

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2022-CZN-875 / 2022-CPL-875  
**Address:** 2417 East 10<sup>th</sup> Street (Approximate Addresses)  
**Location:** Center Township, Council District #17  
**Petitioner:** Jesse Archuleta, by Mark and Kim Crouch  
**Request:** Rezoning of 0.12 acre from the MU-1 to the D-5II district.

**Approval of a Subdivision Plat to be known as Monumental Townhomes, dividing 0.12 acre into two single-family attached lots.**

### **RECOMMENDATIONS**

Staff recommends **approval of the rezoning** petition.

Staff recommends that the Hearing Examiner **approve** and find that the plat, file-dated November 28, 2022, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. Subject to the Standards and Specifications of the Department of Public Works, Sanitation Section.
2. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
4. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat, prior to recording.
5. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat, prior to recording.
6. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat, prior to recording.
7. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat, prior to recording.
8. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat, prior to recording.
9. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted, prior to recording the final plat.
10. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance are met, prior to the recording of the final plat.
11. That both lots shall have an access easement to the alley affixed to the final plat, prior to recording.

### **SUMMARY OF ISSUES**

The following issues were considered in formulating the recommendation:

(Continued)

**2022-CZN-875 / 2022-CPL-875 STAFF REPORT (Continued)**

**LAND USE**

- ◇ The subject site is zoned MU-1 and developed with a two-family dwelling.
- ◇ This petition would rezone this property to the D-5II district, and subdivide the property along the common wall to create single-family attached dwellings.

**REZONING**

- ◇ This petition would rezone this site from the MU-1 district to the D-5II district to permit single-family attached dwellings. The comprehensive plan recommends traditional neighborhood uses, which would include single-family attached housing. Staff is not opposed to rezoning to a district that aligns with the comprehensive plan.
- ◇ The site is developed with a two-family dwelling that has existed since at least 1956 as shown on the historic Sanborn Maps. The current zoning of MU-1 does not permit row houses, but the existing dwellings would be considered legally established non-conforming use. Staff would not be opposed to rezoning to the D-5II district to continue the residential use of the property, and the rezoning would allow for a subdivision plat in compliance with the subdivision ordinance.

**PLAT**

- ◇ The plat would subdivide the subject site into two lots along the common wall of the existing two-family dwelling, Lots One and Two. Lot One would be 2,507 square feet and Lot Two would be 2,473 square feet. If the rezoning to the D-5II district is approved, the plat would comply with the standards for Row House-Large Lot per Table 742.103.03 of the ordinance.

**TRAFFIC / STREETS**

- ◇ The subject site has frontage on 10<sup>th</sup> Street to the north. Lot One's west side yard would front on the alley. Staff is requiring an access easement for Lot Two to have access to the alley as a condition of the final plat.

**SIDEWALKS**

- ◇ Sidewalks are existing on 10<sup>th</sup> Street.

**GENERAL INFORMATION**

**EXISTING ZONING, CONTEXT AREA, AND LAND USE**

MU-1	Compact	Two-family Residential
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**SURROUNDING ZONING AND LAND USE**

North	MU-1	One and Two-family Residential
South	D-5	Single-family Residential
East	MU-1	Undeveloped
West	MU-2	Mixed-Use

(Continued)

## **2022-CZN-875 / 2022-CPL-875 STAFF REPORT (Continued)**

COMPREHENSIVE LAND USE PLAN	Traditional Neighborhood
THOROUGHFARE PLAN	10 <sup>th</sup> Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Primary Arterial, with a 50-foot existing and a 56-foot proposed right-of-way.
SITE PLAN	File-dated November 28, 2022
SURVEY	File-dated November 28, 2022

### **ZONING HISTORY – SITE**

None

### **ZONING HISTORY – VICINITY**

**95-Z-2 (95-CV-1), 941 & 947 North Keystone Avenue**, rezoning of one acre from the D-5 district to the C-2 district, with a variance to provide for construction of a neighborhood health care center with 50 parking spaces, a zero-foot setback along East 10<sup>th</sup> Street and Keystone Avenue, a 10-foot side yard setback, an 8-foot landscape strip on Keystone Avenue, and without a loading space, **approved**.

