



**METROPOLITAN DEVELOPMENT COMMISSION**

July 17, 2024

**Case Number:** 2024-ZON-055  
**Property Address:** 1010 East 86th Street and 8685-8699 Guilford Avenue  
**Location:** Washington Township, Council District #2  
**Petitioner:** TM Crowley and Associates, LLC, by Joseph D. Calderon  
**Current Zoning:** D-2 and C-1  
**Request:** Rezoning of 7.18 acres from the D-2 and C-1 Districts to the D-P District, to provide for single-family attached dwellings, multi-family dwellings, commercial office, and retail uses, including restaurants, day care center or nursery school, community center, financial services, and other light general retail uses.  
**Current Land Use:** Single-family dwellings / Commercial uses  
**Staff Recommendations:** Approval, subject to the commitments noted below.  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

The Metropolitan Development Commission continued this petition from the July 3, 2024 hearing, to the July 17, 2024 hearing, at the request of staff, to provide time for further discussions related to proposed parking.

**STAFF RECOMMENDATION**

Approval, subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

1. Final site plan and elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).
2. A 50-foot half right-of-way shall be dedicated along the frontage of East 86th Street, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP)
3. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.

## PETITION OVERVIEW

This 7.18-acre site, zoned D-2 and C-1, is comprised of two parcels developed with single-family dwellings and third larger parcel developed with commercial uses. It is surrounded by single-family dwellings and a U.S. Postal Service facility to the north, zoned D-2 and C-4, respectively; a library and commercial uses to the south across East 86th Street, zoned SU-37, C-1 and C-3, respectively; commercial uses to the east, zoned C-4; and a library and single-family dwellings to the west, zoned SU-37 and D-2, respectively.

### Rezoning

This request would rezone the site to the D-P District.

The established purpose of the D-P District follows:

1. To encourage a more creative approach in land and building site planning.
2. To encourage and efficient, aesthetic and desirable use of open space.
3. To encourage variety in physical development pattern.
4. To promote street layout and design that increases connectivity in a neighborhood and improves the directness of routes for vehicles, bicycles, pedestrians, and transit on an open street and multi-modal network providing multiple routes to and from destinations.
5. To achieve flexibility and incentives for residential, non-residential and mixed-use developments which will create a wider range of housing types as well as amenities to meet the ever-changing needs of the community.
6. To encourage renewal of older areas in the metropolitan region where new development and restoration are needed to revitalize areas.
7. To permit special consideration of property with outstanding features, including but not limited to historical significance, unusual topography, environmentally sensitive areas and landscape amenities.
8. To provide for a comprehensive review and processing of development proposals for developers and the Metropolitan Development Commission by providing for concurrent review of land use, subdivision, public improvements and siting considerations.
9. To accommodate new site treatments not contemplated in other kinds of districts.

Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage and wildlife.



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Densities and development of a D-P are regulated and reviewed by the Metropolitan Development Commission. Creative site planning, variety in physical development, and imaginative uses of open space are objectives to be achieved in a D-P district. The D-P district is envisioned as a predominantly residential district, but it may include supportive commercial and/or industrial development.

The Comprehensive Plan recommends suburban neighborhood for the two residentially zoned parcels addressed on Guilford Avenue and village mixed-use for the larger commercial parcel.

**Department of Public Works**

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of 50-foot half right-of-way along East 86th Street. This dedication would also be consistent with the Marion County Thoroughfare Plan.

**Development Statement (file-dated July 9, 2024)**

The amended Development Statement, file-dated July 9, 2024, describes the permitted uses to include residential (multi-family / single-family attached / live-work units) and commercial uses that would be contemplated as those typically permitted in the village mixed-use typology. See Exhibit A.

The mixed-use building would provide approximately 473 attached multi-family units and 15,000 square feet of commercial uses. Approximately 686 parking spaces in the parking garage (podium parking), 70 parking space on the ground floor of the podium parking and approximately 20 spaces near the commercial space are proposed.

The amended Development Statement also prescribes the access drives, setbacks, building height, signage, utilities / drainage, landscaping and amenities (fitness center and active / passive recreation space), and lighting. A conceptual site plan, elevations, and renderings are included as exhibits.

**Site Plan**

The conceptual site plan, file-dated May 30, 2024, depicts a two-phased development. The first phase would be the mixed-use building fronting on East 86th Street. Primary access would be from East 86th Street that would also serve as an entrance into the parking garage and second floor roof-top deck. A secondary access drive would be provided on Guildford Avenue south of East 87th Street with controlled access configuration that would limit the traffic into the neighborhood to the north.

The elevations provide for an eight-story building that would step down to two stories on the north and south facades. Exterior building materials would include brick, stone, EIFS, Hardiplank or similar fiber cement siding, wood, glass, and aluminum.

The second phase of development would occur on the two parcels addressed on Guilford Avenue.

