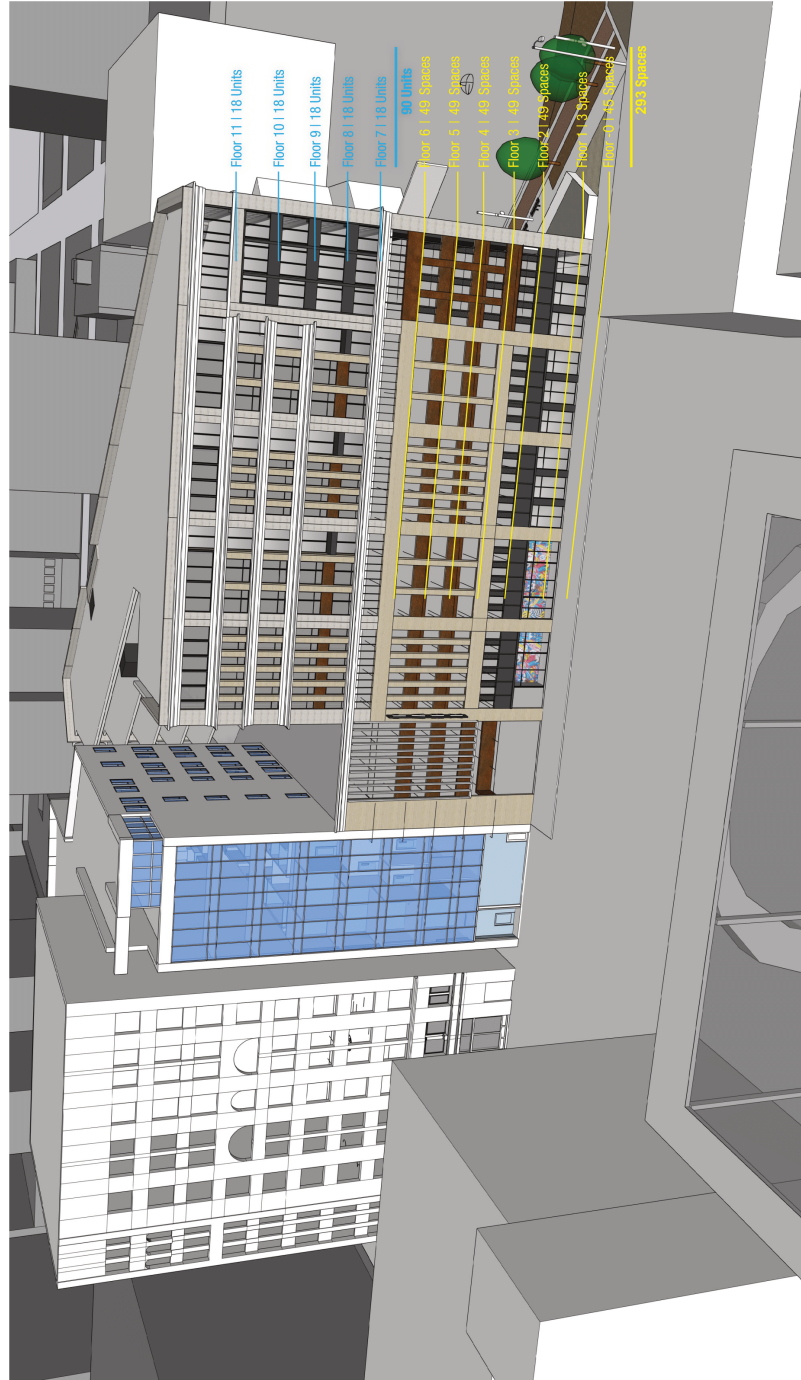
The seventy-two (72) proposed residential units will be a mix of one- and two-bedroom units that are market rate rentals. Each unit has dedicated outdoor space via private balconies. The units will also have access to common amenities such as a fitness center, lounge, outdoor space, off-street parking, and direct access to the retail tenants.

