

MDC HEARING EXAMINER

August 27, 2026

Case Number:	2026-ZON-055
Property Address:	1624 East 46th Street (<i>approximate address</i>)
Location:	Washington Township, Council District #7
Petitioner:	K & D Epic Holdings LLC, by David Gilman
Request:	Rezoning of 0.14-acre from the SU-1 district to the D-5 district to allow for residential uses.
Current Land Use:	Single-family home
Staff Recommendations:	Staff recommends approval of this petition.
Staff Reviewer:	Josh Levesque, Senior Planner

PETITION HISTORY

This petition was originally scheduled to be heard by the Hearing Examiner on August 13th, 2026. The petitioner's representative was unable to attend the hearing and the case was continued to the August 27th, 2026, Hearing Examiner hearing.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- 1624 East 46th Street is a lot totaling roughly 0.277-acre. The western half of the lot is zoned D-5. In 2005, the eastern half of the lot was zoned SU-1. Staff reports and site plans seem to show that the eastern portion of 1624 was at one point part of the parking area for the church that once stood at 1636 East 46th Street. Warranty deeds show that parcels previously known as 1630 and 1632 East 46th Street were conveyed to the church in 2000. The lot appears to have reached its current size/dimensions in March of 2026 with a warranty deed.
- Properties to the north, south, and west are zoned D-5. The most immediately adjacent eastern parcel is zoned SU-1 (though it is undeveloped) though D-5 continues on east across Ralston Avenue.
- The petitioner is requesting a rezone from the SU-1 district to the D-5 district to allow for residential uses (specifically for the construction of a duplex).
- Records indicate that this parcel has historically been zoned D-5 along with the rest of the homes on this block and in the larger neighborhood. The eastern portion of the lot and the parcel to the east were rezoned to SU-1 in 2005 (2005-ZON-054) for the purposes of the aforementioned church.
- The Ordinance states that 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.”

- The Comprehensive Plan has identified this parcel as part of the “Traditional Neighborhood” typology. As indicated in the paragraph above, the D-5 district fits well within the residential recommendations of the Traditional Neighborhood typology. The Traditional Neighborhood typology “includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 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.”
- Rezoning the property to D-5 would correct the current split zoning on the property. Split zoning a property generally goes against planning best practices as it means the same property must meet different sets of standards. Rezoning this parcel would give the petitioner the ability to create a unified development across the lot,
- Based on the land use typology contemplated in the Comprehensive Plan, the residential context of the surrounding area, and the opportunity to correct a split-zoned property, staff recommends approval of this petition. Staff will note that approval of this petition merely approves a rezone to the D-5 district. Approval of this petition would not grant any relief from the applicable D-5 use or development standards. Any development would be required to meet the standards of the D-5 district or seek relief via the appropriate land-use petition.
- Staff will note that 2005-ZON-054 (the petition which rezoned the eastern portion of the lot to SU-1) came with a commitment that the public alley abutting the north property line was to be paved within one year of approval of the petition. The alley does not appear to have been paved but seems to be in relatively good condition. The petitioner has indicated that they will subsequently seek to terminate this commitment.

GENERAL INFORMATION

Existing Zoning	D-5 / SU-1	
Existing Land Use	Single-family home	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	D-5	North: Residential
South:	D-5	South: Residential
East:	SU-1	East: Vacant
West:	D-5	West: Residential
Thoroughfare Plan		
	Primary Arterial	51-foot existing right-of-way and

46th Street	56-foot proposed right-of-way
Context Area	Compact
Floodway / Floodway Fringe	No
Overlay	No
Wellfield Protection Area	No
Site Plan	4/2/2026
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

Pattern Book / Land Use Plan

- The Comprehensive Plan contemplates the Traditional Neighborhood typology for these parcels. This typology “includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 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.”

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

2005-ZON-054; 1630 and 1634 East 46th Street (1630 has been combined with current property address), Rezoning of 0.27-acre, being in the D-5 district, to the SU-1 classification to legally establish religious uses and to provide for construction of a new church facility, **approved subject to commitments.**

