



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

March 28, 2024

<b>Case Number:</b>	2024-ZON-019
<b>Property Address:</b>	337 Lincoln Street (Approximate Address)
<b>Location:</b>	Center Township, Council District #18
<b>Petitioner:</b>	Josh and Rebecca Plemon, by Mark and Kim Crouch
<b>Current Zoning:</b>	C-1
<b>Request:</b>	Rezoning of 0.12 acre from the C-1 district to the D-5II district to provide for residential uses.
<b>Current Land Use:</b>	Residential (Single-family dwelling)
<b>Staff Recommendations:</b>	Approval
<b>Staff Reviewer:</b>	Marleny Iraheta, Senior Planner

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the request.

**PETITION OVERVIEW**

**LAND USE**

The 0.12-acre subject site is developed with a single-family dwelling. The subject site is in the Near Southside Neighborhood and is part of the Herman W Fenneman's subdivision. It is surrounded by single-family dwellings west and east, zoned C-1, and single-family dwellings north and south, zoned D-5.

**REZONING**

This petition would rezone this site from the C-1 district to the D-5II 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-5II district is intended for small-lot housing formats, primarily for small, detached houses, but also including a mix of small-scale multi-unit building types. This district can be used for new, walkable suburban neighborhoods or for infill situations in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood or Traditional Neighborhood Typologies of the Land Use Pattern Book.

**STAFF ANALYSIS**

Staff is supportive of the rezoning to the D-5II district because it would allow for residential uses to be permitted in line with the context of the surrounding area and historical residential use of the site per an 1898 Sanborn Map. The dwelling district would also align with the traditional neighborhood recommendation of the Comprehensive Plan.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	C-1	
<b>Existing Land Use</b>	Residential (Single-family dwelling)	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
	North:	C-1 Residential (Single-family dwelling)
	South:	D-5 Residential (Single-family dwelling)
	East:	C-1 Residential (Single-family dwelling)
	West:	C-1 Residential (Single-family dwelling)
<b>Thoroughfare Plan</b>		
Lincoln Street	Local Street	48-foot proposed right-of-way with an existing 66-foot right-of-way.
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	February 15, 2024	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	February 15, 2024	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	

C-S/D-P Statement N/A

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Infill Housing Guidelines (2021)

### Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends traditional neighborhood development for the subject site.
- 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
- **Conditions for All Housing**
  - A mix of housing types is encouraged.
  - Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
  - Primary structures should be no more than one and a half times the height of other adjacent primary structures.
  - Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
  - Developments with densities higher than 15 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.
- **Detached Housing**
  - The house should extend beyond the front of the garage. Garages should be loaded from an alley or side street when possible and should be detached if located on the side of the house.
  - Secondary units are encouraged.
  - Lots should be no larger than one and a half times the adjacent lots.

- Not Applicable to the Site.

### Neighborhood / Area Specific Plan

- Not Applicable to the Site.

### Infill Housing Guidelines

- **BUILDING ELEVATIONS AND ARCHITECTURAL ELEMENTS**
  - **1. Utilize Foundation Styles and Heights that are Consistent with Nearby Houses:** The height of the foundation affects where doors, porches, and windows are located. Unless there are special circumstances that require additional height, such as the location is in or near a floodplain, the foundation height for new construction should be consistent with nearby buildings.
  - **2. Be Consistent with Surrounding Entry Locations:** Main entries should be visible from the street. Entries should not be hidden, obscured, or missing from the main street elevation (front). The entry should reflect a similar characteristic to those that surround it, such as formal or casual, recessed or flush, narrow or wide.
  - **3. Where Appropriate, Include Porches or Stoops:** Use context to determine if front porches are consistent elements used in the neighborhood. If so, add porches or stoops to new construction.
  - **4. Coordinate the Location and Door Style of Balconies with the Surrounding Neighborhood:** Balconies are common architectural elements in some neighborhoods, but uncommon in others. Balconies along the street should be used when appropriate. When a balcony is used, consider the appropriate door access for the type of balcony. For example, Juliet balconies, which are intended to bring the outside in, make the most sense when French doors are used.
  - **5. Consider Nearby Roof Styles:** The basic outline of a new building should reflect building outlines typical of the area. Roof selection and overall height contribute to the building outline. Select roof shapes that are frequently used in the neighborhood.
  - **6. Fenestration Should Relate to the Surrounding Context:** Windows and doors should be arranged on buildings so as not to conflict with the basic fenestration patterns in the neighborhood. The proportion of glass (windows) to solid materials (wood, bricks, and other materials) which is found within the surrounding context should be reflected in new construction. Every elevation (sides and rear) should have windows on each story to help break up the monotony of the façade.
  - **7. Materials Used Should Reflect the Context of the Neighborhood:** Introducing new materials that are not used in the existing context should be done in a way where those



materials are not the dominant material and make up less than 30% of the overall façade design.

- **8. Consider Unique Neighborhood Features:** In addition to the architectural features mentioned above, consider other common features like chimneys, dormers, gables, and overhanging eaves that shape the character of a neighborhood. When possible, include these features into new construction.

#### Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.



## ZONING HISTORY

**2023-UV1-009; 409 Lincoln Street** (east of site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an addition to an existing single-family dwelling (not permitted) resulting in a two-foot west transitional side yard (10-foot transitional side yards required), **granted**.

**2020-ZON-096; 405 Lincoln Street** (east of site), Rezoning of 0.12 acre from the C-1 district to the D-5 district, **approved**.

**2018-UV1-020; 334 Lincoln Street** (northwest of site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for primary and accessory single-family residential uses, including, but not limited to a single-family dwelling and detached garage, with a six-foot front setback and a four-foot side transitional setback, **granted**.

**2017-ZON-016; 1401, 1425, 1441, 1460, 1462, 1464, 1502, 1816 and 1827 South East Street; 828 Beecher Street; 306, 310, 318, 322, 329, 353 and 401 Lincoln Street; 510 East Morris Street; 1538, 1542, 1551 and 1555 South New Jersey Street; 438 Orange Street; 445 and 446 Parkway Avenue (includes sites south, east and west of site)** (surrounding the site), Rezoning of 1.95 acres, from the C-1, C-3, C-5 and I-4 districts, to the D-5 classification, **approved**.

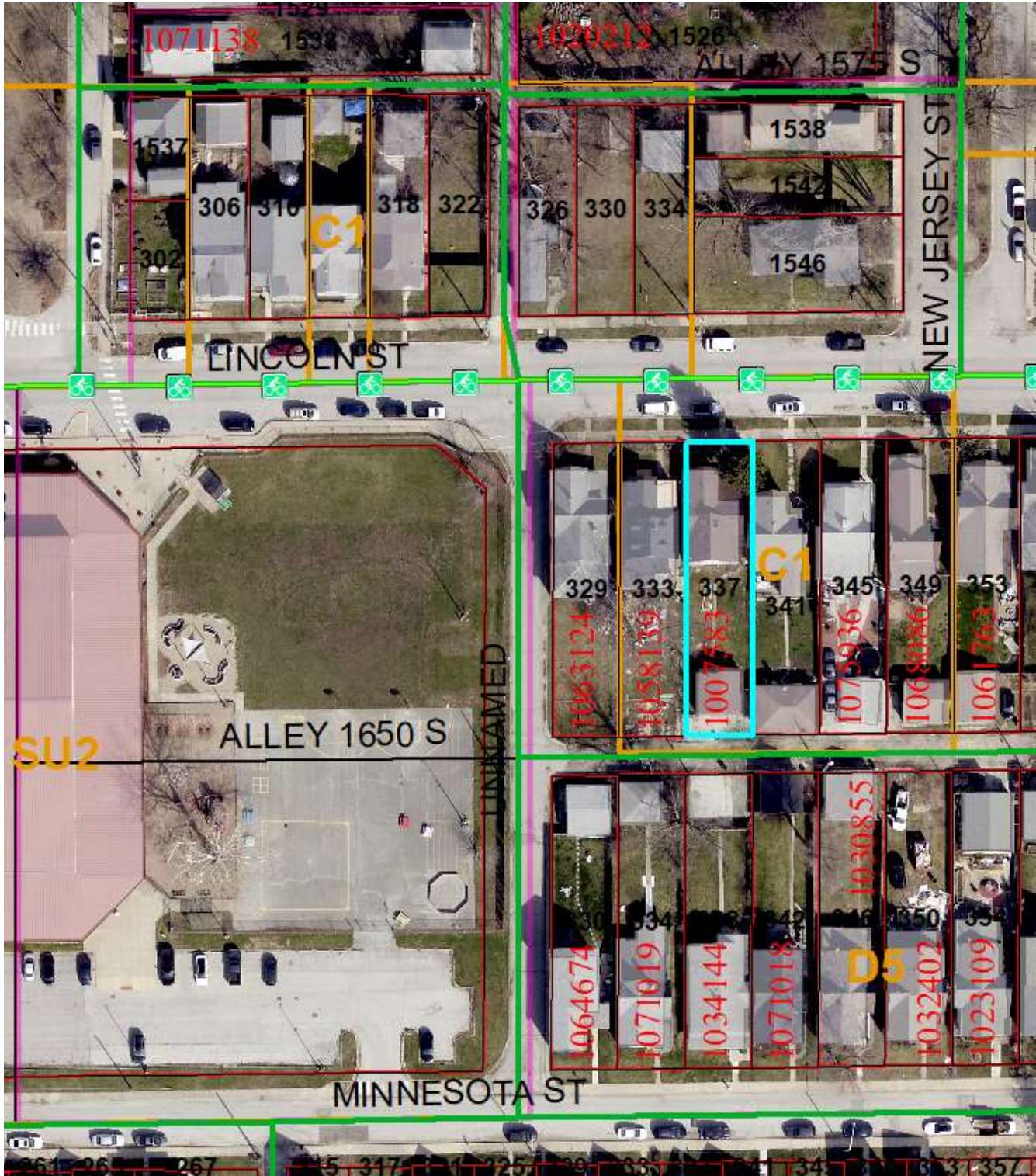
**2015-UV3-018; 1533 South Alabama Street** (northwest of site), Variance of use of the Dwelling Districts Zoning Ordinance to convert a detached garage into a second dwelling, **denied**.

