



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 14, 2026

Case Number: 2025-CZN-812 / 2025-CPL-812 / 2025-CVC-812

Property Address: 1349 East 54th Street

Location: Washington Township, Council District #7

Petitioner: Indianapolis Public Schools, by Russell McClure

Current Zoning: SU-2 (W-5)

Rezoning of 2.9 acres from the SU-2 (W-5) district to the SU-16 (W-5) district to provide for indoor and outdoor recreational and entertainment uses.

Request: Approval of a Subdivision Plat, to be known as Haverford Subdivision, dividing 8.7 acres into two lots.

Vacation of a portion of Haverford Avenue, being 25 feet to 47.71 feet in width, beginning at the south right-of-way line of 54th Street, south 629.99 feet, with a waiver of the assessment of benefits.

Current Land Use: Educational uses / Sports Fields

Staff Recommendations: Approval of the rezoning, plat and vacation.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing for these petitions.

STAFF RECOMMENDATION

Staff recommends that the Hearing Examiner approve and find that the plat, file dated February 14, 2025, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provides a bond as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
2. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
4. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
5. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
6. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.

7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
11. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.
12. That the plat shall be recorded within two (2) years after the date of conditional approval by the Hearing Examiner.

Staff recommends approval of the rezoning and the vacation requests.

PETITION OVERVIEW

This 8.7-acre site, zoned SU-2 (W-5), is developed with educational uses and sports fields. It is surrounded by single-family dwellings to the north, across East 54th Street, zoned D-4 (W-5); multi-family dwellings to the south, zoned D-8 (W-5); single-family dwellings to the east, zoned D-5 (W-5); and religious uses and a sports field to the west, zoned D-5 (W-5).

Petition 2009-ZON-097 rezoned this site to the SU-2 district.

REZONING

The request would rezone 2.9 acres of the site to the SU-16 (Indoor and outdoor recreation and entertainment) district.

“No building, structure, premises or part thereof shall be constructed, erected converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this article and until the proposed Site and Development Plan and landscape plan have been filed with and approved on behalf of the Commission by the Administrator.”

All land use within the Special Use districts shall be limited to the use or uses as identified in the Ordinance.

The Comprehensive Plan recommends suburban neighborhood.

Recommended land uses in the suburban neighborhood typology include detached / attached / multi-family housing; assisted living facilities / nursing homes; group homes; bed and breakfast; small-scale offices, retailing, and personal or professional services; small- and large- scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; small-scale parks; and community farms / gardens.



As proposed, this request would be consistent with the Comprehensive Plan recommendation.

Wellfield Protection Secondary Zoning

A wellfield is an area where the surface water seeps into the ground to the aquifer and recharges the wells that are the source of our drinking water. This secondary zoning district places closer scrutiny on uses and activities that might contaminate the underground drinking water supply.

There are two wellfield district designations. An area identified as W-1 is a one-year time-of-travel protection area. The W-5 is a five-year time-of-travel protection area. All development within these districts is subject to Commission approval. The filing of a site and development plan is required and subject to approval, on behalf of the Commission, by a Technically Qualified Person (TQP), unless exempted by the Ordinance.

“Because of the risk that hazardous materials or objectionable substances pose to groundwater quality, it is recognized that the further regulation of the manufacturing of, handling, transfer, disposal, use or storage of hazardous materials or objectionable substances related to nonresidential use activities is essential in order to preserve public health and economic vitality with Marion County.”

All uses permitted in the applicable primary zoning district shall be those uses permitted in the W-1 and W-5 zoning districts, unless otherwise prohibited by the Ordinance, and provided no other secondary zoning district prohibits the use.

“No building, structure, premises or part thereof shall be altered, constructed, converted, erected, enlarged, extended, modified, or relocated except in conformity with this Section, and not until the proposed Site and Development Plan has been filed with and approved on behalf of the Commission by the Technically Qualified Person (TQP). Regulations found in Chapter 742, Article II, Section 4 shall apply to all land within the Wellfield Protection Zoning Districts. The entire site shall be subject to review by the TQP. These regulations shall be in addition to all other primary and secondary zoning district regulations applicable to such land, and in case of conflict, the more restrictive regulations shall apply.”

The subject site is located within the W-5 Fall Creek wellfield protection area and any use or development within a wellfield protection district would be subject to the Technically Qualified Person (TQP) review and approval, unless and until the property owner provides sufficient justification that the type of use, type of facility, and chemical quantity limits, independent of the land use would be exempt from the requirements for filing a development plan. Otherwise, a development plan would be required to be filed and approved on behalf of the Metropolitan Development Commission by the (TQP). Contaminants that would have an adverse effect would include chemicals that are used in the home, business, industry, and agriculture. Chemicals such as furniture strippers, lawn and garden chemicals, cleaning chemical and solvents, gasoline, oil, and road salt can all contaminate groundwater supplies if poured on the ground or improperly used or stored.



