



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

December 12, 2024

Case Number: 2024-ZON-127
Property Address: 6018 North Keystone Avenue (approximate addresses)
Location: Washington Township, Council District #7
Petitioner: Evolution Process Service, LLC, by Rebekah Phillips
Current Zoning: D-3
Request: Rezoning of 0.219 acres from the D-3 district to the C-1 district, to provide for office uses.
Current Land Use: Office
Staff Recommendations: Approval with a commitment.
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

ADDENDUM FOR DECEMBER 12, 2024 HEARING EXAMINER

This petition was continued for cause from the November 14, 2024 hearing to the December 12, 2024 hearing at the request of a remonstrator.

November 14, 2024

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends approval** of the rezoning 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. A 52-foot half right-of-way shall be dedicated along the frontage of Keystone Avenue, 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).

PETITION OVERVIEW

LAND USE

The 0.219-acre site is developed with a single-family attached dwelling that was historically approved multiple times for office uses by multiple use variances. The site was recently split from the single-family attached dwelling to the south which was also historically used for commercial offices and rezoned recently to the C-1 district.

This site is in the block southwest of the Glendale Mall in the Broad Ripple Neighborhood.

REZONING

The request would rezone the property from the D-3 district to the C-1 district to provide for office uses.

The D-3 district provides for low or medium intensity residential development. Land in this district should have good thoroughfare access, be relatively flat in topography, and be afforded pedestrian linkages to community and neighborhood services and facilities (schools, parks, shopping areas, etc.). Recreational facilities developed for the neighborhood complement the treed yards on the individual lots. Predominantly single-family detached dwellings are envisioned with two-family dwellings on corner lots in this district. The D-3 district has a typical density of 2.6 units per gross acre. This district fulfills the low-density residential classification of the Comprehensive General Land Use Plan. All public utilities and facilities must be present. Development plans, which may include the use of clustering, should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage and wildlife.

The C-1 District is designed to perform two functions: act as a buffer between uses, and provide for a freestanding area that office uses, compatible office-type uses, such as medical and dental facilities, education services, and certain public and semipublic uses may be developed with the assurance that retail and other heavier commercial uses with incompatible characteristics will not impede or disrupt. Since the buildings for office, office-type and public and semipublic uses are typically much less commercial in appearance, landscaped more fully and architecturally more harmonious with residential structures, this district can serve as a buffer between protected districts and more intense commercial or industrial areas/districts - if designed accordingly. This district, with its offices and other buffer type uses, may also be used along certain thoroughfares where a gradual and reasonable transition from existing residential use should occur.



DEPARTMENT OF PUBLIC WORKS

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 52-foot half right-of-way along Keystone Avenue. This dedication would also be consistent with the Marion County Thoroughfare Plan.

STAFF ANALYSIS

The subject site has been used for offices since it was granted a use variance in 1987. Rezoning to the C-1 district would align the zoning to the existing use and allow for site development without additional variances so long as new development complies with C-1 standards.

The Comprehensive Plan recommendation for this site is office commercial uses. The C-1 district is the office buffer district, which is appropriate for transitions between residential and commercial districts. Therefore, staff is supportive of the rezoning to C-1.

GENERAL INFORMATION

Existing Zoning	D-3	
Existing Land Use	Office	
Comprehensive Plan	Office Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North:	D-3 Commercial
	South:	C-1 Commercial
	East:	SU-2 School
	West:	D-3 Residential (Single-family dwellings)
Thoroughfare Plan		
Keystone Avenue	Primary Arterial	100-foot existing right-of-way and 104-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	N/A	
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	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends community commercial development of the site.
- The Community Commercial typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.
- The request would align with this recommendation.

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)

- Not Applicable to the Site.

ZONING HISTORY

Zoning History - Site

2022-CPL-851; 6008 North Keystone Avenue (subject site), approval of a plat to be known as Replat of a Part of Lot 25 and Lot 26 in Kesslerwood, dividing 0.56-acre into two lots, **approved**.

2022-CVR-851; 6008 North Keystone Avenue (subject site), Variance to provide for two 64-foot-wide lots, **approved**.

2022-PLT-050; 6008 North Keystone Avenue (subject site), Approval of a Subdivision Plat to be known as Replat of a Part of Lot 25 and of Lot 26 in Kesslerwood, dividing 0.56-acre into two lots, **withdrawn**.

2009-SE1-002; 6018 North Keystone Avenue (subject site), Special exception to provide for religious uses with a ground sign in the D-3 district, **granted**.

87-UV2-46; 6008 North Keystone Avenue (subject site), Variance to provide for office uses with parking and signs, **approved**.

87-Z-16; 5930 – 6048 North Keystone Avenue (subject site), Rezoning of 3.7 acres from the D-3 and C-1 district to the C-3 district, **denied**.