## **Environmental Public Nuisances**

The purpose of the Revised Code of the Consolidated City and County, Sec.575 (Environmental Public Nuisances) is to protect public safety, health and welfare and enhance the environment for the people of the city by making it unlawful for property owners and occupants to allow an environmental public nuisance to exist.

All owners, occupants, or other persons in control of any private property within the city shall be required to keep the private property free from environmental nuisances.

Environmental public nuisance means:

1. Vegetation on private or governmental property that is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and that has attained a height of twelve (12) inches or more;
2. Vegetation, trees or woody growth on private property that, due to its proximity to any governmental property, right-of-way or easement, interferes with the public safety or lawful use of the governmental property, right-of-way or easement or that has been allowed to become a health or safety hazard;
3. A drainage or stormwater management facility as defined in Chapter 561 of this Code on private or governmental property, which facility has not been maintained as required by that chapter; or
4. Property that has accumulated litter or waste products, unless specifically authorized under existing laws and regulations, or that has otherwise been allowed to become a health or safety hazard.

Staff would request a commitment that emphasizes the importance of maintaining the site in a neat and orderly manner at all times and provide containers and receptacles for proper disposal of trash and other waste.

## **Traffic Impact Study**

The parameter used to evaluate traffic operation conditions is referred to as the level-of-service (LOS). There are six LOS (A through F) categories, which relate to driving conditions from best to worst, respectively. LOS directly relates to driver discomfort, frustration, fuel consumption and lost travel time. Traffic operating conditions at intersections are considered to be acceptable if found to operate at LOS D or better.

The study considered background information, traffic forecast, turn lane warrant analysis, and capacity analysis intersections at six intersections.

#### Intersection 1 – 86th Street & Guilford Avenue

- No improvements to the lane geometry or traffic control are required to accommodate the proposed development. Signal timing updates are recommended to ascertain the new traffic patterns are accommodated adequately.
- The intersection is expected to operate at an acceptable overall LOS during both the AM and PM peak hours through 2028.

#### Intersection 2 – 86th Street & Winterton Driveway

- Winterton Driveway to remain with the existing geometry - two (2) outbound lanes, and one (1) inbound lane.
- The southbound approach at the intersection is expected to operate at LOS D during the AM peak hour and LOS F during the PM peak hour through 2028. This is mainly attributed to the vehicles waiting for a gap in the heavy cross traffic on 86th Street.
- No improvements are recommended at this intersection because drivers are expected to utilize the alternative access point on Guilford Ave with access to an existing signalized intersection. Additionally, adjacent signalized intersections are in close proximity to this intersection (approximately 500 feet or less). Therefore, it is not feasible to install a traffic signal at this location.
- If the traffic controls at adjacent intersections are expected to change in the future, the need for a change in traffic control at this intersection should be evaluated at that time.

#### Intersection 3 – 86th Street & Compton Street

- The northbound and southbound approaches at this intersection are expected to operate at LOS E or worse during the peak hours in 2028, with or without the construction of the proposed development.
- This is mainly attributed to the vehicles waiting for a gap in the heavy cross traffic on 86th Street.
- No improvements are recommended at the study intersection at this time due to the low traffic volume on the side street and minimal impact on 86th Street traffic flow
- If the traffic volumes are expected to increase in the future, the need for a change in intersection traffic control should be evaluated at that time.

#### Intersection 4 – 86th Street & Evergreen Avenue

- No improvements to the lane geometry or traffic control are required to accommodate the proposed development. Signal timing updates are recommended to ascertain the added site traffic is accommodated adequately.
- The intersection is expected to operate at an acceptable overall LOS during the AM and PM peak hours through 2028.

**Intersection 5 – 86th Street & Monon Trail**

- No improvements to the lane geometry or traffic control are required to accommodate the proposed development. Signal timing updates are recommended to ascertain the added site traffic is accommodated adequately.
- The intersection is expected to operate at an acceptable overall LOS during the AM and PM peak hours through 2028.

**Intersection 6 – Guilford Avenue & Proposed Site Access Driveway**

- Proposed Site Access Driveway is expected to be constructed with at least one (1) outbound lane and one (1) inbound lane. The intersection is expected to operate as a one-way stop control with the driveway traffic stopping for Guilford Avenue.
- The intersection is expected to operate at an acceptable LOS during the AM and PM peak hours through 2028.
- No additional improvements to the lane geometry or traffic control are required to accommodate the proposed development.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-2 / C-1	
<b>Existing Land Use</b>	Single-family dwellings / commercial uses	
<b>Comprehensive Plan</b>	Suburban Neighborhood / Village Mixed-Use	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	D-2 / C/4	Single-family dwelling / commercial uses
South:	SU-37 / C-1 / C-3	Public library / commercial uses
East:	C-4	Commercial uses
West:	SU-37 / D-2	Public library / single-family dwellings
<b>Thoroughfare Plan</b>		
East 86th Street	Primary arterial	Existing 97-foot right-of-way and proposed 112-foot right-of-way.
Guilford Avenue	Local street	Existing 50-foot right-of-way and proposed 50-foot right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	

<b>Site Plan</b>	April 25, 2024
<b>Site Plan (Amended)</b>	May 19, 2024
<b>Elevations</b>	April 25, 2024
<b>Elevations (Amended)</b>	May 23, 2024
<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>	July 9, 2024 (Amended))

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- The Comprehensive Plan recommends Suburban Neighborhood typology for the parcels located on Guilford Avenue. “The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 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.”
- The Plan recommends Village Mixed-Use for the larger parcel fronting on East 86th Street. “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.”

