



METROPOLITAN DEVELOPMENT COMMISSION

July 17, 2024

Case Number: 2024-ZON-042 / 2024-VAR-007 (Amended)

Property Address: 3404, 3432, 3434, 3438 and 3444 North Illinois Street (Approximate Addresses)

Location: Center Township, Council District #8

Petitioner: Redline Holdings XII, LLC, by Emily Duncan and David Kingen

Current Zoning: D-8 (TOD) and C-4 (TOD)

Request: Rezoning of 1.12 acres from the D-8 (TOD) and C-4 (TOD) district to the D-10 (TOD) district to provide for multi-family dwelling uses.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a multi-family development with a two-foot front yard setback for ground level patios (Front Building Line between 10 feet to 19.9 feet required), a two-foot rear yard setback for a surface parking lot (a minimum 10-foot rear yard setback required), a floor area ratio of 1.92 (maximum 0.8 permitted), and a livability space ratio of 0.08 (minimum 0.66 permitted).

Current Land Use: Undeveloped

Staff Recommendations: Approval of the rezoning with commitment. Denial of the variances.

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This petition was scheduled for the May 15, 2024 hearing of the Metropolitan Development Commission by a special request, which was granted by the Hearing Examiner on April 11, 2024.

Staff requested this petition be continued from the May 15, 2024 hearing to the June 26, 2024 hearing to allow sufficient time for the petition to be amended and proper notice to be provided. However, the Metropolitan Development Commission continued it to the July 3, 2024 hearing date.

Staff requested a continuance for cause from the July 3, 2024 hearing to the July 17, 2024 hearing on behalf of the petitioner to allow sufficient time for the petition to be amended and proper notice to be provided.

Amendment: The petition was amended to rezone the site to the D-10 district instead of the D-9 district as previously requested due to the number of units proposed and the necessary variances were included per the amended site plan submitted on May 14, 2024.

STAFF RECOMMENDATION

Staff **recommends approval** of the rezoning petition and all other variances, subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

1. A final site plan, landscape plan, and building elevations shall be submitted for Administrator's Approval prior to the Issuance of an Improvement Location Permit.

Staff **recommends denial** of the variances.

PETITION OVERVIEW

LAND USE

The 1.12-acre subject site is mostly undeveloped with a partial gravel lot. It is surrounded by single and two-family dwellings to the west, zoned C-4 and D-5, an undeveloped lot to the north that is part of a church property, zoned D-8, a parking lot to the south, zoned C-4, and a variety of housing types, undeveloped lots and an auto repair business east of the site, zoned D-8 and C-4.

The various parcels fall within three different platted subdivisions which are the Crown Hill Addition, McClintock's 2nd Addition, and Weghorst's North Side Addition.

REZONING

The request would rezone the subject site from the D-8 (TOD) and C-4 (TOD) district to the D-10 (TOD) district to provide for multi-family dwelling uses.

The C-4 District is designed to provide for the development of major business groupings and regional-size shopping centers to serve a population ranging from a community or neighborhoods to a major segment of the total metropolitan area. These centers may feature a number of large traffic generators such as home improvement stores, department stores, and theatres. Even the smallest of such freestanding uses in this district, as well as commercial centers, require excellent access from major thoroughfares. While these centers are usually characterized by indoor operations, certain permitted uses may have limited outdoor activities, as specified.

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.

The D-10 district is intended for high density housing formats, in moderate- or large-scale multi-unit building types. This district can be used at transitions and urban centers and corridors, including the high-



density residential recommendations of the Comprehensive Plan, and the City Neighborhood and Urban Mixed-Use Typologies of the Land Use Pattern Book.

VARIANCE OF DEVELOPMENT STANDARDS

The grant of the request would allow for a two-foot front yard setback for ground level patios, a two-foot rear yard setback for a surface parking lot, a floor area ratio of 1.92 and a livability space ratio of 0.08.

Per Table 744-701-2: Private Frontage Design Standards, the front building line should fall between a range of 10 feet to 19.9 feet.

