



METROPOLITAN DEVELOPMENT COMMISSION

April 1, 2026

Case Number:	2026-CZN-809 / 2026-CVR-809
Property Address:	301 Virginia Avenue, 315 South New Jersey Street, and 400 & 402 East South Street (<i>Approximate Addresses</i>)
Location:	Center Township, Council District #18
Petitioner:	Indy Parks and Recreation, by Benjamin Jackson
Current Zoning:	CBD-2 (RC) (TOD) / I-3 (RC) (TOD) Rezoning of 1.43 acres from the CBD-2 (RC) (TOD) and I-3 (RC) (TOD) districts to the PK-1 (RC) (TOD) district to provide for a public park.
Request:	Vacation of an irregularly shaped alley, ranging from ten feet and fifteen feet in width, and being the first north-south alley east of New Jersey Street, from the north right-of-way line of South Street, north 238.5 feet to the south right-of-way line of Virginia Avenue, with a waiver of the assessment of benefits.
Current Land Use:	Undeveloped
Staff Recommendation:	Staff recommends approval subject to a commitment.
Staff Reviewer:	Michael Weigel, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition. On March 12th, the Hearing Examiner approved a special request to have the initial hearing for this petition come before the Metropolitan Development Commission at their April 1, 2026 hearing date.

STAFF RECOMMENDATION

Staff recommends **approval** of the rezoning petition, subject to a commitment that the two (2) existing vehicle access points on Virginia Avenue be removed and curb/sidewalk restored within 12 months of approval of the rezoning petition.

PETITION OVERVIEW

LAND USE

The subject site is comprised of 1.43 acres and four (4) parcels, is currently undeveloped, and is zoned both MU-1 and C-4. An unimproved alley run vertically through the property from south to north. Surrounding land uses include industrial uses and the Cultural Trail to the west, an undeveloped parcel and the New Jersey stop of IndyGo's Red Line to the northeast, a daycare to the south, a daycare associated with Eli Lilly to the south, and a park to the southwest.



REZONE

Approval of this petition would rezone the subject site to the PK-1 zoning district, to allow for a public park use including the placement of a basketball court placed along the Cultural Trail to the west of the site.

PK-1 is the Park District One zoning district, which limits allowable uses to parks, playgrounds, and greenways. Commission approval would be required for most development within the PK-1 district.

The CBD-2 district is for the general downtown area of Indianapolis, surrounding the CBD-1 and CBD-3 districts. The district represents the typical urban core of Indianapolis to be developed at very high density. It is a pedestrian oriented environment that is also the focus of the City's transit system providing excellent accessibility.

The I-3 (Medium Industrial) District is an intermediate district for industries that present moderate risks to the general public. Wherever practical, this district should be away from protected districts and buffered by intervening light industrial districts.

The property also falls within the Regional Center (RC) and Transit-Oriented Development (TOD) Secondary Zoning Overlays. The 'RC' designation would require additional design approval through a Regional Center petition. See 'Comprehensive Plan Analysis' below for additional information.

VACATION

Approval of this petition would also vacate an unimproved 'paper' alley right-of-way between the 400 S East Street parcel to the east and the other three (3) subject parcels to the west. The alley predominantly runs north-south, although it turns to the northeast near Virginia Avenue. Areas to the south and northeast of the alley are not publicly accessible. See Exhibits for the precise location of the alley.

PROCEDURE – VACATION

Neither the Division of Planning nor the Plat Committee, Hearing Examiner, nor Metropolitan Development Commission determines how vacated right-of-way is divided. The approval of a vacation petition only eliminates the public right-of-way. The vacation approval does nothing more. A petitioner will not receive a deed or other document of conveyance after the approval of a vacation.

The general rule under Indiana case law is that when a street or highway is vacated or abandoned the title to the land reverts to the abutting property owners. This rule exists by virtue of the fact that the abutting landowner owns to the center of the street or highway subject only to an easement for the public to the use of the street or highway. *Gorby v. McEndarfer* 135 Ind.App. 74, *82, 191 N.E.2d 786, **791 (Ind.App.1963). However, there are possible exceptions to this general rule.

After a vacation of public right-of-way, the County Assessor determines how the vacated right-of-way will be assessed for tax purposes. Petitioners and abutters of the vacated right-of-way should consult their own attorneys for advice regarding the ownership of the vacated right-of way.



STAFF ANALYSIS

The proposed PK-1 zoning district and land use of a public park would align with the Core Mixed Use recommendation from the Comprehensive Plan Pattern Book. It would also be consistent with TOD and Regional Center recommendations for the provision of active public spaces.

