



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

July 11, 2024

Case Number:	2024-ZON-069
Property Address:	2810 and 2814 East Michigan Street (Approximate Addresses)
Location:	Center Township, Council District #13
Petitioner:	Arcangel Tellez-Garcia, by David Gilman
Current Zoning:	C-3
Request:	Rezoning of 0.221-acre from the C-3 district to the D-8 district to provide for multi-family residential development.
Current Land Use:	Parking Lot and Undeveloped Lot
Staff Recommendations:	Approval
Staff Reviewer:	Marleny Iraheta, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

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

PETITION OVERVIEW

LAND USE

The 0.221-acre site is comprised of two parcels (1038060 and 1007510) that are in the Near Eastside neighborhood and are part of the Ardelle Addition subdivision. The property addressed as 2810 East Michigan Street is developed with a parking lot and 2814 is an undeveloped lot.

The site is surrounded by vacant commercial buildings west and south, zoned C-3, a two-family dwelling to the east, zoned C-3, and a single-family dwelling to the north, zoned D-5.

REZONING

The request would rezone the sites from the C-3 district to the D-8 district for multi-family residential development.

The C-3 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 uses include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail and personal and professional service establishments. At this neighborhood scale of retail, a fine-grain of accessibility requisite for all modes of travel must be provided and maintained. It does not make provision, however, for those businesses that draw customers in significant numbers from well beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators, such as theaters. It does not allow those businesses that require the outdoor display, sale or storage of merchandise; or require outdoor operations. In general, to achieve maximum flexibility of permitted land use, the C-3 District makes possible a highly varied grouping of indoor retail and business functions.

The D-8 district is intended for a variety of housing formats, with a mix of small-scale multi-unit building types. This district can be used as a part of new mixed-use areas, or for infill situations in established urban areas, including medium and high-density residential recommendations of the Comprehensive Plan, and the Traditional Neighborhood, City Neighborhood, and Village or Urban Mixed-Use Typologies of the Land Use Pattern Book.

STAFF ANALYSIS

Because the site will be developed with residential uses, staff is supportive of the D-8 zoning district to allow for additional housing to be developed in an area already present with residential uses.

The proposal for multi-family residential development would align with the Comprehensive Plan recommendation for village mixed-use that incorporates a variety of housing options including small-scale and large-scale multi-family housing.

Staff notified the petitioner that they would need to meet the floor area ratio and livability space ratio when they file for permits in addition to meeting the two-foot setback requirement for minor residential features such as parking pads. The petitioner assured staff that these requirements would be met when they for the Improvement Location Permits.

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

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Parking Lot and Undeveloped Lot	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	Zoning	Land Use
	North:	D-5 Residential (Single-family dwelling)
	South:	C-3 Vacant Commercial Building
	East:	C-3 Residential (Two-family dwelling)
	West:	C-3 Vacant Commercial Building
Thoroughfare Plan		
Michigan Street	Primary Arterial Street	78-foot proposed right-of-way and 60-foot existing right-of-way.

Context Area	Compact
Floodway / Floodway Fringe	No
Overlay	Yes
Wellfield Protection Area	No
Site Plan	May 27, 2024.
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

- Marion County Land Use Plan Pattern Book (2019)
- Blue Line Transit-Oriented Development Strategic Plan (2018)
- The Near Eastside Quality of Life Plan (2020)
- Infill Housing Guidelines (2021)
- Indy Bike Master Plan 2011.

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends village mixed-use development of the sites.
- The Village Mixed-Use typology creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.

