



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 14, 2026

Case Number:	2026-ZON-034
Property Address:	5400 South Meridian Street (<i>approximate address</i>)
Location:	Perry Township, Council District #22
Petitioner:	Lucila Noveron Toledo
Current Zoning:	C-3
Request:	Rezoning of 0.26-acre from the C-3 district to the C-4 district to provide for commercial uses.
Current Land Use:	Commercial
Staff Recommendations:	Staff recommends denial of this petition.
Staff Reviewer:	Michael Weigel, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

LAND USE

The 0.21-acre site is comprised of a parcel developed with a commercial structure and with frontage along Meridian Street to the east. Aerial photography indicates that for the past six (6) years, the property has had storage of vehicles within the paved front yard of the site. The site is surrounded by a religious use zoned C-3 to the north, residential uses to the west zoned C-3, a cemetery use to the east zoned SU-10, and a parking lot and commercial uses (bar, flooring store, and contractor) to the south zoned both C-3 and D-A.

REZONING

The request would rezone the property from the C-3 district to the C-4 district to allow for commercial uses. The application provided by the did not specify a specific commercial use for the site, but staff would note an open violation at the site related to an automobile service and repair use operating at the subject site (full violation text for VIO25-004315 is below). The rezoning request would solely be for parcel 5034096, and would not include the parcel containing parking areas to the south between the subject property and Epler Avenue.



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

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 C-4 (Community-Regional) zoning district is designed to provide for the development of major business groupings and regional-size shopping centers to serve a population ranging from a community or neighborhoods to a major segment of the total metropolitan area. These centers may feature a number of large traffic generators such as home improvement stores, department stores, and theaters. Even the smallest of such freestanding uses in this district, as well as commercial centers, require excellent access from major thoroughfares. While these centers are usually characterized by indoor operations, certain permitted uses may have limited outdoor activities, as specified.

STAFF ANALYSIS

The Pattern Book of the Marion County Land Use Book recommends this property and the parcel to the south to the Community Commercial typology (would map closest onto the C-3 zoning district within the Zoning Ordinance). Additionally, the land to the west is recommended for Rural and Estate Neighborhood uses and the parcel containing the religious use to the north is recommended for Office Commercial uses. None of these typologies contemplate outdoor storage related to vehicles, and even if this would not be the contemplated use staff feels that maintaining the existing C-3 district as a buffer for more sensitive land uses (residential and religious uses) would be most appropriate.

The violation case associated with 5400 S Meridian cited this property for the operation of a vehicle repair use with accessory outdoor storage (among other zoning non-conformities, and several vehicles were parked within the paved front yard of the site at the time of staff's visit. Although auto repair uses would be allowed within C-4, staff would note that the *outdoor storage* of vehicles awaiting repair would only be allowed within the C-5 zoning district. If this rezoning resulted in the establishment of an auto repair use at the site, repairs could only be conducted within the existing structure which would be complicated by the small size of the existing building on the site (applicant indicated that no additions or expansions were planned). Outdoor storage of vehicles wouldn't be allowed in C-3 or C-4, and would be two zoning districts of intensity above what is contemplated by the Comprehensive Plan.

Staff would content that the current C-3 zoning of the site would be most appropriate for the site per the Plan recommendation and surrounding land use context. Given that a C-4 zoning district would result in additional intensity near residential, church, and cemetery areas and might be in service of a use with a high risk of outdoor storage and additional negative externality, staff recommends denial of the requested rezoning.

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Commercial	
Comprehensive Plan	Community Commercial	
Surrounding Context	Zoning	Surrounding Context
	North: C-3	North: Religious Use
	South: C-3	South: Commercial Parking
	East: SU-10	East: Cemetery
	West: C-3	West: Residential
Thoroughfare Plan		
Meridian Street	Local Street	50-foot existing right-of-way and 50-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	03/17/2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Community Commercial typology provides for low-intensity commercial and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.
 - Heavy Commercial land uses and land uses involving extensive outdoor storage or vehicles are not contemplated for the Community Commercial typology.

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

N/A

ZONING HISTORY – VICINITY

2026ZON024 ; 5 West Epler Avenue (southwest of site), Rezoning of 0.68 acres from the D-A district to the C-5 district to provide contractor uses, **pending**.

