

## STAFF REPORT

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

**Case Number:** 2023-ZON-020  
**Address:** 25 South Tuxedo Street (*Approximate Address*)  
**Location:** Center Township, Council District #12  
**Petitioner:** Marybeth McShea  
**Request:** Rezoning of 0.22 acre from the I-3 (TOD) district to the D-5 (TOD) district to provide for a two-family dwelling.

### **RECOMMENDATIONS**

Staff **recommends approval** of the request. 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. 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 / receptables provided for the proper disposal of trash and other waste.
2. Site plan and elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).

### **SUMMARY OF ISSUES**

The following issues were considered in formulating the recommendation:

#### **LAND USE ISSUES**

- ◇ This 0.22-acre site, zoned I-3 (TOD), is undeveloped and surrounded by a two-family dwelling to the north, zoned I-3; a single-family dwelling, to the south, zoned I-3; undeveloped land to the east, zoned I-4; and single-family dwelling to the west, across South Tuxedo Street, zoned D-5.

#### **REZONING**

- ◇ This request would rezone the site from I-2 District to the D-8 classification to provide for residential uses. "The D-8 district is intended for a variety of housing formats, with a mix of small-scale multi-unit building types. This district can be used as a part of new mixed- use areas, or for infill situations in established urban areas, including medium and high-density residential recommendations of the Comprehensive Plan, and the Traditional Neighborhood, City Neighborhood, and Village or Urban Mixed-Use Typologies of the Land Use Pattern Book."

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## **STAFF REPORT 2023-ZON-020 (Continued)**

- ◇ The Comprehensive Plan recommends Traditional Neighborhood typology. “The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 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 Comprehensive Plan consists of two components that include the Pattern Book and the land use map. 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*

- 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.

### *Conditions for All Housing*

- A mix of housing types is encouraged.
- 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.
- Primary structures should be no more than one and a half times the height of other adjacent primary structures.
- 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 15 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.

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## **STAFF REPORT 2023-ZON-020 (Continued)**

### *Attached Housing*

- Duplexes should be located on corner lots, with entrances located on different sides of the lot.
  - It is preferred that townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood-serving retail.
  - If the above conditions are not met, individual buildings of attached housing (not part of a complex) may be interspersed with single-family homes but should not make up more than 25% of the primary residential structures on a block.
- ◇ The Pattern Book also provides guidance when a site is located within an overlay. Modifications are recommended that specifically address the constraints / opportunities presented by the overlay. In this case, the site is located within the Transit-Oriented Development (TOD) overlay.

### *Modified Uses*

- Attached Housing - A residential density of 15+ units per acre is recommended.

### **Overlays**

- ◇ This site is also located within an overlay, specifically the Transit Oriented Development (TOD). "Overlays are used in places where the land uses that are allowed in a typology need to be adjusted. They may be needed because an area is environmentally sensitive, near an airport, or because a certain type of development should be promoted. Overlays can add uses, remove uses, or modify the conditions that are applied to uses in a typology."
- ◇ The Transit-Oriented Development (TOD) overlay is intended for areas within walking distance of a transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.
- ◇ This site is located within the ¼ mile walk of a proposed transit stop at the intersection of East Washington Street and Lasalle Street, with a Community Center typology.
- ◇ District Center stations are defined as having varying types of commercial developments, from large strip centers to shopping malls, along arterial corridors. Development opportunities vary from redevelopment into mixed-use, walkable patterns to multi-family residential infill development
- ◇ Characteristics of the Community Center typology are:
- A dense mixed-use neighborhood center
  - Minimum of 3 stories at core
  - No front or side setbacks at core; 1-10 feet, front setbacks and 0-10 feet side setbacks at the periphery
  - Multi-family housing with a minimum of 3 units
  - Structured parking at the core and attractive surface parking at the periphery

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## **STAFF REPORT 2023-ZON-020 (Continued)**

### **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;
  - 3. 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.