- Conditions for All Housing
 - Should be within a one-quarter-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.
- Detached Housing
 - The house should extend beyond the front of the garage. Garages should be loaded from an alley or sides street when possible and should be detached if located on the side of the house.
- Attached Housing
 - Recommended without additional conditions.
- Small-Scale Multi-Family Housing
 - Mixed-Use structures are preferred.
 - Parking should be either behind or interior to the development.
- Large-Scale Multi-Family Housing
 - Should be located along an arterial or collector street. Mixed-Use structures are preferred. Parking should be either behind or interior to the development.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The site falls within the Blue Line Transit-Oriented Development Strategic Plan (2018),
- The closest station is within ½ south at the intersection of Rural Street and Washington Street (U.S. 40).
- This station area is classified as a district center typology that would have a dense mixed-use hub for multiple neighborhoods with tall buildings, a minimum of three stories at core with no front or side setbacks, multi-family housing with a minimum of 5 units, and structured parking only with active first floors.

Neighborhood / Area Specific Plan

- The sites fall within the Near Eastside Quality of Life Plan (2020).
- Priority #1 of the Plan would be to create stronger commercial corridor connectivity to create a connected and accessible community. This specifically mentioned to build stronger and safer connections for cyclists and pedestrians within and to commercial corridors such as 10th Street, Washington Street, New York Street, and Michigan Street. In addition, to extend protected bike lanes on either New York Street or Michigan Street (or both) to improve connectivity between downtown and out towards Irvington.

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)

- The site was part of the Indy Bike Master Plan 2011.
- An on-street bike lane exists along Michigan Street starting at State Avenue to Arlington Avenue.
- Plans are underway to convert Michigan Street from a one-way street to a two-way street. No additional right-of-way dedication was required.



ZONING HISTORY

Zoning History - Vicinity

2020-CZN-827 / 2020-CVR-827; 416-442 North Rural Street (southwest of the site), Rezoning of 0.98 acre from the D-5 district to the D-8 district to provide for a four-story multi-family building and Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 12-foot front setback, 10-foot side setbacks and driveway access from Rural Street (30-foot front setback 23-foot side setbacks (20% of lot width), access from alley only), **approved**.

2002-ZON-053; 442 and 446 North Rural Street (southwest of the site), Rezoning of 0.3 acre from the D-5 district to the C-3 classification, **withdrawn**.

93-Z-15; 530 North Rural Street (northwest of the site), Rezoning of 0.42 acre, being in the D-5 district, to the C-2 classification to provide for 13 units of elderly housing and a day care facility, **approved**.

92-Z-116; 527-45 Eastern Avenue and 530-60 North Rural Street (northwest of the site), Rezoning of 2.133 acres, being in the D-5 district, to the SU- classification to legally establish an existing church, **approved**.

EXHIBITS



SURVEYOR LOCATION REPORT

I hereby certify to the parties named above that the real estate described herein was inspected under my supervision on the date indicated and that to the best of my knowledge, this report conforms with the requirements contained in Sections 27 through 29 of 865 IAC 1-1-12 for a SURVEYOR LOCATION REPORT. Unless otherwise noted there is no visible evidence of possession lines found.

