

BOARD OF ZONING APPEALS DIVISION I

August 4, 2026

Case Number: 2026-UV1-018
Address: 5160 East 65th Street (approximate address)
Location: Washington Township, Council District #3
Zoning: I-2
Petitioner: Daniel Mattingly; Dast V LLC
Request: Variance of Use and Development Standard of the Consolidated Zoning and Subdivision Ordinance to permit the construction of a 9600 square foot, 1 story, building to be used as a private sports training facility for baseball, softball, volleyball and will include a golf simulator, classified as an Indoor Recreation and Entertainment Use. To allow a lot to be developed with a street frontage of 0 feet, 75 feet less than is required in the metro context. To have a reduced western side setback of 20 feet, which is 10 feet less than the minimum required side setback of 30 feet in the metro context.

Current Land Use: **Undeveloped**

Staff Recommendations: Staff **recommends approval** of the request.

Staff Reviewer: Noah Pappas, Manager – Current Planning

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of the request.

Staff Commitments: None

Petitioner Commitments:

1. The applicant commits that no alcoholic beverages shall be sold, served, dispensed, or otherwise distributed on the property as part of the approved entertainment center use. In addition, no ticketed, admission-fee, or other paid public events shall be conducted on the property as part of the approved entertainment center use. Any future request to allow the sale or service of alcoholic beverages, or to conduct ticketed or admission-fee events, shall require approval by the appropriate zoning authority. These commitments shall run with the land and shall be binding upon the applicant and all successors, assigns, owners, operators, tenants, and any other parties with an interest in the property. These commitments shall be enforceable specifically by, but not

limited to, BRAG and the City-County Councilor representing the district in which the subject property is located.

PETITION OVERVIEW

- This 28,950 square foot site, zoned I-2, is presently undeveloped, but previously there was previously improved with a 1 story commercial structure. Demolition was completed in 2026. The proposed development includes the following, as referenced on the site plan: A 9600 square foot square foot, 33 foot tall building to be used as a private sports facility for baseball, softball, volleyball and golf simulator usage.
- The intent of the I-2 zoning district is “for those industries that present minimal risk and typically do not create objectionable characteristics (such as dirt, noise, glare, heat, odor, etc.) that extend beyond the lot lines. Outdoor operations and storage are completely screened if adjacent to protected districts, and are limited throughout the district to a percentage of the total operation. Wherever possible, this district is located between a protected district and a heavier industrial area to serve as a buffer.”
- This property was initially developed as part of a larger industrial park, Schmoll Industrial Park, with this site being initially developed back in 1973. However over time this area has been becoming increasingly less industrial and features a greater variety of uses. Adjacent parcels were rezoned from I-2 to C-S back in 2024 under 2024-ZON-082 to provide for commercial and light industrial uses.
- Uses permitted by right in the I-2 zoning district include: Day Care Center or Nursery School, Greenway, Park or Playground, Public Safety Facility or Post Office, Vocational Technical or industrial school or training facility, Medical or Dental Laboratories, Agricultural Uses Buildings and Structures, Animal Care Boarding Veterinary Services, Garden as a Primary Use, Processing and Packaging of Food and Beverages, Auctioning and Liquidating Services, Consumer Services or Repair of Consumer Goods, Dry Cleaning Plant or Industrial Laundry, Outdoor Advertising Off-Premise Sign, Printing Services, Commercial Building Contractors, Heavy Equipment Sales Service or Repair, Artisan Manufacturing, Manufacturing Light, Manufacturing Medium, Marina, R&D Uses, Power Generating Facility Local, Substations and Utility Distribution Nodes, Wireless Communications Facility, Automobile and Vehicle Storage or Auction, Automobile Fueling Station, Heliport or Helistop, Motorsports Industry, Transit Center, Truck Stop, Recycling Station, and Warehousing and Distribution.
- The subject property is limited in its ability or suitability to be developed as many of those uses due to a variety of factors such as the limited size of the lot, lack of street frontage, and increasingly commercial context of the surrounding area. Nearby examples of this increasingly commercial area context include a Yoga Studio, Gymnastics Center, Personal Trainer, Interior Designer, Aquarium, Wig Store, Paint Store, Dance School and a catering business.
- Due to how it was developed and platted in the past, this property has no street frontage and has no means of easily re-platting to get said street frontage due to development of the property to the south. The Zoning Ordinance Requirement for Street Frontage is 35 feet. Any request to develop this lot would require a Development Standards Variance given these factors.
- As referenced above, the previous building was demolished earlier in 2026. Presently all that is there is the remaining asphalt parking area, a grassy landscape area on the western side, and a muddy / graveled area where the building used to be.
- A total of 33 vehicular parking spaces, 2 ADA spaces, and 1 bicycle parking spaces are being provided on site. The site itself will be accessed via 2 shared drives for the industrial park on the

