**Department of Metropolitan Development**
**Division of Planning**
**Current Planning**

## METROPOLITAN DEVELOPMENT COMMISSION HEARING EXAMINER — November 19, 2026

| | |
|---|---|
| **Case Number:** | 2026-CZN-844 / 2026-CVR-844 |
| **Property Address:** | 6620 Northview Way |
| **Location:** | Washington Township, Council District #3 |
| **Petitioner:** | K&J Acquisitions, LLC, by Joseph D. Calderon |
| **Current Zoning:** | SU-1 |
| **Request:** | Rezoning of 1.74 acres from the SU-1 district to the C-3 district to provide for commercial retail uses.<br><br>Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a drive-through stacking space aisle within the front yard along Binford Boulevard (not permitted); reduced transparency between three and eight feet above grade and within 50 feet of a public entrance (40% transparency required); and lack of screening of the trash enclosure next to the building without using the same materials as the buildings (trash enclosures adjacent to a primary structure shall be screened on two sides with a wall that is constructed of the same principal materials and colors as the primary structure). |
| **Current Land Use:** | Religious uses |
| **Staff Recommendations:** | Approval of the rezoning request and the variances for drive-through stacking space aisle within the front yard and the transparency request; trash enclosure variances should be withdrawn. |
| **Staff Reviewer:** | Kathleen Blackham, Senior Planner |

## PETITION HISTORY

The Hearing Examiner acknowledged the timely automatic continuance filed by the City-County Councilor that continued these petitions from the August 27, 2026 hearing, to the September 24, 2026 hearing.

The Hearing Examiner continued these petitions from the September 24, 2026 hearing, to the October 15, 2026 hearing, at the request of the petitioner's representative.

The Hearing Examiner continued these petitions from the October 15, 2026 hearing, to the November 19, 2026 hearing, at the request of the petitioner's representative to conduct a Traffic Operation Analysis (TOA).

**Department of Metropolitan Development**
**Division of Planning**
**Current Planning**

**November 19, 2026**

Traffic Operations Analysis (TOA)– November 2026

The purpose of the analysis is to determine the impact of the traffic generated by the proposed development on the adjacent roadway system and identify any deficiencies that may occur when the site is developed.

Recommendations would then be made based on whether the existing roadways can accommodate the anticipated increased traffic associated with this proposed use or whether improvements would be necessary to provide safe ingress and egress.

The analysis included two intersections: East 65th Street and Binford Boulevard and East 65th Street and Northview Way.

> East 65th Street / Binford Boulevard – "Capacity analyses for all traffic volume scenarios have shown that this intersection currently operates and will continue to operate at acceptable levels of service during the weekday AM, PM and Sunday peak hours with existing intersection conditions. Therefore, no improvements are recommended at this intersection."
>
> East 65th Street / Northview Way – "Capacity analyses for all traffic volume scenarios have shown that all approaches to this intersection currently operate and will continue to operate at acceptable levels of service during the weekday AM, PM and Sunday peak hours with existing intersection conditions. Therefore, no improvements are recommended at this intersection."

A traffic engineer from the Department of Public Works offered to provide crash data on the intersection at East 65th Street and Binford Boulevard. The information was gathered using RoadHAT (Road Hazardous Analysis Tool), which is a tool developed by the Center for Road Safety and implemented for INDOT safety management practice to assist identifying both safety needs and relevant road improvements. See Exhibit A.

The Index of Crash Frequency (ICF) of zero indicates that a roadway is performing as expected. An ICF of two or higher may be considered a high crash location. The data indicates that the ICF at this intersection is 1.76.

The Index of Crash Cost (ICC) measures the difference between expected and reported crash costs. An index of 1.8 would indicate that the severity of crashes are higher and design solutions should be sought to reduce the severity of future crashes. The ICC at this intersection is 1.44.

From 2022-2025 (four years), there were zero fatalities, one suspected serious injury, six suspected not injuries, two minor injuries, and 33 property damage only crashes.

Based on analyses on the data gathered, this intersection is not a high crash location, nor is the severity significantly higher than expected.

## STAFF RECOMMENDATION

Staff recommends approval of the rezoning, subject to the following commitments being reduced to writing on the Commission's Exhibit "B" form 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. A final landscape plan shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP) that would include year around (evergreen) plants that would provide a visual buffer to the stacking spaces in the front yard along Binford Boulevard.

## PETITION OVERVIEW

This1.74-acre site, zoned SU-1 is undeveloped and surrounded by religious uses to the north, across Northview way, zoned SU-1; commercial uses and intersection of East 65th Street and Binford Boulevard to the south, zoned C-4; Binford Boulevard right-of-way to the east, zoned SU-1; and industrial uses to the west, zoned I-2.

Petition 2026-PLT-030 subdivided this 1.74-acre site from the larger 16.86-acre site to provide for Lot 1, with the remaining 15.12 acres as Block A.

### REZONING

The request would rezone the site from the SU-1 district to the C-3 district to provide for commercial retail uses. “The C-3 District is for the development of an extensive range of retail sales and personal, professional and business services required to meet the demands of a fully developed residential neighborhood, regardless of its size. Examples of such types of uses include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail and personal and professional service establishments. At this neighborhood scale of retail, a fine grain of accessibility requisite for all modes of travel must be provided and maintained. It does not make provision, however, for those businesses that draw customers in significant numbers from well beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators, such as theaters. It does not allow those businesses that require the outdoor display, sale or storage of merchandise; or require outdoor operations. In general, to achieve maximum flexibility of permitted land use, the C-3 District makes possible a highly varied grouping of indoor retail and business functions.”

The Comprehensive Plan recommends office commercial typology for the site.

Recommended land uses in this typology include large-scale offices, small-scale office, retailing, and personal or professional services; small-scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; and small-scale parks.

**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 receptables for proper disposal of trash and other waste.

**Planning Analysis**

This request would not generally align with the Plan recommendation of office commercial. However, the Pattern Book recommends that small-scale retailing be limited to 1.5 acres. This site is slightly larger at 1.74 acres and located at the corner of Binford Boulevard (primary arterial) and East 65th Street (primary collector). Because of the industrial uses to the west, commercial uses to the south, and the separation / buffer provided by the Binford Boulevard right-of-way to the residential uses to the east, staff believes the rezoning request is supportable.

**VARIANCE OF DEVELOPMENT STANDARDS**

As proposed, four variances are being requested. One variance relates to the front yard stacking spaces, and three variances relate to the architectural features including transparency and screening of the trash enclosure.