**Pattern Book / Land Use Plan**

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map (2018). The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

- *Conditions for All Land Use Types – Suburban Neighborhood*
  - 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.
  - Hydrological patterns should be preserved wherever possible.
  - Curvilinear streets should be used with discretion and should maintain the same general direction.
  - 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.
  - Developments of more than 30 housing units must have access to at least one arterial street of three or more continuous travel lanes between the intersections of two intersecting arterial streets.
  - 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.
  - 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 five 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.
- *Multi-family Housing*
  - Should be located along arterial or collector streets, parks, or greenways.
  - Parking should be either behind or interior to the development.
  - Individual building height, massing, and footprint should gradually transition from adjacent developments. Specifically, buildings located adjacent to existing residential developments should be no more than one and a half times the height and no more than twice the average footprint of the existing adjacent residential buildings.
- *Conditions for All Land Use Types - Village Mixed-Use Typology*
  - 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.
- *Large-Scale Multi-Family Housing (defined as single or multiple buildings each with five or more legally complete dwelling units in a development of more than two acres and at a height greater than 40 feet.)*
  - Should be located along an arterial or collector street.
  - Mixed-Use structures are preferred.
  - Parking should be either behind or interior to the development.
- *Small-scale Office, Retailing, and Personal or Professional Services (defined as Commercial uses with minimal outdoor operations, storage, or display on lots of less than 1.5 acres and a height of less than 35 feet).*
  - Mixed-Use structures are preferred.
  - Automotive uses (such as gas stations and auto repair) and uses with drive-through lanes are excluded.
  - Should not include outdoor display of merchandise.

#### 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

- Not Applicable to the Site.

### Indy Moves

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

- The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”
- The following listed items describes the purpose, policies, and tools:
  - Classify roadways based on their location, purpose in the overall network and what land use they serve.
  - Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
  - Set requirements for preserving the right-of-way (ROW)
  - Identify roadways for planned expansions or new terrain roadways
  - Coordinate modal plans into a single linear network through its GIS database

## ZONING HISTORY

**2016-DV1-057; 1010 East 86<sup>th</sup> Street**, requested a Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish two, 32-square foot free-standing signs, with zero-foot front setbacks from 86<sup>th</sup> Street, located within approximately 60 feet of each other, on a 340-foot frontage, and within 50 feet of a protected district, **granted**.

**2014-UV1-019; 1010 East 86<sup>th</sup> Street**, requested variance of use of the Commercial Zoning Ordinance to provide for cosmetology services, body health services, day spa, massage therapy, nail salon, Pilates studio, personal fitness training, life coaching, medical lab and dance studio, **granted**.

**2006-UV2-022; 1010 East 86<sup>th</sup> Street**, requested variance of use of the Commercial Zoning Ordinance to provide for a salon and day spa use, **granted**.

## VICINITY

**2016-ZON-064; 1005 East 86<sup>th</sup> Street**, requested rezoning of 0.443 acres from the D-3 District to the C-1 classification, **approved**.

**2014-DV2-042; 1001 East 86<sup>th</sup> Street**, requested variance of development standards of the Sign Regulations to provide for six, four-foot-wide awnings, being twelve feet in height, and a 15.75-foot-wide awning, being 6.33 feet in height, with a 5.5-foot horizontal projection, and with all awning projecting within approximately zero feet of the pavement edge, **granted**.

**2007-UV1-026; 8582 Compton Avenue**, requested variance of use of the Dwelling Districts Zoning Ordinance to provide for an office use, **granted**.

**2005-HOV-005; 1103 and 1221 East 86<sup>th</sup> Street**, requested a variance of development standards of the Commercial Zoning Ordinance to provide for a package liquor store located forty-eight feet from a protected district, in C-4; **granted**.

**2004-DV2-009; 1300 East 86<sup>th</sup> Street**, requested variance of development standards of the Sign Regulations to provide for a 27-foot-tall pole sign located 185-feet from an existing on-premise advertising sign to the west and 200 feet from an existing on premise advertising sign to the east along East 86<sup>th</sup> Street, **granted**.

**2001-DV2-060; 1225 East 86<sup>th</sup> Street**, requested a variance of development standards of the Sign Regulations to legally establish a 287.66-square foot pole sign located 274 feet from an existing integrated center sign, in C-S, **denied**.

**2000-DV1-006; 1225 East 86<sup>th</sup> Street**, requested a variance of development standards of the Commercial Zoning Ordinance to provide for a concrete pad for a "lathe house" with a one-foot west side setback, in C-S, **granted**.