Planning Analysis

As proposed, the rezoning request would be consistent with the Comprehensive Plan recommendation of suburban neighborhood typology. This typology allows uses beyond residential uses that include small parks.

Staff believes the proposed use would be considered to be an activity that would typically be available in a park. Furthermore, the sports fields have been used by a Little League organization with little impact on surrounding land uses.

PLAT

This request would provide for approval of a Subdivision Plat, to be known as Haverford Subdivision, dividing 8.7 acres into two lots.

Site Plan

The site is developed with educational uses and sports fields. The educational uses (5.19 acres) would be located on Lot 1 and the sports fields (2.90 acres) would be located on Lot 2, with the vacation being 0.58 acres.

Streets

East 54th Street abuts the northern boundary of this site, with Haverford Avenue continuing south along the western boundary of the site to provide access and parking for the education uses, religious uses and sports fields.

Sidewalks

Sidewalks exist along East 54th Street so no new sidewalks would be required.

Waivers

None.

VACATION

This request would vacate a portion of Haverford Avenue, being 25 feet to 47.71 feet in width, beginning at the south right-of-way line of 54th Street, south 629.99 feet to the southern boundary of the site.

Summary

The vacation would vacate Haverford Avenue and would continue to provide access to the educational uses, religious uses and sports fields that abut this proposed vacation.



Staff finds that the vacation **would be in the public interest**, and the vacation **should be approved**, with the waiver of benefits.

RECOMMENDED VACATION MOTION: That the Hearing Examiner finds that the proposed vacation is in the public interest, that a hearing upon the assessment of benefits be waived; that the Hearing Examiner confirm and ratify the adoption of Declaratory Resolution 2025-CVC-812, and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

Procedure

Neither the Division of Planning nor the Plat Committee, Hearing Examiner or Metropolitan Development Commission determines how vacated right-of-way is divided. The approval of a vacation petition only eliminates the public right-of-way. The vacation approval does nothing more. A petitioner will not receive a deed or other document of conveyance after the approval of a vacation.

The general rule under Indiana case law is that when a street or highway is vacated or abandoned the title to the land reverts to the abutting property owners. This rule exists by virtue of the fact that the abutting landowner owns to the center of the street or highway subject only to an easement for the public to the use of the street or highway. *Gorby v. McEndarfer* 135 Ind. App. 74, *82, 191 N.E.2d 786, **791 (Ind.App.1963). However, there are possible exceptions to this general rule.

After a vacation of public right-of-way, the county assessor determines how the vacated right-of-way will be assessed for tax purposes.

GENERAL INFORMATION

Existing Zoning	SU-2 (W-5)	
Existing Land Use	Educational uses / Sports fields	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
	North: D-4 (W-5)	Single-family dwellings
	South: D-8 (W-5)	Multi-family dwellings
	East: D-5 (W-5)	Single-family dwellings
	West: D-5 (W-5)	Religious uses / Sports field
Thoroughfare Plan		
East 54 th Street	Primary Collector	Existing 50-foot right-of-way and proposed 56-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	Yes – Fall Creek W-5	

Site Plan	February 14, 2025
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	February 14, 2025
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Suburban Neighborhood typology. “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 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.”

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

Conditions for All Land Use Types – Suburban Neighborhood Typology

- 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.

Small-Scale Parks (defined as public or private parks that are generally under 10 acres in size).

- With the exception of minimally improved natural areas or golf courses, parks should be integrated as focal points and should not have more than 25% of their perimeter comprised of adjoining rear or side yards.
- Should be situated along streets on which the front door of housing units is located.
- If a component of a master-planned development, continuous pedestrian infrastructure (sidewalk, greenway, or off-street path) between the proposed site and any residential uses within the development should be provided.

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)

The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”

The following listed items describe the purpose, policies and tools:

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.



