



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 10, 2024

Case Number: 2024-ZON-109
Property Address: 2140 Dr Andrew J Brown Avenue (Approximate Address)
Location: Center Township, Council District #13
Petitioner: Indy Rental Homes 360 III LLC, by Andrew Harrill
Current Zoning: I-3
Request: Rezoning of 0.13 acres from the I-3 District to the D-8 District to provide for residential uses.
Current Land Use: Vacant Building
Staff Recommendations: Approval
Staff Reviewer: 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 0.013-acre subject site is developed with a two-story building that was used as a church. The site is in the Bruce Place and Bruce Baker Addition Subdivision and falls within the Martindale-Brightwood neighborhood.

It is bordered to the north by an electrical substation, zoned I-3, a vacant residential building to the south, zoned I-3, a church to the east zoned SU-1, and a single-family dwelling west of the alley, zoned D-8.

REZONING

This petition would rezone this site from the I-3 district to the D-8 district to allow for residential uses.

The I-3 district is an intermediate district for industries that present moderate risks to the general public. Wherever practical, this district should be away from protected districts and buffered by intervening lighter



industrial districts. Where this district abuts protected districts, setbacks are large and enclosure of activities and storage is required.

The D-8 district is intended for a variety of housing formats, with a mix of small-scale multi-unit building types. This district can be used as a part of new mixed- use areas, or for infill situations in established urban areas, including medium and high-density residential recommendations of the Comprehensive Plan, and the Traditional Neighborhood, City Neighborhood, and Village or Urban Mixed-Use Typologies of the Land Use Pattern Book.

STAFF ANALYSIS

Staff is supportive of the rezoning to the D-8 district because it would allow for residential uses that would align with the traditional neighborhood recommendation of the Comprehensive Plan. A historical 1898 Sanborn Map shows that residential use of the site was present and can be confirmed with the subdivision plat recording on September 29, 1873.

The petitioner confirmed that the existing building would be remodeled as a single-family dwelling with parking at the rear of the site per the amended site plan submitted. The elevations note the changes to the exterior of the building such as the relocation and installation of new doors and window as well as the proposed roof alteration.

GENERAL INFORMATION

Existing Zoning	I-3	
Existing Land Use	Vacant Building	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Land Use
	North:	I-3 Electrical Substation
	South:	I-3 Vacant Residential Building
	East:	SU-1 Church
	West:	D-8 Residential (Single-family dwelling)
Thoroughfare Plan		
Dr A J Brown Avenue	Primary Arterial Street	56-foot proposed right-of-way and 100-foot existing right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	September 5, 2024	
Site Plan (Amended)	September 26, 2024	
Elevations	September 5, 2024	
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 (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.

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

- 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

Zoning History – Vicinity

2022-CZN-834 / 2022-CVR-834; 2143 Columbia Avenue (northwest of site), Rezoning of 0.13 acre from the I-3 district to the D-8 district to provide for residential uses and Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a ten-foot front setback (twenty feet required), **approved**.

2021-ZON-058 / 2021-VAR-008; 2127 Columbia Avenue (south of site), requested rezoning of 0.13 acre from the I-3 district to the D-8 and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling with a detached garage with 3.66-foot side setbacks and 48% open space, **approved and granted**.

2019-ZON-038; 2147 Columbia Avenue (northwest of site), Rezoning of 0.21 acre from the I-3 district to the D-8 classification, **approved**.