**97-AP-75, 941 & 947 North Keystone Avenue**, approval of a modification to delete commitments 2 and 3 from 95-Z-2 pertaining to the dedication of a 40-foot half right-of-way on East 10<sup>th</sup> Street and the leasing of additional off-street parking spaces, **approved**.

**97-Z-87, 2327 East 10<sup>th</sup> Street**, rezoning of 0.97 acre from the C-2 and D-5 district to the SU-1 district, **approved**.

**2000-ZON-172, 2424 East 10<sup>th</sup> Street**, rezoning of one acre from the C-2 district to the SU-7 district, **approved**.

**2007-HOV-028, 2423 East 10<sup>th</sup> Street**, variance to legally establish a two-family dwelling in the C-2 district, **approved**.

**2008-VAR-852, 2401 East 10<sup>th</sup> Street and 941 & 947 North Keystone Avenue**, variance to provide for a 40-foot tall building with a 34-foot front setback from the centerline of East 10<sup>th</sup> Street, and with a 30-foot front setback from the centerline of Keystone Avenue, within the clear-sight-triangle of the intersection, and having a four-foot east side setback; to provide for outdoor seating areas with a 25-foot setback from the centerline of East 10<sup>th</sup> Street; to provide for a dumpster enclosure within a 10.5-foot south transitional setback, and a drive aisle and parking space with a four-foot south transitional side setback; to provide for a parking lot with a zero-foot east side setback and east transitional side setback; with 23 off-street parking spaces; with eight parking spaces having maneuvering area within a public alley; and without a loading area, **approved**.

**2008-ZON-852, 2401 East 10<sup>th</sup> Street and 941 & 947 North Keystone Avenue**, rezoning of 0.75 acre from the C-2 district to the C-3C district, **approved**.

(Continued)

## **2022-CZN-875 / 2022-CPL-875 STAFF REPORT (Continued)**

**2009-VAC-014, 1019 North Keystone Avenue**, Vacation of the first east-west alley north of 10th Street, being 12 feet wide, from the east right-of-way line of Keystone Avenue, being the northwest corner of Lot Seven of Richie's Clifford Avenue Addition, being a subdivision of Lots 1-6 of Vajen's Springdale Addition to the City of Indianapolis as recorded in Plat Book Nine, Page 125, 183.09 feet to the east, to the west right-of-way line of the first north-south alley, east of Keystone Avenue, being the southeast corner of Lot Six of said subdivision, with a waiver of assessment of benefits. Vacation of air rights within 10th Street and Keystone Avenue, between the elevations of 766.5 feet and 786.3 feet, projecting from four to eight feet into the right-of-way of 10th Street, from the southwest corner of Lot Four of Brookside Addition to the City of Indianapolis, as recorded in Plat Book Four, Page 182, for a distance of 210 feet, to the southeast corner of Lot One of said subdivision, thence north from said southeast corner along Keystone Avenue, 41 feet to a point on the east line of said Lot One, with a waiver of the assessment of benefits, **approved**.

**2009-ZON-033, 2340 East 10<sup>th</sup> Street and 1007 Keystone Avenue**, rezoning of 1.35 acres from the C-2 and D-5 districts to the SU-7 district, **approved**.

