

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

July 9, 2026

Case Number: 2026-CZN-816 / 2026-CVR-816

Property Address: 4511 Allisonville Road

Location: Washington Township, Council District #8

Petitioner: Broad Ripple Construction, LLC, by Joseph D. Calderon

Current Zoning: MU-1 (FF) (W-1)

Rezoning of 0.21-acre from MU-1 (FF) (W-1) to C-S (FF) (W-1) to provide for a contractor's office, offices, light manufacturing, artisan manufacturing, research and development, consumer services and repair of consumer goods, vocational, technical, or industrial school, medical or dental offices, hair and body salon, financial and insurance offices, and a day care.

Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a reduction of the transparency requirement of the front façade between three feet and eight feet of the wall surface, within 50 feet of a primary entrance (minimum 40% transparency required), and to provide for a six-foot tall fence within the front yard (maximum height of 3.5 feet permitted).

Current Land Use: Parking lot.

Staff Recommendations: Denial of both requests.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner, on her own motion, continued these petitions from the May 14, 2026 hearing, to the May 28, 2026 hearing, to provide time for the petitioner's representative to submit additional information related to the exterior building materials, fencing and proposed uses.

On May 21, 2026, a rendering of the building was submitted. No other information has been submitted and included in this report, but staff understands additional information would be submitted prior to the hearing. Staff will provide comments as appropriate at the hearing.

The Hearing Examiner continued these petitions from the May 28, 2026 hearing, to the June 25, 2026 hearing, at the request of the petitioner's representative to provide time to clarify the dedication of the right-of-way along Allisonville Road and review the impact the dedication would have on development of the site.

July 9, 2026

The Hearing Examiner continued these petitions from the June 25, 2026 hearing, to the July 9, 2026 hearing, at the request of the petitioner's representative and staff, to provide time to clarify the dedication of right-of-way along Allisonville Road and review the updated C-S Statement, site plan and elevations, file-dated June 22, 2026.

The petitioner's representative has agreed to staff's request for dedication of right-of-way along Allisonville Road. Based on the updated C-S Statement, site plan and elevations, staff believes the proposed development would be acceptable and recommends approval, subject to commitments requested by staff and would also include one of the two building renderings that have been submitted.

STAFF RECOMMENDATION

Staff recommends denial. If approved, staff would request that approval be subject to the following commitments being reduced to writing on the Commission's Exhibit "B" form at least three days prior to the MDC hearing:

1. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.
2. A 63-foot half right-of-way shall be dedicated along the frontage of Allisonville Road, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
3. A landscape plan shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).

PETITION OVERVIEW

This 0.26-acre site, zoned MU-2 (FF) (W-1), is developed with a parking lot. It is surrounded by a commercial office to the north, zoned MU-1 (W-1); a commercial office to the south, zoned C-S (FF) (W-1); a commercial office to the east, zoned C-S (FF) (W-1); and single- and multi-family dwellings to the west, across Allisonville Road, zoned D-7 (W-1).

REZONING

The request would rezone the site to the C-S district to provide for a commercial contractor. "The C-S District is designed to permit, within a single zoning district, multi-use commercial complexes or land use combinations of commercial and noncommercial uses, or single-use commercial projects. The primary objective of this district is to encourage development which achieves a high degree of excellence in planning, design or function, and can be intermixed, grouped or otherwise uniquely located with maximum cohesiveness and compatibility. The district provides flexibility and procedural economy by permitting the

broadest range of land use choices within a single district, while maintaining adequate land use controls. The C-S District can include high-rise or low-rise developments, can be applied to large or small land areas appropriately located throughout the metropolitan area, and can be useful in areas of urban renewal or redevelopment.”

The Comprehensive Plan recommends office commercial typology for the site.

Recommended land uses in the office commercial typology include large-scale offices, small-scale offices, retailing, and personal or professional services; small-scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; and small-scale parks.

As proposed, this request would not be consistent with the Comprehensive Plan recommendation.

Site Plan – March 23, 2026

The site plan and elevations depict a 2,400-square-foot building. Except for the front façade, the building would have solid walls without any openings. Five parking spaces would be provided between the building and Allisonville Road. Sidewalks would be required but are not shown on the site plan.