LEGEND

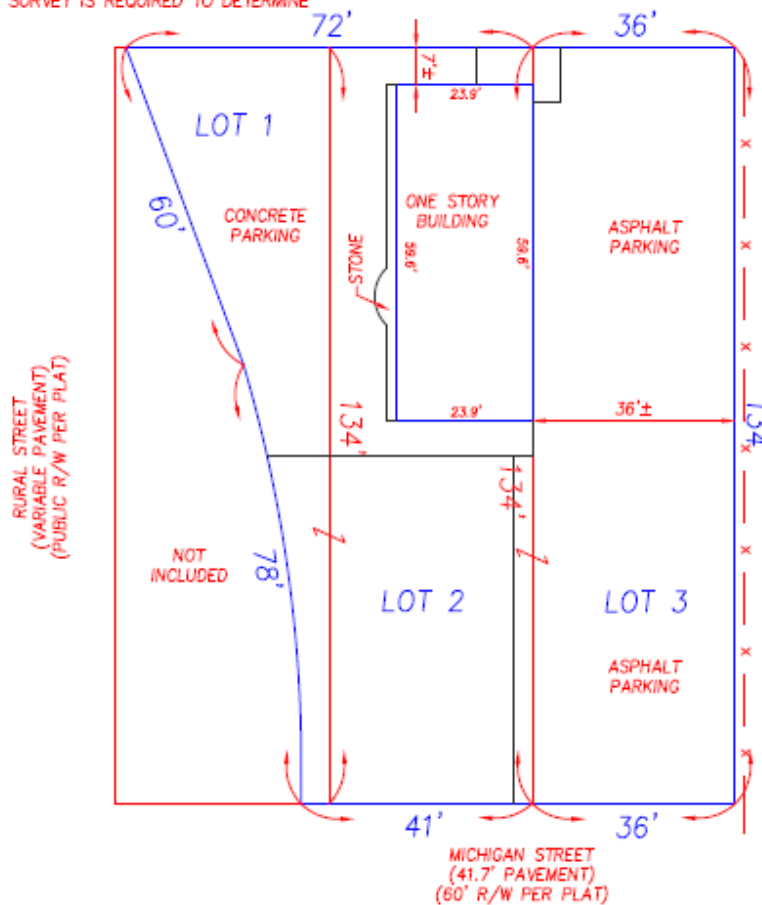
R/W RIGHT-OF-WAY
x FENCE±

NOTE: DUE TO THE LACK OF QUALIFIED MONUMENTATION FOUND, THE ACCURACY OF THIS REPORT IS LIMITED TO 5'±.

NOTE: FENCE LOCATIONS SHOWN ARE APPROXIMATE. AN ACCURATE BOUNDARY SURVEY IS REQUIRED TO DETERMINE EXACT LOCATIONS.



SCALE: 1"=30'



HAHN SURVEYING GROUP, INC.
Land Surveyors
8925 N. Meridian Street, Suite 120
Indianapolis, IN 46260
PHONE: (317) 846-0840 / (317) 846-4119
FAX: (317) 846-4298 / (317) 582-0662
EMAIL: orders@hahnsurveying.com
www.hahnsurveying.com

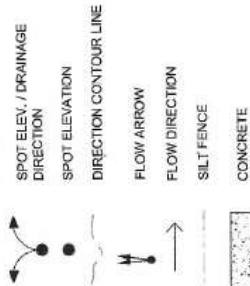


CERTIFIED: 03/29/2022

Chad L. Brown
Chad L. Brown
Registered Land Surveyor,
Indiana #21100002
Drawn By: JEC
Job No.: S22-9425
Sheet 2 of 3

 GOLDER HOUSE CONSTRUCTION LLC. <small>PH: (317) 744-9132 P.O. BOX 100 GREENHOUSES@ghc.com</small>	PROJECT:
	2810 E MICHIGAN ST Indianapolis, IN 46201
 SCALE 1" = 20'-0"	ISSUE DATE
	5/19/2024
DRAWN BY	A. TELLEZ
DRAWING TITLE:	PROPOSED SITE PLAN
CERTIFIED BY:	
SHEET NUMBER:	C1

SITE PLAN LEGEND



SITE PLAN NOTES:

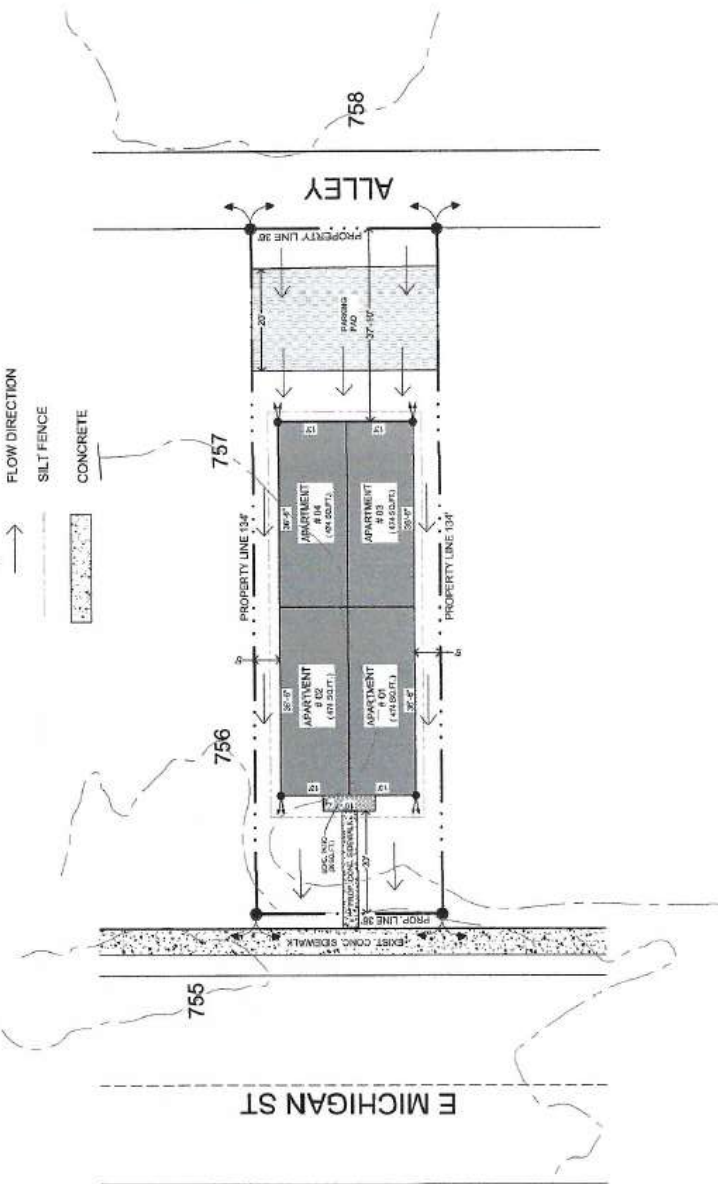
1. PROVIDE EROSION CONTROL AROUND PROJECT AREA AS REQUIRED BY THE LOCAL AUTHORITY
2. PROVIDE CONCRETE WASH OUT AT THE SITE FOR CONCRETE PAVING AND OTHER CONSTRUCTION
3. REMOVE DEBRIS FROM THE CONSTRUCTION SITE

SITE DATA:	
LOT AREA (C-3) - COMPACT	PARCEL: # 1030080
PARCEL SIZE: (4825 SQ. FT.)	PROP. BUILDING AREA: (188 SQ. FT.)
PROP. FRONT CONC. SIDEWALK AREA: (89 SQ. FT.)	PROP. FRONT CONC. SIDEWALK AREA: (89 SQ. FT.)

NOTE:
 THIS SITE IS LOCATED IN AN AREA PROVIDED TO SHOW AREAS AND LOCATIONS WHERE EROSION CONTROL SHALL BE INSTALLED. THESE AREAS AND LOCATIONS ARE NOT TO BE CONSIDERED AS A GUARANTEE OF EROSION CONTROL. CONTRACTORS SHALL BE RESPONSIBLE FOR THE FINAL CONSTRUCTION OF EROSION CONTROL MEASURES.