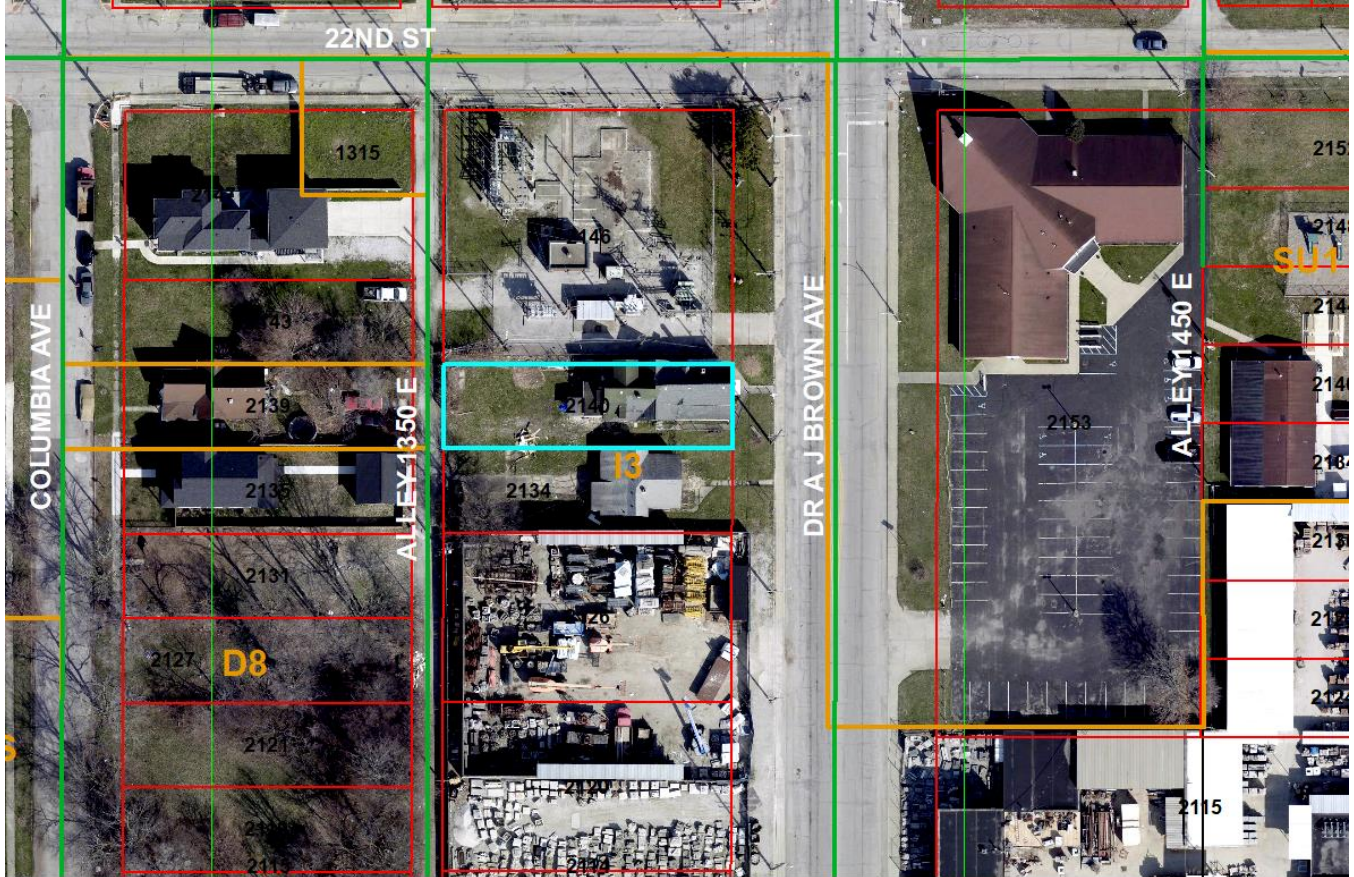
2018-ZON-049; 2111, 2121, 2131, 2132, 2136, 2140 and 2144 Columbia Avenue (north/south of site), requested rezoning of 1.188 acres from the I-3 district to the D-8 classification, **approved**.