2012DV1034 ; 5506 South Meridian Street (south of site), Variance of development standards of the Commercial Zoning Ordinance to provide for a 1,434-square foot deck for outdoor seating (not permitted) with 28 parking spaces (minimum 31 parking spaces required) and to legally establish a tavern with a five-foot separation from a protected district (minimum 100-foot separation required) and parking with a zero-foot setback from West Epler Avenue and South Meridian Street (minimum 10-foot front landscape strips required), **approved**.

2012UV1004 ; 5 West Epler Avenue (southwest of site), Variance of use of the Dwelling Districts Zoning Ordinance to provide for a 7,200-square foot building to permit the expansion of an existing boiler and welding company (not permitted), with off-street parking and additional driveways from Meridian Street and Epler Avenue, **approved**.

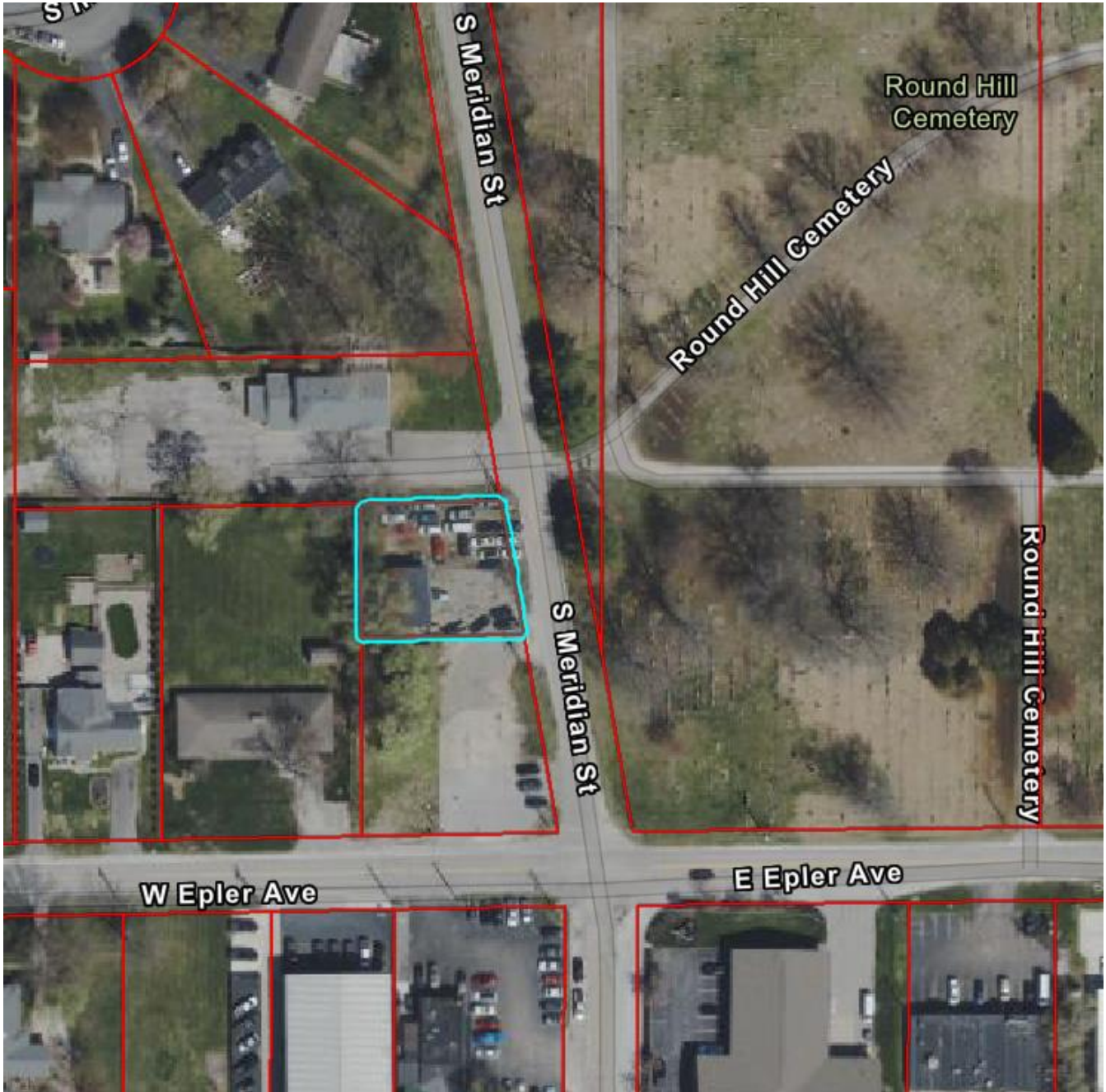
2000UV2005 ; 5 West Epler Avenue (southwest of site), Variance of use and development standards of the Dwelling Districts Zoning Ordinance to provide for a 3,835 square foot addition to an existing boiler and welding company (not permitted) on a 0.55-acre lot, with 90 feet of street frontage (125 feet required), open space of 70.5% (85% required), a side setback of 3.2 feet and an aggregate side setback of 18.2 feet (30 feet minimum and 75 feet aggregate required) and a main floor area of zero feet (1,200 square feet required for primary single-family dwelling), **approved**.