ZONING HISTORY

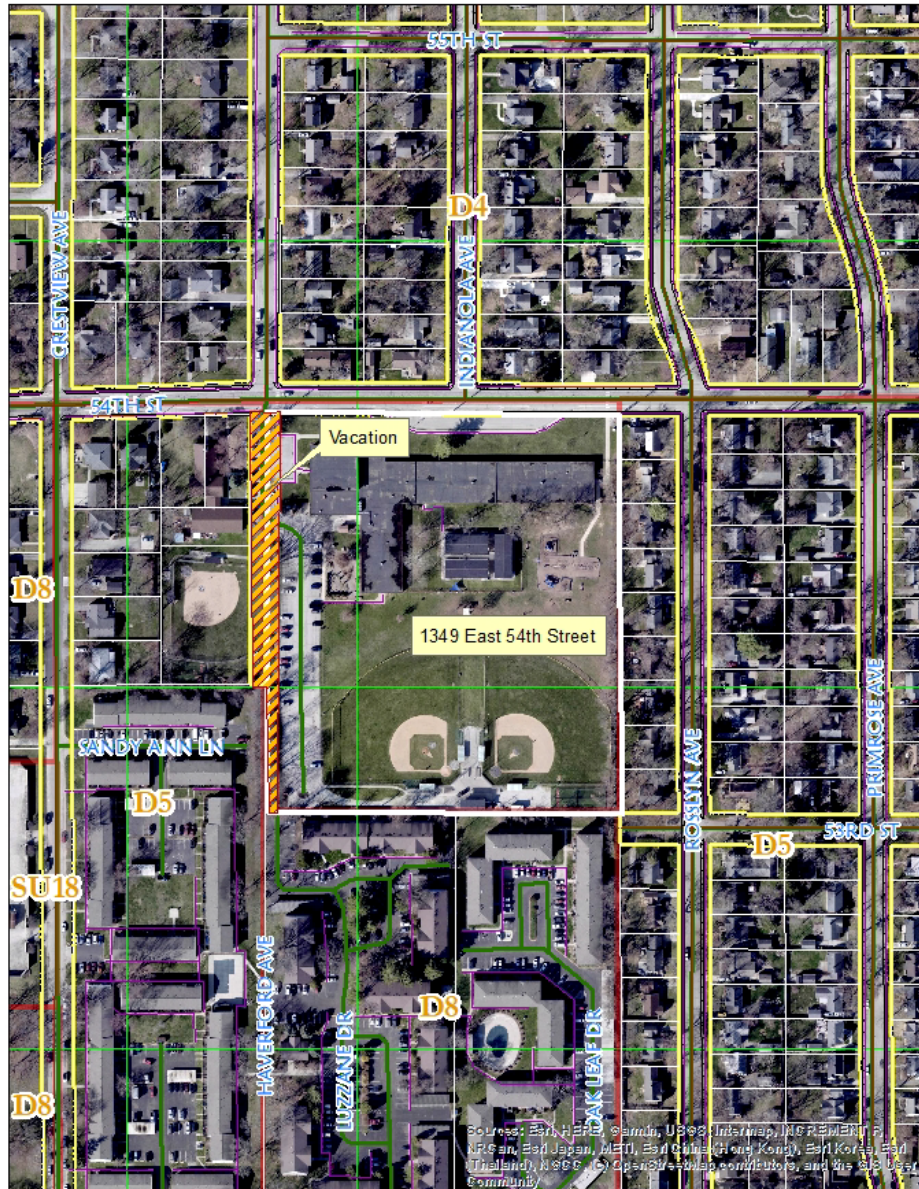
2009-ZON-097; 1349 East 54th Street, requested rezoning of 8.415 acres, being in the D-5 district, to the SU-1 classification to provide for school uses, **approved**.

VICINITY

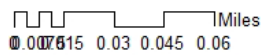
72-VAC-42; requested vacation of the east one-half of Haverford Avenue from the centerline of East 52nd Street to a point 645.42 feet north, **approved**.

65-Z-144 1470 East 52nd Street (south of site), requested rezoning of 8.8 acres being in the U-1, H1 and A-2 districts to the D-8 classification to provide for the construction of an apartment project, **approved**.

