Department of Metropolitan Development
Division of Planning
Current Planning

METROPOLITAN DEVELOPMENT COMMISSION HEARING EXAMINER — November 19, 2026

Case Number:	2026-CVR-856 / 2026-CPL-856
Property Address:	2225 and 2227 East 10th Street
Location:	Center Township, Council District #13
Petitioner:	1800blok, LLC by Derek T. Naber
Current Zoning:	D-5 and MU-1
Request:	Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for three lots with street frontages between 40.03 feet and 42 feet (minimum 50 feet of street frontage required for each lot). Approval of a Subdivision Plat to be known as Downey's Replat, dividing 0.42-acre into three lots.).
Current Land Use:	Commercial uses / vacant
Staff Recommendations:	Approval of the variance of development standards and the plat
Staff Reviewer:	Kathleen Blackham, Senior Planner

PETITION HISTORY

This the first hearing on these petitions.

STAFF RECOMMENDATION

Staff recommends that the Hearing Examiner approve and find that the plat, file dated October 13, 2026, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
2. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
4. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
5. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
6. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
7. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.

8. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
10. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.
11. That the plat shall be recorded within two (2) years after the date of conditional approval by the Hearing Examiner.

Staff recommends approval of the variance of development standards.

PETITION OVERVIEW

This 0.42-acre site, zoned D-5 and MU-1, is developed with a commercial use and vacant land. It is surrounded by a community center, to the north, across East 10th Street, zoned SU-38 (community center); a single-family dwelling to the south, zoned D-5; commercial uses and a single-family dwelling to the east, across Beville Avenue, zoned MU-1 / D5; and multi-family dwellings to the west, zoned MU-2.

PLAT

This request would provide for approval of a Subdivision Plat, to be known as Downey's Replat, subdividing 0.42 acre into three lots.

Site Plan

Except for a small historic building on Lot 2 at the northwest corner of the site, this site is vacant.

Lot 1 would be 0.206 acre with street frontage along East 10th Street. Lot 2 would be 0.024 acre developed with the small commercial building, and Lot 3 would be 0.119 acre with street frontage along Beville Avenue.

Streets

No new street is proposed.

Sidewalks

Sidewalks exist along East 10th Street and Beville Avenue

Waivers

None requested.

VARIANCE OF DEVELOPMENT STANDARDS

This request would allow for a reduction between 40.03 and 42 feet of the required 50-foot street frontage along East 10th Street and Beville Avenue.

Staff supports this request because of the historical development of the site and the resulting practical difficulty in redeveloping the site to respond to current needs of the neighborhood, while complying with the current development standards. Furthermore, this deviation from the Ordinance would not negatively impact the surrounding land uses.

GENERAL INFORMATION

Existing Zoning	MU-1 / D-5	
Existing Land Use	Commercial uses / vacant land	
Comprehensive Plan	Village Mixed-Use / Traditional Neighborhood	
Surrounding Context	**Zoning**	**Land Use**
North:	SU-38	Community Center
South:	D-5	Single-family dwelling
East:	C-3 / D-5	Commercial uses / single-family dwelling
West:	MU-1	Multi-family dwellings
Thoroughfare Plan		
East 10th Street	Primary Arterial	Existing 60-foot right-of-way and proposed 56-foot right-of-way
Beville Avenue	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	September 14, 2026	
Site Plan (Amended)	October 13, 2026	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	October 13, 2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Village Mixed-Use and Traditional Neighborhood.

The Village Mixed-Use typology creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.

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 recommended 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.

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 – Village Mixed-Use 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.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- Where possible, contributing historic buildings should be preserved or incorporated into new development

Conditions for All Land Use Types – Traditional Neighborhood 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.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.

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

2025-UV1-005; 2225 East 10th Street, requested a variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a tattoo parlor (not permitted) and two parking spaces provided (five required**, granted.**

VICINITY

2009-UV1-017; 2210, 2236 and 2302 East 10th Street (north of site), requested a variance of use of the Special Districts Zoning Ordinance to provide for a restaurant and caterer with outdoor seating as a primary use within a tenant space of a community center, and to provide for all C-1 and C-3 uses**, granted.**