C-S Statement - March 23, 2026

The C-S Statement identifies eleven primary uses and nine accessory uses that would be permitted on this site.

Development of the site, including landscaping, would be consistent with the provisions of the C-S district and the Ordinance. Because the landscaping plan has not been fully developed, it would be submitted for Administrator Approval.

The sign program would be either a monument or ground sign, wall signs and signs that would be permitted in accordance with the Sign Regulations.

The Statement indicates that the site plan would generally be developed in accordance with the conceptual site plan.

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-1 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.

Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 63-foot half right-of-way along Allisonville Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.

Environmental Public Nuisances

The purpose of the Revised Code of the Consolidated City and County, Sec.575 (Environmental Public Nuisances) is to protect public safety, health and welfare and enhance the environment for the people of the city by making it unlawful for property owners and occupants to allow an environmental public nuisance to exist.

All owners, occupants, or other persons in control of any private property within the city shall be required to keep the private property free from environmental nuisances.

Environmental public nuisance means:

1. Vegetation on private or governmental property that is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and that has attained a height of twelve (12) inches or more;
2. Vegetation, trees or woody growth on private property that, due to its proximity to any governmental property, right-of-way or easement, interferes with the public safety or lawful use of the governmental property, right-of-way or easement or that has been allowed to become a health or safety hazard;
3. A drainage or stormwater management facility as defined in Chapter 561 of this Code on private or governmental property, which facility has not been maintained as required by that chapter; or
4. Property that has accumulated litter or waste products, unless specifically authorized under existing laws and regulations, or that has otherwise been allowed to become a health or safety hazard.

Staff would request a commitment that emphasizes the importance of maintaining the site in a neat and orderly manner at all times and provide containers and receptacles for proper disposal of trash and other waste.

Planning Analysis

The Special Commercial district (C-S) is established for the following purposes:

- 1.To encourage a more creative approach in land planning, superior site and structural design and development and an efficient and desirable use of open space.
- 2.To provide for a use of land with high functional value.
- 3.To assure compatibility of land uses, both within the C-S district and with adjacent areas.
- 4.To permit special consideration of property with outstanding features, including, but not limited to, historical, architectural or social significance, unusual topography, landscape amenities, and other special land characteristics.
- 5.To provide maximum adaptability and flexibility in zoning and development controls to meet the changing and diverse needs of the metropolitan area.

Staff believes that development of this site for a building contractor does not align with any of the above purposes that the Ordinance outlines for the C-S district. If approved this request would allow for a minimum of 20 primary and accessory uses, some of which would be industrial uses and many of which would not be compatible with the surrounding land uses.

Staff believes the proposed development of this site, along with the requested variances would result in an industrial use within an industrial compound surrounded by commercial office and residential uses.

VARIANCES OF DEVELOPMENT STANDARDS

This request would provide for two variances of development standards related to building transparency and a six-foot tall fence.

The Ordinance requires a minimum of 40% transparency on the front façade between three feet and eight feet of the wall surface. The front façade would have an overhead door with a narrow horizontal line of windows located approximately in the center of overhead door. There would be two pedestrian doors and a small window between these two doors. It is not clear from the documents whether the doors would be solid or provide some transparency.

The second variance would allow for six-foot-tall fence with an electric gate. The Ordinance limits the height of fences in the front yard to 3.5 feet. The documents do not provide a clear location of the fence. Presumably, the fence would be installed around the perimeter of the site to provide security as noted in the Findings of Fact.

Staff believes these variances and the building architecture would introduce an industrial use and appearance that would negatively impact and be detrimental to the surrounding land uses and the existing character of this area.