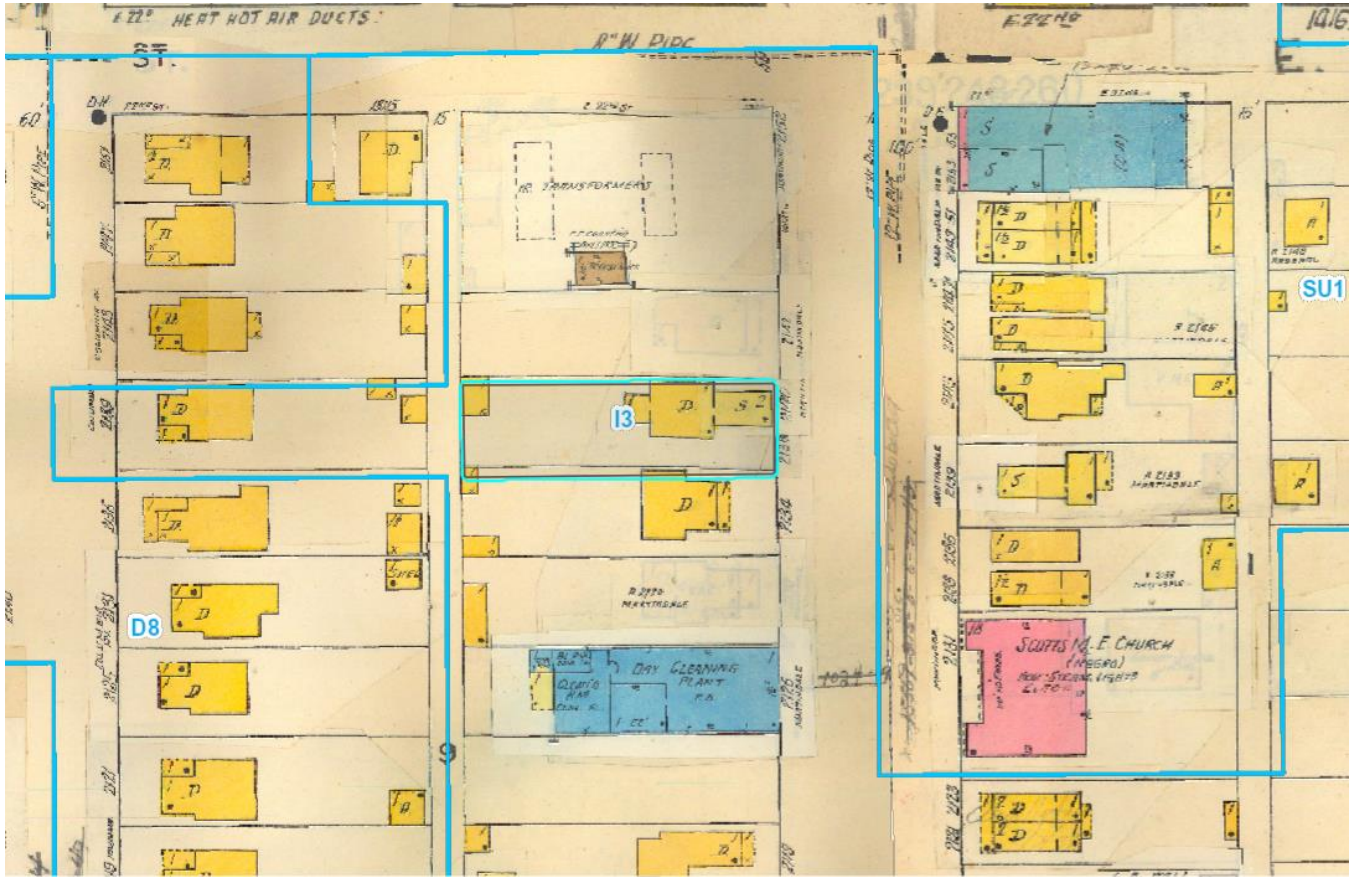
2005-ZON-032; 2134, 2140, 2144, and 2148 North Arsenal (east of site), Rezoning from the I-3-U District to the SU-1 classification for the remodeling of a church and youth center, **approved**.

98-Z-164; 2133 - 2153 Dr A J Brown Avenue (east of site), Rezoning from I-3-U to SU-1, **withdrawn**.