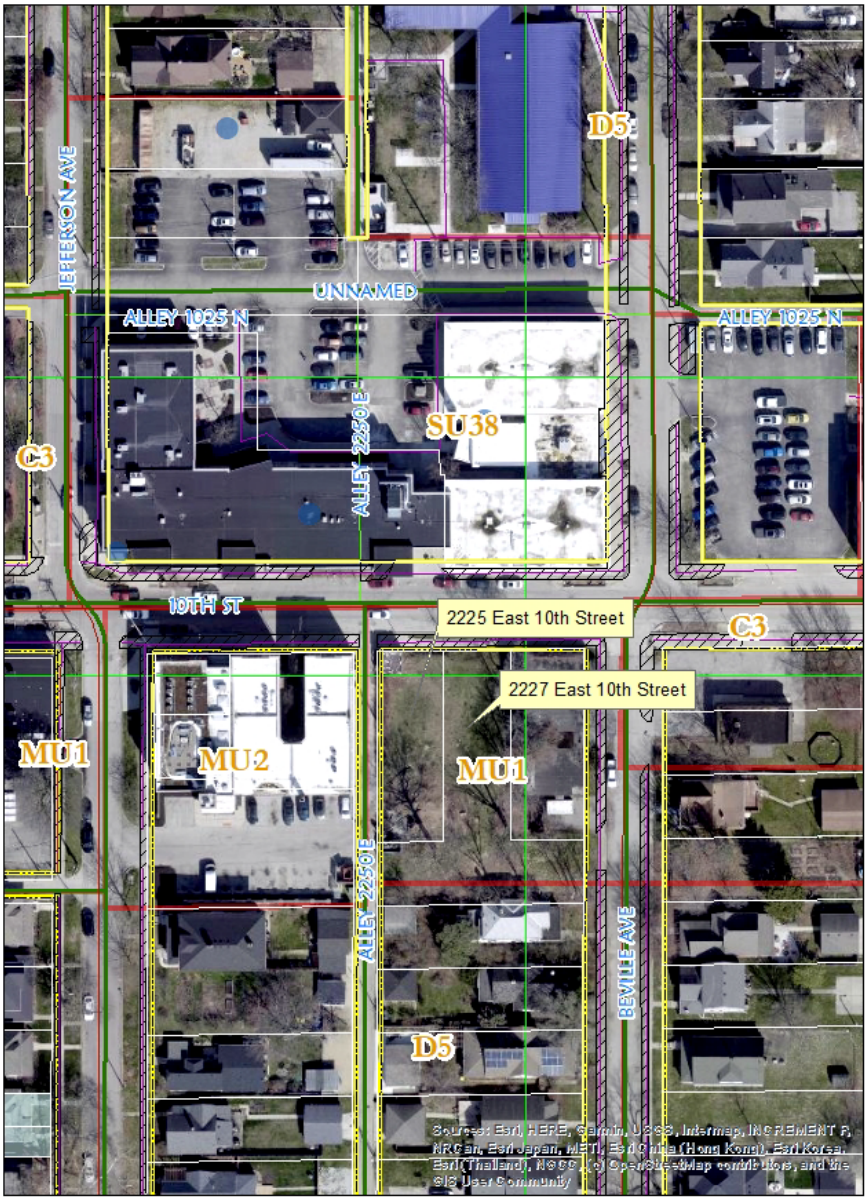
2009-HOV-014; 2201 East 10th Street (west of site), requested a variance of development standards to provide for nineteen off-street parking spaces**, granted.**

2008-ZON-858 / 2008-VAR-858; 2201 East 10th Street (west of site), requested the rezoning of 0.358 acre, from the C-2 and D-4 Districts to the C-3C classification to provide for corridor commercial uses and variances of development standards of the Commercial Zoning Ordinance to provide for a 12,940-square foot building addition with a reduced front setback along East 10th Street, a reduced front setback from Jefferson Avenue within the clear sight triangle, a fence / wall within the clear sight triangle, a 45-foot tall building, reduced number of parking spaces and reduced setbacks for parking, trash enclosure / transformer**, approved and granted.**

2004-ZON-145; 2210-2302 East 10th Street, 1017 Jefferson Avenue, and 1042 Beville Avenue (north of site), requested a rezoning of 1.99 acres, being in the D-5 and C-2 Districts, to the SU-38 classification, to provide for the expansion of a community center**, approved.**

2003-UV2-037; 958 North Beville Avenue (east of site), requested a variance of use and development standards of the Commercial Zoning Ordinance to legally establish the retail sales of motorcycle parts and motorcycle repair**, granted.**