Table 742.103.03 – Residential Building Type Standards notes that the minimum rear yard setback for a Large Apartment (51+ units) should be ten feet in the D-10 district.

Lastly, Table 744-201-2: Dimensional Standards for Districts D-6 through D-11 notes that the D-10 district has a maximum floor area ratio (FAR) of 0.80 for sites with buildings four to five floors. The proposed development would have four stories. The minimum livability space ratio (LSR) required in the D-10 district would be 0.66.

The Floor Area Ratio (FAR) is the aggregate floor area of all stories of all buildings within the project divided by the land area. The maximum of 0.80 would be exceeded by 1.12, which is more than double the maximum allowed.

The Livability Space Ratio (LSR) is the livability space divided by floor area, which expresses the relationship between the size of the development and the size of the outdoor, natural areas. The minimum of 0.66 would be deficient by 0.58, which is a significant deficiency.

STAFF ANALYSIS

The request seeks relief from the front setback, rear setback, floor area ratio, and livability space ratio requirements.

The site plan, file dated May 14, 2024, proposes a total of 64 parking spaces with 44 on site spaces and 20 street parking spaces.

According to Table 744-402-201-1, multifamily dwelling structures over three stories have a 0.75 per dwelling unit parking space requirement. With this development being a four-story building with 101 units, it would require 75 parking spaces that could be reduced by the maximum 35% allowed by the Ordinance to bring it down to 49 required parking spaces since it is within ¼ mile of a TOD station.

Because the site is located along the Red Line Bus Rapid Transit Corridor, the reduction of parking spaces would be appropriate since the anticipated senior tenants could utilize public transportation. There is also a bus stop directly across Illinois Street to the east.

The conversion of Illinois Street from a one-way street to a two-way street would not eliminate the street parking possibility. Therefore, the 49 required parking spaces could be provided with 20 being street parking spaces and the remaining 29 would need to be on site.



The reduction of 15 parking spaces on site and the elimination of the proposed roundabout would allow the installation of outdoor recreational green space for residents to utilize and enjoy rather than having an excessive amount of hard surface area on site, thus increasing the Livability Space Ratio. Staff would recommend outdoor amenities such as outdoor seating areas, gardens, walking paths, fountain, game areas, or the like. The type of amenities would be up to the petitioner to determine.

The setback variance requests are minimal, but the two-foot rear setback along the parking lot could be increased significantly in sections if parking spaces were eliminated.

For these reasons, staff is recommending denial of the variances as proposed.

Staff is recommending approval of the rezoning because it would allow for multi-family development that is supportable by staff. However, a final site plan, landscape plan, and building elevations would be subject to Administrative Approval as a commitment.

GENERAL INFORMATION

Existing Zoning	D-8 (TOD and C-4 (TOD))	
Existing Land Use	Undeveloped	
Comprehensive Plan	Traditional Neighborhood and Village Mixed-Use	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-8	Undeveloped
South:	C-4	Parking lot
East:	C-4	Residential and Commercial
West:	C-4 / D-5	Residential (Single and Two-family dwellings)
Thoroughfare Plan		
Illinois Street	Primary Arterial Street	560-foot proposed right-of-way and 59-foot existing right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	May 1, 2024	
Site Plan (Amended)	May 14, 2024	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	June 20, 2024	
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)
- Red Line Transit-Oriented Development Strategic Plan (2021)
- Indy Bike Master Plan 2011

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends traditional neighborhood development for the three northern parcels and village mixed-use development for the southern two parcels.
- 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 Land Use Types**
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
 - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- **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.

- The Village Mixed-Use typology creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.
- **Conditions for All Land Use Types**
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.
 - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
 - Where possible, contributing historic buildings should be preserved or incorporated into new development.
- **Conditions for All Housing**
 - Should be within a one-quarter-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.
 - 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.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The subject site falls within the Red Line Transit-Oriented Development Strategic Plan (2021).
- The closest station is within a ¼ mile east of the site at the intersection of 34th Street and Meridian Street.
- This station is classified as a community center typology, which calls for a dense mixed-use neighborhood center with a minimum of two stories at the core, no front or side setbacks at the core and with zero to ten-foot front setbacks and zero to ten-foot side setbacks at the periphery. Multi-family housing should have a minimum of three units and structured parking should be proposed at the core with attractive surface parking at the periphery.