GENERAL INFORMATION

Existing Zoning	MU-1 (FF) (W-1)	
Existing Land Use	Parking lot	
Comprehensive Plan	Office Commercial	
Surrounding Context	Zoning	Land Use
North:	MU-1 (W-1)	Commercial office
South:	C-S (FF) (W-1)	Commercial office
East:	C-S (FF) (W-1)	Commercial office
West:	D-7 (W-1)	Multi-family dwellings
Thoroughfare Plan		
Allisonville Road	Secondary Arterial	Existing 84-foot right-of-way and proposed 126-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	Yes – Fall Creek	
Overlay	No	
Wellfield Protection Area	Yes – Fall Creek (W-1)	
Site Plan	March 23, 2026	
Site Plan (Amended)	June 22, 2026	
Elevations	March 23, 2026	
Elevations (Amended)	June 22, 2026	

Landscape Plan	N/A
Findings of Fact	March 23, 2026
Findings of Fact (Amended)	N/A
C-S/D-P Statement	March 23, 2026 / June 22, 2026

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Office Commercial typology. “The Office Commercial typology provides for single and multi-tenant office buildings. It is often a buffer between higher intensity land uses and lower intensity land uses. Office commercial development can range from a small freestanding office to a major employment center. This typology is intended to facilitate establishments such as medical and dental facilities, education services, insurance, real estate, financial institutions, design firms, legal services, and hair and body care salons.”

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 – Office Commercial 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.
- Master-planned developments in excess of two acres should include pedestrian amenities for passive and active recreation internal to the development.

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

2023-ZON-100; 4509 and 4585 Allisonville Road and 2828 E 45th Street (north of site), requested of 7.40 acres from the MU-1 (FF) district to the C-S (FF) district to provide for the following permitted uses: Vocational, Technical or Industrial School or Training Facility; Office: Business, Professional or Government; Financial & Insurance Services; and Club or Lodge, **approved**.

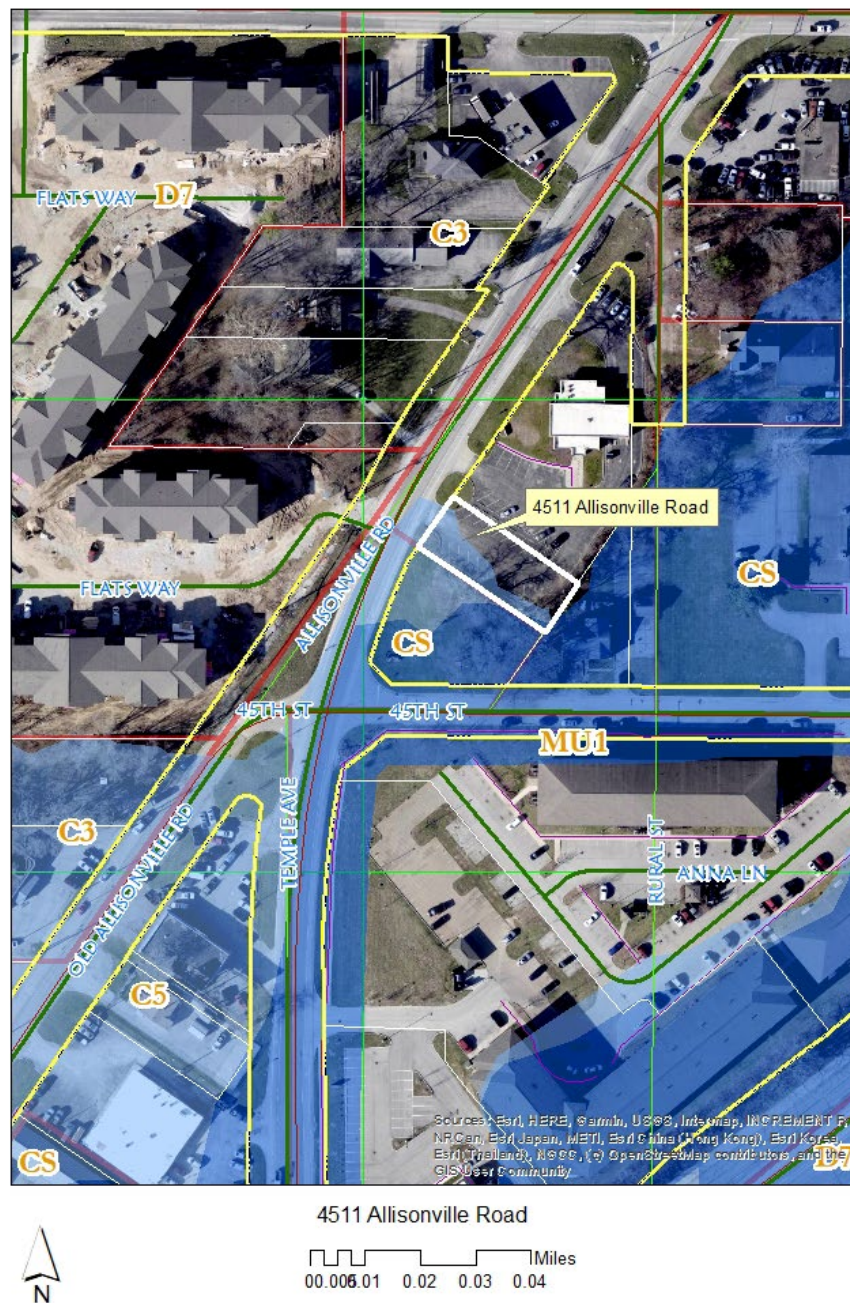
2021-ZON-044; 2943 East 46th Street (northeast of site), requested rezoning of 0.28 acre from the MU-1 (W-1) (W-5) district to the C-3 (W-1) (W-5) district, **approved**.