Additionally, the petitioner has indicated that they have consulted with the Cultural Trail regarding the placement of connection points from the Trail to the proposed basketball court, and that they would commit to restoring the curb and sidewalk along Virginia Avenue if the petition should be granted. Staff feels that the basketball court and landscaping shown on plans would constitute a desirable public amenity for an area near a BRT stop, the Cultural Trail, and the South Street Square Park to the southwest, and recommends approval.

Findings of Fact in support of the vacation petition indicate that approval of this petition would allow for development of the site as a public park. Staff agrees that this would constitute an advancement of the public’s interest and recommends approval of the vacation petition.

ASSESSMENT OF BENEFITS

Given the unimproved nature of the alley as well as the petitioner’s commitment to remove vehicle access points and restore the curb and sidewalk along Virginia Avenue, staff recommends approval of the requested waiver of the assessment of benefits.

GENERAL INFORMATION

Existing Zoning	CBD-2 (RC) (TOD) / I-3 (RC) (TOD)	
Existing Land Use	Undeveloped	
Comprehensive Plan	Core Mixed Use	
Surrounding Context	Zoning	Surrounding Context
North:	CBD-S	North: BRT Station / Undeveloped
South:	I-3	South: Daycare
East:	CBD-S	East: Undeveloped
West:	I-3	West: Industrial
Thoroughfare Plan		
New Jersey Street	Primary Arterial	90-foot existing right-of-way and 48-foot proposed right-of-way
Virginia Avenue	Primary Collector	90-foot existing right-of-way and 56-foot proposed right-of-way
South Street	Primary Arterial	90-foot existing right-of-way and 78-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	

Overlay	No
Wellfield Protection Area	No
Site Plan	03/02/2026
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	03/02/2026
Findings of Fact	03/02/2026
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Red Line Transit Oriented Development Strategic Plan (2015)
- Regional Center Design Guidelines (2008)

Pattern Book / Land Use Plan

- The Core Mixed-Use typology is intended for the core of the City’s Central Business District and along logical extensions from the core (such as the North Meridian Street Corridor). It is characterized by dense, compact, and tall building patters and a substantial degree of activity. Business, services, and institutions in this typology serve the entire region as well as residents and tourists. There is a wide range of public spaces, with some designed to accommodate events and festivals. Buildings are at least six stories in height and all off-street parking should be in garages. While buildings in this typology are larger than in other mixed-use typologies, they should still be designed with the pedestrian in mind, with entrances and large windows facing the street. Ideally, this typology has a tight street grid with frequent intersections and small blocks. In areas where small blocks are not practical due to existing development, public pedestrian paths should be provided as cut-throughs. This typology has a residential density more than 50 units per acre.
- Small-Scale Parks are a recommended land use in this typology, and the Plan suggests that bollards or other vehicular barriers should be present.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The Central Business District TOD typology is intended for the most dense core of the city, with high-rise buildings and active public spaces. A mix of office, entertainment, civic, retail, active public space and residential uses is desired. Off-street parking should be avoided.

Neighborhood / Area Specific Plan

- Regional Center Guidelines place these parcels within the Urban Core (UC), which is a pedestrian-oriented environment that is the focus of the City's transit system. Most streets in the Urban Core are high-volume arterial streets. The Urban Core is an area of high employment with a mixture of uses including major convention facilities, sports venues, hotels, and memorials with the predominant land use being offices. Because of its high visibility and central location, the Urban Core is often used as a venue for festivals and other public events. The Urban Core establishes much of the image of Indianapolis. The Mile Square of Downtown Indianapolis is an example of Urban Core development.
- An application for Regional Center approval has been filed (2026-REG-020) and is pending approval.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

- The property is bordered by the Cultural Trail directly to the west, and on the adjacent side of South Street to the south.

ZONING HISTORY

ZONING HISTORY – SITE

2026REG020, Installation of a new multi-use sports court, court lighting, and landscaping upgrades, **pending**.

2018REG104, Construct shelters and related improvements to bus rapid transit stations along IndyGo Red Line route, **approved**.

2003APP108, Regional Center Approval to provide for the development of a mixed use, multi-story building enclosing approximately 58,000 square feet, with 32 underground parking spaces, 17 on-street spaces, 32 condominium dwelling units, and ground-level office and retail space, **approved**.

2002ZON006, Rezoning of 0.5 acres from I-3-U and I-4-U to CBD-2 (RC), **approved**.