The location of this site with frontages along Binford Boulevard and East 65th Street, would result in a practical difficulty related to the stacking space aisle within the front yard and functionality of the site. Consequently, staff supports this variance request. Staff would, however, request that year around evergreen plant materials be incorporated into the landscape plan to provide a visual buffer along Binford Boulevard frontage.

Following review of the floor plan submitted on October 8, 2026, staff finds a practical difficulty that would prevent complying with the required 40% transparency between three and eight feet above grade on the side of each primary building with a public pedestrian entrance (south façade). Public restrooms and coolers are located to the right of the public entrance, which would limit the ability to provide transparency in accordance with the Ordinance.

Based upon the elevations of the trash enclosure, file-dated August 5, 2026, the screening proposed by the trash enclosure complies with the provisions of the Ordinance, including materials that match the primary building. Consequently, this variance request should be withdrawn.

## GENERAL INFORMATION

| | | |
|---|---|---|
| **Existing Zoning** | SU-1 | |
| **Existing Land Use** | Undeveloped land | |
| **Comprehensive Plan** | Office Commercial | |
| **Surrounding Context** | **Zoning** | **Land Use** |
| North: | SU-1 | Religious uses |
| South: | C-4 | Binford Boulevard / East 65th Street rights-of-way |
| East: | SU-1 | Binford Boulevard right-of-way |
| West: | I-2 | Industrial uses |
| **Thoroughfare Plan** | | |
| Northview Way | Private Street | Existing 48-foot wide pavement. |
| East 65th Street | Primary Collector | Existing 65-foot right-of-way and proposed 80-foot right-of-way. |
| Binford Boulevard | Primary Arterial | Existing 180-foot right-of-way and proposed 102-foot right-of-way |
| **Context Area** | Metro | |
| **Floodway / Floodway Fringe** | No | |
| **Overlay** | No | |
| **Wellfield Protection Area** | No | |

| | |
|---|---|
| **Site Plan** | July 10, 2026 |
| **Site Plan (Amended)** | N/A |
| **Elevations** | August 5, 2026 |
| **Elevations (Amended)** | N/A |
| **Landscape Plan** | July 10, 2026 |
| **Findings of Fact** | July 10, 2026 |
| **Findings of Fact (Amended)** | N/A |
| **C-S/D-P Statement** | N/A |
| | |

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

The Comprehensive Plan recommends Office Commercial typology. "The Office Commercial typology provides for single and multi-tenant office buildings. It is often a buffer between higher intensity land uses and lower intensity land uses. Office commercial development can range from a small freestanding office to a major employment center. This typology is intended to facilitate establishments such as medical and dental facilities, education services, insurance, real estate, financial institutions, design firms, legal services, and hair and body care salons."

### Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) 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 – Office Commercial Typology*

- 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.
- Master-planned developments in excess of two acres should include pedestrian amenities for passive and active recreation internal to the development.

*Small-Scale Offices, Retailing, and Personal or Professional Services (commercial uses with minimal outdoor operations, storage, or display on lots of less than 1.5 acres and a height of less than 35 feet.)*

- Appropriate as a primary use only in major employment centers.
- Outdoor display of merchandise should be limited.

- If adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.
- Should be located along an arterial or collector street.
- If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.

**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

**2026-PLT-030; 6620 Northview Way,** requested approval of a Subdivision Plat to be known as Northview Reserve Secondary Plat, subdividing 16.87 acres into one lot and one block**, approved.**

**2017-ZON-036, 6620 Binford Medical Drive,** requested rezoning of 16.825 acres from the C-S district to the SU-1 classification, **approved.**

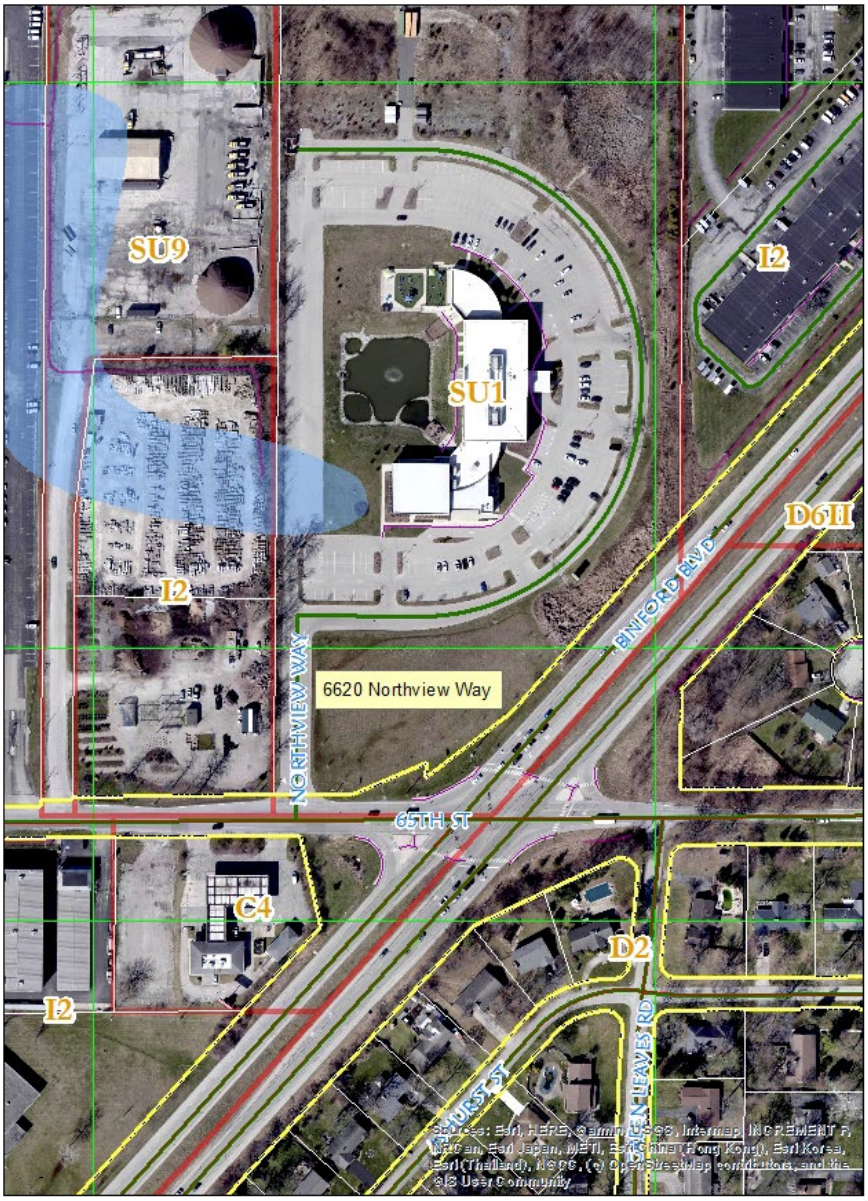
**2005-APP-004; 6620 Binford Medical Drive**, requested a modification of commitments related to petitions 2003-ZON-130 and 2000-ZON-109 to provide for a freestanding integrated center sign along the Binford Boulevard frontage**, approved.**