2018-ZON-133 / 2018-VAR-005; 2511 East 46th Street (west of site), requested rezoning of 8.5 acres from the C-3 (W-1) and C-5 (W-1) districts to the D-7 (W-1) classification to provide for approximately 135 multi-family units within existing and new buildings and Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a multi-family building with decks and balconies with a 13-foot perimeter yard and to legally establish the perimeter yards of the existing buildings and to permit the minimum livability space ratio to be less than 0.95 (20-foot perimeter yards and minimum livability space ratio of 0.95 required), **approved and granted**.

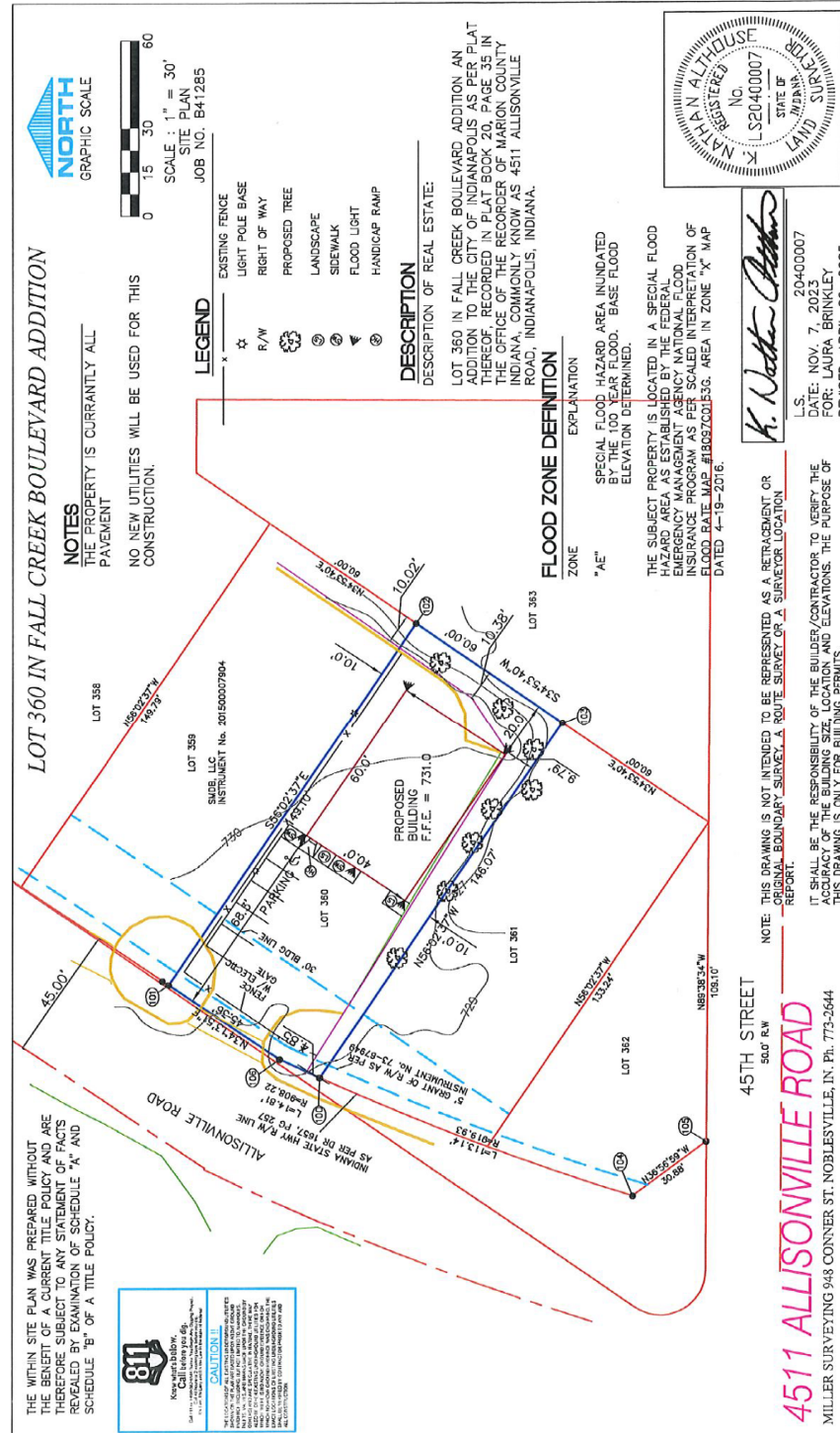
2000-ZON-868 / 2000-VAR-868; 2902 East 46th Street (north of site), requested rezoning of 8.59 acres from the C-4 District to the C-S classification to provide for neighborhood retail uses and warehousing and a variance of development standards of the Commercial Zoning Ordinance to provide for a portion of an interior access drive to be seven feet from the north side transitional property line, **approved and granted**.