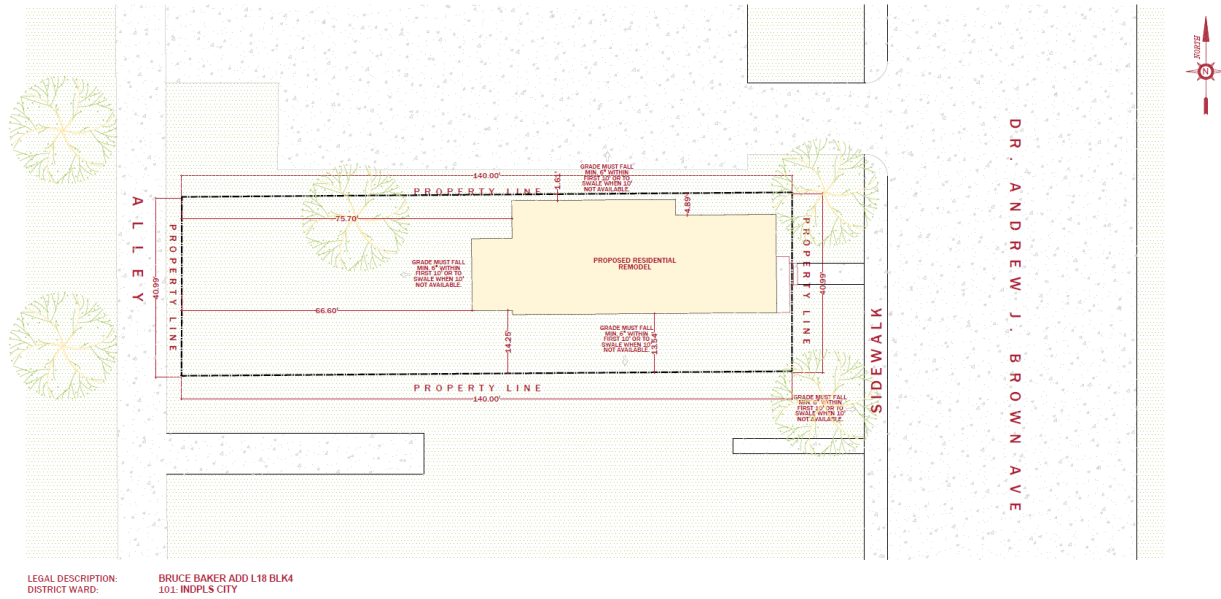
93-Z-174; 2131-2201 Dr A J Brown Avenue (east of site), Rezoning of 1.2 acres from I-3-U and D-5 districts to the SU-1 classification to provide for church uses, **approved**.