**2010-CAP-825, 935 & 945 North Keystone Avenue**, Modification of Site Plan to replace site plan associated with 2008-ZON-852 and 2008-VAR-852 with the site plan filed with this petition. Modification of Commitments to terminate Commitments Four, Seven, Nine and Eleven of Attachment "D" of 2008-ZON-852 and 2008-VAR-852 ((945 Keystone Avenue) Commitment Four requires that a concrete pad shall be provided for a public bus stop along the 10th Street frontage of the site subject to the standards of the Department of Public Works (DPW) or a bus shelter shall be integrated into the building design; Commitment Seven requires that a 15-foot clear sight triangle be provided at the Keystone and 10th Street intersection; Commitment Nine requires an amended site plan being submitted for Administrator's Approval that provides the following treatment for the south transitional yard; a six-foot tall decorative fence, incorporating a brick knee wall or other durable material with screening shrubbery and at least one over-story tree between the trash container and the south transitional lot line and Commitment Eleven requires that the five by 67-foot portion of the public alley directly east of the proposed parking area shall be improved with concrete subject to the standards of the DPW, **approved**.

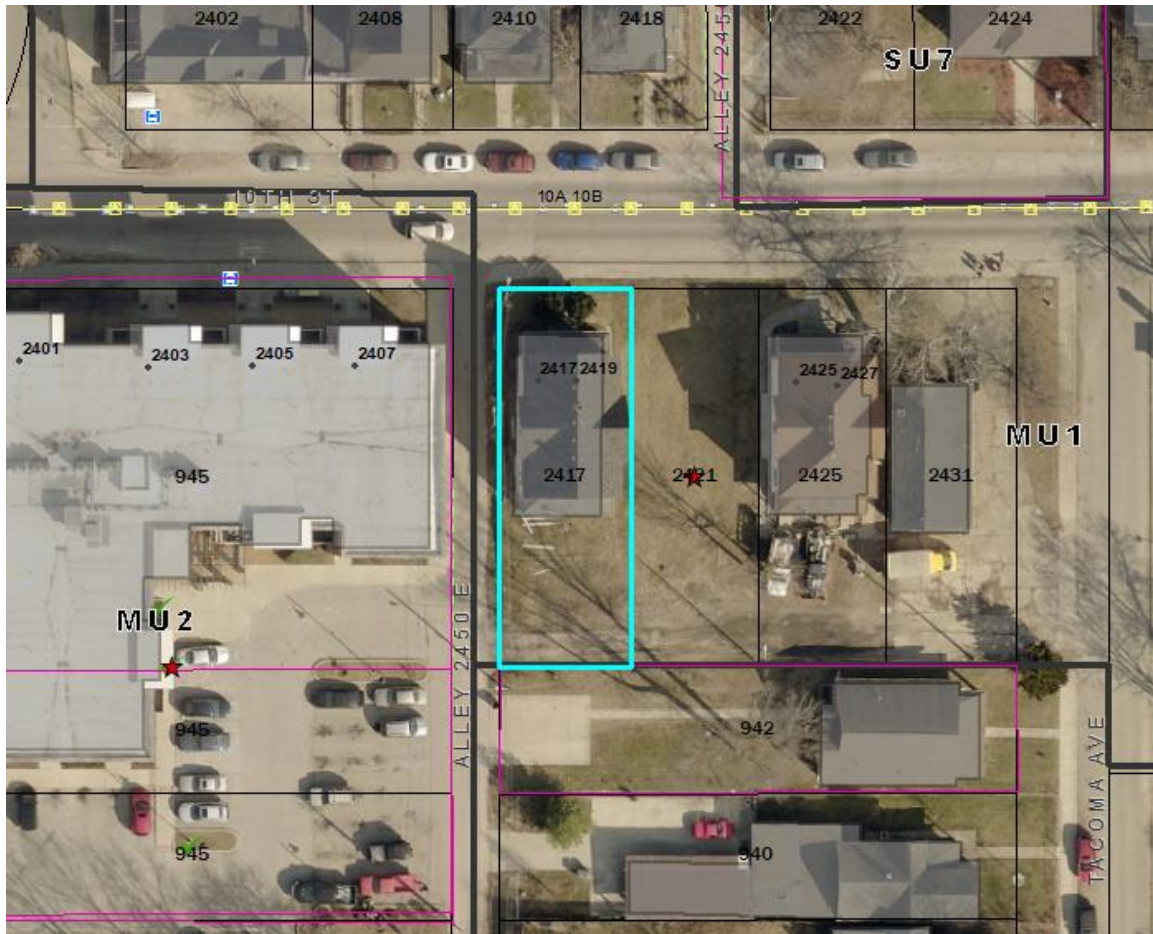
**2010-CZN-825, 935 & 945 North Keystone Avenue**, rezoning of 0.17 acre from the D-5 District to the C-3C classification to provide for commercial and residential development (935 Keystone Avenue), **approved**.