90-Z-87; 2611 East 46th Street (north of site), requested rezoning of 0.5 acre, being in the D-5 District, to the C-3 classification to conform zoning with the Keystone Avenue Corridor Study, **approved**.

88-Z-268; 4456 Allisonville Road (west of site), requested rezoning of 0.66 acre, being in the C-3 district, to the C-5 classification to provide the continued operation of a night club, withdrawn.



Site Plan – April 22, 2026



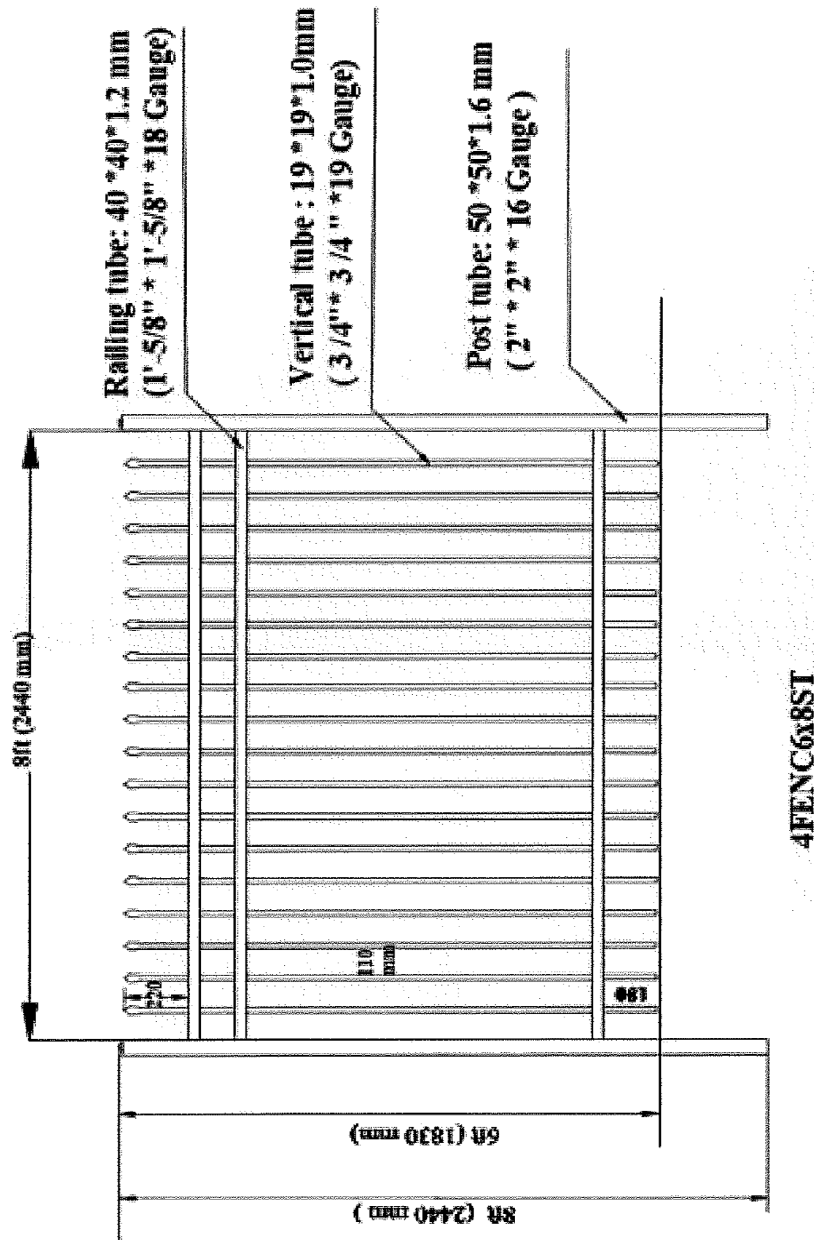


Building Rendering – May 21, 2026



Building Rendering Option – June 22, 2026





C-S Statement – June 22, 2026

C-S Development Statement

Introduction: Petitioner, Broad Ripple Construction, LLC, seeks to rezone approximately 0.21 acres of property commonly known as 4511 Allisonville Road (the “Subject Property”) as shown on the Concept Plan attached as Exhibit “A” in order to facilitate redevelopment of the Subject Property, initially for light industrial use as a contractor’s office.

Zoning: The Subject Property is currently zoned MU-1, a residential/commercial reuse district. Petitioner proposes to rezone the Subject Property from MU-1 to C-S to allow Petitioner to construct and occupy the Subject Property as a contractor’s office, as well as facilitate potential future commercial and industrial uses.