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)

- There is an existing on-street bike lane along Illinois Street that starts from Westfield Boulevard and goes to 26th Street.
- There are plans underway to convert this portion of Illinois Street with two-way traffic.

ZONING HISTORY

Zoning History - Vicinity

2010-ZON-080 and 2010-VAR-011; 3427 North Capitol Avenue (west of site), Rezoning of 0.37 acre, from the D-5 District, to the D-8 classification to provide for multifamily development and Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a trash container with a three-foot rear setback (minimum 15-foot rear setback required); a six-foot tall front yard fence (maximum 42-inch fence height permitted within front yard); 11 parking spaces (minimum 20 parking spaces required); and a nine-foot north perimeter yard (minimum 15-foot perimeter yard required), **approved and granted.**

2008-ZON-802 / 2008-VAR-802 (Amended); 3402 and 3416 North Meridian Street and 3401, 3403, 3415, and 3420 Salem Street (east of site), Rezoning of 1.13 acres from the D-P District, to the D-10 classification to provide for multi-family residential use and Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for a four story, 59,926 square-foot multifamily building, containing 52 dwelling units, a) with a 34-foot front setback from the existing right-of-way of Meridian Street (minimum 40-foot front setback required), and with a 10-foot front setback from the existing right-of-way of 34th Street (minimum 30-foot front setback required), b) a floor area ratio (FAR) of 0.979 (maximum FAR of 0.800 permitted), c) an open space ratio (OSR) of 0.793 (minimum OSR of 0.870 required), d) a livability space ratio (LSR) of 0.240 (minimum LSR of 0.490 required), e) a major livability space ratio (MLSR) of 0.083 (minimum MLSR of 0.095 required), f) with parking, within the required 30-foot front yard along 34th Street (not permitted), within the required 25-foot front yard along Salem Street (not permitted), and within the required twenty-foot north and east perimeter yards (not permitted), and g) with a total car ratio (TCR) of 0.788 (minimum TCR of 0.940 required) and a Variance of Use and Development Standards of the Dwelling Districts Zoning Ordinance to provide for a parking lot at 3720 Salem Street, with two-foot north and south side setbacks, and a zero-foot rear setback, within the required twenty-foot side and rear perimeter yards (not permitted), **approved and granted.**

2003-ZON-145; 3416 Salem Street (east of site), Rezoning of 0.119 acre from D-P to D-8 to provide urban dwelling use, **granted.**

2003-ZON-144; 3402 Salem Street (east of site), Rezoning of 0.358 acre from D-P to C-4 to provide for community regional commercial use, **granted.**

2000-ZON-805; 3402 North Meridian Street (east of site), Rezoning of 1.16 acres from C-4 and D-9 to D-P to provide for a mixed-use development of multi-family dwellings and retail, **granted.**

94-Z-155; 3433 North Illinois Street (east of site), Rezoning of 0.12 acre, being in the C-4 District, to the D-8 classification to provide for residential development, **approved.**