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**99-UV1-12; 8581 Compton Street**, requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for a commercial office within a residential structure and the storage of landscaping material for an adjacent garden center, in D-3, **granted**.

**97-Z-45; 1302 East 86<sup>th</sup> Street**, requested rezoning of 0.938 acre from the C-1 District to the C-4 classification to provide for a map correction error; **approved**.

**97-HOV-83; 8625 Guilford Avenue**, requested variance of development standards of the Sign Regulations to provide for the placement of an incidental sign with a surface area of nine square feet and being four feet in height, **granted**.

**95-Z-216; 8541 Evergreen Avenue**, requested rezoning of 1.27 acres from the C-1 District to the C-3 classification to provide for commercial retail development, **approved**.

**95-V3-12; 1225 East 86<sup>th</sup> Street**, requested a variance of development standards of the Sign Regulations to provide for a five-foot tall ground sign, in C-S, **granted**.

**91-HOV-26; 1300 East 86<sup>th</sup> Street**, requested variance to provide for a free-standing identification sign located within an integrated center, **granted**.

**89-HOV-85; 1221 East 86<sup>th</sup> Street**, requested a variance of development standards of the Sign Regulations to provide for a pole sign with four feet of ground clearance, in C-4; **granted**.

**88-UV3-97; 911 East 86<sup>th</sup> Street**, requested variance of use of the Commercial Zoning Ordinance to provide for the continued operation of a nail and hair salon for a temporary period, expiring June 30, 1990, **denied**.

**88-V3-27; 1221 East 86<sup>th</sup> Street**, requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for commercial offices within a residential structure and the storage of landscaping material for an adjacent garden center, in D-3, **granted**.

**86-V1-75; 1224 East 86<sup>th</sup> Street**, requested to provide for a free-standing identification sign located within an integrated center, **granted**.

**86-V3-29; 1300 East 86<sup>th</sup> Street**, requested to provide for a 28-foot-tall pylon sign with reduced grade clearance, **granted**.

**85-UV1-36; 1007 East 86<sup>th</sup> Street**, requested variance of use of the Dwelling Districts Zoning Ordinance to provide for an addition to an existing restaurant, in D-3, **granted**.

**84-UV3-73; 1007 East 86<sup>th</sup> Street**, requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for an addition of an 8 by 10-foot storage building to an existing restaurant, in D-3, **granted**.



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**82-V3-103; 1302 East 86<sup>th</sup> Street**, requested a variance of development standards to provide for an additional sign panel on a pole sign, **granted for one year**.

**70-V-112; 1300 East 86<sup>th</sup> Street**, requested a variance of use to provide for a retail drive-through store, **granted**.

**69-V4-104; 1300 East 86<sup>th</sup> Street**, requested a variance of use to provide for a car wash, **granted**

**69-V4-103; 1300 East 86<sup>th</sup> Street**, requested a variance of use and development standards to provide for a veterinary clinic; **granted**.

**68-Z-73; 1300 East 86<sup>th</sup> Street**, requested the rezoning of 4.59 acres, from A-2 to B-2, to provide for additional off-street parking for a shopping center, **approved**.

**65-V-120; 1300 East 86<sup>th</sup> Street**, requested a variance of use and development standards to provide for an indoor movie theater; **granted**.

**65-V-119; 1300 east 86<sup>th</sup> Street**, requested a variance of use and development standards to provide for a tire sales and service store, **granted**.

**58-Z-173; North of 86<sup>th</sup> Street, approximately 500 feet west of the Monon Railroad**, requested the rezoning of 15 acres, from A-2 to B-2, to provide for a shopping center and parking, **approved**.



## EXHIBIT A

### Preliminary DP Plan

1010 East 86<sup>th</sup> Street  
8685 Guilford Avenue  
8699 Guilford Avenue

#### Introduction

TM Crowley & Associates, LLC (“Petitioner”) is seeking to purchase property containing approximately 5.73 acres and commonly addressed as 1010 – 1070 East 86<sup>th</sup> Street (the “Winterton Property”). Petitioner has either acquired, through an affiliate, or is under contract to purchase two additional properties located adjacent to and west of the Winterton Property, 8685 Guilford Avenue and 8699 Guilford Avenue (the “Guilford Parcels”). The Winterton Property is zoned C-1, and is currently improved with several single story commercial office buildings. The Petitioner is proposing a mixed-use development for both the Winterton Property and the Guilford Parcels (collectively, the “Subject Property”), which will permit both commercial and residential uses, all in substantial compliance with the conceptual site plan submitted with and attached to this Preliminary DP Plan as Exhibit “A” (the “Site Plan”).

#### The Proposed Development/Permitted Uses

Introduction: Petitioner proposes to demolish the existing office buildings on the Winterton Property and replace them with a mixed-use building as generally shown on the concept elevations attached to this Preliminary DP Plan as Exhibit “B”. The Guilford Parcels will likely be developed as a second phase, and as described in this Preliminary Development Plan, for residential uses.