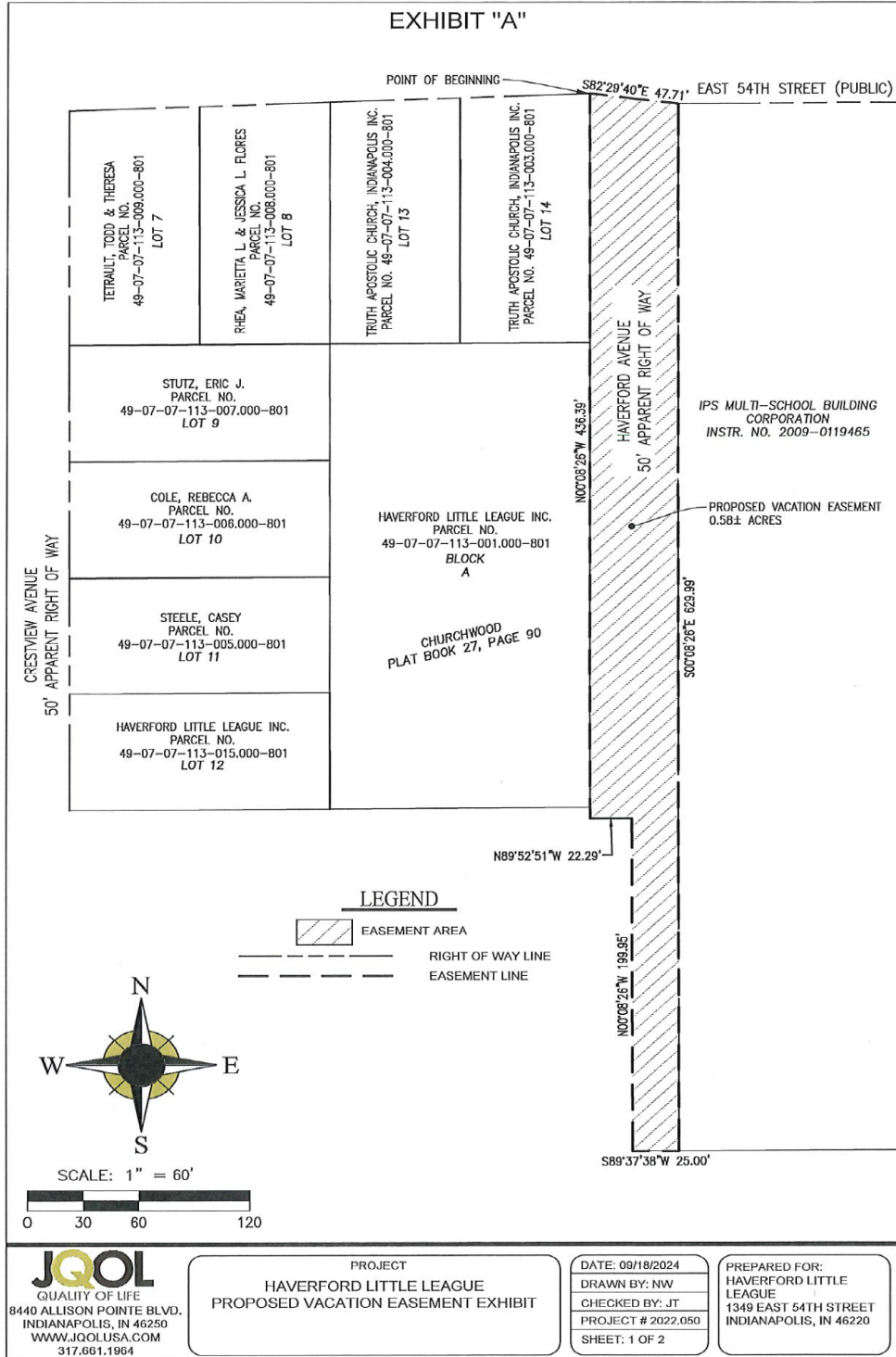
EXHIBITS



1349 East 54th Street



Proposed Vacation





Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
PLAT COMMITTEE
HEARING EXAMINER
OF MARION COUNTY, INDIANA

PETITION FOR VACATION OF A PUBLIC WAY, EASEMENT OR PUBLIC PLACE

FINDINGS OF FACT

1. THE PROPOSED VACATION IS IN THE PUBLIC INTEREST because:

Portions of the RoW are unimproved and have not been used for access. Portions that are improved have been used for access to indianpolis Public Schools and the Haverford Little League properties exclusively. This vacation will not have any effect on access to IPS or Haverford Little League properties. Also, our records show that the RoW has been maintained exclusively by IPS.

DECISION

IT IS THEREFORE the decision of this body that this VACATION petition is APPROVED, subject to any conditions stated in the minutes (which conditions are incorporated herein by reference and made a part of this decision).

Adopted this _____ day of _____, 20 ____



B

View looking east along East 54th Street



View looking west along East 54th Street



View looking south across intersection of East 54th Street and Haverford Avenue



View looking north along northern portion of Haverford Avenue



View looking south along northern portion of Haverford Avenue



View looking north along southern portion of Haverford Avenue



View looking south along southern portion of Haverford Avenue



View of site looking southeast across intersection of East 54th Street and Haverford Avenue



View of site looking southeast across Haverford Avenue



View of site looking east across Haverford Avenue



View of site (sports fields) looking east across Haverford Avenue



View of site (sports fields) looking east across Haverford Avenue



View of southern portion of site looking northeast across Haverford Avenue