EXHIBITS



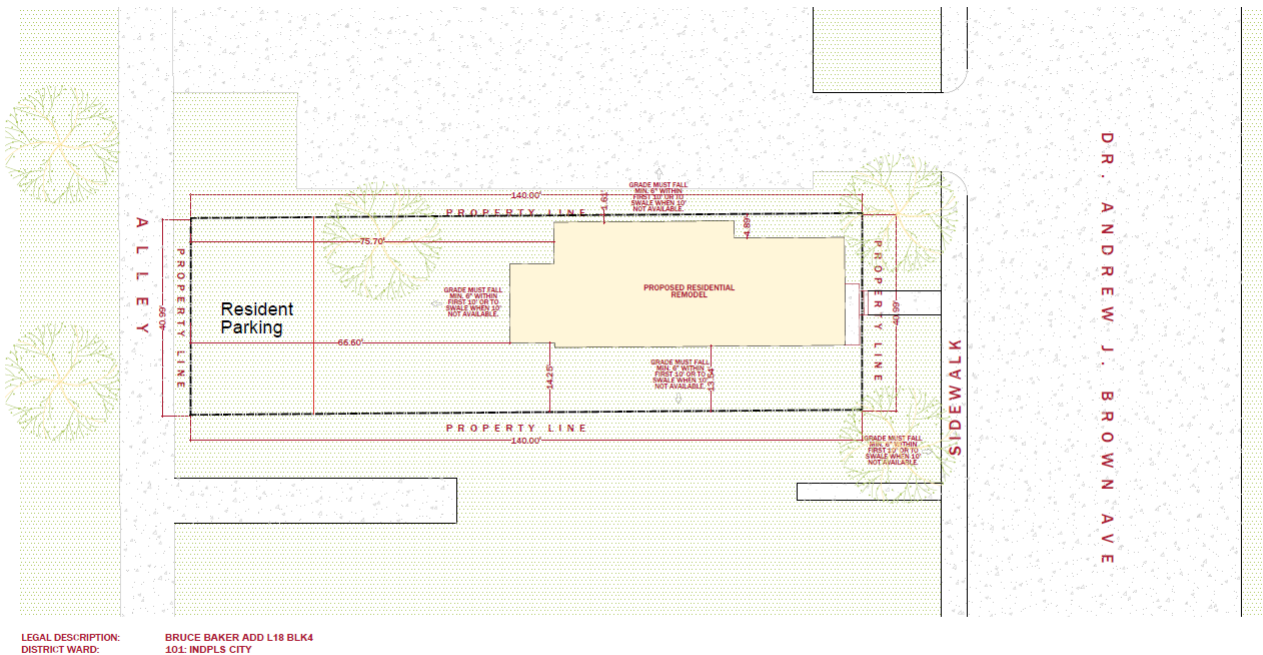


1898 Sanborn Map



1 SITE DEVELOPMENT PLAN
 SCALE: 3/32"=1'-0"

Site Plan



1 SITE DEVELOPMENT PLAN
 SCALE: 3/32"=1'-0"

Amended Site Plan



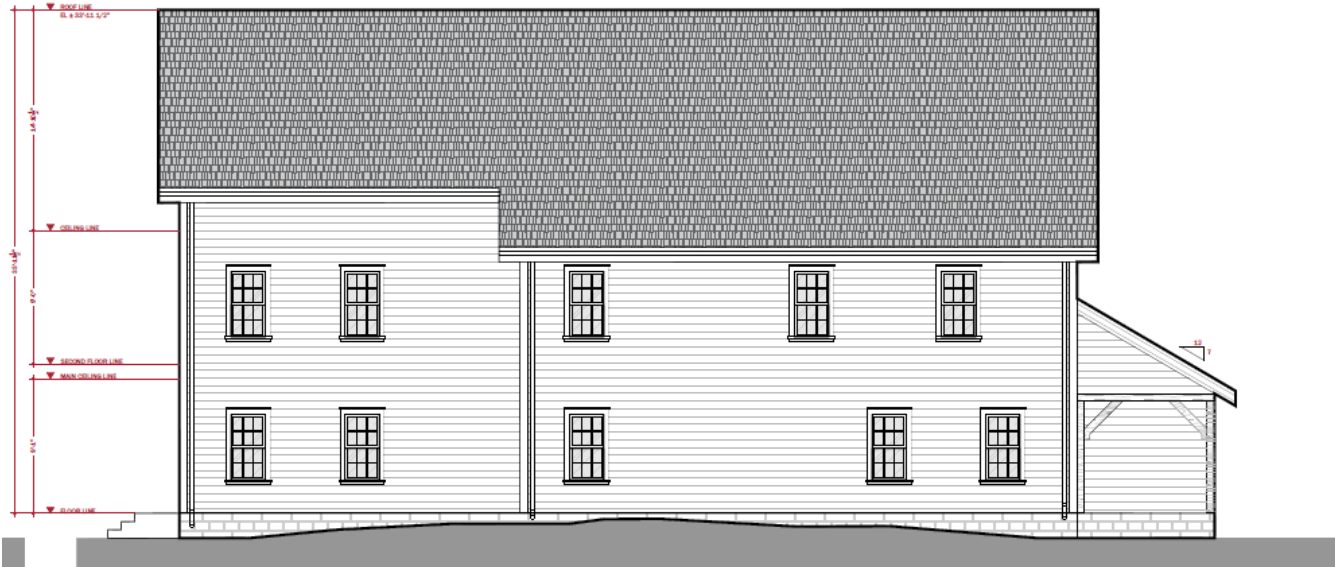
1 EXISTING FRONT ELEVATION
 SCALE: 1/4"=1'-0"



2 PROPOSED FRONT ELEVATION
 SCALE: 1/4"=1'-0"



3 EXISTING RIGHT ELEVATION
 SCALE: 1/4"=1'-0"



4 PROPOSED RIGHT ELEVATION
 SCALE: 1/4"=1'-0"



1 EXISTING REAR ELEVATION
 SCALE: 1/4"=1'-0"



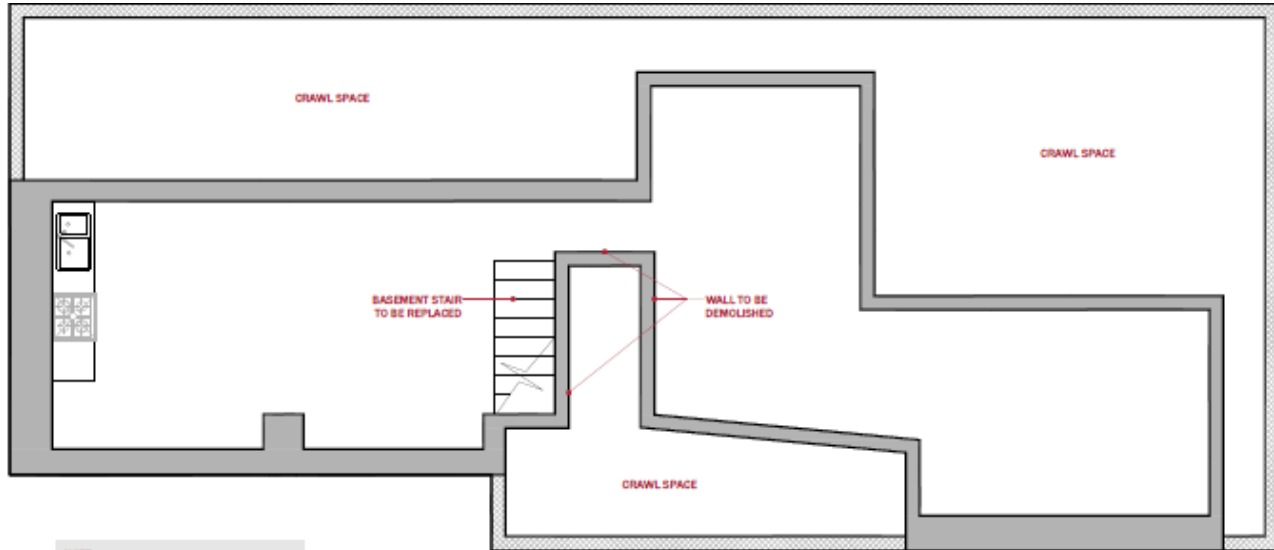
2 PROPOSED REAR ELEVATION
 SCALE: 1/4"=1'-0"