**2003-ZON-130, 6515 Binford Medical Drive,** requested a rezoning of 16.87 acres from the C-S District to the C-S District to provide for a revised site plan, commitments, and a pharmacy, **approved.**

**2000-ZON-109; 5500 East 65th Street,** requested a rezoning of 19.125 acres, from I-2-S to C-S, to provide for 150,000 square feet of general and medical office development**, approved.**

**97-Z-173; 7003 Hawthorn Park Drive (north of site),** requested a rezoning of 1.119 acres from I-2-S and C-3 to C-S, to provide for a motor vehicle service center, including automobile oil change and lubrication as permitted in the C-3 District; all automobile-related uses permitted in the C-4 District; glass replacement, transmission repair, and the accessory sales of automobiles as permitted in the C-5 District in addition to all permitted I-2-S uses, **approved.**

## EXHIBITS

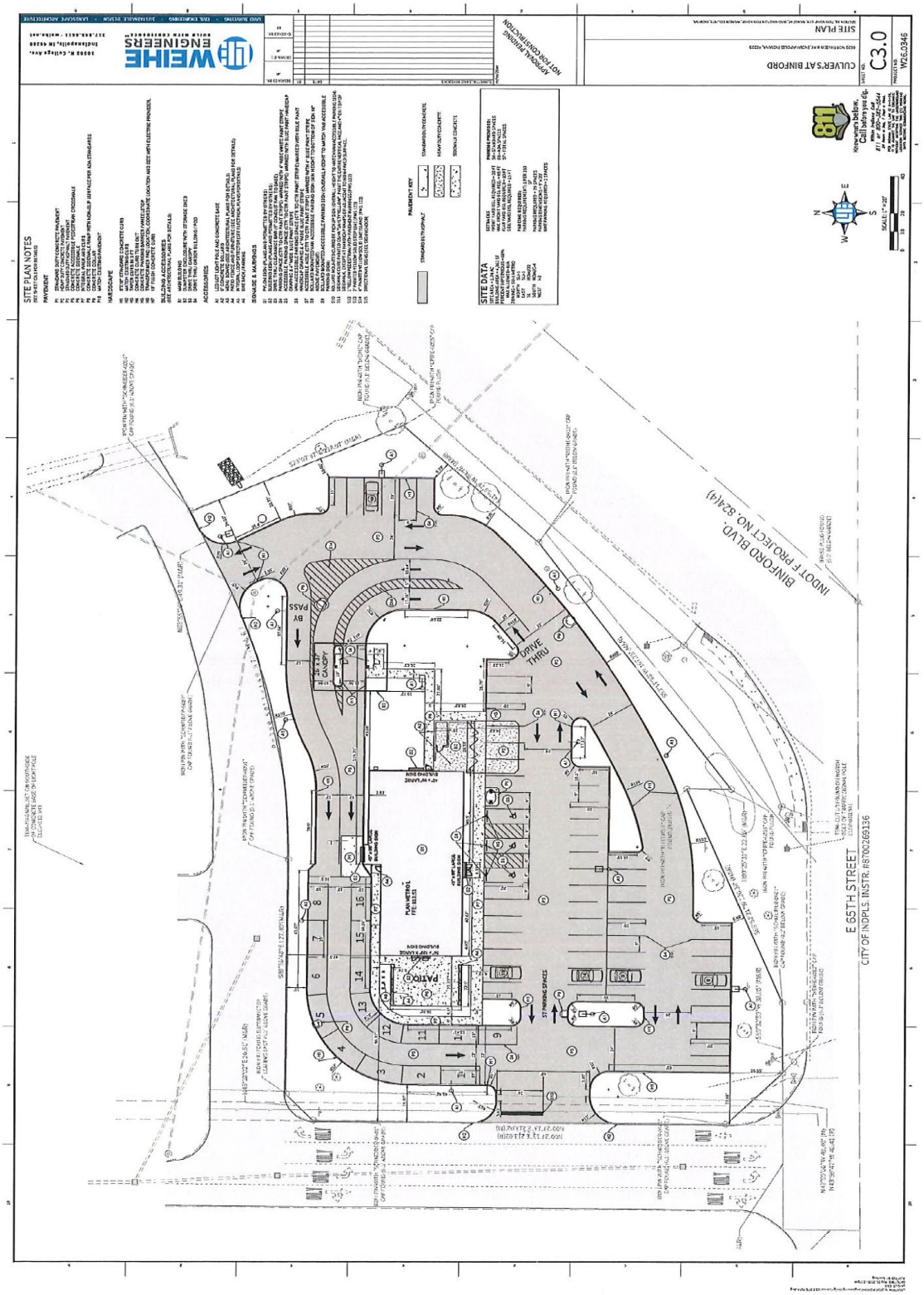



6620 Northview Way

0 0.010.02 0.04 0.06 0.08 Miles

DMD INDY
DEPARTMENT OF METROPOLITAN DEVELOPMENT
DIVISION OF PLANNING | CURRENT PLANNING

**Department of Metropolitan Development**
**Division of Planning**
**Current Planning**



# EXHIBIT A

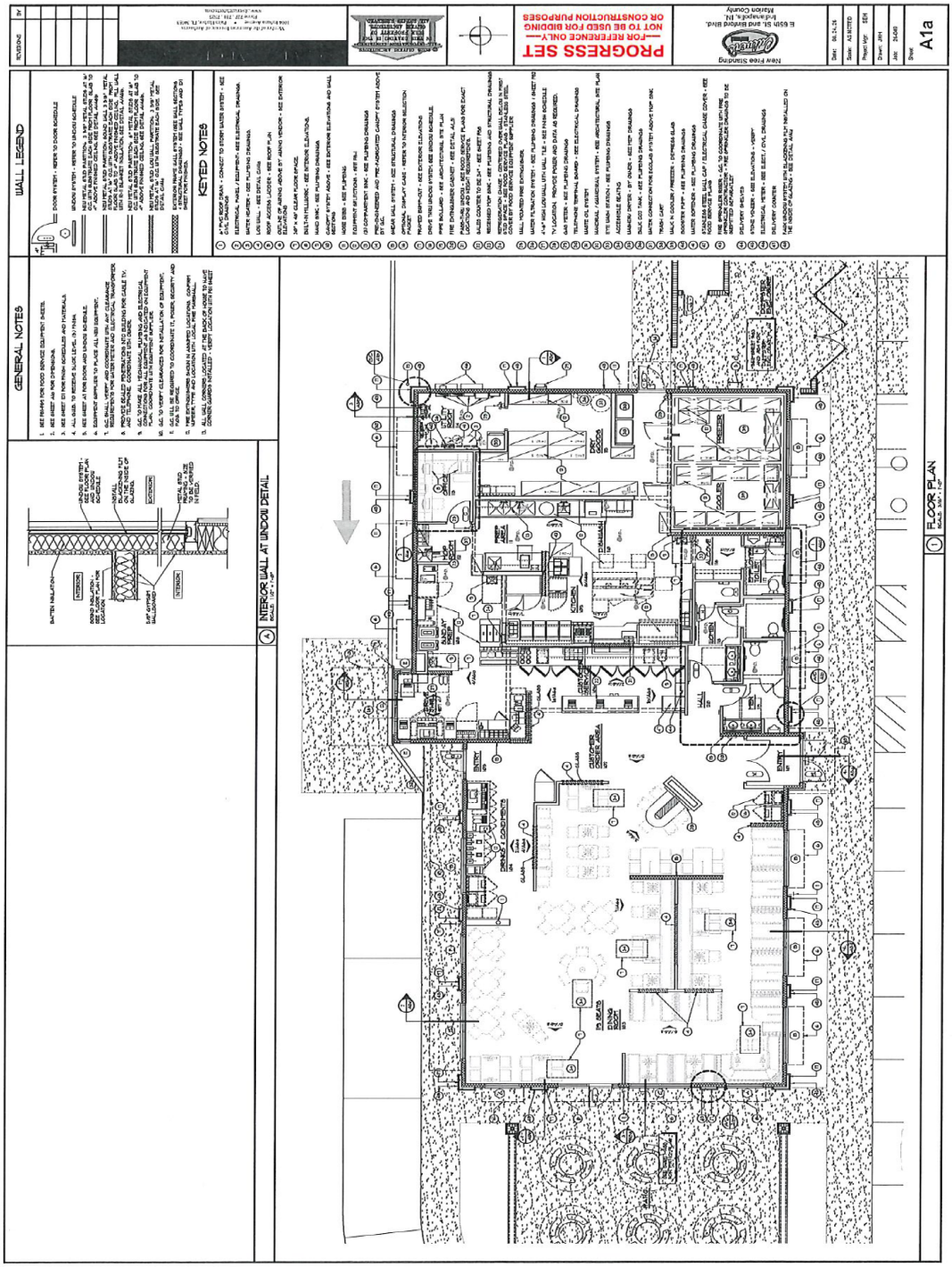
| RoadHAT 4D | **Index of Crash Frequency and Cost - Form F1** | Page 1/2 |