east and west edges of the property. Vehicle Parking must be provided at a minimum ratio of 1 space per 4 seats at maximum capacity or 1 per 400 square feet. Primary access to the site will be from 65th Street, a primary collector designed to handle large amounts of traffic. The property is approximately 1000 feet away from the Nickel Plate Trail, making bicycle traffic also an option at this location.

- In the Metro context area the side setback is required to be 30 feet. The proposed site plan shows an eastern side setback of 57 feet and a western side setback of 20 feet, a southern setback of 31 feet and a northern rear setback of 33 feet. The entirety of the 57-foot eastern setback area is made up of parking area. While it is possible to shift the building to the right this would displace necessary parking and would limit the feasibility of site circulation for vehicular traffic.
- Based on the lack of any street frontage and ability to acquire frontage through platting of this particular parcel, unsuitability of I-2 uses permitted by right, limited size of the lot, and fact that in order to meet all setbacks on site parking and circulation would be impacted, staff is recommending **approval** of the use variance and development standards variances.

GENERAL INFORMATION

Existing Zoning	I-2	
Existing Land Use	Undeveloped	
Comprehensive Plan	Light Industrial	
Surrounding Context	Zoning	Surrounding Context
North:	I-2	Office Industrial
South:	I-2 / C-S	Commercial / Light Industrial
East:	C-S / I-2	Commercial / Light Industrial
West:	C-S	Commercial / Light Industrial
Thoroughfare Plan		
65 th Street	Primary Collector	80-foot existing and proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	07/21/2026	
Plan of Operation	06/09/2026	
Elevations	07/15/2026	
Landscape Plan	07/15/2026	
Findings of Fact	06/09/2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Pattern Book

Pattern Book / Land Use Plan

- The Land Use Plan Pattern Book recommends this site to the Light Industrial typology. The **Light Industrial** typology provides for production, distribution, and repair uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Typical uses include warehousing, self-storage, assembly of parts, laboratories, wholesaling, and printing. Industrial or truck traffic should be separated from local/residential traffic.

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

2024-ZON-082; Multiple Addresses (east and west of site), Rezoning petition to change the zoning map from the I-2 zoning district to the C-S zoning district to provide for both commercial and light industrial uses.

83-HOV-54: 5168 E 65th St (directly south), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance for parking. Undefined what for.

2004-UV1-012: 5210 E 65th St (southeast), Variance of Use of the Consolidated Zoning and Subdivision Ordinance to allow for warehousing and sales of spas in the C-6 zoning district.



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

2026-UV1-007: 5282 E 65th St, (northeast), Variance of Use of the Consolidated Zoning and Subdivision Ordinance to establish a 1370 square foot second floor apartment (dwelling units not permitted in the I-2 zoning district) and to provide for a deck as a residential accessory structure (residential structures not permitted in the I-2 zoning district).

97-UV3-44: 5282 E 65th St (West), Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for a music studio and parking to be located in the front yard.