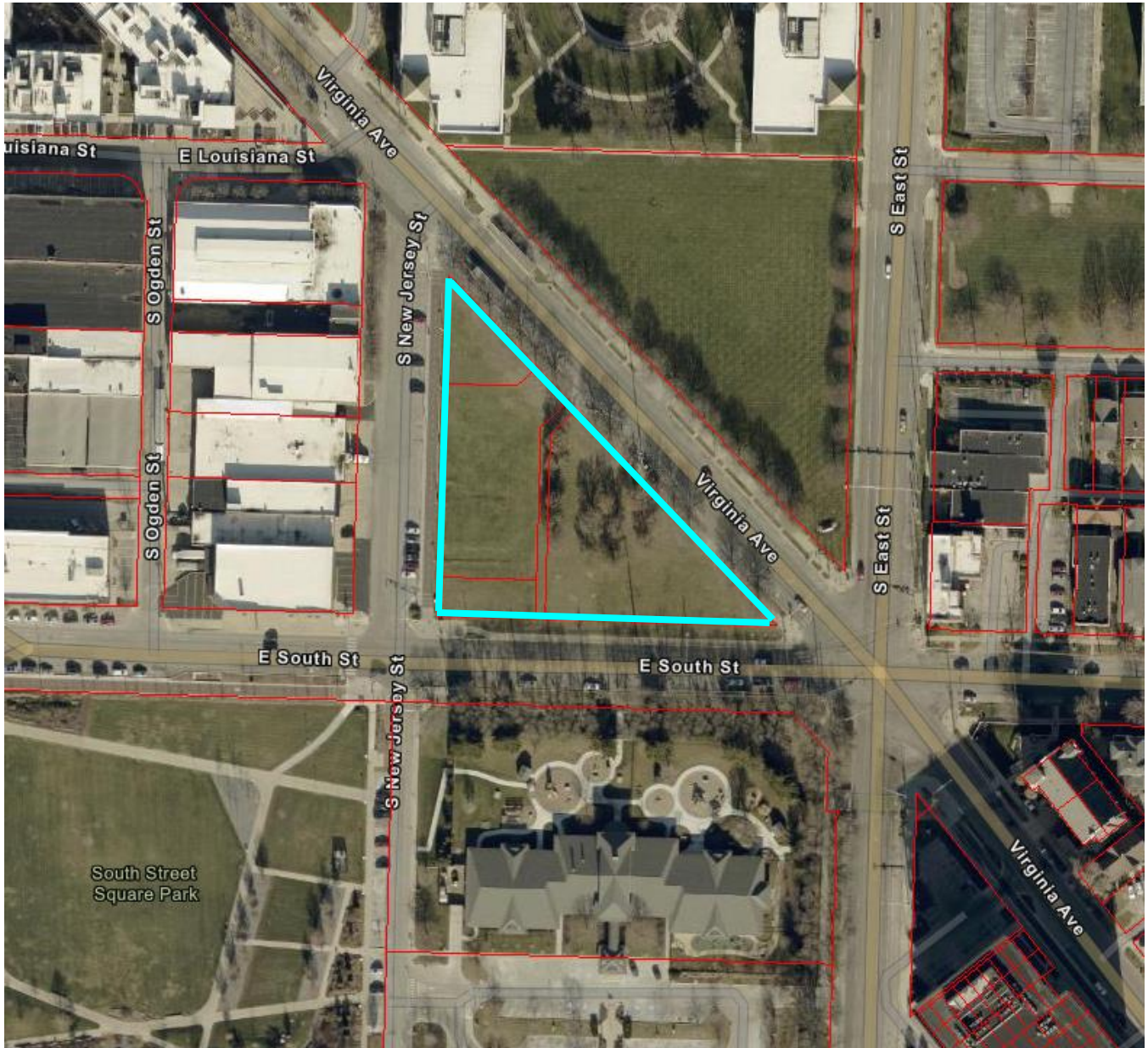
ZONING HISTORY – VICINITY

2018UV3013 ; 220 Virginia Avenue (northeast of site), Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a surface parking lot (not permitted within the Mile Square), **withdrawn**.