Permitted Uses: The Mixed Use Building (the “Mixed Use Building”) is planned to contain both attached multi-family residential units and commercial space. The Mixed Use Building will also provide/facilitate amenity space/common space. There is a parking garage planned to be located on the interior of the Mixed Use Building, with a majority of the residential units and commercial space wrapping around the garage. Currently, there are 473 attached multi-family units, and 15,000 square feet of commercial space planned for the Mixed Use Building, although this should not be construed as either a minimum or maximum amount of units or commercial space. Additionally, it is possible that the Mixed Use Building may be developed into two phases, with the first phase (“MU Phase I”) being developed from the 86<sup>th</sup> Street frontage north to the south line of the 1040 building parcel, denoted by a yellow line on Exhibit “D” (the “1040 South Parcel Line”). The second phase of the Mixed Use Building (“MU Phase II”) will be developed running north from the 1040 South Parcel Line north to the north property line of the Winterton Property. All uses are those which are described in Chapter 743, Article II, Table 743-1 “Use Table” of the Consolidated Zoning/Subdivision Ordinance of the City of Indianapolis, Marion County (the “Zoning Ordinance”).

Permitted Commercial uses in the Mixed Use Building shall include:

1. Offices (Any type, including general, medical, government)
2. Eating Establishment or Food Preparation

3. Day Care Center or Nursery School
4. Community Center
5. Museum, Library, or Art Gallery
6. Consumer Services or Repair of Consumer Goods
7. Financial and Insurance Services
8. Hair/Body Care Salon
9. Light General Retail

Permitted Residential uses for the Mixed Use Building shall include:

1. Multifamily Dwellings
2. Single-Family Attached Dwellings
3. Live/work units

Permitted Accessory uses for the Mixed Use Building/Winterton Property may include:

1. Outdoor Seating/ Sidewalk Café
2. Outdoor Recreation, which may include a swimming pool, game courts, etc.
3. Community Garden
4. Passive or active green space, including walking paths, trails, pocket parks, dog park, outdoor seating
5. Outdoor Seasonal Produce Sales, including Farmers Market
6. Outdoor Display and Sales, temporary
7. Temporary Outdoor Event
8. Sidewalk Cafe

Development Standards/Setbacks for the Winterton Property:

The Mixed Use Building and other permanent structures constructed on the Winterton Property shall meet the following minimum setbacks:

1. Front Yard (86<sup>th</sup> Street): 10 feet from the existing right of way line.
2. Side Yards: 10 feet from east property line, 10 feet from west property line.
3. Rear Yard (north): Building: 10 feet from the north property line.  
Accessory Uses: a walking path may be incorporated into the south half of former 87<sup>th</sup> Street.
4. Setback at 1040 South Parcel Line: 0 feet for both the Mixed Use Building and any Accessory Use.

Development Standards | Height for the Mixed Use Building: The Mixed Use Building shall feature a step up and step down in building height as follows:



1. 86<sup>th</sup> Street Setback: Minimum Height – 1 story or 25 feet, Maximum height - 3 stories or 36 feet.
2. Mid-block (including garage): Maximum Height - 8 stories or 93 feet.
3. North Setback: Maximum Height - 5 stories or 55 feet.

Note: The Maximum Height requirements shall not include architectural elements, such as parapet walls, elevator/stairwell shafts or decorative features.

Permitted Residential Uses for the Guilford Parcels shall include:

1. Multifamily Dwellings (integrated with the Winterton Property, but does not require physical connection of buildings).
2. Single-Family Attached Dwellings (Townhomes or Rowhouse style).
3. Duplex, Triplex or Quadplex Units.

Permitted Accessory Uses for the Guilford Parcels may include:

1. Passive or active green space, including walking paths, trails, pocket parks, dog park, outdoor seating.
2. Community Garden.

Development Standards/Setbacks for Guildford Parcels:

Buildings and other permanent structures constructed on the Guilford Parcels shall meet the following minimum setbacks:

1. Front Yard (Guilford Avenue): 10 feet from the existing right-of-way line.
2. Side Yards (Former 87<sup>th</sup> Street and south line of 8685): 10 feet.
3. Rear Yard (east): 0 feet if attached multi-family, 5 feet for any other type of product.

Development Standards | Height: Building heights for the Guilford Parcel shall be limited to a maximum of 4 stories or 49 feet, not including architectural elements such as parapet walls, elevator/stairwell shafts, or decorative features.

Utilities/Drainage: All utilities are available to the site. There will be no utility poles located on the Subject Property, unless already existing and financially impractical to bury. Storm drainage will be professionally engineered to meet all City of Indianapolis requirements with respect to runoff rate and quantity, as well as water quality.

Signs: Petitioner proposes the following signs:

1. Development Identification Signs for the Winterton Property: Petitioner proposes one freestanding development identification sign, to be located on the 86<sup>th</sup> Street frontage, which may include panels for individual commercial tenants. The overall dimensions of the sign(s) shall not exceed 15 feet in height and 150 total sign square footage. Digital Display shall not be permitted, although a backlit sign shall be permitted.