81-UV2-24; 6008 North Keystone Avenue (subject site), Variance of use to provide for continued use of offices, **granted for temporary period, expiring August 8, 1986**.

78-UV1-89; 6008 North Keystone Avenue (subject site), Variance of use to provide for continued use of offices, **granted for temporary period, expiring August 8, 1981**.

74-UV2-135; 6008 North Keystone Avenue (subject site), Variance of use to provide for continued use of offices, **granted for temporary period, expiring October 15, 1977**.

Zoning History - Vicinity

2024-DV2-029; 6008 North Keystone Avenue (south of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the erection of an externally illuminated monument sign (illumination disallowed within 50 feet of a protected district) with a seven-foot north transitional yard setback (10-foot transitional yard required), **granted**.

2023-ZON-113; 6008 North Keystone Avenue (south of site), Rezoning of 0.33 acre from the D-3 district to the C-1 district to provide for office uses, **approved**.

2023-UV2-013; 6008 North Keystone Avenue (south of site), Variance to permit a seven-foot-tall, 32-square foot monument sign, **withdrawn**.



Department of Metropolitan Development
Division of Planning
Current Planning

2018-ZON-011; 6038 North Keystone Avenue (north of site), Rezoning of 0.24 acre from the D-3 and C-1 districts to the C-1 district, **approved**.

2011-UV1-026; 5944 North Keystone Avenue (south of site), Variance to provide for a salon and beauty spa, with massage and with accessory retail sales of beauty and hair care products, **approved**.

2010-ZON-070; 2424 Kessler Boulevard East Drive (east of site), Rezoning of 9.62 acres from the D-3 district to the SU-2 district, **approved**.

2010-ZON-037; 5944 North Keystone Avenue (south of site), Rezoning of 0.29 acre from the D-3 district to the C-1 district, **approved**.

2006-ZON-094; 5950 North Keystone Avenue (south of site), Rezoning of 0.2858 acre, from the D-3 District, to the C-1 district, **approved**.

2003-UV1-024; 6028 North Keystone Avenue (north of site), Variance to legally establish a real estate and insurance office, a parking lot with a zero-foot south side yard setback and a 9.7-foot north side yard setback, and a three-foot by twelve-foot ground sign, **approved**.

94-UV2-103; 5936 North Keystone Avenue (south of site), Variance of use of the Commercial Zoning Ordinance to provide for the construction of a two-story, 14-unit apartment building (not permitted), **granted**.

91-Z-36; 5910 – 5944 North Keystone Avenue (south of site), Rezoning of 1.39 acres, being in the D-3 District, to the C-1 classification to provide for office uses, **approved**.

88-UV1-153; 6038 North Keystone Avenue (north of site), Variance to provide for an existing building to be used for a security office and travel agency office and one pole sign, **approved**.

88-UV1-56; 5944 North Keystone Avenue (southeast of site), Variance of use of the Dwelling Districts Zoning Ordinance to provide for the conversion of an existing house for use of an office and a variance of development standards of the Sign Regulations to provide for a double-faced pole sign for identification, **granted**.

88-V2-118; 5950 North Keystone Avenue (south of site), Variance to provide for four-foot-tall shingle sign for a home occupation, **approved**.

84-Z-74; 6048 North Keystone Avenue (north of site), Rezoning of 0.26 acre from the D-3 district to the C-1 district, **approved**.

EXHIBITS



- PLAN OF OPERATION -

Petitioner, J&C Gregory Real Estate, LLC f/k/a Evolution Process Service, LLC, submits the following plan of operation in support of its rezoning petition with respect to the property commonly known as 6018 N. Keystone Ave., Indianapolis, Indiana 46220.

Business:

The office building is owned by J&C Gregory Real Estate LLC f/k/a Evolution Process Service, LLC (“Owner”). Owner currently rents the Property to Deposition Solutions, LLC d/b/a Lexitas (“Lexitas”), who operates a process service company out of the building.

Workforce:

Approximately 3 employees work at the building at a time. Employees use the parking lot on the property while at the building.

Clients and Customers:

Clients of Lexitas are residents and business owners in the greater Indianapolis area who are in need of a process server. Clients very rarely visit the building in person.

Processes Conducted on Site:

The employees use the facility to run the operations of Lexitas.

Materials Used:

Lexitas uses typical office supplies and office furniture to operate the business.

Shipping and Receiving:

Very minimal shipping and receiving occurs. Lexitas occasionally receives office supply deliveries.

Waste:

Standard trash for an office is disposed of appropriately.



Photo of the subject site looking west onto the site.



Photo of the site's street frontage along Kessler Avenue looking south.



Photo of the rear yard of the subject site looking west.



Photo of the rear yard of the subject site looking south.



Photo of the commercial property south of the site.



Photo of the residential property north of the site.



Photo of the school across Keystone Avenue to the east.