Proposed Permitted Primary Use shall be as follows, as described in the City of Indianapolis Consolidated Zoning/Subdivision Ordinance in effect as of January 8, 2025 (the “Zoning Ordinance”):

- a) Commercial and Building Contractor, so long as materials or equipment are not stored outside
- b) Offices (Business, Professional or Government)
- c) All Research and Development
- d) Consumer Services, repair of Consumer Goods
- e) Medical or Dental Office, Center, or Clinic
- f) Hair and Body Care Salon or Service
- g) Financial and Insurance Services
- h) Day Care Center, Nursery School

Permitted Accessory Uses of the Subject Property shall include the following:

- 1) Game Courts
- 2) Outdoor Seating or Patio
- 3) Renewable Energy Facility, Solar, Geothermal or Wind
- 4) Satellite Dish Antenna
- 5) Sign(s)

Development Standards:

Petitioner hereby incorporates the Lot and Building Dimensions for properties in the C-S zoning district set forth in Chapter 744; Art. II, Section 01.C, Table 744-201-3 of the Zoning Ordinance.

Landscaping plans are not yet fully developed. Prior to obtaining an improvement location permit for a new building, a detailed landscaping plan, consistent with that required for commercial uses set forth in Ch. 744, Art. V of the Zoning Ordinance, shall be submitted for Administrator's Approval. Off-street parking shall conform to the requirements set forth in Ch. 744, Art. IV of the Zoning Ordinance.