21 VIRGINIA STRUCTURED PARKING

The proposed addition will include a 306-space parking structure with one (1) level below grade and six (6) levels above grade. The structure will be brick masonry along the facades along the public streets, and the openings required for the natural ventilation will be framed in aluminum to blend in with the storefront openings at the retail spaces below and punched openings above. The parking structure will have its main entry and exit point on Maryland Street with a secondary entry and exit on Virginia Avenue - each at the existing curb cut locations. The garage also provides entry for deliveries from Maryland so that trucks do not block the public park or public loading zone. The parking structure also provides service areas located on the Virginia Avenue side of the building. Please refer to the table on the attached civil and architectural drawings, and the attached design presentation deck for further detail and information.

JOOL
INDIANAPOLIS
UKGf





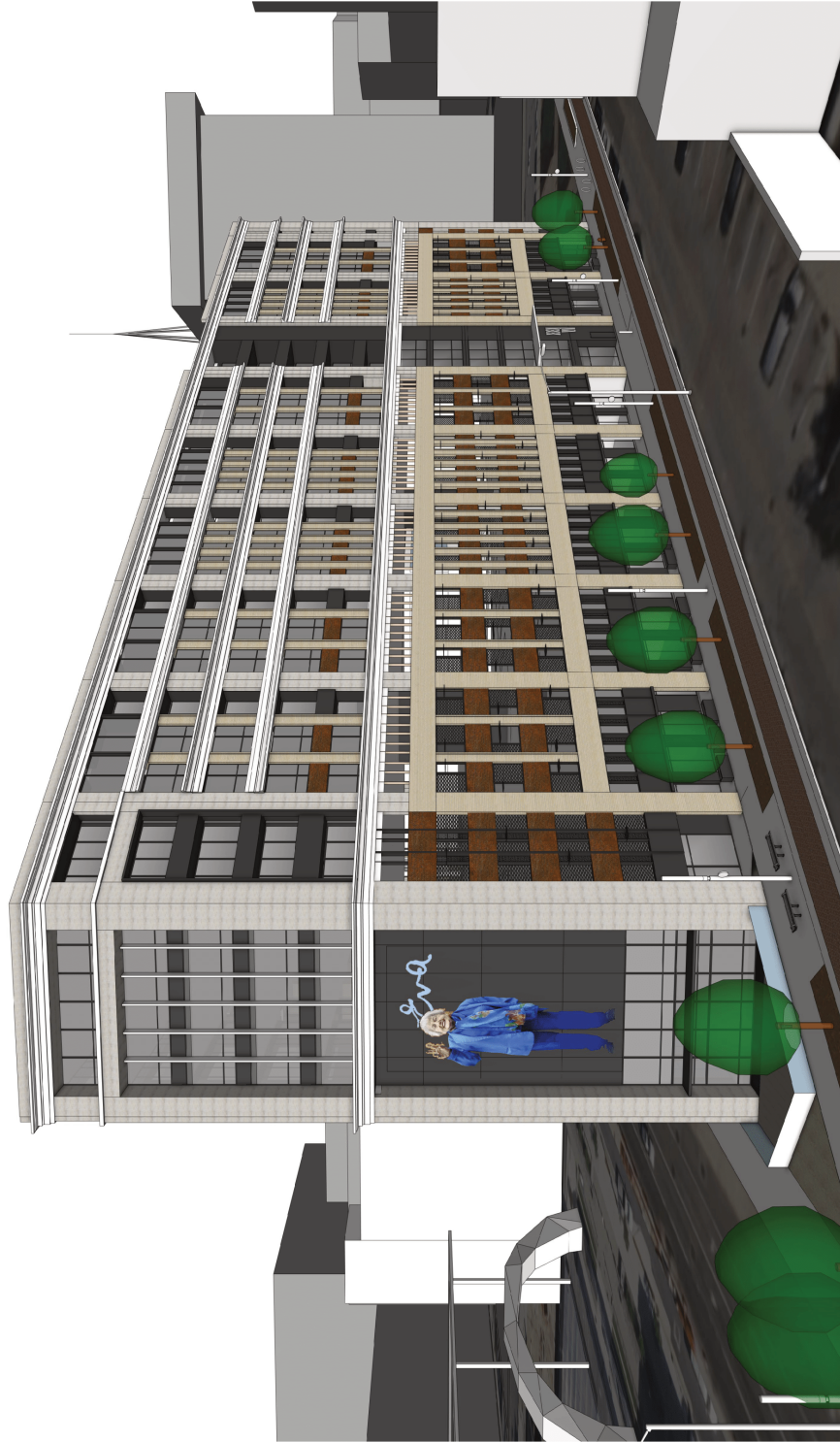


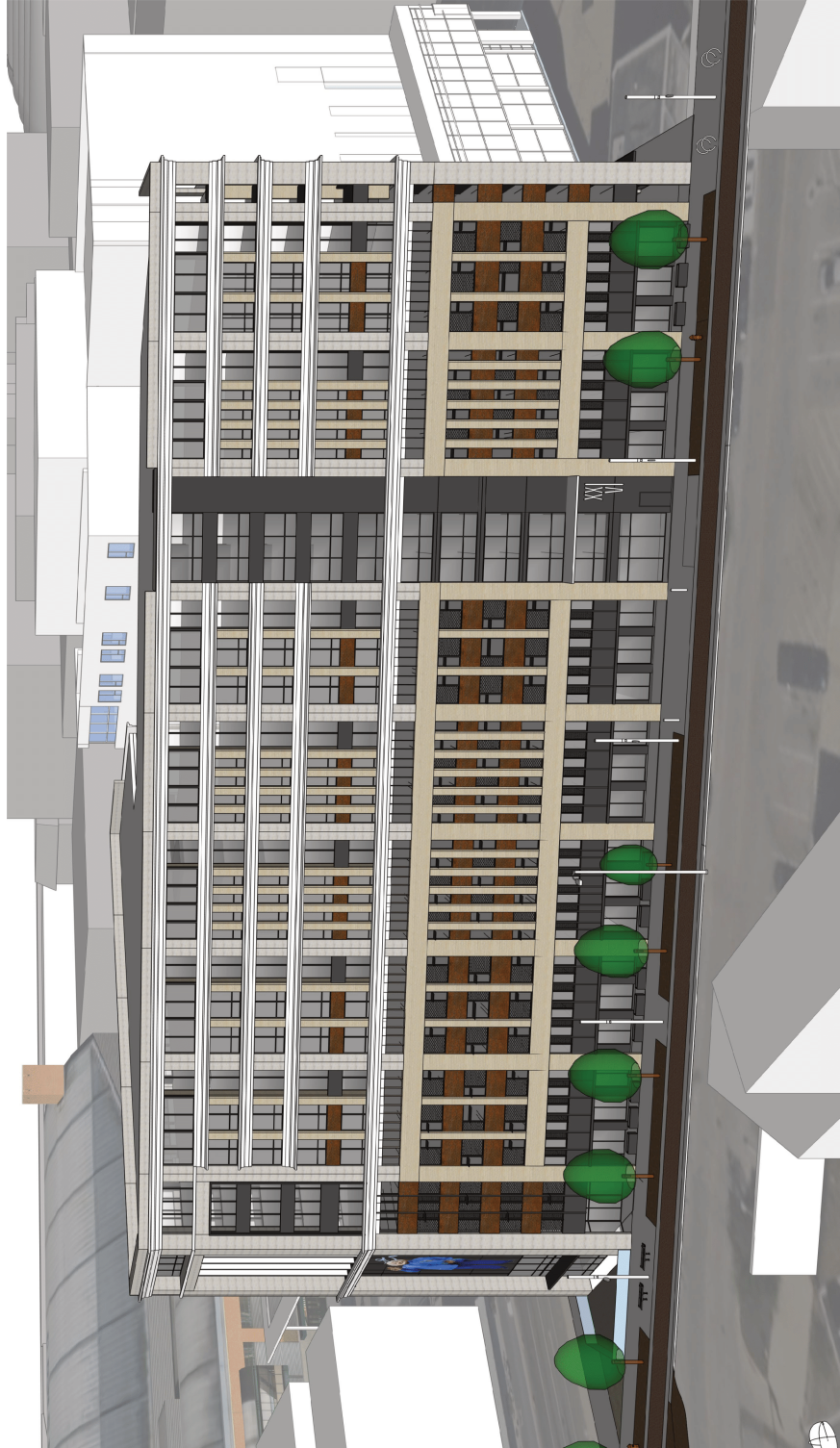
CONCEPTUAL SOUTH FACADE / E MARYLAND ST
 21 VIRGINIA MIXED-USE REGIONAL CENTER FILING
 3 OCTOBER 2025