**2011-ZON-054, 942 Tacoma Avenue**, rezoning of 2.02 acres from the C-2 district to the D-5 district, **approved**.

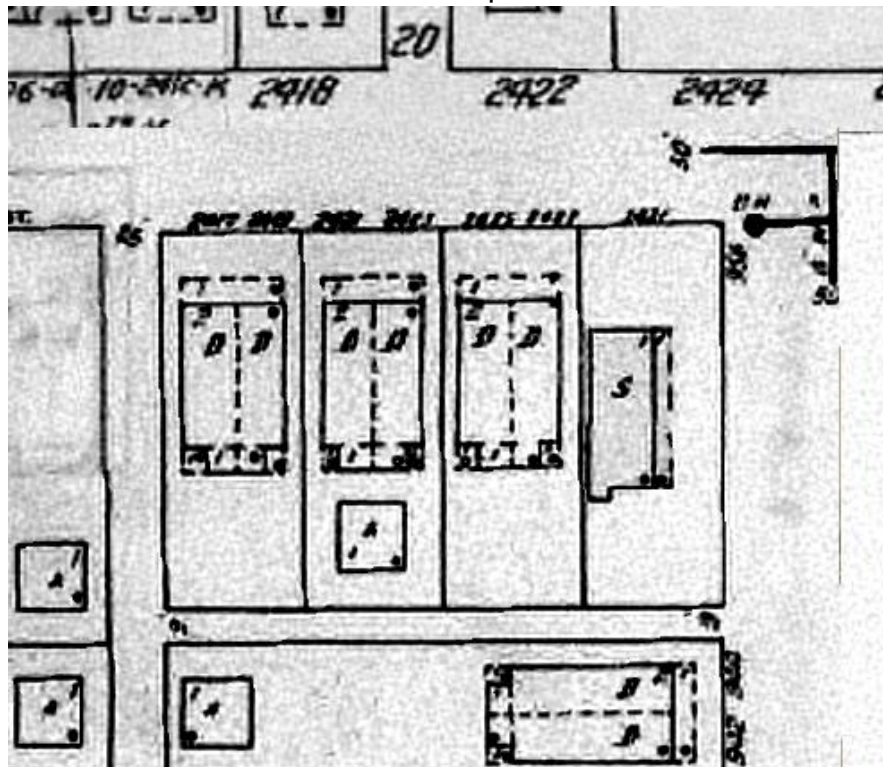
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**2022-CZN-875 / 2022-CPL-875 Aerial Map**