Signs:

The following sign types shall be permitted:

- 1) One (1) Monument (Business identification) Sign not to exceed eight (8) feet in height
- 2) One (1) Ground (Business identification) Sign, in lieu of a Monument Sign
- 3) Wall Signs, Awning, Canopy and Window Signs
- 4) Incidental, Temporary, and Other Signs as would otherwise be permitted in a commercial zoning district

Development:

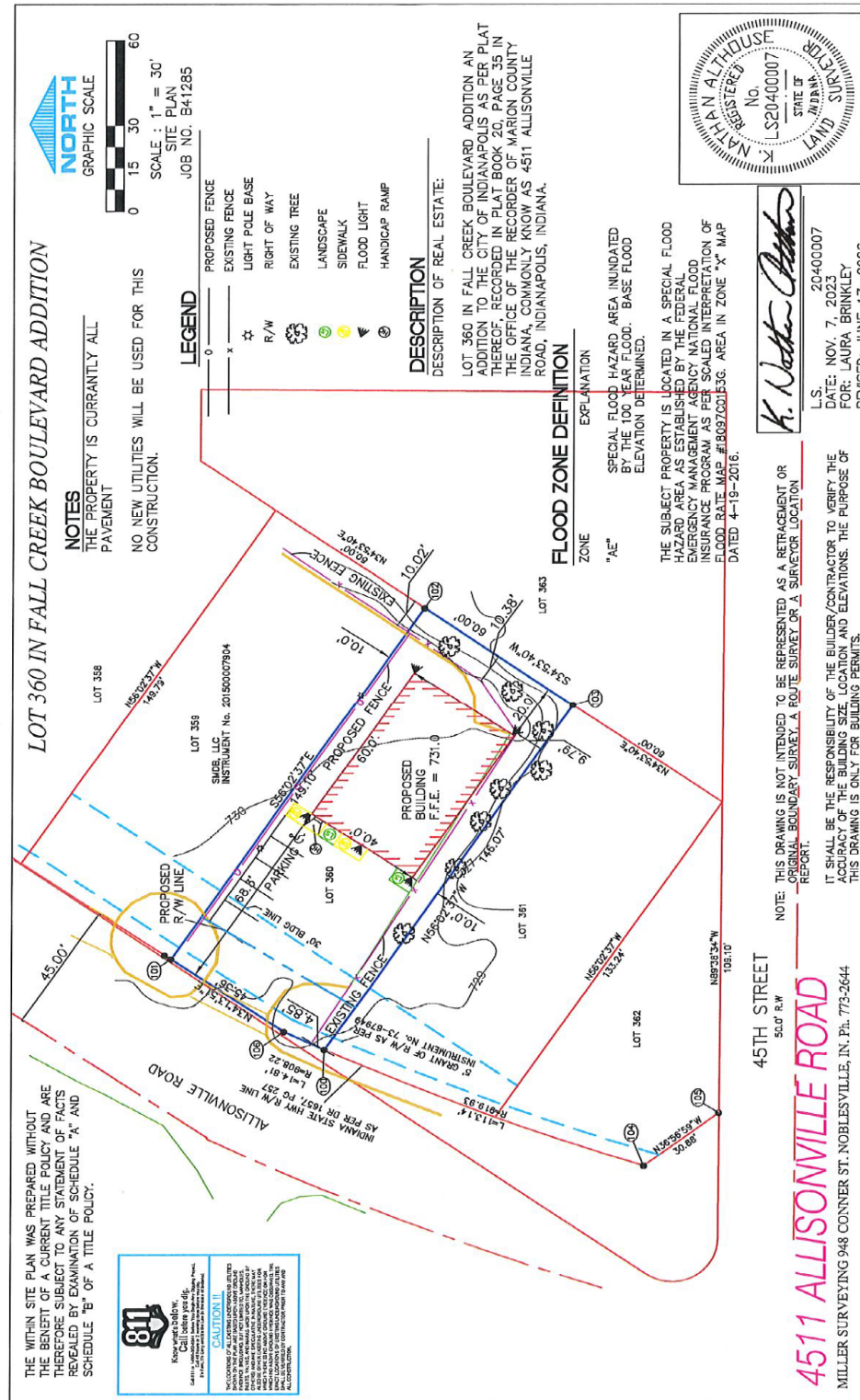
The project may be developed as generally shown on the conceptual site plan submitted with the C-S Rezoning Petition and this C-S Development Statement (the "Concept Plan").