|---|---|---|
| Settings: Indiana local settings | Version: Version 4.1 | |
| Location | 65th St & Binford Blvd | |
| | | |
| GIS | | |
| Post | | |
| Analyst | JB | |
| Date | 10/27/2026 | |

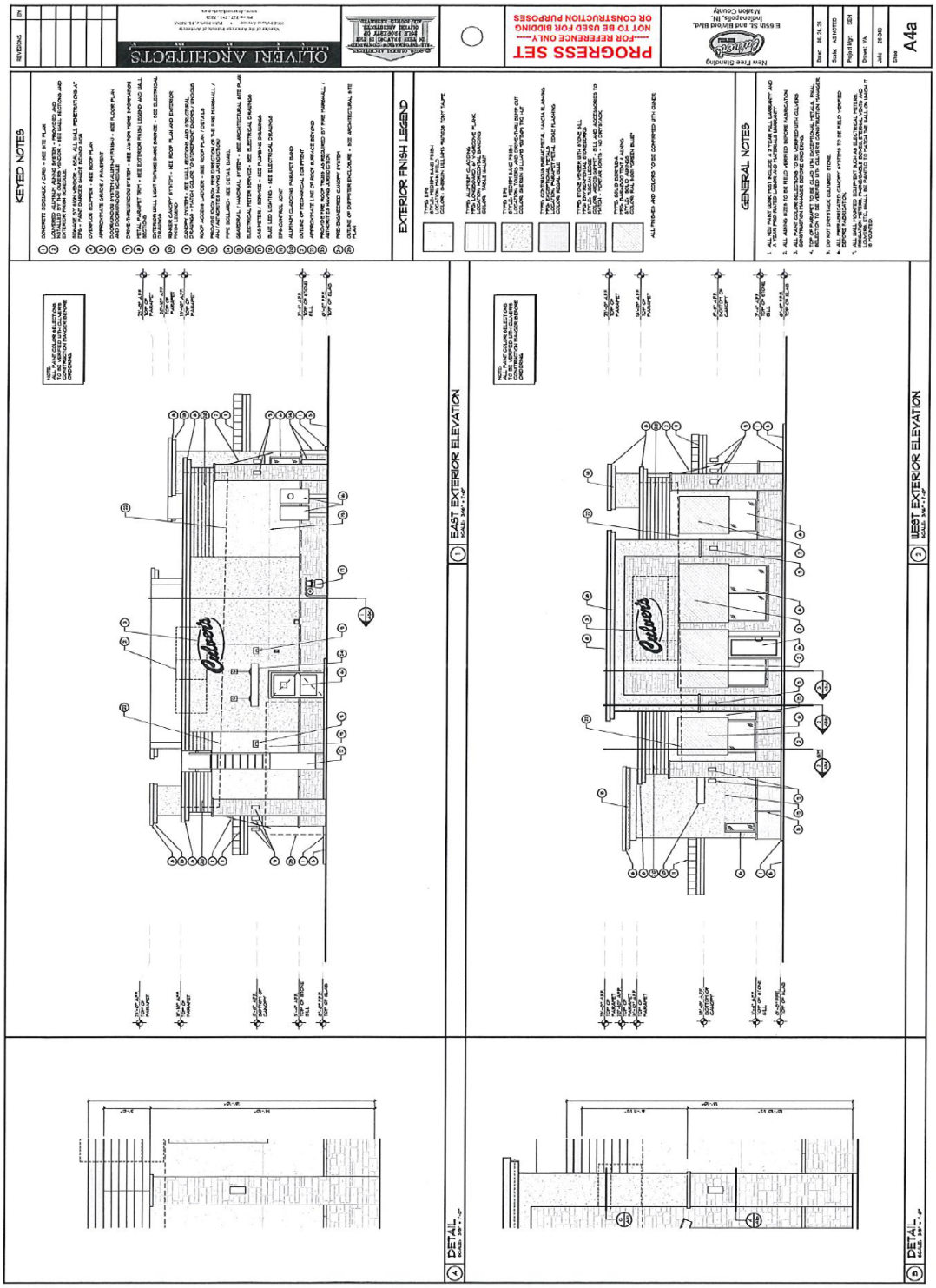
| **INPUT** | |
|---|---|
| Road Facility Type | City Arterial Intersection |
| Busiest Road AADT (veh/day) | 30000 |
| Crossing Road AADT (veh/day) | 4000 |
| First Year with Crash Data (yyyy) | 2022 |
| Last Year with Crash Data (yyyy) | 2025 |
| Number of Crashes (crash/period) | |
| Fatal and Incapacitating Injury Crashes | 4 |
| Non-Incapacitating and Possible Injury Crashes | 8 |
| Property Damage Only Crashes | 46 |
| Route or Road Type | City Arterial Intersection |
| Average Crash Costs ($) | |
| Fatal and Incapacitating Injury Crashes | 1840100 |
| Non-Incapacitating and Possible Injury Crashes | 393200 |
| Property Damage Only Crashes | 40200 |
| Crash Cost Year (yyyy) | 2017 |
| **OUTPUT** | |
| Expected Crash Frequency (crash/year) | |
| Fatal and Incapacitating Injury Crashes | 0.334 |
| Non-Incapacitating and Possible Injury Crashes | 0.86 |
| Property Damage Only Crashes | 4.42 |
| All Crashes | 5.62 |
| Index of Crash Frequency | **1.76** |
| Index of Crash Cost | **1.44** |