Sanborn Map 1956

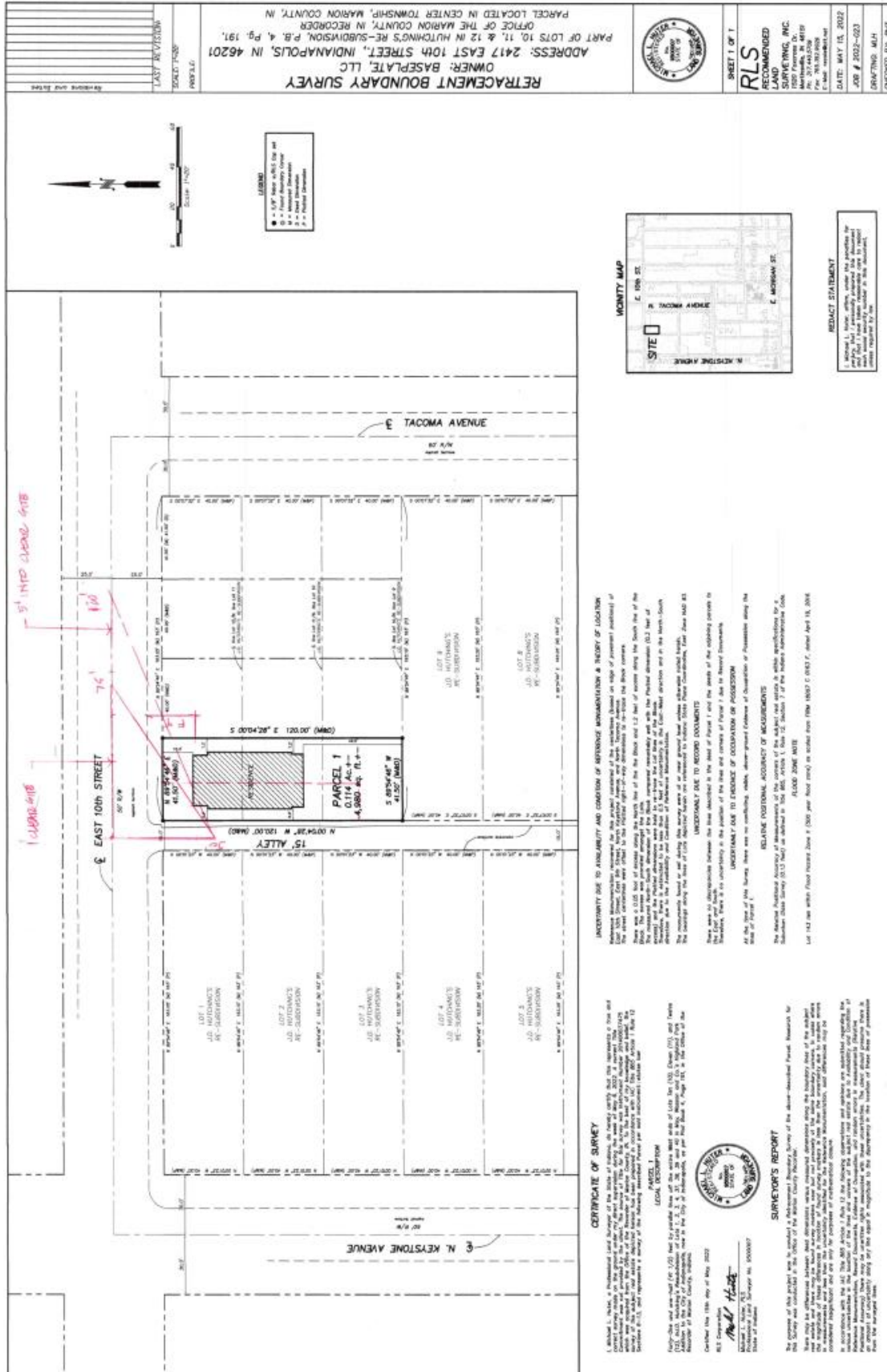


SECONDARY FLAT OF:  
**MONUMENTAL TOWNHOMES**  
A RE-SUBDIVISION OF THE WEST 41.5' OF LOTS 10, 11, & 12,  
J.D. HUTCHINGS RESUBDIVISION (PLAT BOOK 4, PAGE 191)  
INDIANAPOLIS, CENTER TOWNSHIP, MARION COUNTY, INDIANA





## 2022-CZN-875 / 2022-CPL-875 Site Plan



**2022-CZN-875 / 2022-CPL-875 Site Photos**



Subject site viewed from 10<sup>th</sup> Street, facing south



Subject site viewed from alley, facing northeast





Subject site existing curb cut viewed from alley, facing east