

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 15, 2026

Case Number: 2026-ZON-087
Property Address: 1022 East 52nd Street & 5235 Winthrop Avenue (*Approximate Addresses*)
Location: Washington Township, Council District #7
Petitioner: TCC Real Estate Holdings LLC, by Justin Kingen
Current Zoning: I-4 (W-5)
Request: Rezoning of 3.34 acres from the I-4 (W-5) district to the MU-2 (W-5) district to provide for office, personal service, retail and food service uses within two existing buildings.
Current Land Use: Commercial
Staff Recommendation: Staff recommends **approval** of the request.
Staff Reviewer: Michael Weigel, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of the request.

PETITION OVERVIEW

LAND USE

The subject request is related to two parcels (#s 8018857 and 8060722) that are zoned I-4 and are developed with two structures and an accessory parking area that are primarily on the southern parcel and have vehicle access from 52nd Street to the south. The site was previously used as a window manufacturing facility but received a variance in 2015 to allow for commercial uses (offices and restaurants) and to legally establish both the existing buildings and existing parking area in their current locations.

The property is bordered by the Monon Trail to the east, a multitenant commercial building to the north (zoned C-S), residences and an automobile club building to the south (zoned D-5 and MU-2 respectively), and residences to the west (zoned C-1 despite residential land use). No direct east-west points of connectivity exist between the subject property and the Monon Trail, but the greenway is accessible via public sidewalks within the right-of-way to the south of the existing development.

REZONING

Approval of this petition would rezone the parcels from the I-4 (W-5) designation to the MU-2 (W-5) designation to allow for uses including but not limited to offices, personal services, retail, and food service uses. The petitioner's filing indicates that although internal remodeling to the west may occur, there are not current plans for redevelopment of the site or changes to the current building or parking layout.

The I-4 district is for those heavy industrial uses which present an elevated risk to the general public and are typically characterized by factors that would be exceedingly difficult, expensive or impossible to eliminate. These industries are therefore buffered by a sizeable area to minimize any detrimental aspects. The development standards and performance standards reflect the recognition of these problems. Location of this district should be as far as possible from protected districts and environmentally sensitive areas as practical and never be adjacent to protected districts.

The MU-2 District is intended to meet the daily needs for surrounding neighborhoods, and include, small social spaces that serve as neighborhood gathering places. The district includes primarily neighborhood-serving businesses and institutions, including a wide range of small-scale retail and service uses that typically do not draw customers from beyond the adjacent neighborhoods, and employment, institutional and residential uses that complement the compact, walkable development pattern. The MU-2 District is implemented as a small node or on busy corridors in the Traditional Neighborhood or City Neighborhood Typologies of the Land Use Pattern Book, or as a Village Mixed Use Typology. The typical size of a district is from 2 to 20 acres (1 to 4 blocks) but depends on the context and what integrates best into surrounding neighborhoods and complimentary zoning districts.

The site has a secondary zoning classification of W-5, which indicates a five-year time-of-travel protection area around a municipal water wellfield. Prior to the issuance of an Improvement Location Permit, site and development plans may be requested for review by a Technically Qualified Person, which may result in the imposition of development requirements to ensure the protection of the City's water supply.

STAFF ANALYSIS

The requested mixed-use zoning district would match the recommendations of the Meridian Kessler Neighborhood Plan, and would comport with the guidance for Critical Area 103 within that same Plan (additional information within the Comprehensive Plan Analysis section below). Additionally, the proposed district would align with existing MU-2 zoning to the south and would be a much more appropriate fit for current land use within the buildings than the current heavy industrial zone. Rezoning to the MU-2 district might also facilitate future redevelopment of the property that could introduce mixed-use to the site and could provide additional pedestrian connectivity to the Monon.

Staff would note that internal use changes would require the site to provide both adequate vehicle parking and adequate bicycle parking per Table 744-402-1 of the Indianapolis Zoning Ordinance, and that approval of this rezoning would not serve as permission to deviate from those required minimums (the current proposed breakdown is still to be determined). However, given the land use and Comprehensive Plan context, the requested rezoning would be appropriate for the site and staff recommends **approval**.