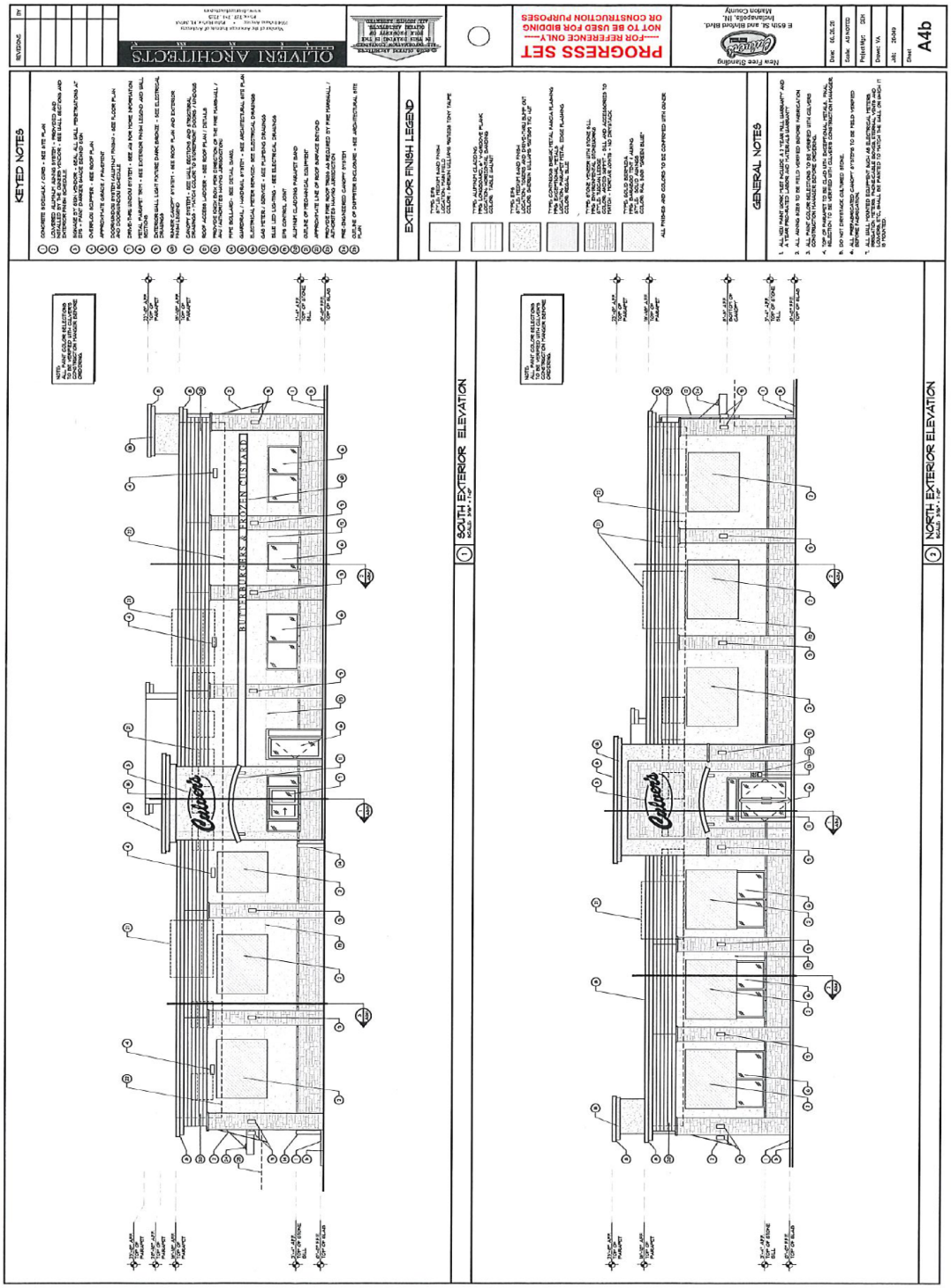
| RoadHAT 4D | **Index of Crash Frequency and Cost - Form F1** | Page 2/2 |
|---|---|---|
| Settings: Indiana local settings | Version: Version 4.1 | |
| Location | 65th St & Binford Blvd | |
| | | |
| GIS | | |
| Post | | |
| Analyst | JB | |
| Date | 10/27/2026 | |

