



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

October 10, 2024

<b>Case Number:</b>	2024-ZON-108
<b>Property Address:</b>	3332 and 3334 W. 09th Street (Approximate Address)
<b>Location:</b>	Wayne Township, Council District #12
<b>Petitioner:</b>	Ebenezer Akinyelele, by Khaleel Ifamimikomi
<b>Current Zoning:</b>	SU-1
<b>Request:</b>	Rezoning of 0.383 acres from the SU-1 district to the D-5 district to provide for residential uses.
<b>Current Land Use:</b>	Residential and undeveloped lot
<b>Staff Recommendations:</b>	Approval
<b>Staff Reviewer:</b>	Senior Planner, Marleny Iraheta

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the request.

**PETITION OVERVIEW**

**LAND USE**

The 0.383-acre site is comprised of two parcels. The property at 3334 West 9<sup>th</sup> Street is developed with a two-family dwelling and the property at 3332 West 9<sup>th</sup> Street is an undeveloped lot.

The site is surrounded by single-family dwellings to the east and south, zoned D-5, a parking lot to the west, zoned SU-1, and to the north by a church, zoned SU-1, and single-family dwellings, zoned D-5.

**REZONING**

This request would rezone the site from the SU-1 district to the D-5 classification for residential uses.

The SU-1 classification only permits religious uses.

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**

Staff is supportive of the rezoning to the D-5 district because it would allow for an increase in residential dwellings to be permitted in line with the context of the surrounding area and historical use of the sites. The dwelling district would also align with the residential recommendation of the Near West Neighborhood Land Use Plan (2014).

**GENERAL INFORMATION**

<b>Existing Zoning</b>	SU-1		
<b>Existing Land Use</b>	Residential and undeveloped lot		
<b>Comprehensive Plan</b>	Five to eight residential units per acre		
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>	
	North:	SU-1 / D-5	Church / Residential (Single-family dwellings)
	South:	D-5	Residential (Single-family dwellings)
	East:	D-5	Residential (Single-family dwellings)
	West:	SU-1	Church Parking Lot
<b>Thoroughfare Plan</b>			
9 <sup>th</sup> Street	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way.	
<b>Context Area</b>	Compact or Metro		
<b>Floodway / Floodway Fringe</b>	No		
<b>Overlay</b>	Yes		
<b>Wellfield Protection Area</b>	No		
<b>Site Plan</b>	N/A		
<b>Site Plan (Amended)</b>	N/A		
<b>Elevations</b>	N/A		
<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		
<b>C-S/D-P Statement</b>	N/A		

- Near West Neighborhood Land Use Plan (2014)
- Infill Housing Guidelines (2021)

#### Pattern Book / Land Use Plan

- Not Applicable to the Site. Please see Near West Neighborhood Land Use Plan (2014) below.

#### Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

#### Neighborhood / Area Specific Plan

- The subject site falls within the Near West Neighborhood Land Use Plan (2014) and is recommended for residential development greater than five and equal to or less than eight units per acre.
- In suburban and rural areas this is a common multi-family density and typically the highest density single-family category in suburban areas. In urban areas, it is common for both single-family and multi-family development. Development at this density is appropriate along bus corridors but should not take place in proximity to planned light rail transit stops.

#### 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 – Site

**2017-ZON-073; 3337 and 3347 West 10<sup>th</sup> Street and 3332, 3334, 3342 and 3348 West Ninth Street** (subject site), Rezoning of 1.1 acres from the C-3 (W-5) and D-5 (W-5) districts to the SU-1 classification, **approved.**

**2015-SE1-003; 3334, 3338, and 3342 West Ninth Street** (subject site), Special Exception of the Dwelling Districts Zoning Ordinance to provide for a religious use, with a gravel off-street parking lot, **granted.**

### Zoning History – Vicinity

**2002-UV3-013; 3337 West 10<sup>th</sup> Street** (north of site), Variance of use of the Commercial Zoning Ordinance to provide for a tool repair business in a 3,199.2 square foot building without the required landscaped rear transitional yard, with 11 off-street parking spaces, and without the required maneuvering area, **granted.**

**98-Z-93; 3310 St. Clair Street and 802 Centennial Street** (south of site), Rezoning of 0.9 acre, being in the D-5 and I-2-U Districts, to the D-P classification to provide for single-family and two-family residential development, **approved.**





Photo of the subject site at 3334 West 9<sup>th</sup> Street.



Photo of the subject site at 3332 West 9<sup>th</sup> Street.



West building elevation.



Rear yard at 3334 West 9<sup>th</sup> Street.





Photo of the subject site at 3332 West 9<sup>th</sup> Street.



Photo of the properties north of the subject site.



Photo of the single-family dwellings south of the site.



Photo of the single-family dwellings south of the site.