

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**June 12, 2025**

**Case Number:** 2025-ZON-048  
**Property Address:** 122 and 130 West Raymond Street (Approximate Address)  
**Location:** Center Township, Council District #18  
**Petitioner:** Kio Hmung, by Raymond A. Basile  
**Current Zoning:** C-1  
**Request:** Rezoning of 0.23-acre from the C-1 district to the C-4 district to provide for an automobile repair shop.  
**Current Land Use:** Single-Family Dwelling  
**Staff Recommendations:** Denial.  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

**PETITION HISTORY**

This is the first public hearing on this petition.

**STAFF RECOMMENDATION**

Staff is recommending **denial** of this petition.

**PETITION OVERVIEW**

**LAND USE**

This 0.23-acre subject site consist of three (3) developed parcels (Parcel IDS: 1013944, 1056549, and 1032568). It is surrounded by single-family residential to the east, zoned C-5, auto & truck service to the south, zoned C-7, single-family residential to the west, zoned C-1, and a commercial parking lot to the north, zoned C-7.

**REZONING**

This petition request would rezone the property from the C-1, Office-Buffer, District to the C-4, Community-Regional Commercial, District to allow for an automobile repair shop.

**C-1** is the Office-Buffer District, which includes most types of office uses.

**C-4** is the Community-Regional Commercial District designed for major business groupings and regional-size shopping centers to serve a population ranging from a neighborhood to a major segment of the total metropolitan area. The district accommodates a number of large traffic generators, such as home improvement stores, department stores, and theatres, and allows limited outdoor activities.

## STAFF ANALYSIS

The subject property is located within the James Frank's Addition, a 20-lot residential subdivision originally platted on October 3, 1875. While the area has changed to include a mix of commercial uses, particularly auto related uses, such as auto sales, repair, and fueling stations.

A rezoning from C-1 to C-4 would significantly expand the range of permitted uses on the site, including more intense vehicle-related activities and outdoor operations. While the surrounding area includes some commercial uses, staff has concerns about the appropriateness of introducing C-4 zoning on a site of this limited size.

The subject property, at just 0.23 acres, poses site constraints related to maneuverability, vehicle storage, and overall site functionality. Outdoor storage associated with automobile repair would likely be visible from adjacent properties and public rights-of-way, contributing to negative visual impacts and potentially affecting neighborhood character.

According to the Comprehensive Plan, the site is recommended for the Community Commercial typology, which envisions low-intensity commercial, and office uses in freestanding buildings or small-scale integrated centers. Appropriate uses include small-scale shops, personal services, professional and business offices, restaurants, and small-scale retail—not auto repair or storage-intensive businesses.

Given the limited size of the site, the potential for outdoor storage, and the incompatibility of the proposed use with the recommended land use typology, staff recommends denial of this petition.

## GENERAL INFORMATION

<b>Existing Zoning</b>	C-1	
<b>Existing Land Use</b>	Single-Family Residential	
<b>Comprehensive Plan</b>	Community Commercial	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
North:	C-7	Commercial ( <b>continental</b> )
South:	C-7	Commercial (Auto & Truck Services)
East:	C-5	Commercial (Auto Services)
West:	C-1	Residential (Single-family dwellings)

Thoroughfare Plan		
South Capitol Avenue	Local Street	Enter ROW Requirement vs Proposed
West Raymond Street	Primary Arterial	
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	May 2, 2025	
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 Patter Book (2019)
- Indy Moves (2018)

### Pattern Book / Land Use Plan

The **Community Commercial** typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.

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

Not Applicable to the Site.



Department of Metropolitan Development  
Division of Planning  
Current Planning

**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)

- IndyMoves (2018)
- Raymond Street Corridor

## ZONING HISTORY

### Vicinity

**2005-APP-830; 116 West Raymond Street (east of site)**, Modification of Commitments related to petition 94-Z-87 to eliminate Commitment # 2 that prohibited outside operations, and to modify Commitment # 4 to provide for a landscape buffering along the southern property boundary where a privacy fence had been required, **withdrawn**.

**2005-VAR-830; 116 West Raymond Street (east of site)**, provide for 29,247.6 sf.. of outside storage area (max. 2,000 sf.. of outside storage area permitted), w/ outside storage area located 20 ft. from a protected district (storage of materials or products within 500 ft. of a protected district prohibited unless contained) in I-2-S (FF), **granted**

**2003-ZON-128; 116 West Raymond Street (east of site)**, Rezone 1.58 acres, being in the C-1 District, to the C-5 Classification to provide for auto sales, **approved**.