**94-UV1-129; 341 Lincoln Street** (east of site), variance of use of the Commercial Zoning Ordinance to provide for construction of a 140-square foot room addition for an existing single-family residence, **granted**.

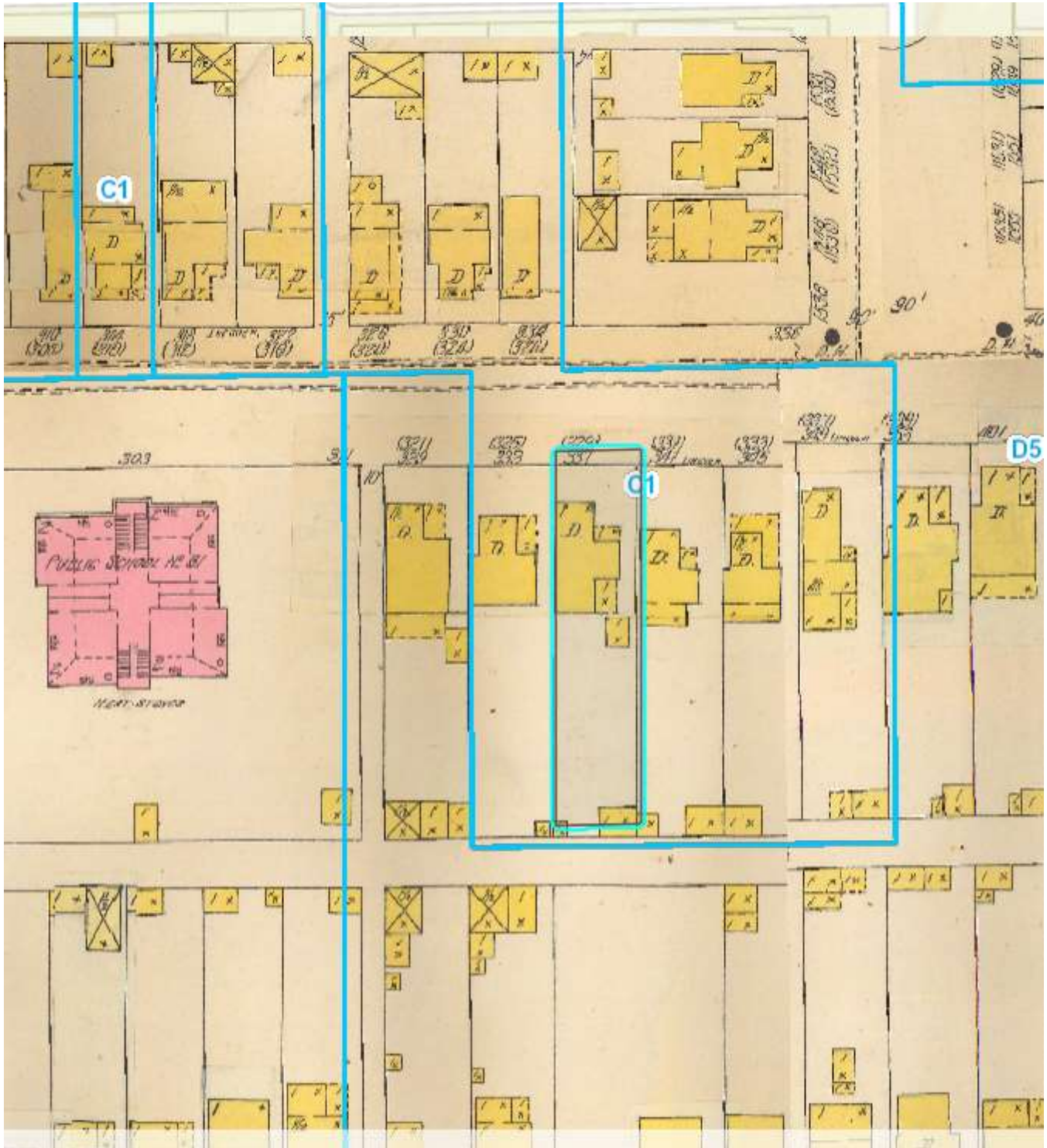
**87-Z-131; 307 Lincoln Street** (west of site), Rezoning 3.01 acres, being in the SU-1 and I-4-U districts, to the SU-2 classification, to provide for the construction of an elementary school to replace the existing schools, **approved**.



**EXHIBITS**







Sanborn Map 1898









Photo of the existing single-family dwelling on site.



Photo of the existing single-family dwelling on site.





Photo of the rear yard.



Photo of the east side yard.





Photo of the west side yard.



Photo of the alley south of the site.