3 EXISTING LEFT ELEVATION
 SCALE: 1/4"=1'-0"

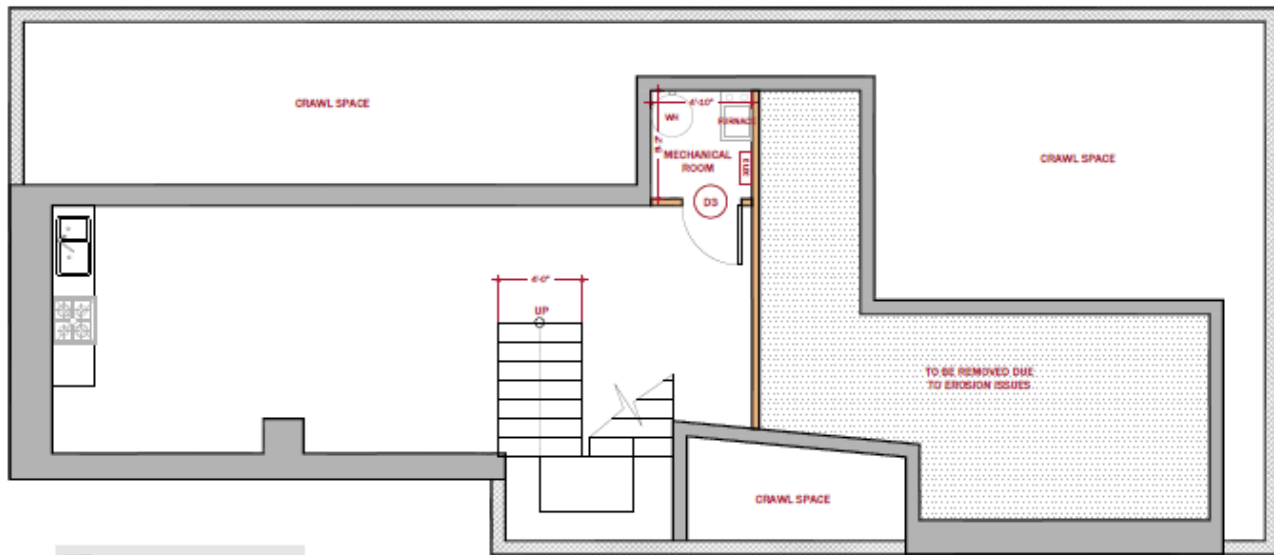


4 PROPOSED LEFT ELEVATION
 SCALE: 1/4"=1'-0"



NOTE:
 CONTRACTOR TO REVIEW AND FIELD VERIFY
 BASEMENT LAYOUT AND DIMENSIONS BEFORE
 CONSTRUCTION AND NOTIFY OUR OFFICE IF
 ANY ERROR IS FOUND BEFORE PROCEEDING.