51211613.2



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

Exhibit "A"
Concept Plan



C-S Development Statement

Introduction: Petitioner, Broad Ripple Construction, LLC, seeks to rezone approximately 0.21 acres of property commonly known as 4511 Allisonville Road (the “Subject Property”) as shown on the Concept Plan attached as Exhibit “A” in order to facilitate redevelopment of the Subject Property, initially for light industrial use as a contractor’s office.

Zoning: The Subject Property is currently zoned MU-1, a residential/commercial reuse district. Petitioner proposes to rezone the Subject Property from MU-1 to C-S to allow Petitioner to construct and occupy the Subject Property as a contractor’s office, as well as facilitate potential future commercial and industrial uses.

Proposed Permitted Primary Use shall be as follows, as described in the City of Indianapolis Consolidated Zoning/Subdivision Ordinance in effect as of January 8, 2025 (the “Zoning Ordinance”):

- a) Commercial and Building Contractor
- b) Offices (Business, Professional or Government)
- c) Light Manufacturing, Artisan Manufacturing
- d) All Research and Development
- e) Flex type office/industrial use
- f) Consumer Services, repair of Consumer Goods
- g) Vocational, technical or industrial school or training facility
- h) Medical or Dental Office, Center, or Clinic
- i) Hair and Body Care Salon or Service
- j) Financial and Insurance Services
- k) Day Care Center, Nursery School

Permitted Accessory Uses of the Subject Property shall include the following:

- 1) Wireless Communication Facilities
- 2) Game Courts
- 3) Outdoor Storage (limited to a maximum of twenty-five percent (25%) of total square footage of building)
- 4) Outdoor Display and Sales, Temporary
- 5) Outdoor Seating or Patio

- 6) Renewable Energy Facility, Solar, Geothermal or Wind
- 7) Satellite Dish Antenna
- 8) Sign(s)
- 9) Temporary Construction Yard, Office, or Equipment Storage

Development Standards:

Petitioner hereby incorporates the Lot and Building Dimensions for properties in the C-S zoning district set forth in Chapter 744; Art. II, Section 01.C, Table 744-201-3 of the Zoning Ordinance.

Landscaping plans are not yet fully developed. Prior to obtaining an improvement location permit for a new building, a detailed landscaping plan, consistent with that required for commercial uses set forth in Ch. 744, Art. V of the Zoning Ordinance, shall be submitted for Administrator's Approval. Off-street parking shall conform to the requirements set forth in Ch. 744, Art. IV of the Zoning Ordinance.

Signs:

The following sign types shall be permitted:

- 1) One (1) Monument (Business identification) Sign not to exceed eight (8) feet in height
- 2) One (1) Ground (Business identification) Sign, in lieu of a Monument Sign
- 3) Wall Signs, Awning, Canopy and Window Signs
- 4) Incidental, Temporary, and Other Signs as would otherwise be permitted in a commercial zoning district

Development:

The project may be developed as generally shown on the conceptual site plan submitted with the C-S Rezoning Petition and this C-S Development Statement (the "Concept Plan").

51211613.1

Petition Number _____

**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:

- 1) the proposed fence in the front yard and side will be a continuation of the existing fence on the south and east sides and will not encroach into the clear sign triangle, and will promote safety and security; and
2) the transparency requirement is not needed for a non-retail type business, and will promote safety and security.

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:

Neither the proposed fence nor building, without the required transparency, will interfere with access to or from any adjacent property.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

The Zoning Ordinance focuses on aesthetics versus security with respect to the fence limitations and the transparency requirements.

DECISION

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

Adopted this _____ day of _____, 20 ____



View looking south along Allisonville Road



View looking north along Allisonville Road



View of site looking southwest



View of site looking east



View of site looking southwest along Allisonville Road



View from site looking west across Allisonville Road