



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

August 29, 2024

**Case Number:** 2024-ZON-091  
**Property Address:** 6530 and 6650 Bluff Road  
**Location:** Perry Township, Council District #22  
**Petitioner:** Linda Group Indy, LLC, by David Kingen  
**Current Zoning:** SU-16  
**Request:** Rezoning of 10.57 acres from the SU-16 district to the SU-1 district to provide for religious uses.  
**Current Land Use:** Vacant property  
**Staff Recommendations:** Approval, subject to the commitments noted below:  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

This is the first public hearing on this petition.

**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. All existing trees shall be preserved, unless an assessment is conducted by a certified arborist and documentation submitted for Administrator Approval that indicates the tree is diseased and / or damaged and should be removed.
2. A 45-foot half right-of-way shall be dedicated along the frontages of Bluff Road and West Banta Road, 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 10.57-acre site, zoned SU-16 (indoor and outdoor recreation and entertainment), is comprised of two parcels developed with an approximately 54,672-square foot building and associated parking. It is surrounded by an abutting cemetery and single-family dwellings to the north, across Banta Road, zoned D-A; sports fields to the south, zoned SU-16; commercial uses to the east, across Bluff Road, zoned C-7; and multi-family dwellings and sports fields to the west, zoned D-7 and SU-16, respectively.

### Rezoning

Petition 97-Z-119 rezoned this site to provide for the expansion of the parking and recreation facilities previously rezoned in 1985 (85-Z-185).

The request would rezone both parcels to the SU-1 District (Religious Uses). Ordinance provisions for Special Use Districts require that: “1) No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this article and until the proposed Site and Development Plan and landscape plan have been filed with and approved on behalf of the Commission by the Administrator and 2) All land use within the Special Use districts shall be limited to the use as identified within the Ordinance.” In this case the use would be limited to religious uses.

The Comprehensive Plan recommends large-scale park for the site, which is a park consisting of more than 10 acres.

Religious uses are generally considered compatible with residential development if they are designed and developed properly to address issues such as parking, hours of operation, outdoor activities, signs, setbacks, and landscaping.

Because of the surrounding land uses (residential to the west and north, commercial uses to the east and recreational uses to the south), staff believes the proposed religious use at this location would be compatible with the surrounding development and would have minimal impact of those land uses.

During the site visit, staff observed several mature trees within the northeastern portion of the site. Staff would request a commitment that preserves those trees unless an assessment by a certified arborist would determine that the tree is diseased and / or damaged and removal would be necessary. Documentation related to the assessment and the need for removal shall be submitted for Administrator Approval prior to removal of the tree.

### Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 45-foot half right-of-way along Bluff Road and West Banta Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.



**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.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	SU-16	
<b>Existing Land Use</b>	Vacant building / parking	
<b>Comprehensive Plan</b>	Large-Scale Park	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	D-A	Single-family dwellings / cemetery
South:	SU-16	Sports fields
East:	C-7	Commercial uses
West:	D-7	Multi-family dwellings

Thoroughfare Plan		
Bluff Road	Primary Arterial	Existing 95-65-foot right-of-way and proposed 90-foot right-of-way.
West Banta Road	Primary Collector	Existing 55-foot right-of-way and proposed 90-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>	N/A	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<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>	N/A	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- The Comprehensive Plan recommends large-scale park. The Plan recommendation is a non-typology use, which are uses mapped outside of the neighborhood typology system due to their scale or the nature of their use.

**Pattern Book / Land Use Plan**

- Not applicable to the site.

**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 describe 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

**2008-DV1-042, 6650 Bluff Road**, requested a variance of development standards of the Sign Regulations to provide for a 5.5-foot tall, 40-square foot pylon sign within approximately 30 feet of a protect district, **granted**.

**95-Z-119; 6550 South Bluff Road**, requested rezoning of 7.11 acres from the D-A and D-7 districts to the SU-16 classification to provide for the expansion of the parking and recreation facilities for an existing indoor recreation / sports complex, **approved**.

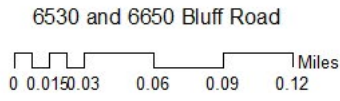
### Vicinity

**85-Z-185; 1610 West Southport Road (south of site)**, requested rezoning of 42 acres from the D-7 district to the SU-16 classification to provide for outdoor recreation activities including softball, soccer, volleyball, and tennis, **approved**.

**79-Z-54; 1610 West Southport Road (south of site)**, requested rezoning of 15 acres from the A-2 district to the C-ID classification to provide for warehousing, with office space and outside storage, **dismissed**.

**70-Z-76; 5702 Bluff Road (west of site)**, requested rezoning of 68.36 acres, from the A-2 district to the D-7 classification to provide for apartments, **approved**.

EXHIBITS





View looking south along Bluff Road



View looking north along Bluff Road





View of site looking south



View of site looking south



View of site looking south



View of site looking north



View from site looking west



View from site looking north across parking lot



View from site looking east across parking lot



View from site looking north across access drive



View from site looking east along access drive



View from site looking south into abutting sports fields



View of site looking east along southern boundary



View of site looking west along southern boundary