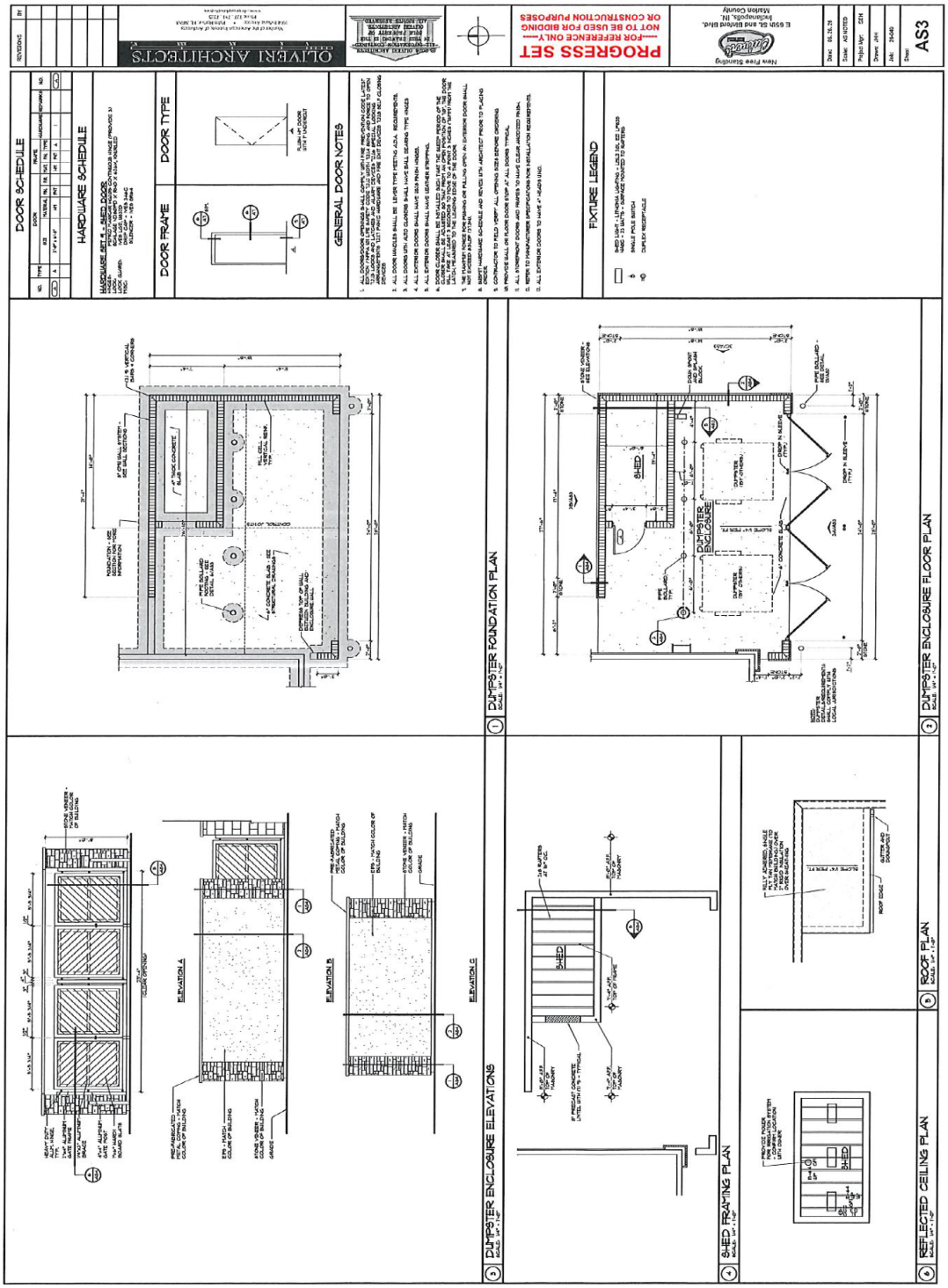
**Comments:**

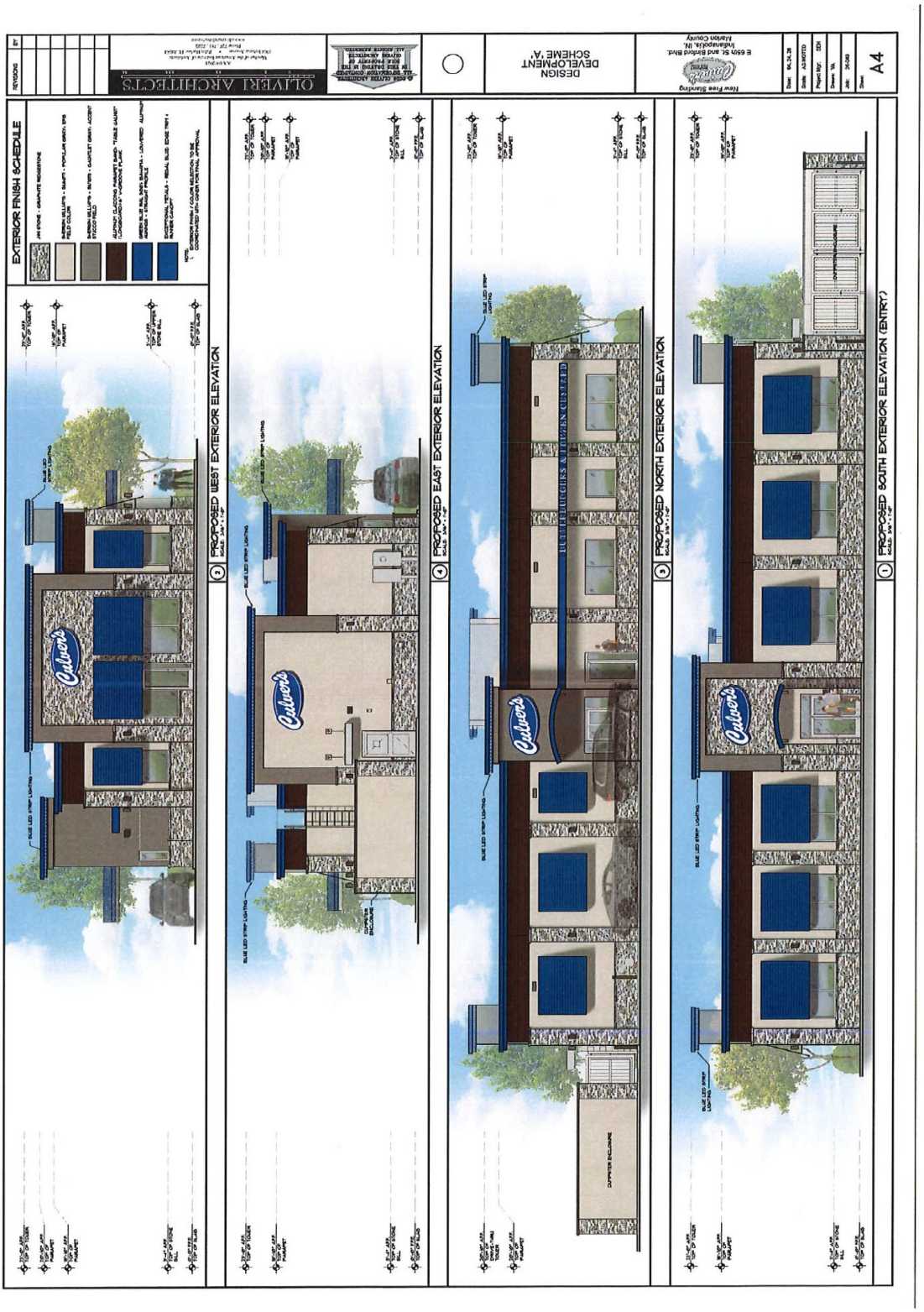
## Floor Plan – October 8, 2026

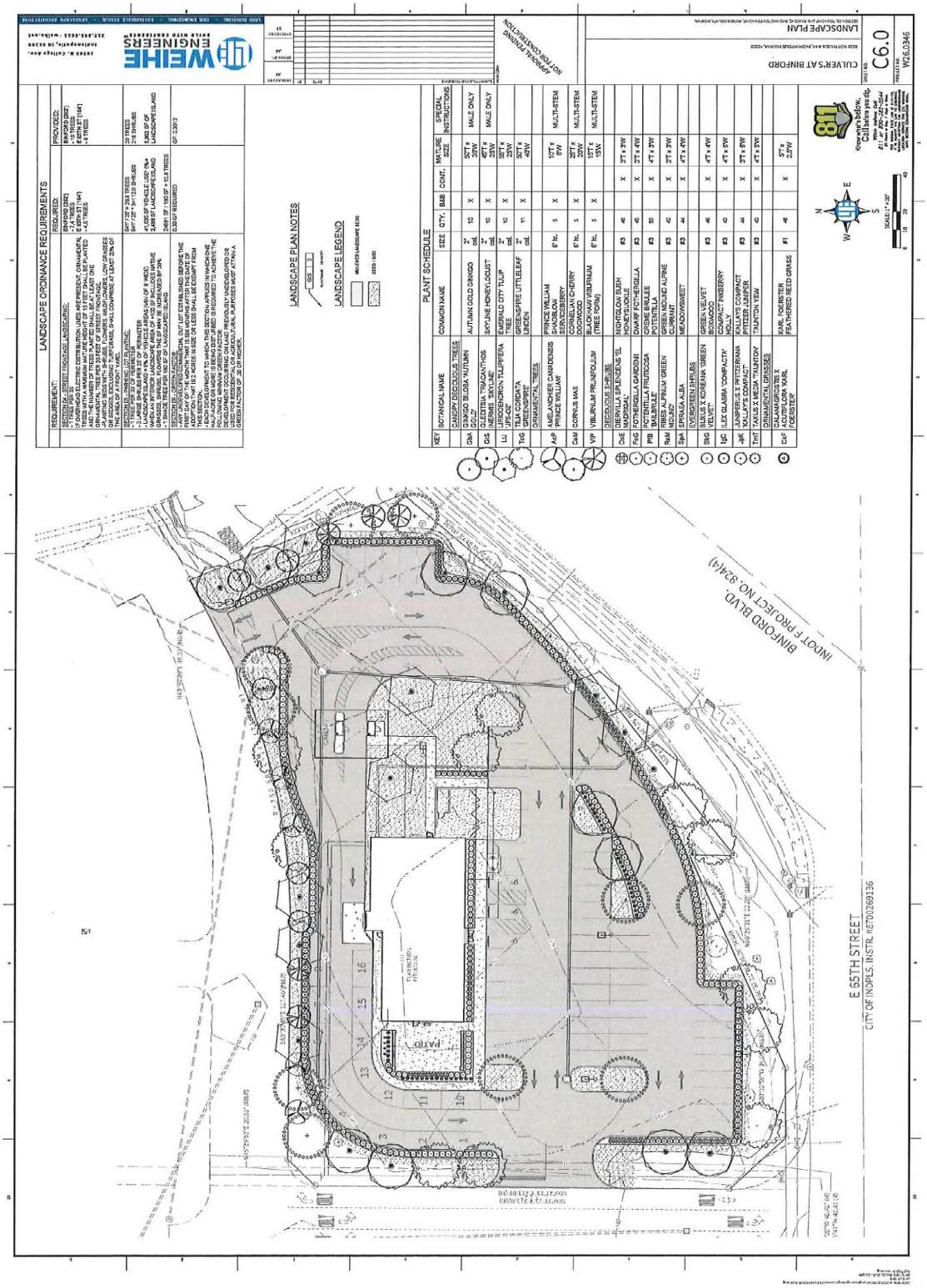



PROGRESS SET
—FOR REFERENCE ONLY—
NOT TO BE USED FOR BIDDING
OR CONSTRUCTION PURPOSES
OLIVERI ARCHITECTS
Free Standing
Indianapolis, IN
Marion County
KEYED NOTES
EXTERIOR FINISH LEGEND
GENERAL NOTES
EAST EXTERIOR ELEVATION
WEST EXTERIOR ELEVATION
DETAIL
DETAIL
A4a


PROGRESS SET
FOR REFERENCE ONLY
NOT TO BE USED FOR BIDDING OR CONSTRUCTION PURPOSES
OLIVERI ARCHITECTS
KEYED NOTES
EXTERIOR FINISH LEGEND
GENERAL NOTES
SOUTH EXTERIOR ELEVATION
NORTH EXTERIOR ELEVATION
A4b


PROGRESS SET
NOT TO BE USED FOR BIDDING OR CONSTRUCTION PURPOSES
OLIVERI ARCHITECTS
DOOR SCHEDULE
HARDWARE SCHEDULE
DOOR TYPE
DOOR FRAME
GENERAL DOOR NOTES
FIXTURE LEGEND
DUMPSTER FOUNDATION PLAN
DUMPSTER ENCLOSURE FLOOR PLAN
DUMPSTER ENCLOSURE ELEVATIONS
SHED FRAMING PLAN
ROOF PLAN
REFLECTED CEILING PLAN
AS3