### **Infill Housing Guidelines**

- ◇ The Infill Housing Guidelines were updated and approved in May 2021, with a stated goal “to help preserve neighborhood pattern and character by providing guiding principles for new construction to coexist within the context of adjacent homes, blocks, and existing neighborhoods. These guidelines provide insight into basic design concepts that shape neighborhoods, including reasons why design elements are important, recommendations for best practices, and references to plans and ordinance regulations that reinforce the importance of these concepts.”
- ◇ These guidelines apply to infill development in residential areas within the Compact Context Area and include the following features:

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## **STAFF REPORT 2023-ZON-020 (Continued)**

### Site Configuration

- Front Setbacks
- Building Orientation
- Building Spacing
- Open Space
- Trees, Landscaping, and the Outdoors

### Aesthetic Considerations

- Building Massing
- Building Height
- Building Elevations and Architectural Elements

### Additional Topics

- Secondary Dwelling Units, Garages, and Accessory Structures
- Adapting to the Future

- ◇ “As established neighborhoods experience new development, infill residential construction will provide housing options for new and existing residents. Increased population contributes positively to the local tax base, economic development, lively neighborhoods, and an interesting city. As infill construction occurs, it is important to guide development in a way that complements current neighborhoods. Each home in a neighborhood not only contributes to the existing context of adjoining houses and the block, but to the sense of place of the entire neighborhood.”
- ◇ Because no elevations were submitted for review to confirm that the proposed dwelling would architecturally be compatible and harmonious with the surrounding land uses and neighborhood character, staff would request that elevations be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).

### **Site Plan**

- ◇ The site plan, file-dated February 28, 2023, depicts a 3,211 square-foot, two-family dwelling with four covered porches totaling 516 square feet.
- ◇ No off-street parking would be provided.
- ◇ It should be noted that staff’s support of the rezoning request does not constitute approval of the site plan, as submitted.

### **Planning Analysis**

- ◇ As proposed the request would be consistent with the Comprehensive Plan recommendation of traditional neighborhood typology.
- ◇ The site consists of two originally platted lots that have been combined into one lot. Historically, the northern parcel was developed with a single-family dwelling and the southern lot was developed with a two-family dwelling.

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## **STAFF REPORT 2023-ZON-020 (Continued)**

- ◇ The residential-sized parcels were developed with dwellings many years ago, which have been demolished. The current I-3 zoning district does not reflect the long-time and historical residential use on these parcels. Staff supports this rezoning because it would match the zoning classification with the proposed residential use.

### **GENERAL INFORMATION**

#### EXISTING ZONING AND LAND USE

I-3 (TOD)	Undeveloped land
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#### SURROUNDING ZONING AND LAND USE

North -	I-2 (TOD)	Two-family dwelling
South -	I-2 (TOD)	Single-family dwelling
East -	I-4 (TOD)	Undeveloped land
West -	D-5 (TOD)	Single-family dwelling

#### COMPREHENSIVE LAND USE PLAN

The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends traditional neighborhood typology.

The Blue Line Transit Oriented Development Strategic Plan (2021).

#### THOROUGHFARE PLAN

This portion of South Tuxedo Street is designated in the Marion County Thoroughfare Plan as a local street with an existing 50-foot right-of-way and a proposed 48-foot right-of-way.

#### CONTEXT AREA

This site is located within the compact context area.

#### OVERLAY

This site is located within the transit-oriented development overlay.

#### SITE PLAN

File-dated February 29, 2023

### **ZONING HISTORY**

**2018-ZON-113; 4011 East New York Street, 2652 (2654-parcel) Brookside Avenue, 3031 (452 North Gray Street – parcel) and 3109 East Michigan Street, 38 and 54 South Oxford Street, 36 and 60 South Dearborn Street, 34 South Tuxedo Street, 47 South Gray Street, 43 and 52 South LaSalle Street), requested rezoning of 1.26 acres from the C-3, MU-1 and I-3 districts to the D-5 classification., approved.**

**2004-UV2-037; 27 South Tuxedo Street (south of site), requested a variance of use and Development standards of the Industrial Zoning Ordinance to legally establish a two-family dwelling and a detached accessory building, granted.**

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**STAFF REPORT 2023-ZON-020 (Continued)**

**92-UV1-4; 3401 East Washington Street (north of site)**, requested a variance of use of the Industrial Zoning Ordinance to permit the continued operation of automobile sale, **granted**.