90-V3-94 ; 5505 South Meridian Street (southwest of site), Variance of development standards of the Commercial Zoning Ordinance to permit the construction of an addition to an existing carpet store with 20 parking spaces (35 parking spaces required), **approved**.

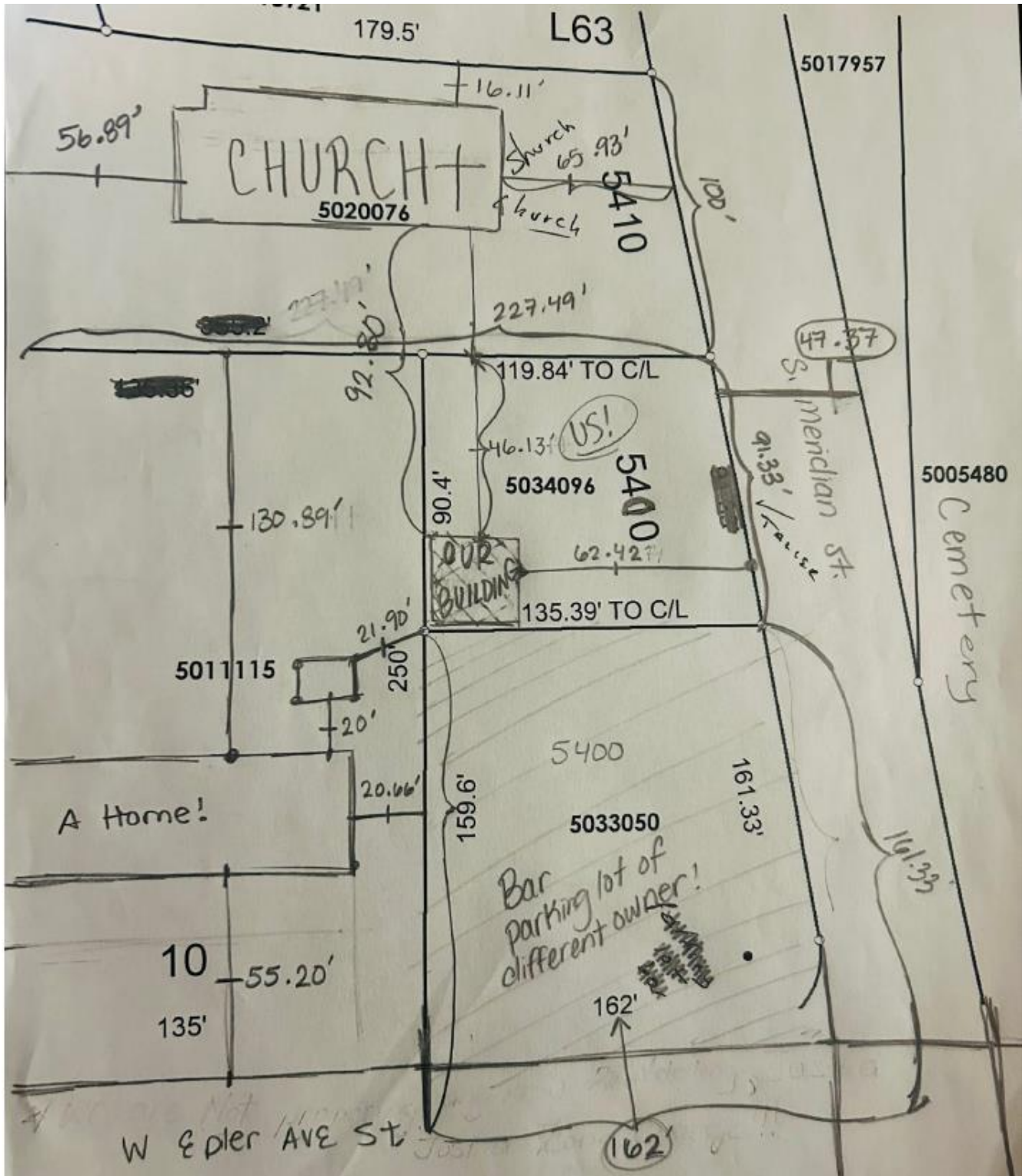
89-V2-47 ; 24 West Epler Drive (southwest of site), Variance of use of the Commercial Zoning Ordinance to provide for an in-ground swimming pool, accessory to a single-family residence in a commercial (C-3) zoning district, **approved**.