2. Wall Signs: Commercial tenants may have individual wall signs meeting the standards for signs in commercial zoning districts as set forth in the Zoning Ordinance.
3. Development Identification Signs for the Guilford Parcels: One entry sign on either side of the access drive, not to exceed four (4) feet in height and thirty-two (32) total square feet shall be permitted. These signs shall be externally lit.
4. Incidental Signs and Vehicle Entry Point Signs: Shall be permitted as provided by the Sign Regulations (Ch. 744, Art. IX) of the Zoning Ordinance.

Landscaping: Petitioner has conceptually identified certain areas on the Subject Property as potential areas for landscaping, as shown on the preliminary landscaping plan attached to this Preliminary DP Plan as Exhibit "C". For both the Winterton Property and the Guilford Parcels, Petitioner proposes tendering a landscaping plan for Administrator's Approval prior to obtaining an Improvement Location Permit for the respective Property/Parcels.

#### Miscellaneous

Amenities: The residential component of the development, at a minimum, shall provide the following amenities:

1. Fitness Center
2. Active and passive recreation space, including both street level and rooftop spaces.

Parking: The parking garage is currently planned to contain 686 parking spaces, and there are additional planned spaces on the ground floor of the building podium (approximately 70), and some surface parking spaces near the planned commercial space (approximately 20). The minimum parking ratio (garage only) for the residential units in the Mixed Use Building shall be no less than 1.25 spaces for each residential unit in the Mixed Use Building, and the maximum parking ratio (garage only) shall be but no more than 1.50 spaces for each residential unit in the Mixed Use Building. The minimum parking ratio for commercial space shall be 3.5 spaces for each 1000 square feet of gross leasable area (including the garage and other parking spaces described above), and the maximum parking ratio for commercial space shall be 4.0 spaces for each 1000 square feet of gross leasable area. Petitioner will also provide both indoor secure bicycle parking spaces, and exterior dedicated bicycle parking spaces as required by the Zoning Ordinance. Petitioner may implement a security plan for accessing the garage, such as a gated entry with key fob access.

Guilford Avenue Access: The Petitioner proposes an access drive connecting the parking garage to Guildford Avenue, as shown on the Site Plan.

86<sup>th</sup> Street Access: There is an entry/exist access drive proposed for the Winterton Property generally as shown on the Site Plan.

87<sup>th</sup> Street Access: The Petitioner will provide for directional signage and a right turn impediment at Guilford, to restrict/discourage vehicular traffic from using 87<sup>th</sup> Street.

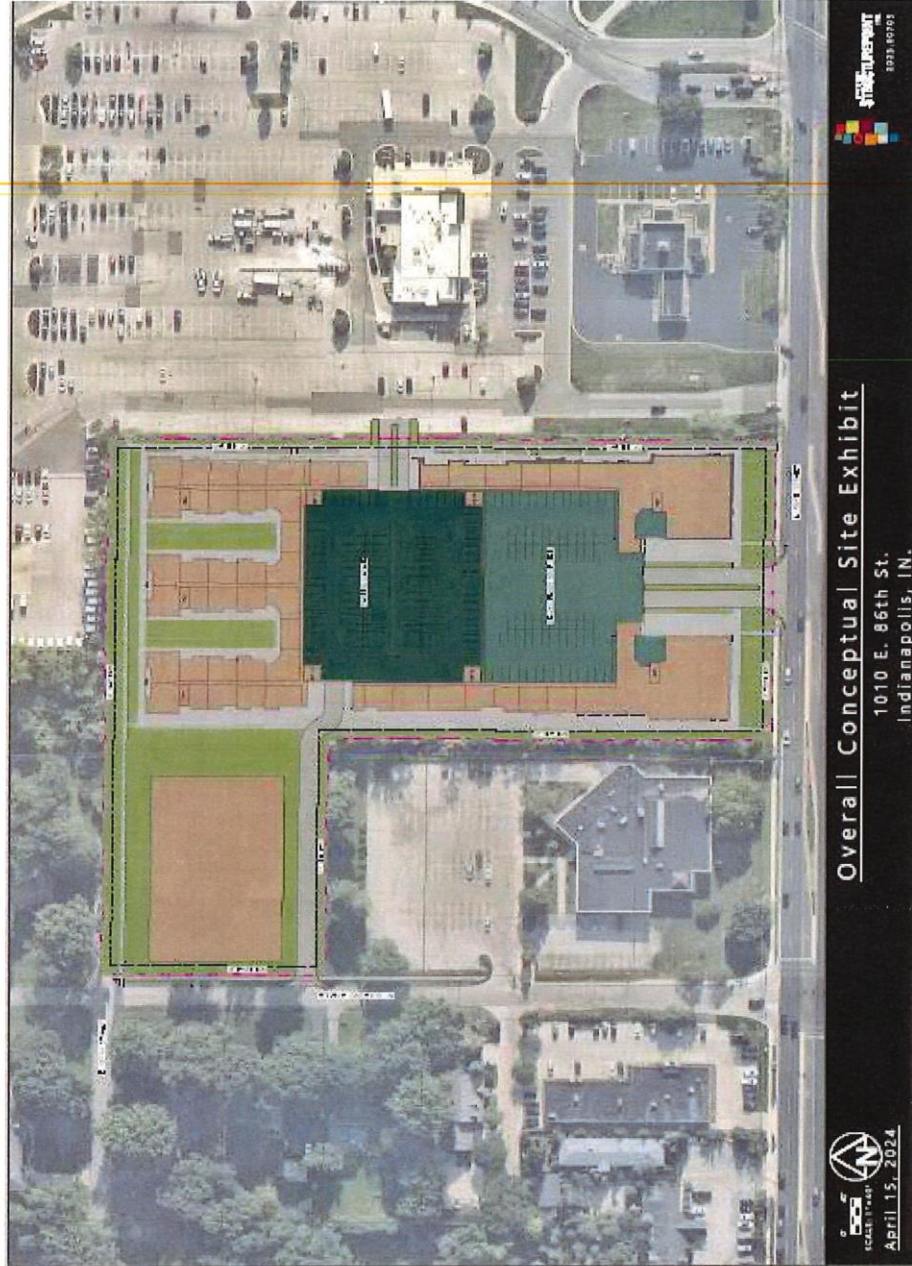
Connectivity to Nora Plaza and Monon Trail: The Petitioner is working with both Target Corp and KRG Nora Plaza to provide access between the Subject Property and Nora Plaza, including the north/south access drive immediately adjacent to the Winterton Property as shown on the Site Plan.