**87-UV3-86; 32 South Tuxedo Street (south of site)**, requested a variance of use of the Industrial Zoning Ordinance to provide for construction and use of a garage attached to an existing single-family residence without the required setback, **granted**

**86-UV1-66; 3401 East Washington Street (north of site)**, requested a variance of use to permit the outdoor display and sales of automobiles with new a new building for office and repair garage, **granted**.

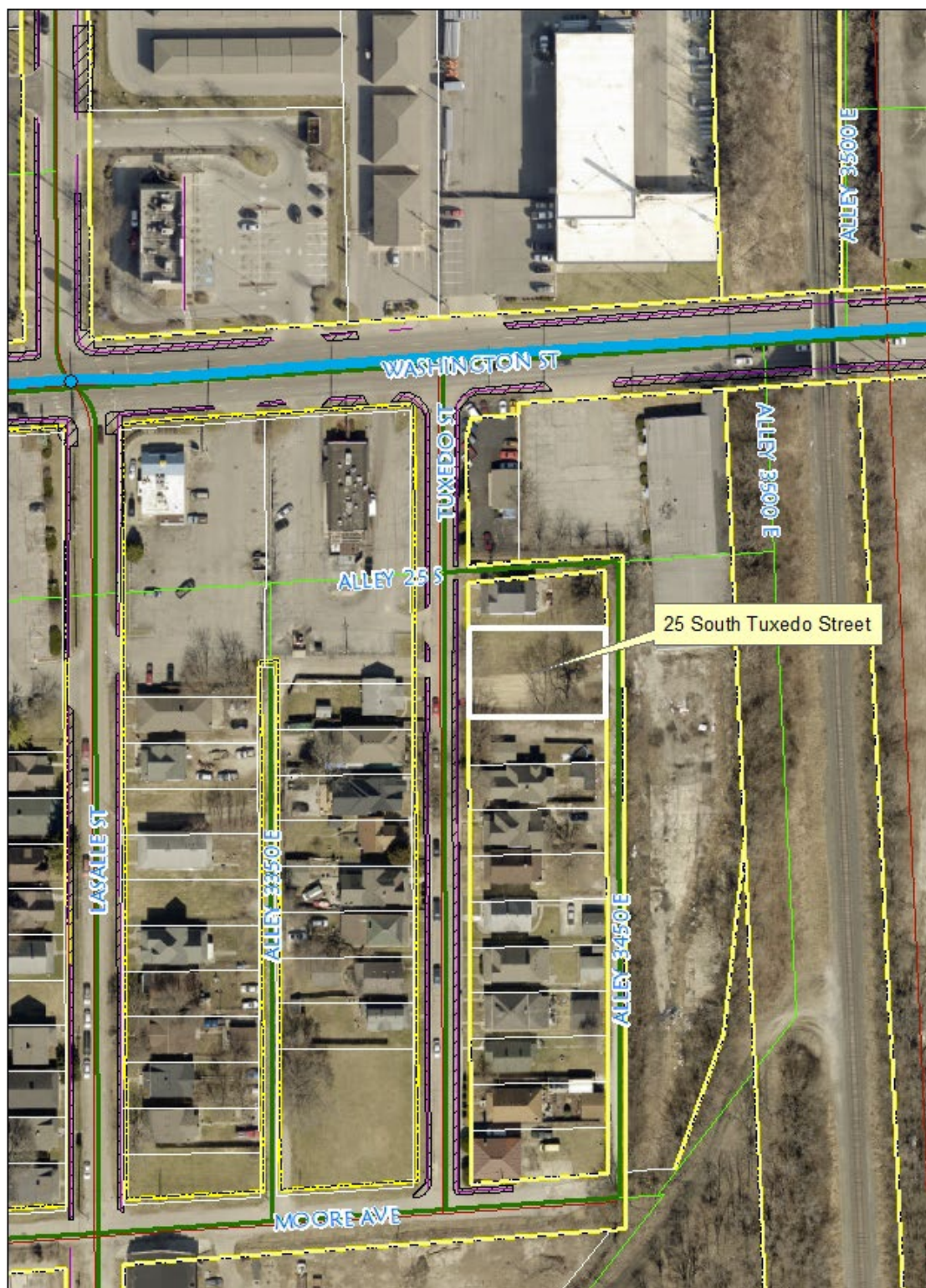
**85-UV1-37, 3323 East Washington Street, (north of site)**, requested a variance of use and development standards of the Industrial Zoning Ordinance to provide for the addition of a 10-foot by 30-foot solarium to the front of an existing restaurant, encroaching into the front building setback, approved.