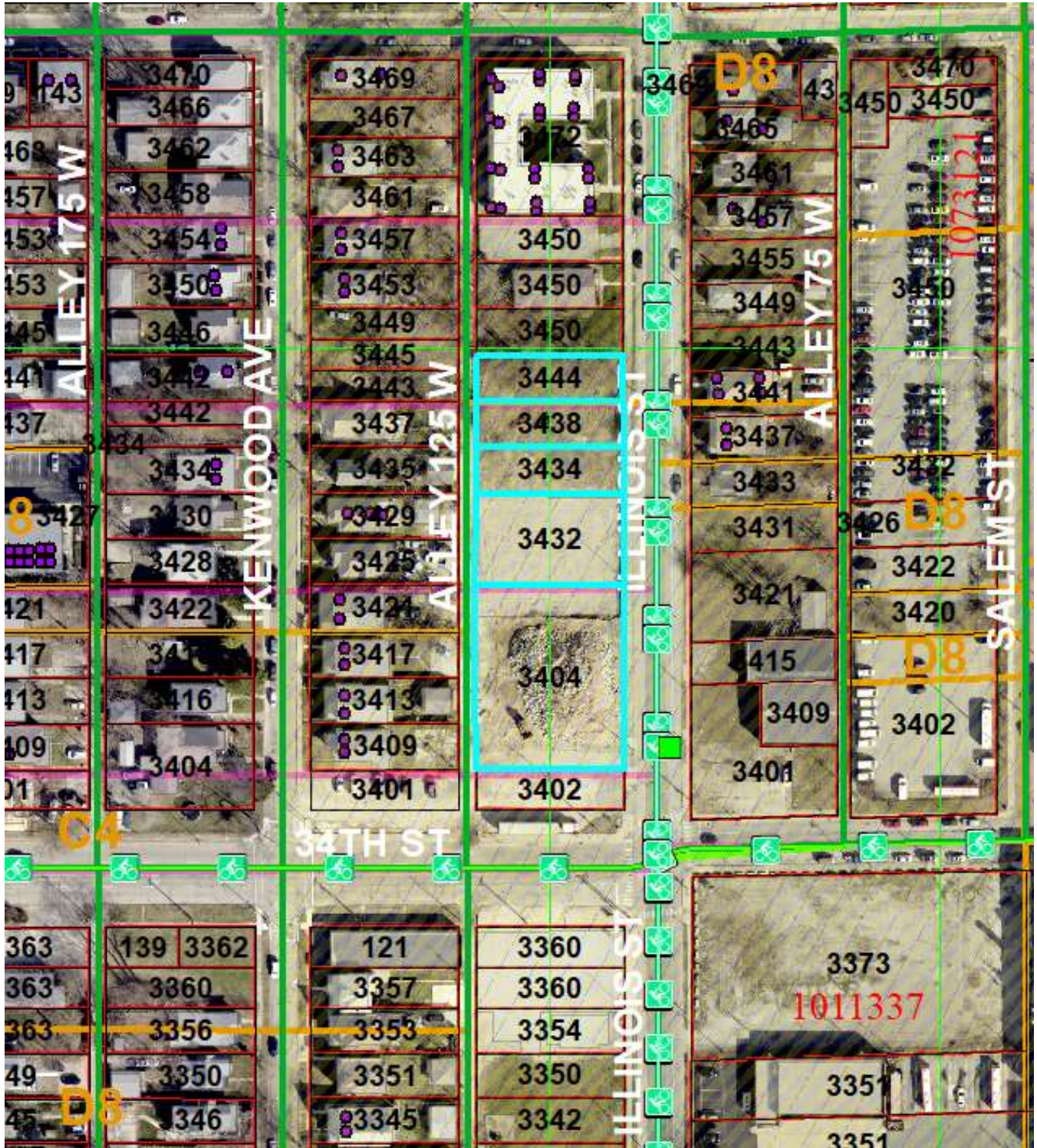
81-Z-9; 3402-05 Graceland and 3402-09 Capitol Avenues (west of site), Rezoning of 0.43 acres, being in C-4 and C-5 districts, to C-4 classification, to provide protection for existing landscaping of formal landscaped entrance into Crown Hill Cemetery, **approved.**