**2002-ZON-809; 51 West Raymond Street (southeast of site)**, Rezone 1.84 acres, from the C-7 and D-5 Districts to the 1-2-5 classification to provide for light industrial suburban development.

**2002-VAR-809; 51 West Raymond Street (southeast of site)**, Variance of use of the Industrial Zoning Ordinance to legally establish an automobile and truck service repair business (not permitted).

**2002-AP3-002; 51 West Raymond Street (southeast of site)**, requests a termination of commitments, related to petition 83-UV3-64

**97-UV1-87; 202 West Raymond Street**, requests a variance of use of the Commercial Zoning Ordinance to provide for the conversion of a single-family residence into a two-family residence, **granted**.

**93-Z-63; 51 West Raymond Street (southeast of site)**, requests a rezoning of 1.84 acres, from C-7 and I-2-S to C-7, for an automobile service facility and a natural gas refueling station, **approved**.

**88-Z-153; 111 West Raymond Street (south of site)**, requests a rezoning of 6.4 acres, being the I-2-S District, to the C-7 Classification to provide for commercial development, **withdrawn**

**87-UV1-140; 116 West Raymond Street (east of site)**, requests a variance of use of the Commercial Zoning Ordinance to provide for an autobody shop and engine repair in a detached garage, **granted**

**86-Z-67; 51 West Raymond Street (southeast of site)**, request rezoning of 1.83 acres, being in the I-2-S and C-1 districts, to the C-7 classification, to provide for auto and truck repair, **approved**

**86-UV1-140; 116 West Raymond Street**, requests a variance of use of the Commercial Zoning Ordinance to provide for an autobody shop in a detached garage, **denied**.

**86-Z-64; 51 West Raymond Street (southeast of site)** request rezoning of 1.83 acres, being in the I-2-S and C-1 districts to the C-7 classification to provide for Auto repair, **Approved**.

**86-HOV-128; 51 West Raymond Street (southeast of site)**, requests a variance of development standards to provide for buildings addition 29.7 feet right-of-way of Tabor Street, **approved**.

**85-UV2-50; 116 West Raymond Street (east of site)**, requests a variance of use of the Commercial Zoning Ordinance to provide for the construction of a residential garage, **granted**.

**83-UV3-64; 51 West Raymond Street (southeast of site)**, requests a variance of use to provide for auto service and repair with outdoor storage of automobiles while awaiting service, **approved**.

**82-Z-34; 51 West Raymond Street (southeast of site)**, requests a rezoning of 1.66 acres, being in the C-1 and I-2-S Districts, to the C-5 classification to provide for an Auto repair business, **Withdrawn**.

**78-Z-202; 201 West Raymond Street (southwest of site)**, request rezoning of 9.46 acres, being in the I-2-S District, to the I-50-S classification to provide for storage of damaged automobiles, **withdrawn**.

**73-Z-178; 201 West Raymond Street (southwest of site)**, request rezoning of 9.46 acres, being in the D-8 District, to the I-2-S classification to provide for specified uses, **approved**.

**71-Z-191; 111 West Raymond Street (southwest of site)**, request rezoning of 2.26 acres, being in the C-1 and D-5 Districts, to the D-8 classification to provide for apartments, **approved**.

**70-Z-159; 111 West Raymond Street (south of site)**, request rezoning of 7.2 acres, being in the D-5 and SU-3 Districts, to the D-8 classification to provide for apartments, **approved**.

## EXHIBITS





# 103 W. RAYMOND ST. REZONE EXHIBIT







Department of Metropolitan Development  
Division of Planning  
Current Planning

Petition Number 2025-ZON-048

**METROPOLITAN DEVELOPMENT COMMISSION  
METROPOLITAN BOARD OF ZONING APPEALS  
HEARING EXAMINER  
OF MARION COUNTY**

**PETITION FOR REZONING**

**DETAILED DESCRIPTION**

**Petitioner: Kio Hmung**

**Proposed Development:**

Hmung plans to first fully clean and clear out the three-parcel property to make it more visually appealing from the nearby roads and adjacent parcels. The property would then be used as a small vehicle service center. A site plan also accompanies this description that identifies the proposed development and layout.