GENERAL INFORMATION

Existing Zoning	I-4 (W-5)	
Existing Land Use	Commercial	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	C-S	North: Commercial
South:	D-5 / MU-2	South: Residential / Commercial
East:	I-2	East: Monon Trail
West:	C-1	West: Residential
Thoroughfare Plan		
52 nd Street	Primary Collector	50-foot existing right-of-way and 56-foot proposed right-of-way
Winthrop Avenue	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way
Monon Trail	Greenway	
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes ; Critical Area	
Wellfield Protection Area	Yes	
Site Plan	08/27/2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Meridian Kessler Neighborhood Plan (2016)

Pattern Book / Land Use Plan

- Not Applicable to the Site. See 'Neighborhood / Area Specific Plan' below.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- The Meridian Kessler Neighborhood Plan recommends this site to the Village Mixed Use typology. This typology is intended to provide for development focused on a mixed-use Main Street, Village Center or major transit stop. Its purpose is to strengthen existing, historically rural, small towns and cities within Marion County that are intended to continue as neighborhood gathering places. It allows a wide range of small businesses, housing types, and public and semi-public facilities. Strip commercial development, large-scale freestanding retail uses, heavy commercial uses, large-scale light industrial uses and heavy industrial development are inappropriate in this district.
- The Plan also places this parcel within Critical Area 103 (Monon Trail between 52nd and 54th Streets). This overlay modifier recommends that "mixed-use along the Monon Trail would be appropriate and might include incubator space for start-up businesses, professional offices, art center, and residential uses" and that "a boutique hotel in this area could provide accommodations for those visiting Butler University". East/west pedestrian connections to the Monon Trail should be installed from both the east and west to improve community access.

Infill Housing Guidelines

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2015UV3029, Variance of use and development standards of the Industrial Zoning Ordinance to provide for offices and restaurants (not permitted), to provide for a parking lot with a 10-foot front setback from Winthrop Avenue and to legally establish a building, with an 11-foot front setback from Winthrop Avenue (20-foot front setback required), **approved**.

89-UV1-21, Variance of use and development standards of the Industrial Zoning Ordinance to provide for the construction of a window manufacturing facility, office, and showroom with parking in the front transitional yard, **approved with conditions**.

ZONING HISTORY – VICINITY

2026VAR001 ; 1055 E 52nd Street (south of site), Variance of Use of the of the Consolidated Zoning and Subdivision Ordinance provide for an automobile club (not permitted), **approved**.

2025ZON139 ; 1055 E 52nd Street (south of site), Rezoning of 0.80-acre from the D-5 (W-5) district to the MU-2 (W-5) classification, **approved**.

2025ZON086 ; 5255 Winthrop Avenue (north of site), Rezoning of 1.43 acres from the I-4 (W-5) district to the C-S (W-5) district to legally establish the existing structure, off-street parking area, existing uses, and to provide for commercial and industrial uses, such as, commercial and building contractor, business offices, including medical offices, artisan manufacturing, research and development, restaurants, and indoor recreation and entertainment, **approved**.

2024CVR817 ; 1103 E 52nd Street (southeast of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for multiple dwelling units on the southside of an existing two-story building without orientation to a public street (dwelling units must orient and be visible to a public street), **approved**.

2024CZN817 ; 1103 E 52nd Street (southeast of site), Rezoning of 1.05 acres from the D-5 (W-5) district to the MU-2 (W-5) district to legally establish existing uses and to provide for a potential mixed-use development, **approved**.

2016HOV006 ; 5228 Winthrop Avenue (west of site), Variance of use of the Commercial Zoning Ordinance to provide for primary and accessory residential uses, including the expansion of an attached garage (not permitted), **approved**.