Department of Metropolitan Development
Division of Planning
Current Planning

EXHIBITS

Nickel Plate Trail

Site

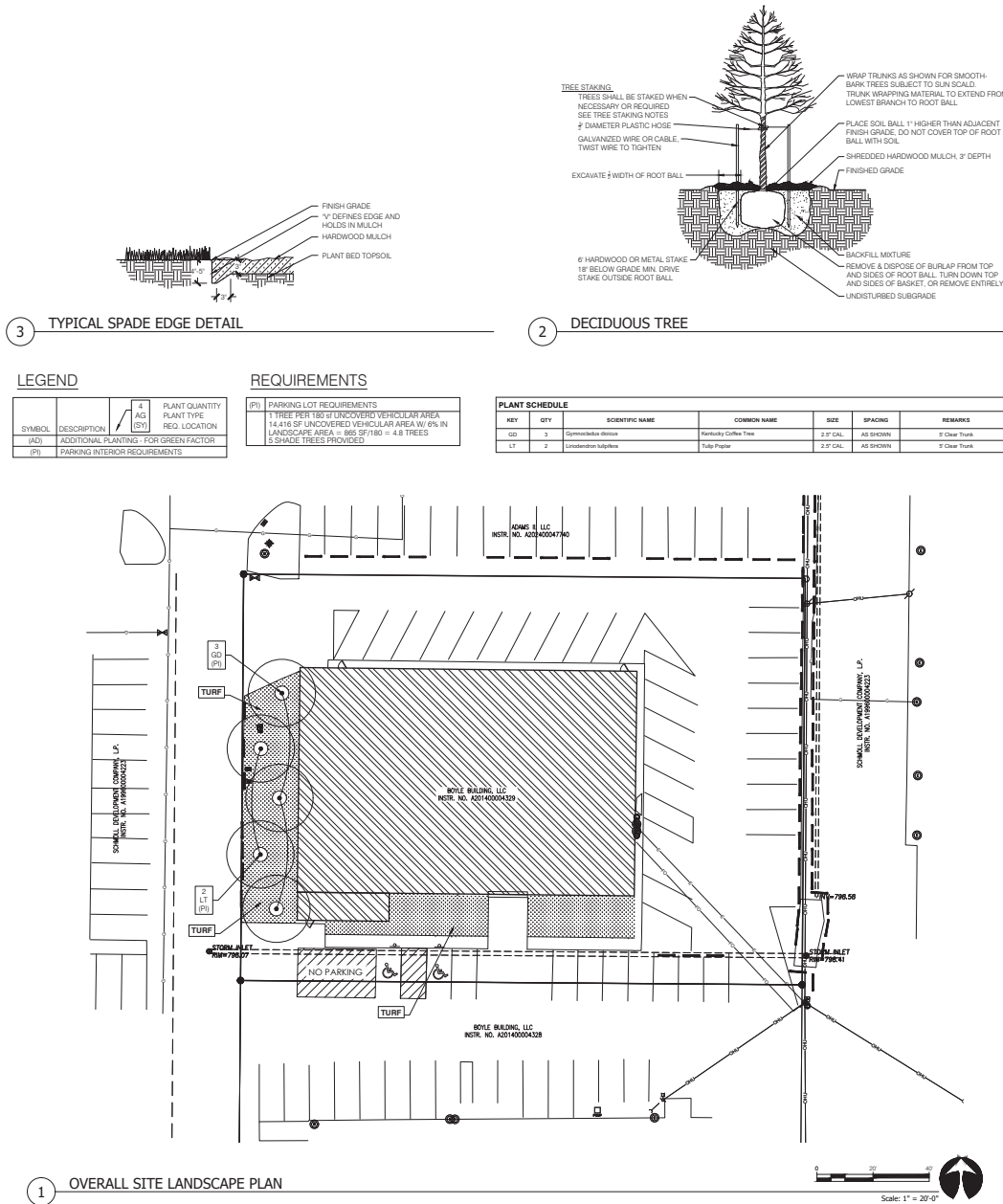
E 65th St

E 65th St