**Proposed Plan of Operation:**

After cleaning the property up, Hmung plans to tear down the detached approximately 750 square feet garage and build a new larger and more modern garage to be used as a small automobile repair shop. The work would be limited to engine, transmission and other mechanical repairs and not any body repair work. All repairs would be performed inside the garage. All tools and equipment will be stored within the detached or attached garages. Vehicles in with queue to be serviced will be parked in an orderly fashion and removed promptly.

Importantly, the new detached garage doors will face west or north, away from Raymond Street and toward other commercial lots, vacant lots and/or the large Superior Industrial facility. There is a second approximately 365 square feet garage attached to the north side of the residence, which doors face west and away from Raymond Street that may be used to store equipment if needed.

There will be only one or two mechanics working on the property. In light of the small number of parking spaces and garage sizes, it is not anticipated that there will ever be more than approximately 5-6 vehicles total within the garages and parking spaces.

There will be no free-standing signs. A single sign may be placed on the new detached garage that will be built which will face either west or north, away from Raymond Street.

If it is desired by the City, the petitioner would be willing to add a fence and a reasonable amount of landscaping on the south side of the property facing Raymond Street to shield the view of the operations and also improve the visual appearance of the property.

**Conformity to Neighborhood Zoning and Uses:**

### Conformity of Zoning

Hmung believes this will be a good addition and great fit within the neighborhood based upon the other developments in the area. The entire neighborhood is predominately zoned Commercial in some fashion. Immediately to the east, 118 W. Raymond is zoned C-5, as is the next parcel at 108 W. Raymond. Several C-1 zoned parcels continue to the east before the gas station at 2160 S. Meridian which has a split C-3 and C-7 zoning.

To the north, northeast and northwest of the subject parcels, each of the properties is zoned C-7, including the 2171 Bluff Avenue and 118 W. Raymond properties. Further to the north is the large Superior Industrial property at 2120 S. Meridian which is also zoned C-7.

The west, there are several C-1 zoned properties before reaching yet another C-7 property at 2173 Bluff Avenue. To the south there are several large commercial and industrial properties.

### Conformity of Uses

Not only is the proposed zoning consistent with the surrounding commercial and industrial zoning, but the proposed use is also consistent with the surrounding uses. To the immediate south is a large auto and truck service center, which is adjacent to two other commercial operations. On the north side of Raymond Street to the north, east and west of the subject parcels, there are: (a) two used car dealerships, (b) two towing companies, (c) a gas station and (d) a large industrial operation.

The addition of a small, well-maintained automobile service center right in the heart of these other commercial and industrial uses is a perfectly consistent use.

### **Application of the Comprehensive Plan**

The Comprehensive Plan indicates a "Community Commercial" use for the subject parcels, described in part as a "low intensity commercial and office use that serves nearby neighborhoods." As an initial matter, Hmung believes that a small automobile service shop would be a low intensity commercial operation that serves nearby neighborhoods. Because of the relatively small overall lot size, there will be no more than 5-6 vehicles located on the property, with at least two of them located within one or both garages. Moreover, as a small service shop, it is not going to draw business from a regional area but instead will derive nearly 100% of its business from the nearby neighborhoods.

Moreover, it would be both unfair and unwise to judge these properties against the Community Commercial designation. The reality is that very few of the surrounding properties conform to Community Commercial. In addition, the prospect of a developer purchasing 130 W. Raymond and using it for a professional or business service, grocery store, drug store or restaurants is nothing more than a pipe dream. Instead, the perfect fit (as described above) is a small, well-maintained automobile service center.



**Figure 1: View from S. Capitol looking onto W. Raymond St.**





**Figure 2: View of Subject Primary Building**



**Figure 3: View of garage to be expanded.**





**Figure 4: View of existing fence**





**Figure 5: View from subject property looking across West Raymond Street**



**Figure 6: Looking at the Intersection of W. Raymond St. and S. Capitol St.**





**Figure 7: Looking along W Raymond St. towards S Meridian St.**



**Figure 8: View of the primary building on site.**





**Figure 9: View of the alley located behind subject site**



Figure 10 View from S Capitol looking west





**Figure 11 view of house garage, on subject property.**



**Figure 12 view of Alley**