GENERAL EXISTING SITE NOTES

1. THESE DRAWINGS ARE INTENDED TO OUTLINE THE GENERAL SCOPE OF WORK. CONTRACTORS SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS PRIOR TO COMMENCING ANY WORK. CONTRACTORS SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
2. ALL UTILITIES ARE SHOWN AS EXISTING. CONTRACTORS SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO COMMENCING ANY WORK. CONTRACTORS SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
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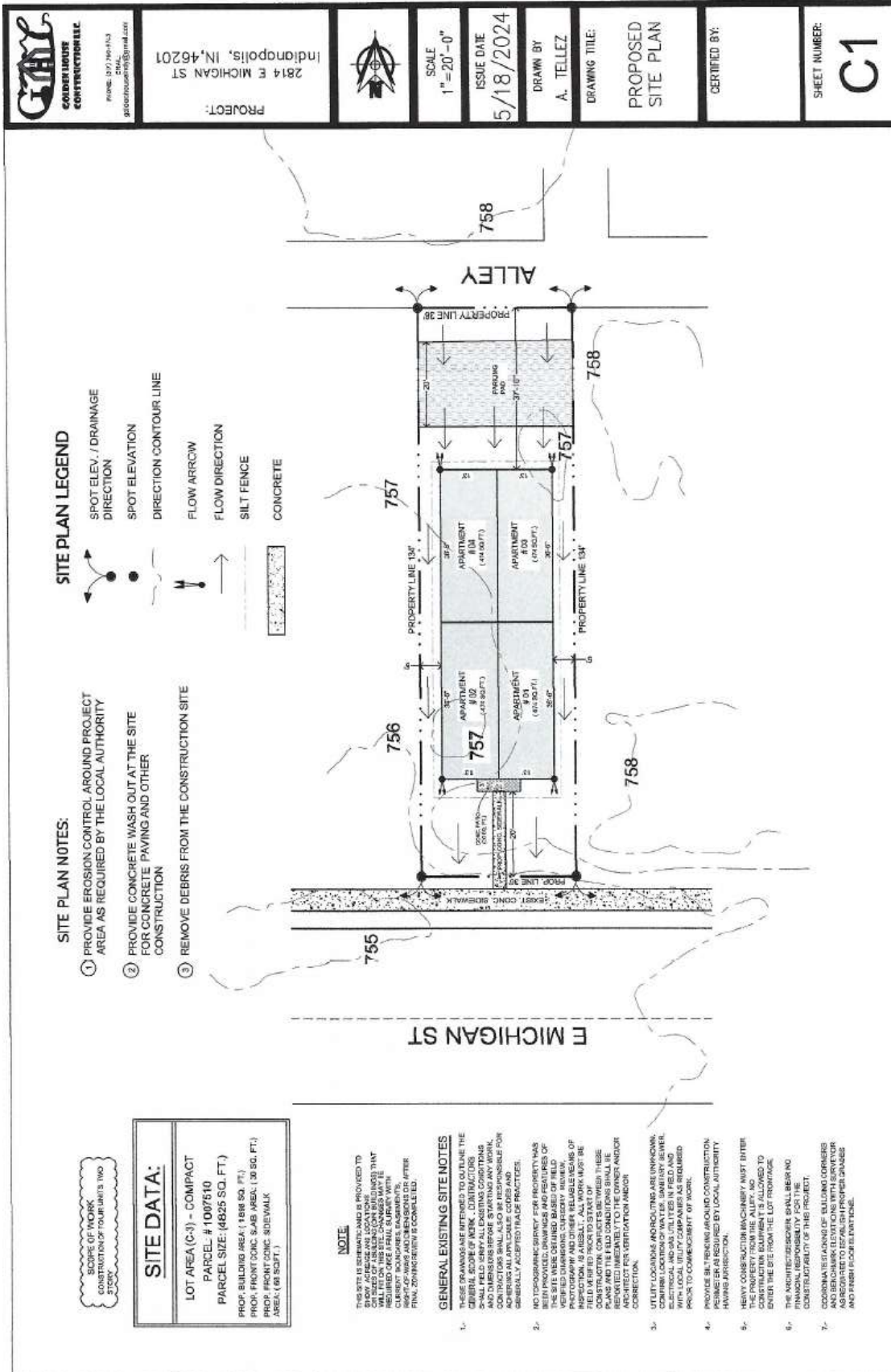




Photo of 2810 East Michigan Street.



Photo of 2810 East Michigan Street looking south from the alley.



Photo of 2814 East Michigan Street.



Photo of 2814 East Michigan Street looking south from the alley.



Photo of the alley north of the subject sites looking west.



Photo of the vacant commercial building west of the site.



Photo of single-family dwellings east of the subject sites.



Photo of the vacant commercial building south of the subject sites.