E 65th St

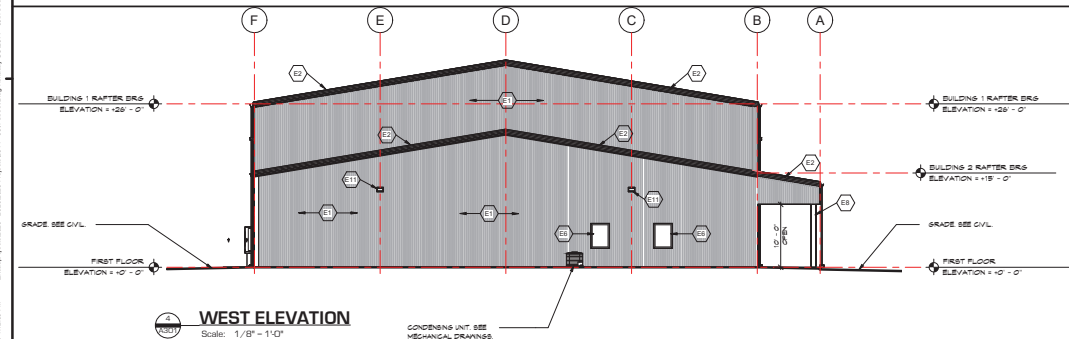
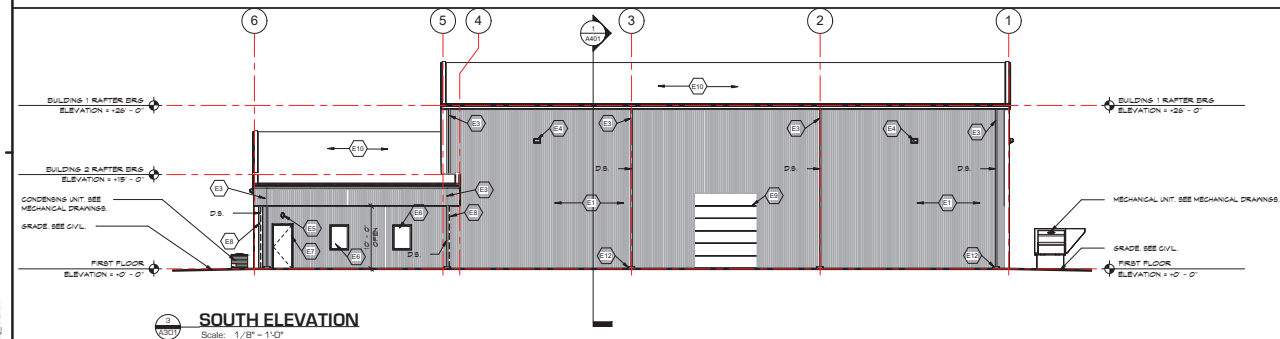
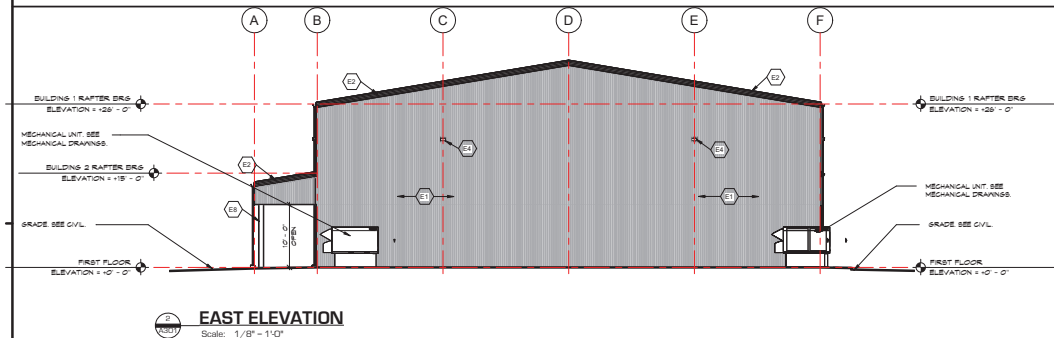
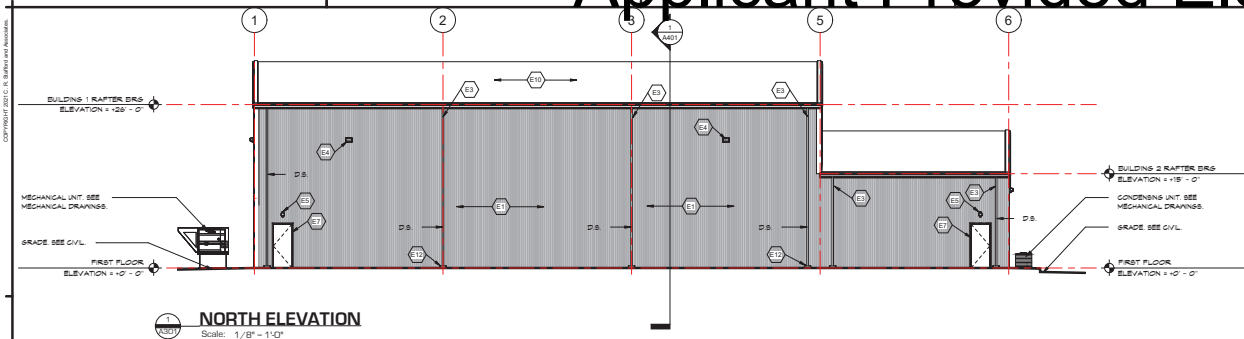
Rucker Rd