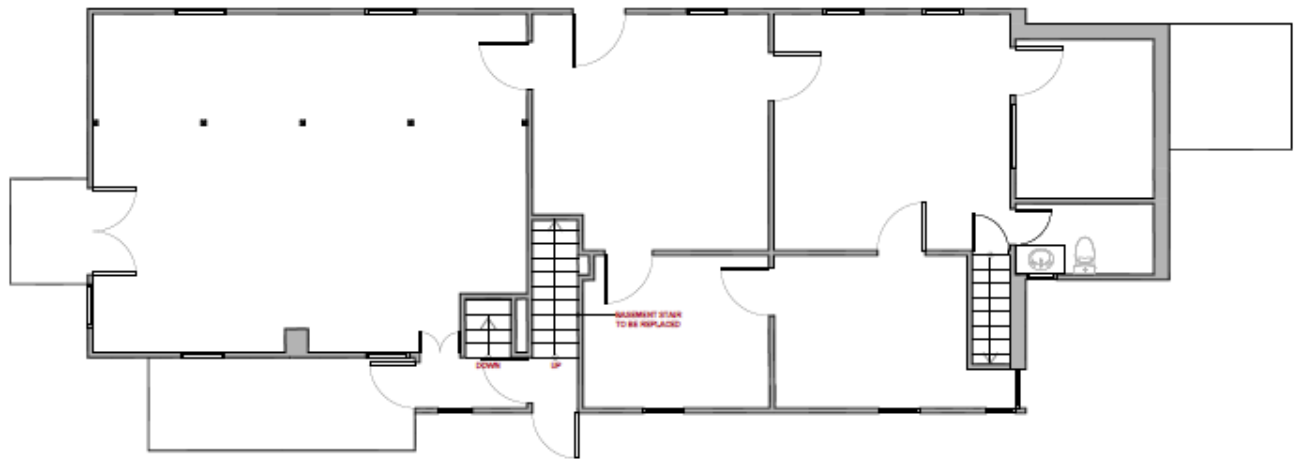
1 EXISTING BASEMENT PLAN
 SCALE: 1/4"=1'-0"



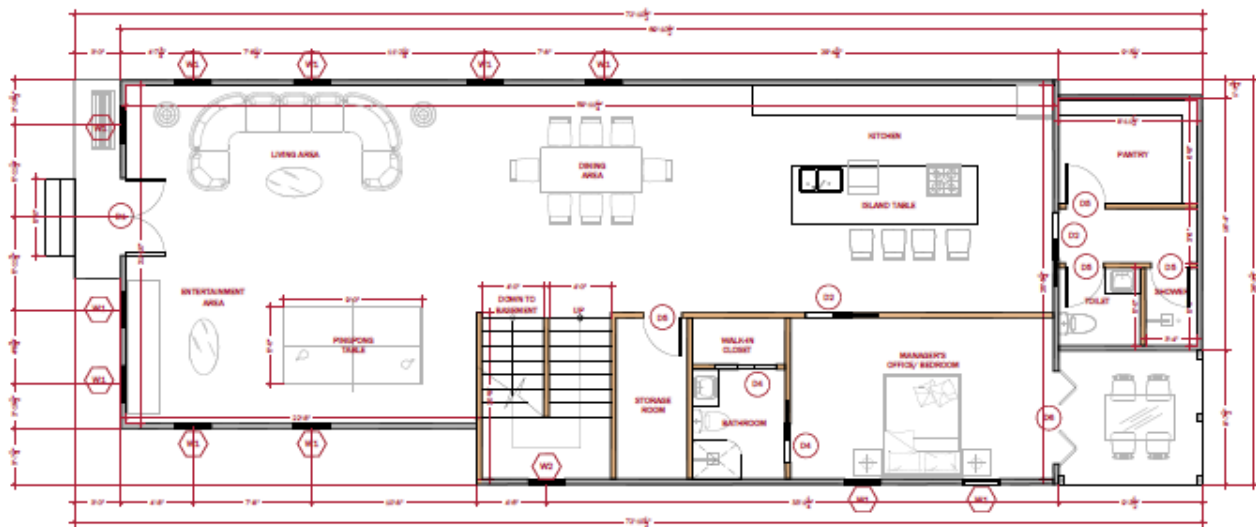
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LEGEND:
 [Grey outline] EXISTING WALL/ STRUCTURE TO REMAIN
 [Yellow outline] PROPOSED/ ADDITIONAL WALL EXTENSION