Lighting: All freestanding and wall mounted light fixtures shall feature full cut-off shields, and shall meet all minimum/maximum foot candle requirements as set forth in the Zoning Ordinance.

Architecture: The Mixed Use Building and any buildings constructed on the Guilford Parcels shall feature a variety of materials from the following list: brick, stone, EIFS, Hardiplank or similar fiber cement siding, wood, glass and aluminum. The predominant exterior for the first two floors of the Mixed Use Building shall be a mix of brick, EIFS or similar masonry material. The elevations on Exhibit "B" are to convey a sense of architectural character and not final design. The Petitioner shall consult with the City Architect on final architectural plans, which shall be subject to Administrator's Approval.

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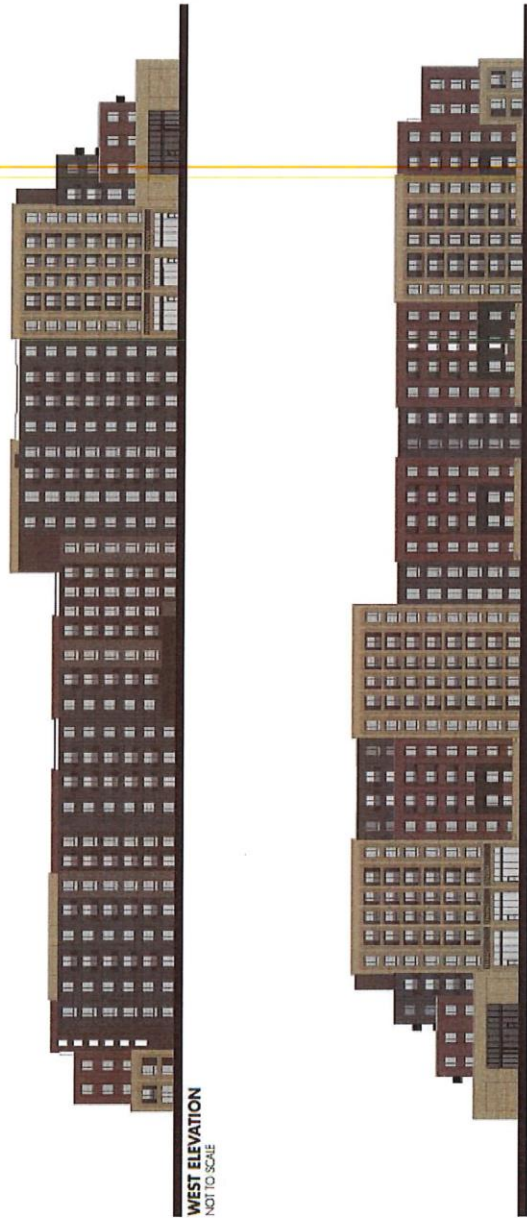
EXHIBIT "A"



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EXHIBIT "B"

TM CROWLEY 1010 E. 86th STREET



WEST ELEVATION  
NOT TO SCALE

EAST ELEVATION  
NOT TO SCALE

TMCA TM CROWLEY ASSOCIATES  
 

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**TM CROWLEY 1010 E. 86th STREET**