Applicant Provided Site Plan



Applicant Provided Elevations

COPYRIGHT 2012 C.R. STAFFORD AND ASSOCIATES



NOTE: PRE-ENGINEERED METAL BUILDING COMPONENTS ARE BY PEMB MANUFACTURER - AMERICAN BUILDINGS

ELEVATION NOTES

- E1 PREFINISHED METAL WALL SIDING ON PEMB FRAME.
- E2 PREFINISHED METAL RAKE TRIM BY PEMB.
- E3 PREFINISHED METAL GUTTER AND DOWNSPOUTS BY PEMB. PROVIDE PRECAST CONCRETE SPLASH BLOCK. SEE CIVIL.
- E4 WALL MOUNTED LED LIGHT FIXTURE. SET BOTTOM AT 20'-0" AFF. SEE ELECTRICAL.
- E5 EMERGENCY EGRESS LIGHT. SEE ELECTRICAL.
- E6 3'-0" WIDE X 4'-0" HIGH ALUMINUM WINDOW FRAME AND GLAZING BY PEMB MANUFACTURER.
- E7 3'-0" WIDE X 7'-0" HIGH METAL DOOR AND FRAME BY PEMB.
- E8 STEEL COLUMN BY PEMB MANUFACTURER.
- E9 10'-0" WIDE X 12'-0" HIGH INSULATED OVERHEAD SECTIONAL DOOR BY PEMB.
- E10 STANDING SEAM METAL ROOF BY PEMB.
- E11 WALL MOUNTED LED LIGHT FIXTURE. SET BOTTOM AT 12'-0" AFF. SEE ELECTRICAL.
- E12 PRECAST CONCRETE SPLASH BLOCK (TYPICAL).

C.R. Stafford and Associates
Architecture + Interior Design + Master Planning
1000 E. Madison Blvd., Indianapolis, Indiana 46202
317.420.8771

Holladay Construction Group
231 S. College Ave., Suite 100
Indianapolis, Indiana 46202
317.420.0000

ALL COPYRIGHTED MATERIALS
HEREIN ARE THE PROPERTY OF
C.R. STAFFORD AND ASSOCIATES
AND ARE NOT TO BE REPRODUCED
OR TRANSMITTED IN ANY FORM
OR BY ANY MEANS, ELECTRONIC
OR MECHANICAL, INCLUDING
PHOTOCOPYING, RECORDING, OR
BY ANY INFORMATION STORAGE
AND RETRIEVAL SYSTEM, WITHOUT
THE WRITTEN PERMISSION OF
C.R. STAFFORD AND ASSOCIATES
ARCHITECTS P.C.

TRAINING FACILITY

Dast 5, LLC

5140 E. 85th St.
Indianapolis, IN 46220

ELEVATIONS

DATE	REVISION	DESCRIPTION



PHASE

SHEET

A301

3/4/2025 14:28 PM Z:\projects\4420202 - 2025\2025 Projects\2511-088 Street Light Utility\202511-088 Street Light Building_A301.dwg

PLAN OF OPERATION – SPORTS TRAINING FACILITY – 5160 E 65TH ST.