ZONING HISTORY – VICINITY

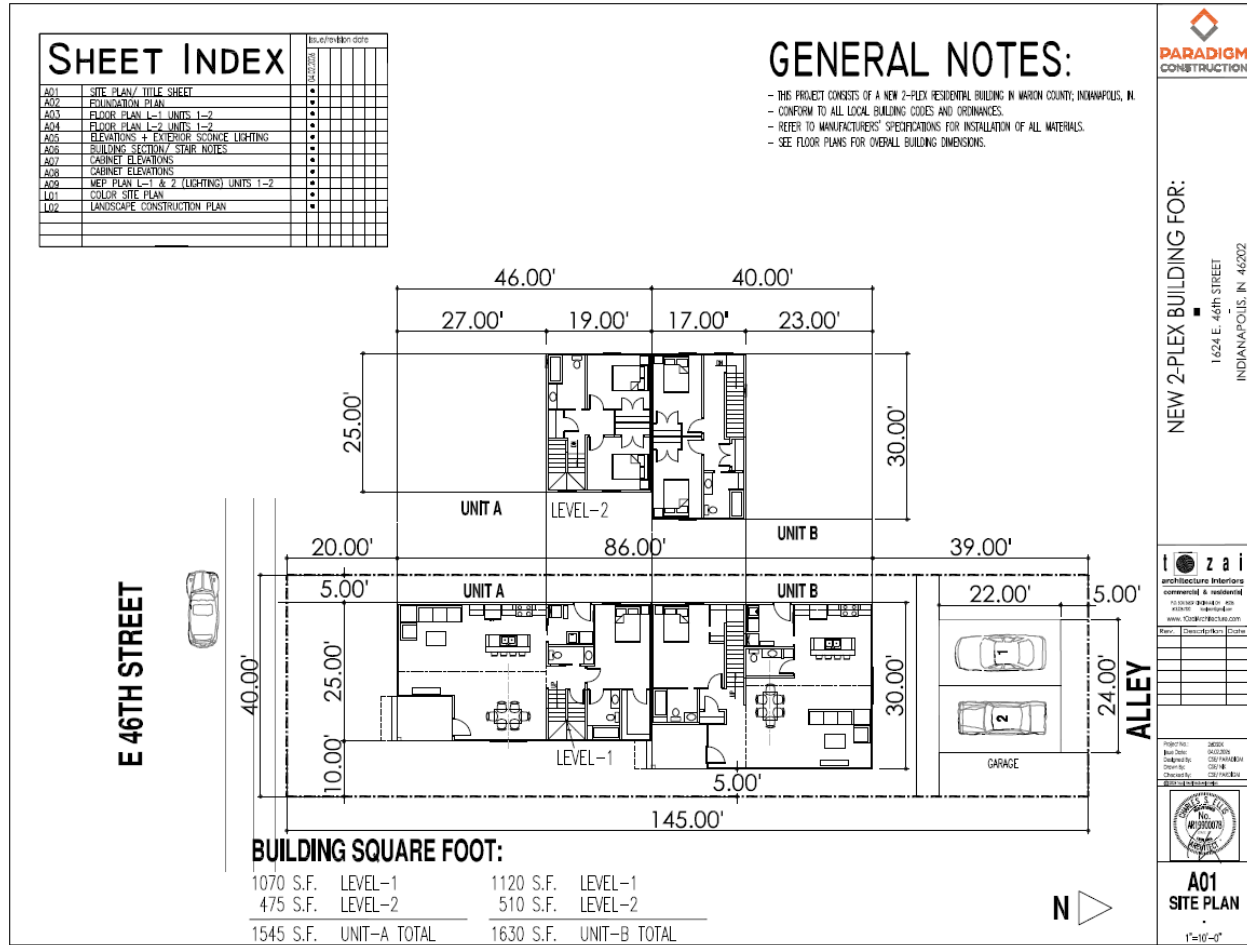
97-V1-73; 1536 East 46th Street, Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 28 by 54 foot single-family residence with: a) a 6-foot-tall privacy fence along East 46th Street (maximum height 42 inches permitted in the front yard); b) 57% of the lot area devoted to open space (minimum 655 open space required); c) a 30 by 40-foot detached garage which would be 79% of the main floor area of the primary building (maximum 75% allowed), **approved subject to conditions.**

EXHIBITS

2026ZON055; Aerial Map



2026ZON055; Site Plan



2026ZON055: Photographs



Photo 1: Undeveloped part of combined lot

2026ZON055: Photographs (cont'd)



Photo 2: Single-family home on western portion of combined lot

2026ZON055: Photographs (cont'd)



Photo 3: Looking west on 46th Street

2026ZON055: Photographs (cont'd)



Photo 4: Looking south across 46th Street

2026ZON055: Photographs (cont'd)



Photo 5: Looking east along 46th Street

2026ZON055: Photographs (cont'd)



Photo 6: Alley behind subject site