21V

JQOL
 QUALITY OF LIFE

DKGr





21V
 CONCEPTUAL FACADE / VIRGINIA AVENUE
 21 VIRGINIA MIXED-USE REGIONAL CENTER FILING
 3 OCTOBER 2025

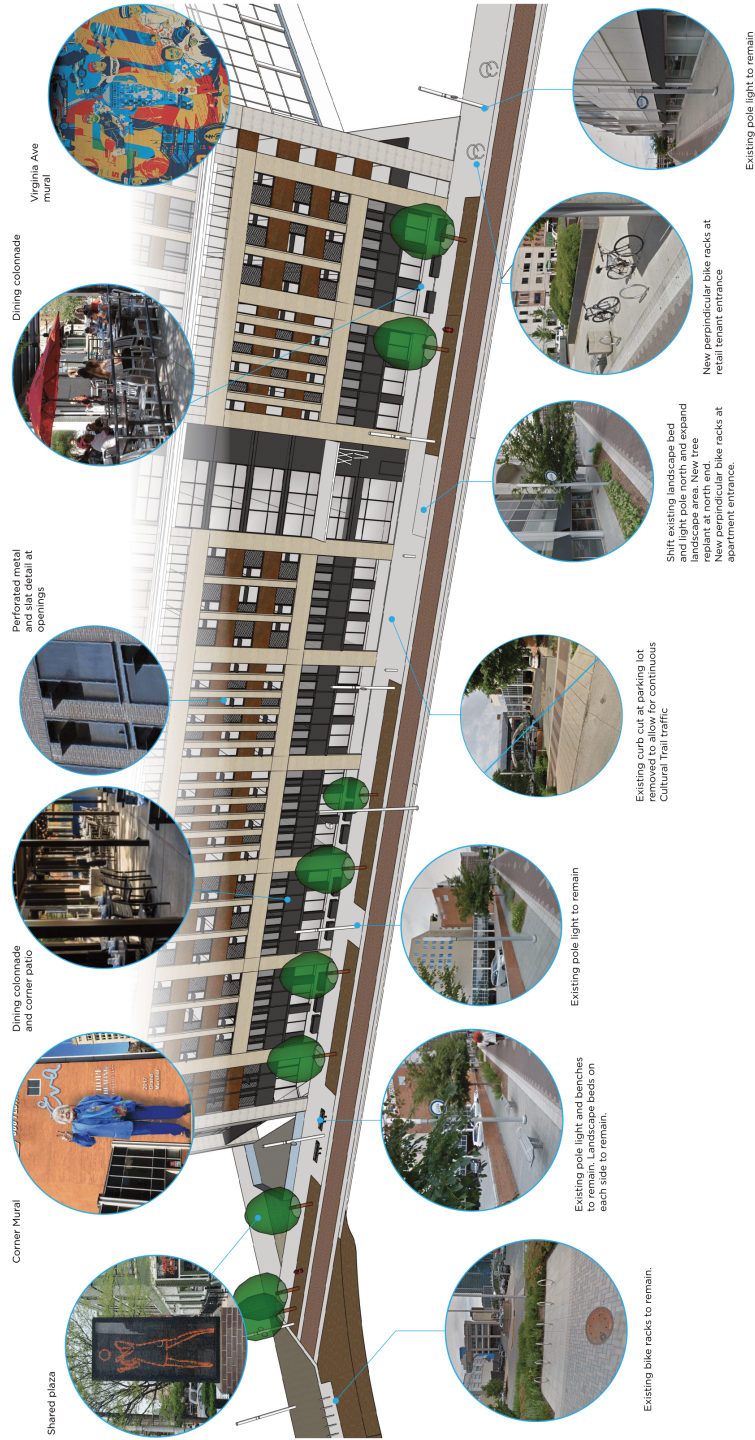
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21V CONCEPTUAL FACADE / E MARYLAND AND VIRGINIA
 21 VIRGINIA MIXED-USE REGIONAL CENTER FILING
 3 OCTOBER 2025

JQOL
 QUALITY OF LIFE

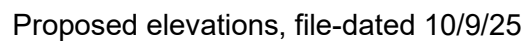
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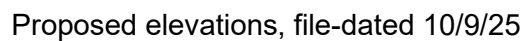






21V PROPOSED CULTURAL TRAIL VIEW
 21 VIRGINIA MIXED-USE REGIONAL CENTER FILING
 29 JULY 2023







Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA

PETITION FOR SPECIAL EXCEPTION
FINDINGS OF FACT

1. The proposed use meets the definition of that use in Chapter 740, Article II because
the proposed new construction is comprised, in part, of a structure used primarily for the housing,
parking, or temporary short-term placement of motor vehicles including parking spaces, and the area of
access for the egress/ingress of automotive vehicles to and from the actual parking space.