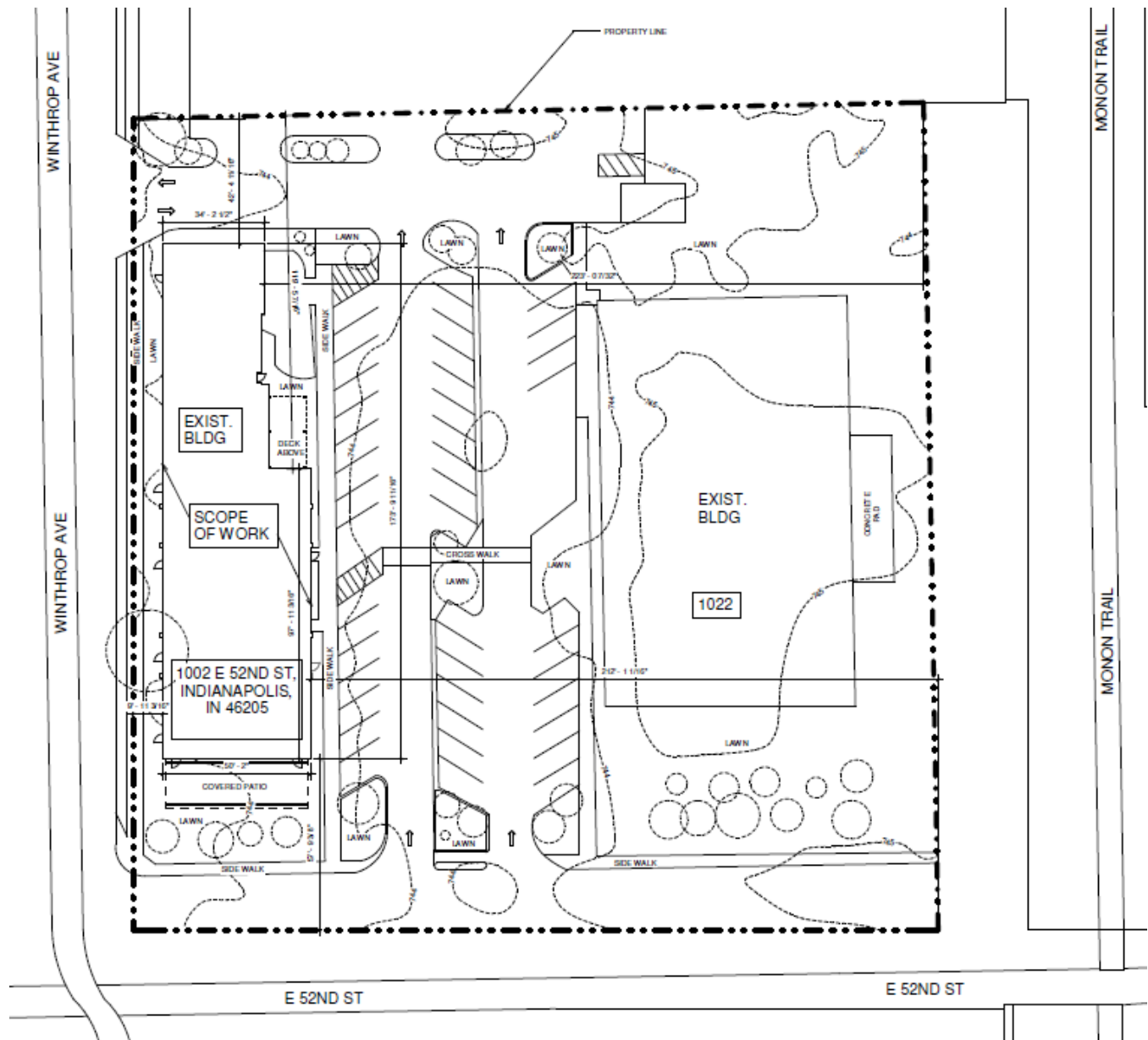
2014HOV050 ; 1103 E 52nd Street (southeast of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a dwelling unit and garage, with a 290-square foot main floor area (minimum 660 square feet required) and an 18-foot rear setback (minimum 20-foot rear setback permitted), **approved**.

EXHIBITS

2026-ZON-087 ; Aerial Map



2026-ZON-087 ; Site Plan



2026-ZON-087 ; Photographs



Photo 1: Subject Site Viewed from South



Photo 2: Subject Site Development Viewed from North

2026-ZON-087 ; Photographs (continued)



Photo 3: Eastern Building Viewed from Northeast



Photo 4: Western Building Viewed from Northwest

2026-ZON-087 ; Photographs (continued)



Photo 5: Adjacent Property to Southwest



Photo 6: Adjacent Property to Southeast

2026-ZON-087 ; Photographs (continued)



Photo 7: Adjacent Property to North



Photo 8: Adjacent Property to West

2026-ZON-087 ; Photographs (continued)



Photo 9: Adjacent Property to East



Photo 10: Existing 52nd Street Sidewalk from Monon to Subject Site