EXHIBITS



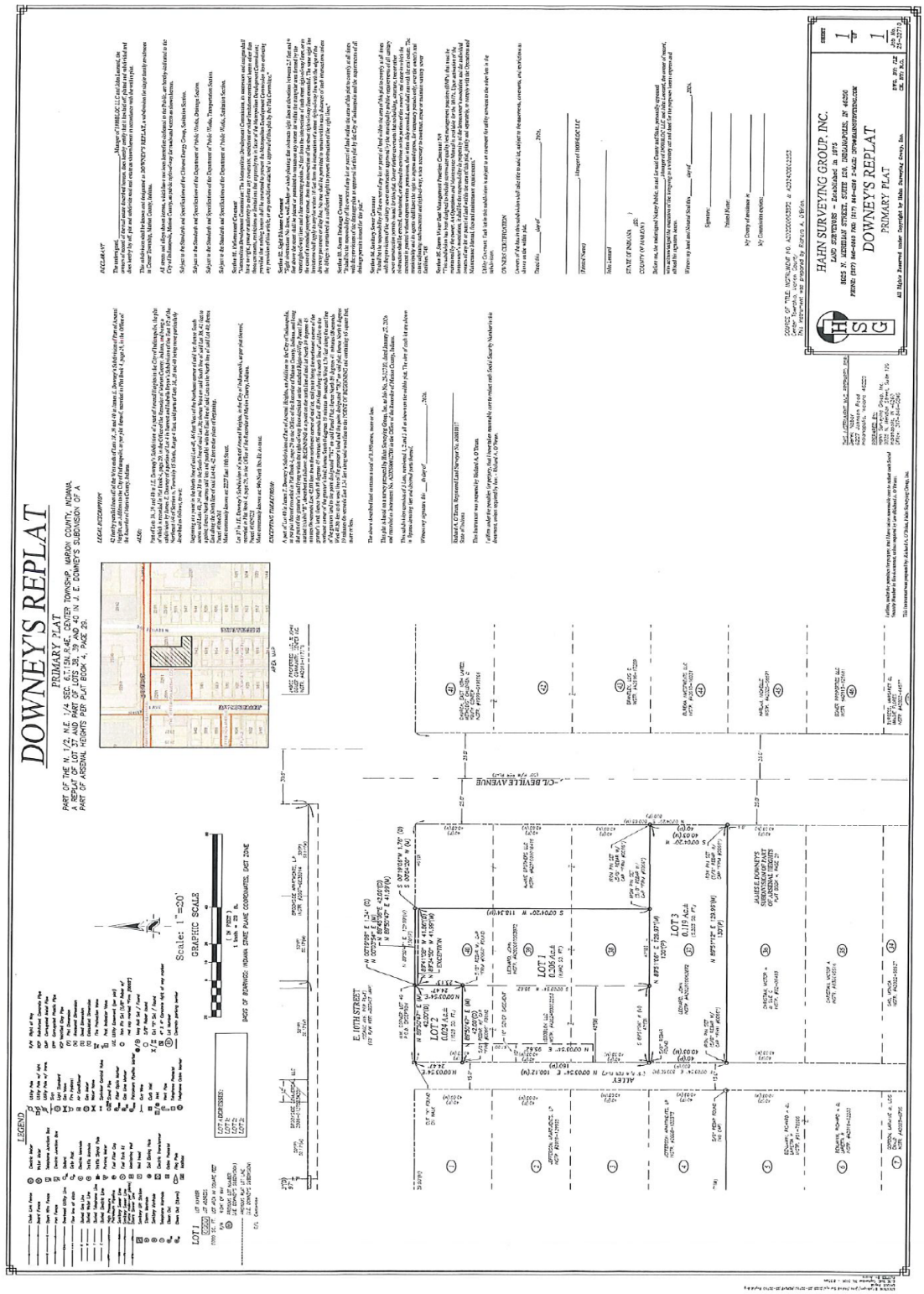
2225 and 2227 East 10th Street

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

Department of Metropolitan Development
Division of Planning
Current Planning



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:

The requested variance from 50 feet to 42 feet maintains the property's historically stablished lot width and is consistent with the surrounding neighborhood's development pattern. No physical changes to the existing lot frontage are proposed and the variance will not negatively impact public health, safety, or general welfare.

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 42-foot lot frontage reflects the historical lot dimensions found throughout the neighborhood and preserves the existing development character. As no changes to the established frontage are proposed, the variance will not adversely affect neighboring properties or their values.

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

Strict enforcement of the 50-foot minimum frontage requirement would create a practical difficulty because the property was historically established with a 42-foot frontage. The variance simply recognizes this existing condition without altering the lot's dimensions or the neighborhood's established development pattern.

DECISION

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

Adopted this _____ day of _____, 20 ____



View looking west along East 10th Street



View looking east along East 10th Street



View of site looking west across Beville Avenue



View of existing building looking southeast



View of site looking east across north / south alley along the western boundary of site



View of site looking east across north / south alley along the western boundary of site



View of site looking east across north / south alley along the western boundary of site