2. The proposed use will not injure or adversely affect the adjacent area or property values in that
area because
the proposed new construction will replace an inferior and CBD-1-prohibited surface parking lot that was
grandfathered in due to its long history as a surface parking lot, as well as an outdated commercial office
building that is non-contributing. The current conditions actually inhibit property values from improving
while the proposed new construction will immediately cause property values to improve materially by
providing new Cultural-trail facing retail along an otherwise dormant stretch, new residential units, and
dedicated parking for office employees and visitors, condominium owners, and restaurant staff and
visitors.

3. The grant will not materially and substantially interfere with the lawful use and enjoyment of
adjoining property because
the proposed new construction will enhance the lawful use and enjoyment of adjoining property by
introducing complimentary retail uses, dedicated off-street parking, and additional residents to this area
of the Mile Square. The proposed new construction will replace uses that breed unlawful loitering and
related activities. The adjoining properties desire for this new project to both remove such unlawful
activity opportunities and provide new, safe, lawful uses that will bring vibrancy to an otherwise
underwhelming block of the Mile Square.

4. The proposed use will be compatible with the character of the district, land use authorized therein
and the Comprehensive Plan for Marion County because
the proposed use is an expansion of the property located at 1 Virginia Avenue. 1 Virginia Avenue
features restaurant and bar space (including outdoor patio seating), office space, and for-sale
condominium units. It is truly a mixed-use project. The proposed new construction will expand upon
those offerings by providing additional street-level retail (which is encouraged in a walkable environment
such as the Mile Square), new residential housing (which brings vibrancy to the Mile Square with those
residents living and playing in the Mile Square), and dedicated parking options to serve all of the above.
The uses for the new project will be a harmonious fit with the adjacent and nearby uses and will engage
the streetscape along the sidewalks and Cultural Trail and provide ADA accessibility.
5. The proposed use conforms to the development standards in Chapter 744 applicable to the
zoning district in which it is located because
the proposed new project utilizes the entirety of the lot(s) without setbacks, which is to promote a
vibrant, urban walk-ability. The proposed new project is also in compliance with the Sky Exposure
Planes.



Department of Metropolitan Development
Division of Planning
Current Planning

6. The proposed use conforms to all provisions of the Zoning Ordinance, including the performance standards in Chapter 740 and the development standards in Chapter 744 applicable to the zoning district in which it is located because the proposed new project will not introduce uses that emit vibrations, smoke/dust/particular matter, noxious matter, odor, noise, heat/glare, waste matter, or storm water drainage in violation of Chapter 740. All new improvements and related items will be maintained by private parties in compliance with Chapter 740. The project will conform with all development standards in Chapter 744 for CBD-1, including the Sky Exposure Planes.

7. The proposed use conforms to all of the use-specific standards in Chapter 743 for that use, including any Special Exception standards for that use because the proposed new project will comply with the Chapter 743 use-specific standards for multifamily dwellings as there are none, and it will comply with the Chapter 743 use-specific standards for retail because no single retail use will exceed 25,000 square feet (nor will the aggregate retail space exceed such amount). The parking garage component of the project will be in compliance with the use-specific standards in Chapter 743 because (1) there is no access from Monument Circle, and (2) the parking facility and its entrances/exits will not unduly inhibit traffic or pedestrian traffic because the project is using the same curb cut as exists on Maryland Street for the current parking and a parking garage more than twice this size formerly existed directly south without issue.

DECISION

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

Adopted this _____ day of _____, 20 ____

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



Subject site looking north from Maryland Street



Subject site looking northwest along the Cultural Trail



Subject site looking west



Subject site looking southwest along the Cultural Trail with the existing
Virginia Avenue curb cut in the foreground



Looking west with the Maryland Street curb cut in the foreground



Looking west along Maryland Street



Looking south with the Bicentennial Unity Plaza in the background



Looking south



Looking north



Looking north