EXHIBITS

2026ZON034 ; Aerial Map



2026ZON034 ; Site Plan



2026ZON034 ; Notice of Violation (VIO25-004315)

Section 740 -1005.A.1. Civil Zoning Violation

Specific Violation: The location, erection, or maintenance of any sign not specifically permitted by the Zoning Ordinance; (744-903.B. - Failure to obtain a sign permit for the display of a wall sign).

Section 740 -1005.A.3. Civil Zoning Violation

Specific Violation: The outdoor storage of junk, trash, or debris in any zoning district, the provisions of which do not specifically permit such a use; (Cardboard, plywood, buckets, plastic scraps, and other miscellaneous items throughout the property).

Section 740 -1005.A.4. Civil Zoning Violation

Specific Violation: The outdoor storage of inoperable vehicles in any zoning district, the provisions of which do not specifically permit such a use; (Any motor vehicle, racing vehicle, recreational vehicle, trailer, camper, boat, airplane, bus, truck, or similar vehicle, that cannot be driven, towed or hauled on a city street without being subject to the issuance of a traffic citation by reason of its operating condition or the lack of a valid license plate, or flat tires; or that is otherwise partially dismantled or mechanically inoperable...Multiple vehicles no plates).

Section 740 -1005.A.4. Civil Zoning Violation

Specific Violation: The outdoor storage of vehicle parts in any zoning district, the provisions of which do not specifically permit such a use; (Truck bed, door, hood, and other miscellaneous vehicle parts throughout the property).

Section 740 -1005.A.5. Civil Zoning Violation

Specific Violation: The parking or storage of a commercial vehicle in any zoning district, when the provisions of which do not specifically permit such a use; (Vehicle, regardless of weight, used or designed to be used as commercial tree-trimming equipment).

Section 740 -1005.A.7. Civil Zoning Violation

Specific Violation: The conduct of any activity in a zoning district, not specifically enumerated as a permitted primary or accessory use in that zoning district; (Table 743-1: - Automobile, Motorcycle, and Light Vehicle Service or Repair is not a permitted use in a C-3 zoning district...Noveron Auto Repair LLC).

Section 740 -1005.A.7. Civil Zoning Violation

Specific Violation: The conduct of any activity in a zoning district, not specifically enumerated as a permitted primary or accessory use in that zoning district; (Table 743-1: - Outdoor storage and operations is not a permitted accessory use in a C-3 zoning district...inoperable vehicles awaiting repair).

2026ZON034 ; Photographs



Photo 1: Subject Site Viewed from East



Photo 2: Subject Site Viewed from East (May 2025)

2026ZON034 ; Photographs (continued)



Photo 3: Adjacent Parking Lot to South of Subject Site



Photo 4: Adjacent Property to South of Epler Avenue

2026ZON034 ; Photographs (continued)



Photo 5: Adjacent Property to Southeast



Photo 6: Adjacent Property to East

2026ZON034 ; Photographs (continued)



Photo 7: Adjacent Property to North



Photo 8: Adjacent Property to West/Southwest