

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

July 9, 2026

Case Number: 2026-ZON-047
Address: 448 North Kealing Avenue (*Approximate Address*)
Location: Center Township, Council District #13
Petitioner: Willie Whiteside Jr., by Roger Upchurch
Request: Rezoning of 0.1-acre from the C-1 district to the D-5 district to provide for a single-family dwelling.

Staff Recommendations: Approval
Current Land Use: Undeveloped lot
Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of the request.

PETITION OVERVIEW

LAND USE

The 0.01-acre site is comprised of an undeveloped parcel. The site is surrounded by single-family dwellings zoned C-1, to the north and west, and single-family dwelling zoned D-5 to the south. A commercial accessory parking lot zoned C-S is adjacent to the East.

REZONING

The request would rezone the property to the D-5 district to allow for residential uses that are not permitted in the existing C-1 district.

The C-1 district is designed to perform two functions: act as a buffer between uses, and provide for a freestanding area that office uses, compatible office-type uses, such as medical and dental facilities, education services, and certain public and semipublic uses may be developed with the assurance that retail and other heavier commercial uses with incompatible characteristics will not impede or disrupt. Since the buildings for office, office-type and public and semipublic uses are typically much less commercial in appearance, landscaped more fully and architecturally more harmonious with residential structures, this district can serve as a buffer between protected districts and more intense commercial or industrial areas/districts – if designed accordingly. This district, with its offices and other buffer type

uses, may also be used along certain thoroughfares where a gradual and reasonable transition from existing residential use should occur.

The D-5 district is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situation in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood and Traditional Neighborhood Typologies of the Land Use Pattern Book

STAFF ANALYSIS

The request would rezone the property to the D-5 district to allow for development of a residential use that is similar to what is existing in the surrounding area.

Staff is supportive of the rezoning because it would allow for commercial development that is compatible with the adjacent residential protected districts. The rezoning would also align with the Traditional Neighborhood recommendation of the Comprehensive Plan.

GENERAL INFORMATION

Existing Zoning	C-1	
Existing Land Use	Undeveloped	
Comprehensive Plan	Traditional Neighborhood	
Overlay	N/A	
Surrounding Context	Zoning	Surrounding Context
	North: C-1	Two-family dwelling
	South: D-5	Two-family dwelling
	East: C-S	Commercial accessory parking lot
	West: C-1	Single-family dwelling
Thoroughfare Plan		
	Kealing Avenue	Local Street 60-foot existing and proposed right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	N/A	
Wellfield Protection Area	N/A	
Site Plan	April 30, 2026	
Elevations	N/A	
Landscape Plan	N/A	
Commitments	N/A	
Findings of Fact	N/A	
C-S / D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends the Traditional Neighborhood 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.

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 – Traditional 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.

Small-Scale Offices, Retailing, and Personal or Professional Services

- Outdoor display of merchandise should be limited.
- If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.
- Should be located along an arterial or collector street.
- If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or 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)

Not Applicable to the Site.

ZONING HISTORY

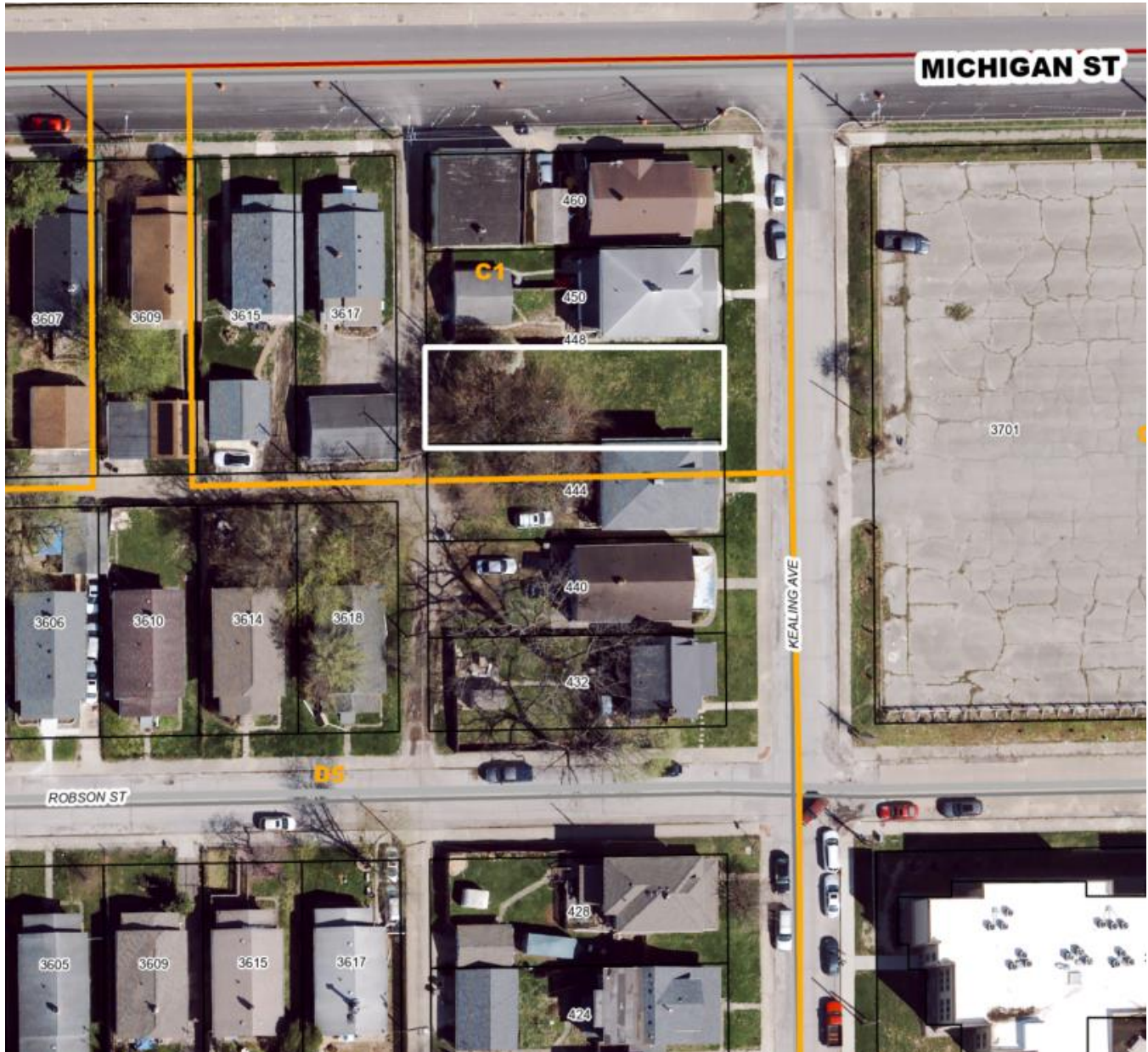
2026-ZON-020 / 2026-VAR-003; 3520 Robson Street (west of site), requested the Rezoning of 0.078-acre from the I-4 district to the D-5 district to provide for residential uses, **approved**. Requested a Variance of Development Standards to provide for an expansion of the existing dwelling, with a zero-foot front setback, a zero-foot east side setback, and a 14-foot rear setback, **granted**.