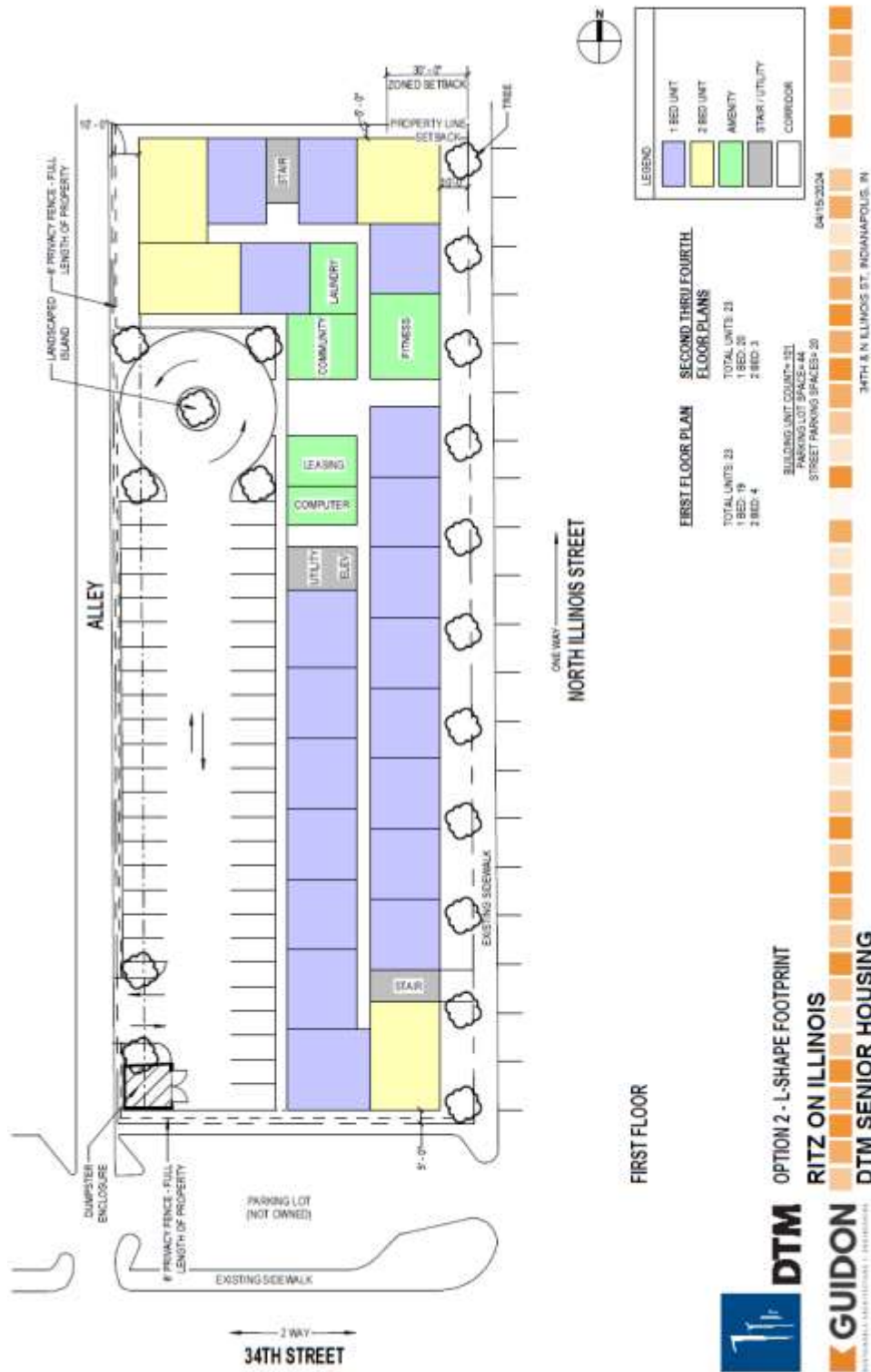


Department of Metropolitan Development
Division of Planning
Current Planning

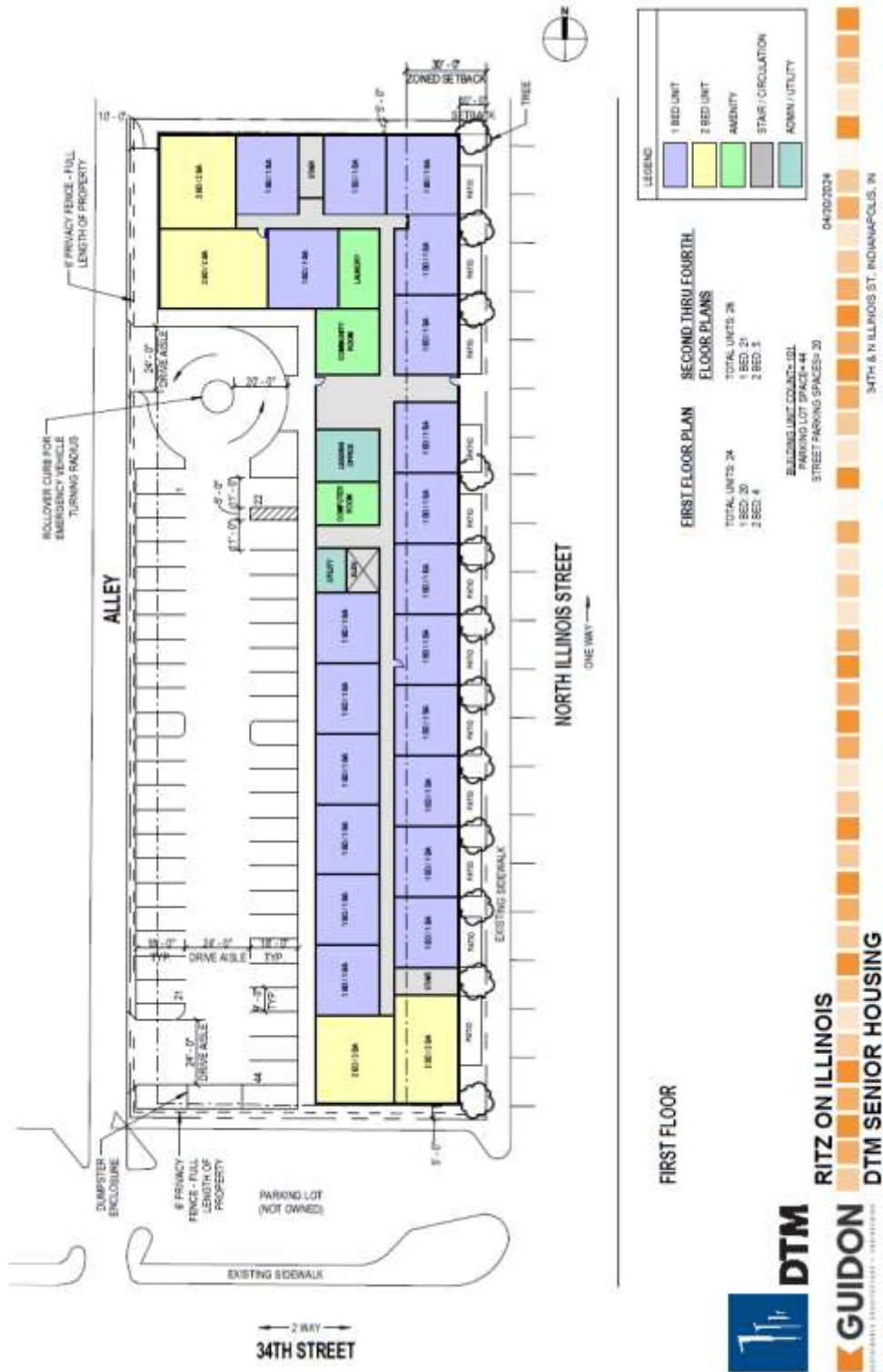
80-Z-1; 3450 North Meridian Street (east of site), Rezoning of 2.0 acres, being in D-5 and D-9 districts, to C-1 classification to provide for the construction of a one car garage to be used as a claim service office, **approved.**