**NORTH ELEVATION**  
NOT TO SCALE



**SOUTH ELEVATION**  
NOT TO SCALE

**TMCA** TM CROWLEY ASSOCIATES  
  BLACKLINE

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**TM CROWLEY 1010 E. 86th STREET**  
**SOUTHEAST CORNER**  
LOOKING OVER WINTERFON SITE AND ADJACENT RETAIL CENTER

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**TMCA**  **TM CROWLEY**  
ASSOCIATES

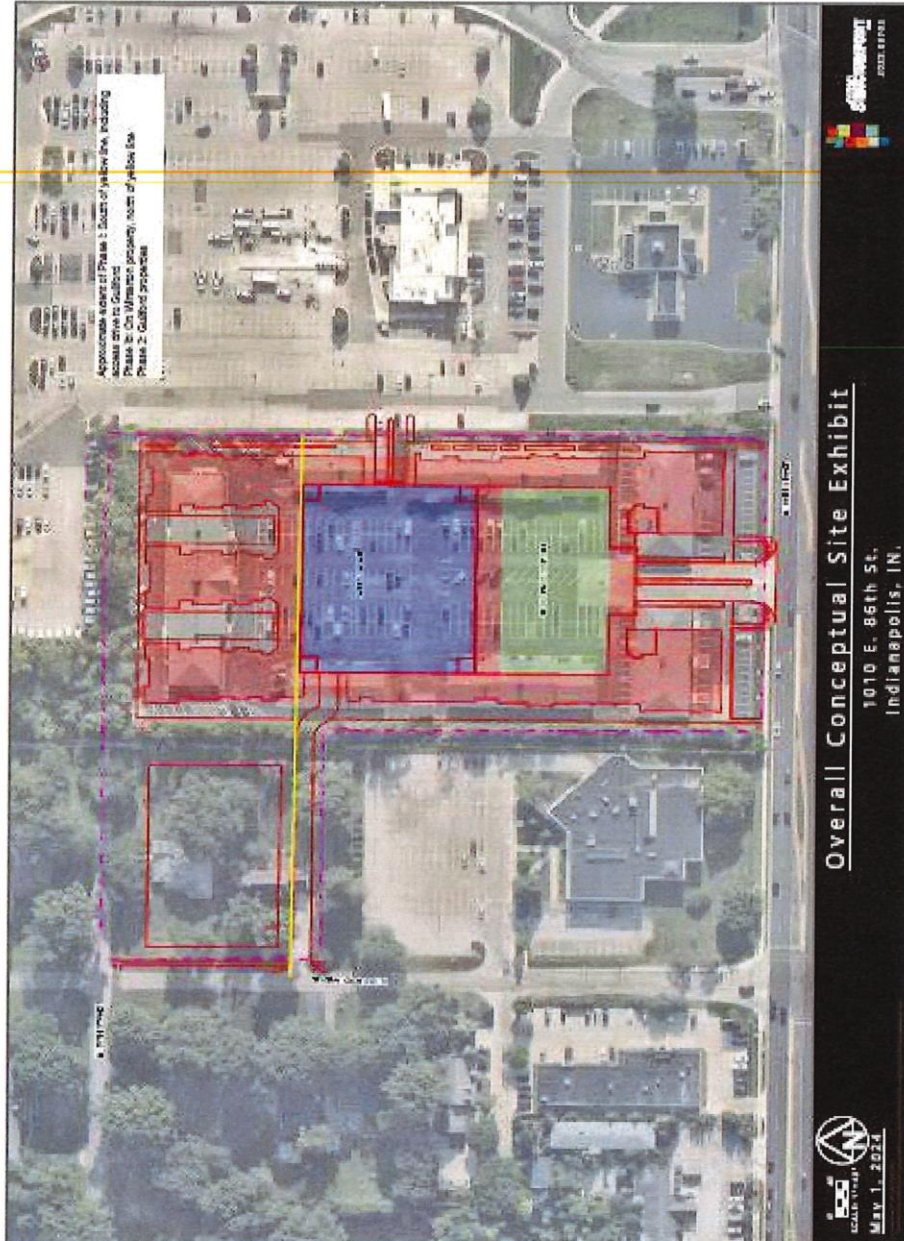
 **BLACKLINE**

EXHIBIT "C"





EXHIBIT "D"





View looking west along East 86th Street



View looking east along East 86th Street



View looking south along access drive along eastern boundary



View looking southwest along access drive along eastern boundary



View of site looking west from adjacent parking lot to the east



View of site looking west from adjacent parking lot to the east



View from site looking west at adjacent land use to the north (USPS facility)



View of site looking west across entrance drive



View of site looking northwest



View of site looking north along eastern boundary



View of site looking west



View of site looking south



View of site looking northwest



View looking south along Guildford Avenue





View looking north along Guildford Avenue



View of site addressed as Guilford Avenue looking east across Guilford Avenue



View of site addressed as Guilford Avenue looking south across East 87th Street



View of site addressed as Guilford Avenue looking southeast across East 87th Street termination