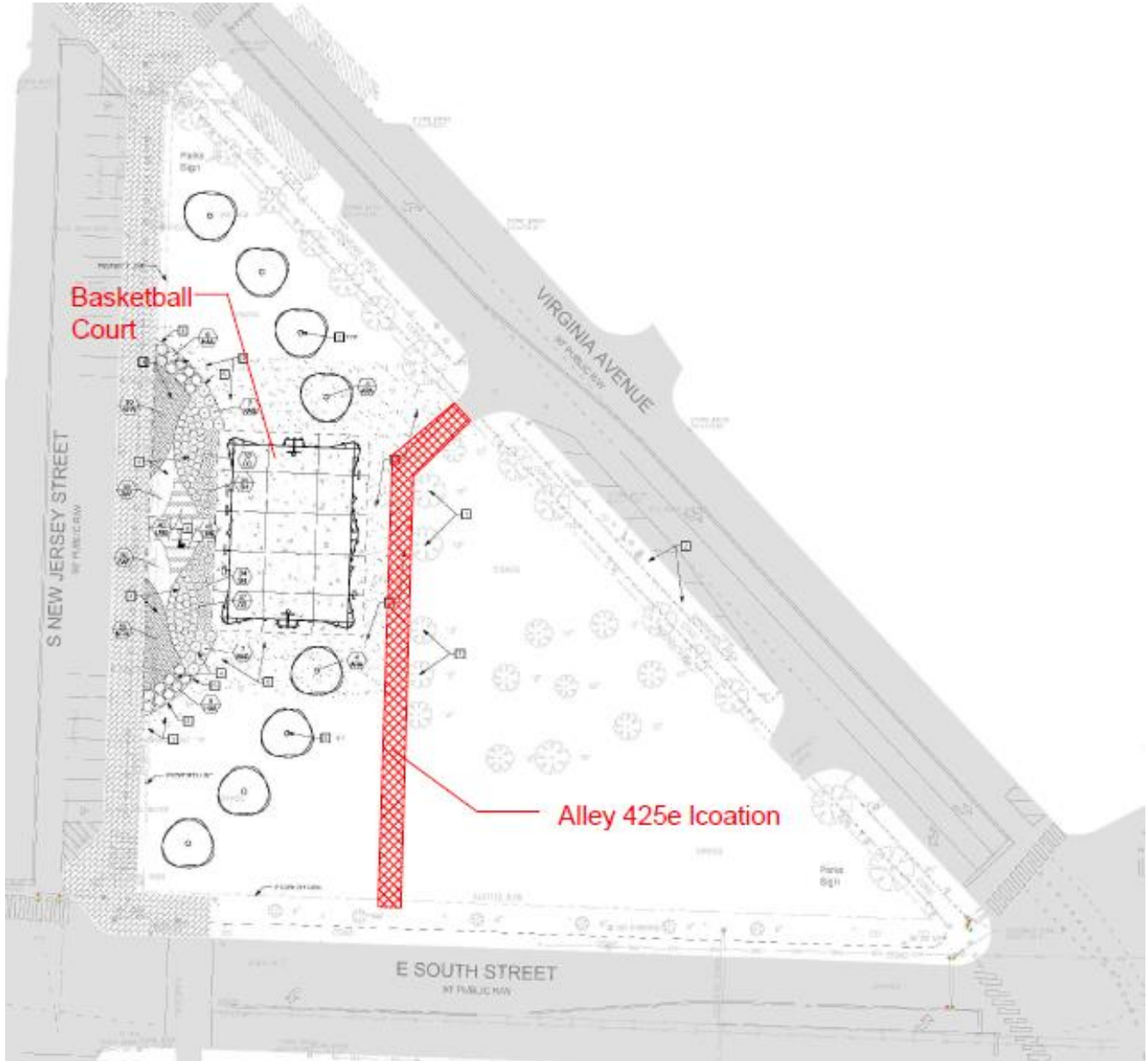
98-Z-61 ; 220 Virginia Avenue (north of site), Rezoning of 12 acres from I-3-U (RC) and C-3 (RC) to the CBD-S (RC) classification, to provide for an integrated office complex and uses consistent with industrial research and development per the submitted development plan, **approved**.

EXHIBITS

2026CMP809 ; Aerial Map



2026CMP809 ; Site/Landscape Plan



2026CMP809 ; Basketball Court Rendering



2026CMP809 ; Findings of Fact (Vacation)

1. THE PROPOSED VACATION IS IN THE PUBLIC INTEREST because:

Vacating this unbuilt alley would allow for development of this property as a public park for the citizens of Indianapolis.

2026CMP809 ; Photographs



Photo 1: Subject Site Viewed from North



Photo 2: Subject Site Viewed from Northeast

2026CMP809 ; Photographs (continued)



Photo 3: Subject Site Viewed from East



Photo 4: Subject Site Viewed from Southeast

2026CMP809 ; Photographs (continued)



Photo 5: Subject Site Viewed from South



Photo 6: Subject Site Viewed from Southwest

2026CMP809 ; Photographs (continued)



Photo 7: Subject Site Viewed from West



Photo 8: Adjacent Property to West

2026CMP809 ; Photographs (continued)



Photo 9: Adjacent Property to Northwest



Photo 10: Adjacent Property to Northeast

2026CMP809 ; Photographs (continued)



Photo 11: Adjacent Property to East



Photo 12: Adjacent Property to Southeast

2026CMP809 ; Photographs (continued)



Photo 13: Adjacent Property to South



Photo 14: Adjacent Property to Southwest