EXHIBITS

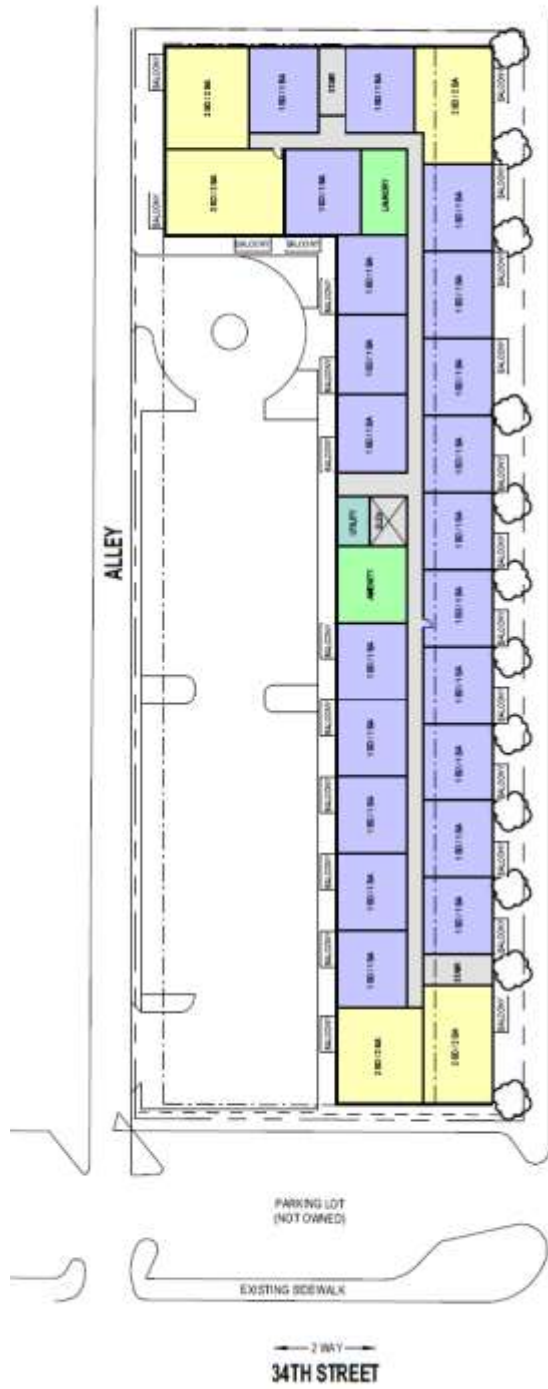




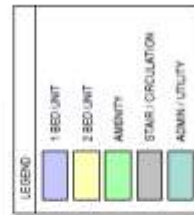
Site Plan



Amended Site Plan



NORTH ILLINOIS STREET
ONE WAY →



TYPICAL UPPER FLOOR (2-4)



RITZ ON ILLINOIS
DTM SENIOR HOUSING

Amended Site Plan – Upper Floors

Ritz on Illinois Narrative

DTM Real Estate, a highly experienced real estate developer, owner, operator and service provider, is pursuing a 4% Low Income Housing Tax Credit allocation to finance The Ritz on Illinois, a new construction senior-focused development. The Ritz on Illinois will provide a supportive, services- and amenity-rich environment where the community's seniors across the income spectrum can thrive. The proposed project directly responds to both the city's and community's need for attainable senior housing by offering extremely low rents that support future residents and focusing factors that aid sustainability and healthier living.

DTM is proposing the new construction of a 100 to 125-unit attainable senior multifamily housing complex, to be located at the corner of 34th and Illinois Street in Indianapolis, IN. The project shall be comprised of one- and two-bedroom units on a 1.79 AC land parcel. To ensure we are truly improving the lives of the demographic we are serving, we are proposing all rents will be subsidized on a 30% AMI basis, with tenants paying only 30% of the total rent charged based on fair market rents. With the commitment of Project Based Vouchers to the project, we can ensure residents will not exceed paying over 30% of the AMI for the lifetime of the development as all vouchers would remain with the project.

Interior community amenities will be centralized on the first floor of the building and will include a large community room with an entertainment kitchen and cabinet space for storage. This space, with at least one attached service provider office, will serve as the focal point of The Ritz on Illinois services programming. Additional community amenity spaces may include but are not limited to:

- Secured Entry System
- On-site management & maintenance
- Free, well-lit surface parking for residents
- On-site Laundry

At DTM, we truly believe in setting our future residents up for success through service. Resident services are at the forefront of DTM's attainable housing model, and The Ritz on Illinois will certainly be no exception. We are currently reaching out to community organizations to bring in experienced individuals to lead and facilitate hours of programming each week, focused on social interactions which play a major role for both mental and physical health for seniors.