EXTERIOR FINISH SCHEDULE
OLIVER ARCHITECTS
DESIGN DEVELOPMENT SCHEME 'A'
New Free Standing
E 65th St. and Binford Blvd.
Indianapolis, IN.
Hamon County
A4
PROPOSED WEST EXTERIOR ELEVATION
PROPOSED EAST EXTERIOR ELEVATION
PROPOSED NORTH EXTERIOR ELEVATION
PROPOSED SOUTH EXTERIOR ELEVATION (ENTRY)
Culver's
BLUE LED STRIP LIGHTING
DUMPSTER ENCLOSURE


LANDSCAPE ORDINANCE REQUIREMENTS
LANDSCAPE PLAN NOTES
LANDSCAPE LEGEND
PLANT SCHEDULE
CULVER'S AT BINFORD
LANDSCAPE PLAN
C6.0
W26.0346
BINFORD BLVD.
E 65TH STREET
CITY OF INDPLS. INSTR. #2700269136
PATIO

Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION**
**HEARING EXAMINER**
**METROPOLITAN BOARD OF ZONING APPEALS, Division _____**
**OF MARION COUNTY, INDIANA**

## PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

## FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:
there is adequate setback and screening between the drive-through aisle and Binford Boulevard, so that there will not be any headlight spill affecting traffic on Binford Boulevard.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:
the proposed variance only affects a portion of the drive-through aisle fronting on Binford, and will not change access to or visibility of any adjoining property.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:
the property does not have direct access to Binford Boulevard, instead providing access from a local street with access to/from 65th Street, creating a layout which requires the drive-through aisle to at least partially front on Binford Boulevard.

## DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ___

_____ _____
_____ _____
_____

**Petition Number** 2026-CVR-844

**METROPOLITAN DEVELOPMENT COMMISSION**
**HEARING EXAMINER**
**METROPOLITAN BOARD OF ZONING APPEALS, Division _____**
**OF MARION COUNTY, INDIANA**

**PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS**

**FINDINGS OF FACT**

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

there is adequate window transparency, which will provide sufficient visibility both in and out of the restaurant for both customers and public safety officials, all of which will promote public safety.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

the portions of the building not providing window transparency are mitigated by significant window transparency on the same facade which will provide a first class appearance, matching or exceeding those of the non-residential buildings adjoining or near the Subject Property.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

the Ordinance does not take into account certain operations which have kitchen and storage areas near entry doors.

**DECISION**

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____

_____ _____

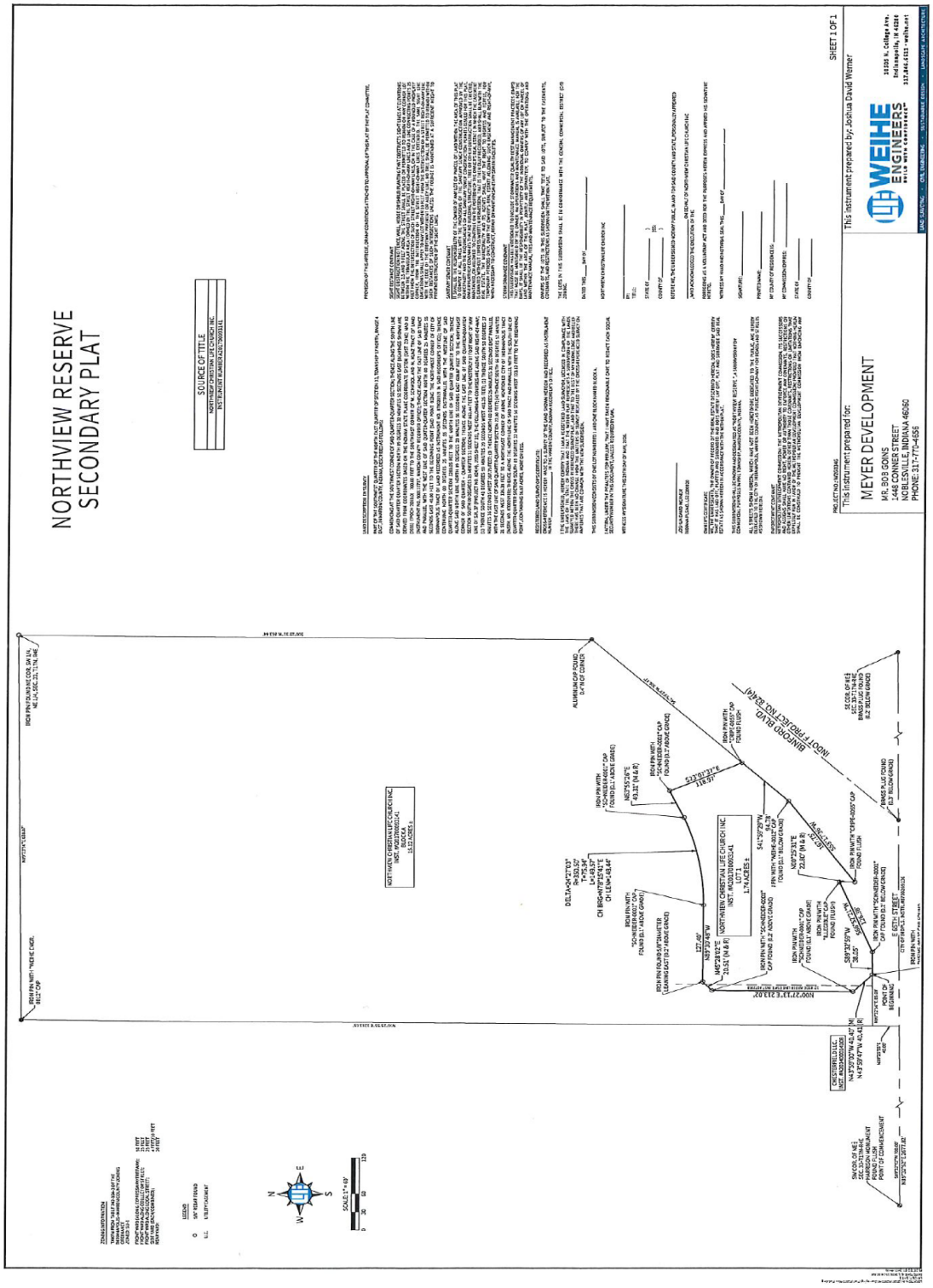
_____ _____

_____

56567435.1

**Department of Metropolitan Development**
**Division of Planning**
**Current Planning**

## 2026-PLT-030





View looking west along Northview Way




View looking east along Northview Way



View of site looking northeast across Northview Way



View of site looking southeast across Northview Way



View of site looking south across Northview Way



View from site looking northeast across Northview Way



View looking south along Northview Way