**84-UV3-71; 3323 East Washington Street (north of site)**, requested a variance of use to provide for a storage addition, granted.

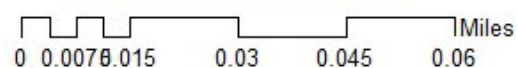
**77-UV1-39; 3323 East Washington Street (north of site)**, requested a variance of use to provide for a restaurant, **granted**.

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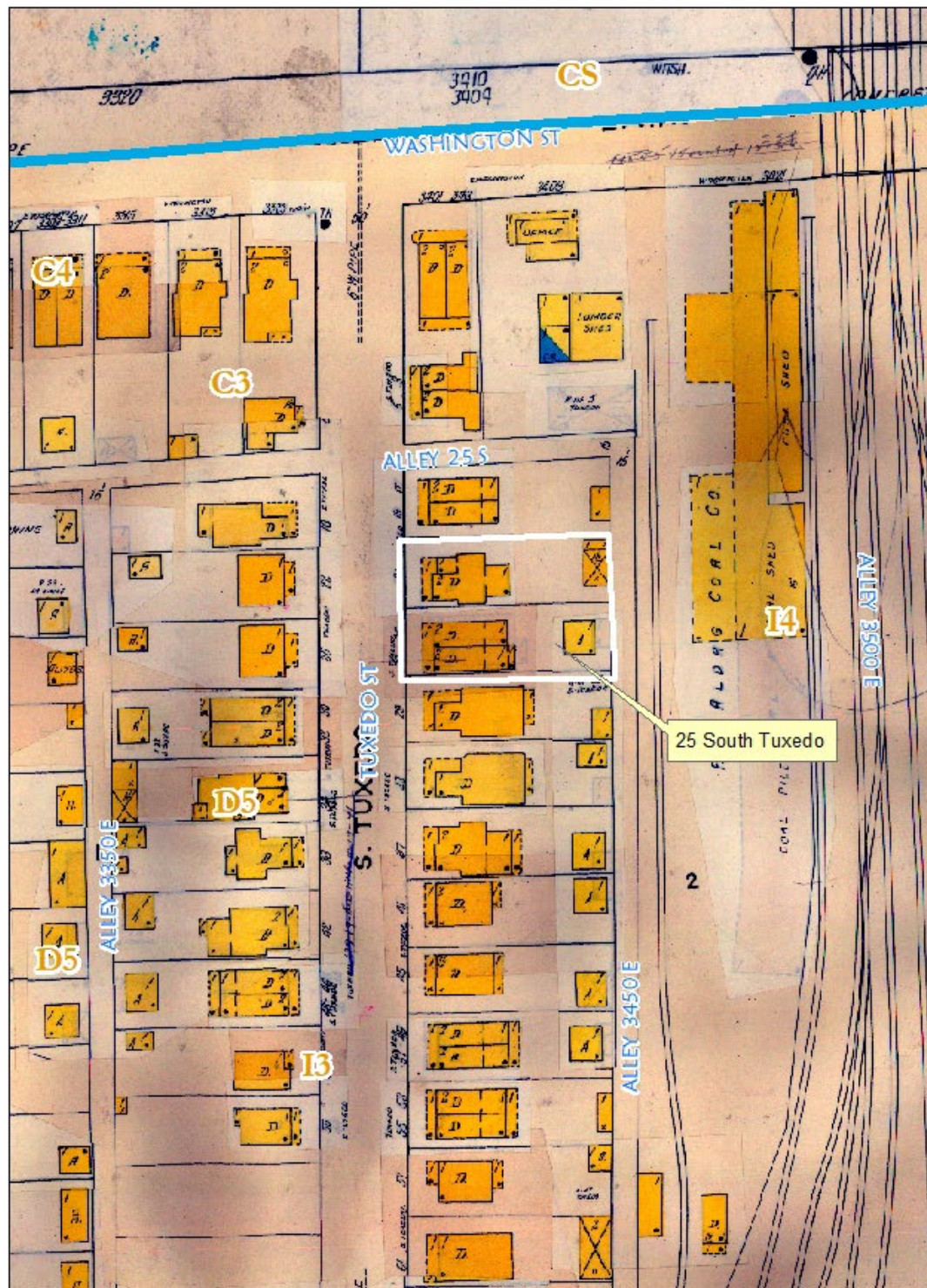