Proposed Tenant Services will include:

- Meals on Wheels
- Senior Transportation Services
- Community room for miscellaneous events
- Card game/board game club
- Healthcare services in partnership with local healthcare clinics/networks

Additionally, due to the convenient location of this property near a major corridor, residents will have easy access to public transportation with the Red Line being located exactly one block West of the proposed project site.



**Department of Metropolitan Development
Division of Planning
Current Planning**

Community Outreach:

This projected development fits well within the scope of the “Crown Hill Neighborhood 34th Street Redevelopment Plan” as well as “Miracle on 34th Street Plan”, two plans authorized by the Crown Hill Neighborhood Association. We have reached out and have spoken with the following about this project:

- Ms. Danita Hoskin – President, Crown Hill Neighborhood Association
- Ms. Kimberly Estep – Vice President, Crown Hill Neighborhood Association
- Mr. Bryan Bradford – President, Butler-Tarkington Neighborhood Association

Financing Sources:

In addition to 4% tax credit equity, the financing plan assumes the use of a traditional construction loan and permanent mortgage, gap financing, and deferred development fee. An application for PILOT (payment in lieu of taxes) will be submitted to alleviate the associated property taxes due to restricted incomes and a dedicated focus on sustainable building materials used and services provided.

Development Team:

Ezra Burdix, the DTM Founder, has over thirty years of professional real estate experience, including multifamily and retail development, acquisition and disposition of distressed assets, property management, positions in the land title business, residential and commercial real estate valuation, and commercial real estate brokerage.

Other members of the development team include:

- Kuhl & Grant, LLP - tax credit and real estate attorneys
- Ice Miller - Bond Attorney
- DOZ – LIHTC Accountant
- TBD - Architect
- TBD – Contractors

DTM has good relations with each team member listed. Recently, this team closed on a \$50 million 4% LIHTC 206-unit senior development in East Chicago in 2022. Lakeshore Manor will provide housing for seniors in the Lake County area and those who were displaced from the Nicosia Apartments that were deemed inhabitable by HUD due to structural deficiencies. DTM was able to secure 206 Project Based Vouchers for the project.

The Ritz on Illinois will provide essential quality senior housing for seniors in Central Indianapolis. We believe that this development can be the catalyst for major economic development in the area, sparking transformational change in a neighborhood that has been disenfranchised for far too long.



Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA**

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The site is not large from east to west, thus the building, with patios at grade needs to be positioned so that the front setback of the building is closer to the front property line, which is characteristic of multi-family structures along the No. Illinois Street corridor. The rear setback variance is to allow the parking to abut the alley again because the lot is narrow east to west.

The need for the reduction of the rear yard setback for the parking lot and the cul-de-sac for emergency vehicles is necessitated by the narrow width of the lot (east to west). Two variances for the FAR and the LSR are needed because the building for seniors is large for the lot and the livability ratio shall be compensated by the close proximity to the MLK Center.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The use or value of the area adjacent shall be enhanced with the replacing of a vacant lot with a multi-family senior housing use with reduced setbacks for the building, with patios at grade to the east and with a reduced setback of the parking and the cul-de-sac to the west and with the MLK center and the redline in such close proximity.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

The site is not large and to accommodate this needed use, building in this location and with on-site parking, the east and west setbacks, need to be reduced and the FAR and the LSR need to be compromised for any quality development to occur on these parcels.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____



Photo of the subject site looking north.



Photo of the alley west of the site looking north.



Photo of the alley west of the site looking south.



Photo of 3404 North Illinois Street looking west.



Photo of 3432 North Illinois Street.



Photo of 3434 and 3438 North Illinois Street.



Photo of 3444 North Illinois Street.



Photo of the existing sidewalk and street frontage along Illinois Street looking south.



Photo of the undeveloped land to the north and church.



Photo of a multi-unit house and duplex east of the site.



Photo of a single-family dwelling and undeveloped lots east of the site.



Photo of undeveloped lots east of the site.



Photo of an auto repair shop east of the site.



Photo of the parking lot south of the site.