Petitioner, DAST V, LLC, is seeking a variance of use and development standards to build a sports training facility at 5160 E 65th St. The facility will provide training for baseball, softball, and volleyball. There will also be a golf simulator on site.

The center will be driven by private usage in conjunction with the petitioner's affiliated 501(c)(3) travel baseball, softball, and volleyball teams. Affiliated groups, teams, and individuals will have access to the center as permitted by the owner and operator.

As the use will be private, there will be no full time employees associated with the facility. Instruction will be coach-led, with the coach opening and locking up the facility before and after sessions. As such, there will be no formal hours of operation. Usage will be on an as-needed or as-scheduled basis. The facility is likely to be busiest between the hours of 5pm-9pm, but is seldom likely to be continuously busy. Full teams are likely to use the facility, amounting to approximately 15 players at a given time at the peak end of users. Parents may stay or drop off their kids at the facility. Coaches will be first-aid and CPR certified.

The facility will be equipped with cameras and a security system to ensure security on the premises at all times.

The petitioner does not intend for shipping and receiving to occur at the facility, with rare exceptions. Waste generated will be nominal and dealt with by traditional trash bins and containers, large outdoor dumpsters are not contemplated with this petition.

Daniel Mattingly
DAST V, LLC

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:
The two development standards variances being sought - a zero frontage lot and relief from the west side setback are only nominally changing how the site has functioned for nearly 50 years. Access will continue to be gained from the south via 65th St through an integrated center and access easement. The side setback will still be approximately 20-feet, which is more than ample considering the proposed use and surrounding uses.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:
The site will function largely as it has for the past 50 years. The petitioner's proposed use is consistent with the land uses in existing integrated center. The frontage requirement is legalizing an issue that has always been present. The encroachment into the 30' side setback is unlikely to have a material impact on neighbors. This is especially true considering that the petitioner's proposed use would generally have fewer deleterious impacts than a standard I-2 use. All sound will be confined to the building.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:
The site cannot be utilized at all without the frontage variance, as there would be no public access, making it impossible to get to the site with a vehicle. The setback waiver is necessary on what is a small lot for I-2. The setback waiver to the west enables parking and a drive on the east side of the structure, which will be critical for the site's traffic flow. Furthermore the setback relief will enable additional greenspace to the south of the structure that does not currently exist.

DECISION

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

Adopted this _____ day of _____, 20 ____

_____	_____
_____	_____

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

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE

The petitioner's proposed use of indoor recreation will mesh with the surrounding uses in the industrial park. Negative impacts associated with this petition will be minimal - the proposed use would have less deleterious impacts than a standard I-2 use.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE

The petitioner's proposed use would not be uncommon for the surrounding area. There are at least three other indoor recreation facilities within the same industrial park/integrated center, all of which function appropriately within the site's context. The petitioner's use would be no different.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE

The petitioner's 0.67-acre lot would be very small for a traditional I-2 zoned lot. I-2 (light-industrial) would typically contemplate loading and unloading of commercial vehicles with dedicated loading bays. The petitioner's site does not even contain frontage, and if the proper access drives were developed for commercial vehicles, there would be little room left for an appropriately-sized I-2 structure.

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE

I-2 may have been an appropriate designation for this business/industrial park when it was developed in the 1970s, but it currently too narrow of a designation. A large percentage of the surrounding uses are not I-2 uses. 17 acres of the center were rezoned to C-S in 2024, demonstrating this. The zoning Ordinance allows the proposed use in I-2 when buildings are vacant for five years, so it is not a land use far afield of what is already contemplated.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE

The comprehensive plan calls for Light-Industrial uses. The proposed building typology would be consistent and adaptable into an I-2 use should the demand or need for arise in the future. I-2 uses will continue to be allowed even if this variance of use is granted.

DECISION

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

Adopted this _____ day of _____, 20 ____

Subject Property Looking East



Subject Property Looking South



Subject Property Looking North



Subject Property Looking Northeast



Subject Property Looking West