25 South Tuxedo Street

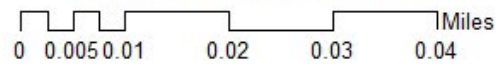




# 1915 Sanborn Map



25 South Tuxedo Street



REVISION DATE:  
01/27/23

25 S TUXEDO ST,  
INDIANAPOLIS, IN. 46201

## GENERAL NOTES:

All construction to be done in accordance with these plans and the 2020 Indiana residential code (2018 IRC)

Do not scale drawings, use given dimensions, consult designer/draftsman for any discrepancies.

All products to be installed according to manufacturers specifications.

Utility locations and routing are unknown, confirm location of water, sanitary sewer, electrical and gas utilities in field prior to commencement of work.

SITE DATA:

LOT AREA (1-3)  
PARCEL: #1021350  
25 S Tuxedo st  
Indianapolis, IN. 46201  
Parcel area: 9,600 SF (120'x80')  
New building area: 3,211 SF  
New covered porch: 516 SF

**KEYNOTES:**

- 01 Equipment storage
- 02 Solid waste dumpster
- 03 Concrete / Paint washout
- 04 New covered porch
- 05 New concrete sidewalk
- 06 New steps to grade

**LEGEND:**

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GENERAL EXISTING SITE NOTES:

1. THESE DRAWINGS ARE INTENDED TO OUTLINE THE GENERAL SCOPE OF WORK CONTAINED THEREIN. FIELD VERIFIED DATA AND EXISTING CONDITIONS SHOULD BE OBTAINED PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL APPLICABLE CODES AND GENERALLY ACCEPTED TRADE PRACTICES.
2. NO TOPOGRAPHIC SURVEY FOR PROPERTY HAS BEEN PROVIDED. DIMENSIONS AND FEATURES OF EXISTING AND PROPOSED CONSTRUCTION SHALL BE FIELD VERIFIED PRIOR TO CONSTRUCTION. AS A RESULT, ALL WORK MUST BE FIELD VERIFIED PRIOR TO START OF CONSTRUCTION. CONFLICTS BETWEEN THESE PLANS AND ANY OTHER PLANS OR RECORDS SHALL BE IMMEDIATELY TO THE OWNER AND ARCHITECT FOR VERIFICATION AND/OR CORRECTION.
3. ALL UTILITY LOCATIONS AND ROUTING ARE UNKNOWN. CORRECT LOCATION OF WATER, SANITARY AND GAS LINES SHALL BE FIELD VERIFIED PRIOR TO CONSTRUCTION. ALL UTILITIES SHALL BE PROTECTED AND MAINTAINED. ALL UTILITIES SHALL BE FIELD VERIFIED PRIOR TO CONSTRUCTION. ALL UTILITIES SHALL BE FIELD VERIFIED PRIOR TO CONSTRUCTION.
4. PROVIDE ALL FENCING AND CONSTRUCTION PERMITTER AS REQUIRED BY LOCAL, STATE AND FEDERAL AGENCIES. ALL FENCING SHALL BE FIELD VERIFIED PRIOR TO CONSTRUCTION.
5. HEAVY CONSTRUCTION EQUIPMENT SHALL ENTER THE PROPERTY FROM THE ALLEY. NO CONSTRUCTION EQUIPMENT IS ALLOWED TO ENTER THE STREET FROM THE LOT FRONTAGE. ALL EQUIPMENT SHALL BE FIELD VERIFIED PRIOR TO CONSTRUCTION.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL APPLICABLE CODES AND GENERALLY ACCEPTED TRADE PRACTICES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL APPLICABLE CODES AND GENERALLY ACCEPTED TRADE PRACTICES.

Scale: 1"=10'-0"  
Sheet size: 11x17

SHEET  
NUMBER

C102





View looking north along South Tuxedo Street



View looking south along South Tuxedo Street





View of site looking east across Tuxedo Street



View of site and adjacent dwelling looking northeast across South Tuxedo Street





View of site looking west from abutting north / south alley to the east