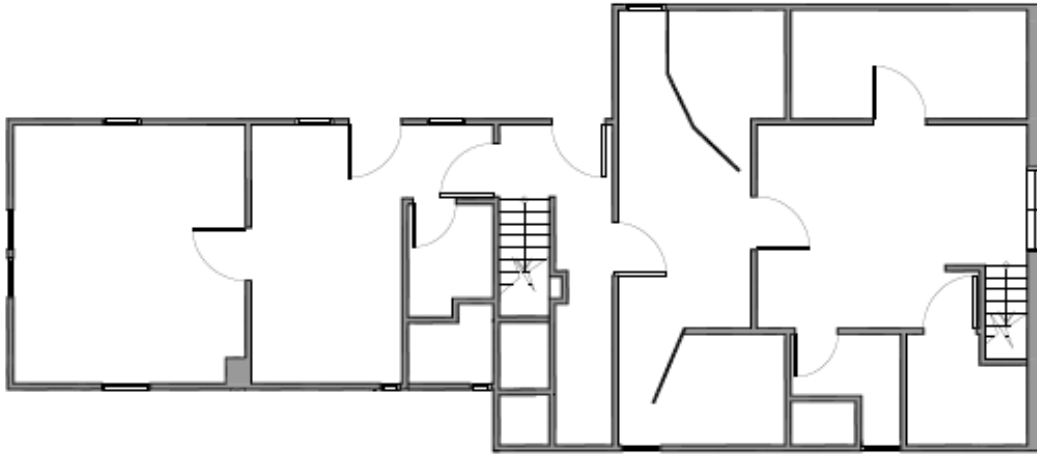
2 PROPOSED BASEMENT PLAN
 SCALE: 1/4"=1'-0"



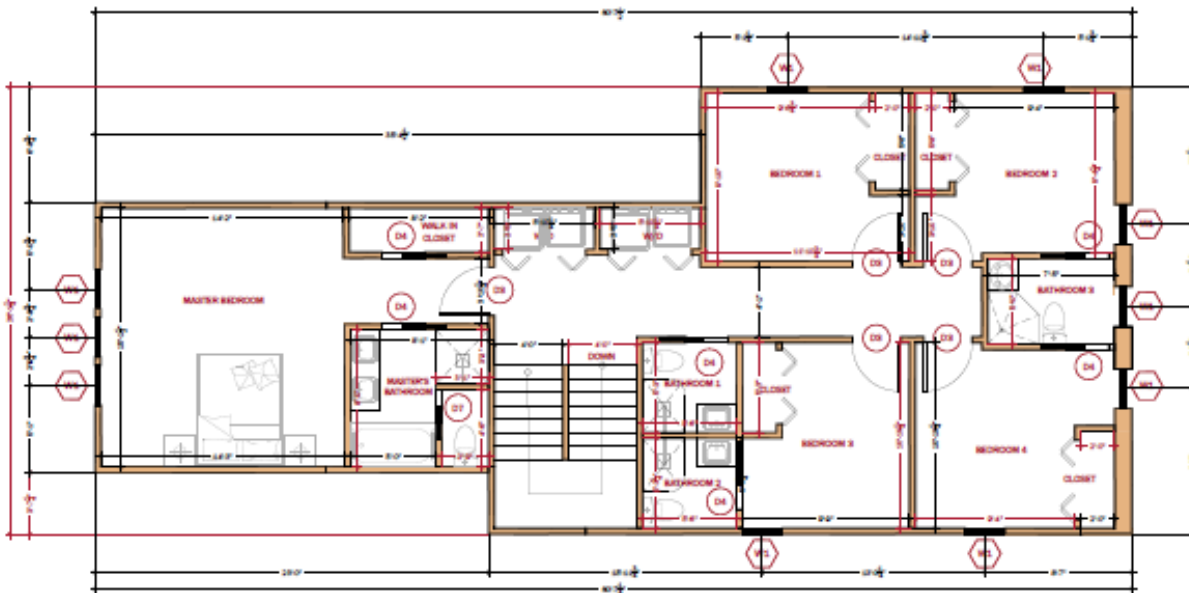
1 EXISTING MAIN FLOOR PLAN
 SCALE: 3/16"=1'-0"



2 PROPOSED MAIN FLOOR PLAN
 SCALE: 3/16"=1'-0"



3 EXISTING SECOND FLOOR PLAN
 SCALE: 3/16"=1'-0"



LEGEND:
 [Grey line] EXISTING WALL/ STRUCTURE TO REMAIN
 [Orange line] PROPOSED/ ADDITIONAL WALL EXTENSION

4 PROPOSED SECOND FLOOR PLAN
 SCALE: 3/16"=1'-0"



Photo of the subject site.



Photo of the subject site's rear yard looking east.



Photo of the alley west of the site looking south.



Photo of the electrical substation north of the site.



Photo of the industrial sites south of the site.



Photo of the church east of the site.