2019-ZON-084; 3609 East Michigan Street (west of site), requested the rezoning of 0.11 acre from the C-1 district to the D-5 district, **approved**.

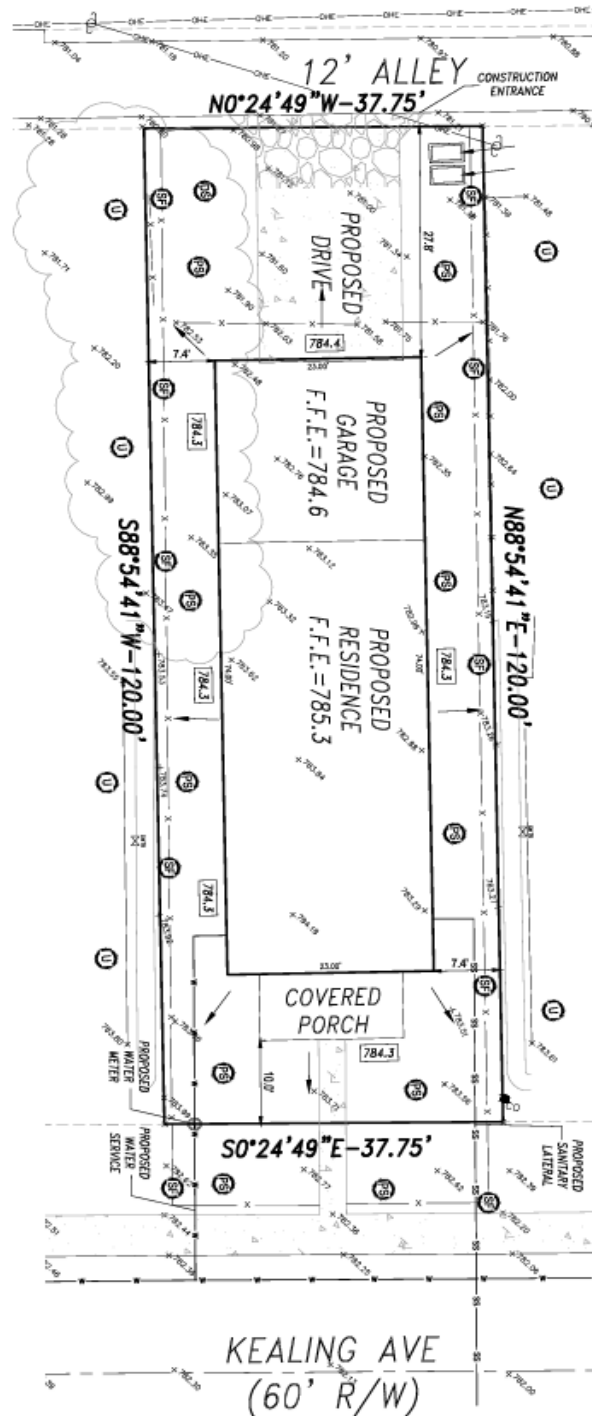
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EXHIBITS

LOCATION MAP



SITE PLAN



PHOTOS



Photo of subject site, looking east from Kealing Avenue.



Photo of adjacent residential properties to the north, looking northwest.



Photo of adjacent residential properties to the south, looking southwest.



Photo of adjacent commercial parking lot property to the east.