



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

June 13, 2024

**Case Number:** 2024-MOD-008  
**Property Address:** 1060 North Capitol Avenue  
**Location:** Center Township, Council District #12  
**Petitioner:** MTP – Stutz Propco, LLC, by Joseph D. Calderon  
**Current Zoning:** CBD-S (RC) (TOD)  
**Request:** Modification of the development statement for 97-Z-48, to include uses as defined in Research and Development, Other, in the Consolidated Zoning and Subdivision Ordinance, including a research laboratory.  
**Current Land Use:** Mixed-Use development  
**Staff Recommendations:** Approval  
**Staff Reviewer:** Jeffrey York, Principal Planner

**PETITION HISTORY**

This is the first hearing for this petition.

**STAFF RECOMMENDATION**

Staff recommends approval.

**PETITION OVERVIEW**

This request would provide for a modification of development statement for 97-Z-48, to include uses as defined in Research and Development, Other in the Ordinance. This site, named The Stutz, is a mixed-use development that has recently undergone substantial renovations. Originally constructed in 1911 as a car manufacturing facility, the site has over 400,000 square feet of mixed-uses, including offices, retail, a car museum, artist studios, event space and restaurants.

The 1997 rezoning allows a wide range of uses, including I-3 and CBD-2 uses. However, at the time, research laboratories were not specifically noted as permitted uses in either I-3 or CBD-2 districts. The current ordinance would permit research laboratories under Research and Development, Other. This petition would clarify that this proposed use would be permitted.

The Plan of Operation, submitted with the filing, details the proposed use. It would utilize 6,000 square feet of space on the first floor on the west portion of the overall site. Up to seven employees are anticipated at full employee capacity. Liquid materials would be stored within the laboratory, with waste handled monthly in 55-gallon drums.

Since the original CBD-S rezoning allowed for medium-intensity industrial uses (I-3) and that this use is a permitted use in the current I-3 zone, this request would be supportable. Staff, therefore, recommends approval of the request.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	CBD-S (RC) (TOD)	
<b>Existing Land Use</b>	Mixed-Use development	
<b>Comprehensive Plan</b>	Core Mixed-Use	
<b>Surrounding Context</b>	<u><b>Zoning</b></u>	<u><b>Land Use</b></u>
North:	CBD-S (RC) (TOD)	Surface parking / I-65
South:	CBD-2 (RC) (TOD)	Warehousing / office
East:	CBD-2 (RC) (TOD)	Surface parking
West:	CBD-S (RC) (TOD)	Surface parking
<b>Thoroughfare Plan</b>		
10 <sup>th</sup> Street	Primary arterial	78-foot existing and proposed right-of-way
11 <sup>th</sup> Street	Primary arterial	78-foot existing and proposed right-of-way
Capitol Avenue	Primary arterial	78-foot existing and proposed right-of-way
Senate Avenue	Primary arterial	78-foot existing and proposed right-of-way
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	Yes, Regional Center and Transit-Oriented Development	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	Filed, May 9, 2024	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	Filed, May 9, 2024	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	Filed, May 9, 2024	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- The Comprehensive Plan recommends core mixed-use.

### Pattern Book / Land Use Plan

The Core Mixed-Use typology is intended for the core of the City's Central Business District and along logical extensions from the core (such as the North Meridian Street corridor). It is characterized by dense, compact, and tall building patterns and a substantial degree of activity. Businesses, services, and institutions in this typology serve the entire region as well as residents and tourists. There is a wide range of public spaces, with some designed to accommodate events and festivals. Buildings are at least six stories in height and all off-street parking should be in garages. While buildings in this typology are larger than in other mixed-use typologies, they should still be designed with the pedestrian in mind, with entrances and large windows facing the street. Ideally, this typology has a tight street grid with frequent intersections and small blocks. In areas where small blocks are not practical due to existing development, public pedestrian paths should be provided as cut throughs. This typology has a residential density in excess of 50 units per acre.

- The following elements of the Pattern Book apply to this site:
  - *Large-Scale Multifamily Housing*
    - Should have either retail uses or externalized residential doors at-grade
    - Parking should be in structures or behind or interior to the development
  - *Large-Scale Offices, Retailing, and Personal or Professional Services*
    - The primary entrance should be served by an arterial street
    - Should not include outdoor display or merchandise
  - *Small-Scale Offices, Retailing, and Personal or Professional Services*
    - Automotive uses and uses with drive-through lanes are excluded
    - Should not include outdoor display or merchandise
  - *Offices*
    - Recommended without additional conditions.

The Pattern Book also provides guidance related to overlays and whether an overlay adds, modifies, or removes the recommended land uses within the base typology

This site is also located within two overlays, specifically the Regional Center overlay and 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."

### Red Line / Blue Line / Purple Line TOD Strategic Plan

- The site is within the Red Line Transit Oriented-Development (TOD) overlay, however, due to the zoning (CBD-S), TOD restrictions do not apply to this 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

**2023-CZN-837/ 2023-CVR-837 / 2023-CVC-823, 217 West 10<sup>th</sup> Street and 916, 918 and 922 North Capitol Avenue**, requested a rezoning of 1.17 acres from the I-3 (RC) district to the CBD-2 (RC) district, a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for two, mixed-use buildings, each with one 11' by 27' loading space, to allow for buildings with frontages along 10<sup>th</sup> Street to meet the Sky Exposure Plane Three requirements and a vacation of Roanoke Street, being 30 feet in width, from the south right-of-way line of 10<sup>th</sup> Street, south 253.10 feet, **approved**.

**2023-REG-063; 217 West 10<sup>th</sup> Street and 916, 918 & 922 North Capitol Avenue**, requests Regional Center Approval to provide for a mixed-use development, **approved**.

**2023-DV1-002; 902, 916, 918 and 922 North Capitol Avenue**, requested a Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 243,000 square foot mixed-use building with one 24-foot by 28.5-foot loading space (two loading spaces with dimensions of 30-foot by 12-foot and 55-feet by 12-feet required), **granted**.

**2022-REG-077; 902, 916, 918 and 922 North Capitol Avenue**, requested Regional Center Approval to provide for the demolition of existing buildings and construction of a five-story, mixed-use development, with approximately 270 units, 13,840 square feet of office and retail space, a parking garage with approximately 398 spaces, and resident amenities, including an outdoor courtyard, **withdrawn**.

**2022-VAC-008; 918 North Capitol Avenue**; requested a vacation of the first east-west alley south of 10<sup>th</sup> Street, being 15 feet wide, beginning at the west right-of-way line of Capitol Avenue, west 194.79 feet, to the east right-of-way line of Roanoke Street, **approved**.

**EXHIBITS**



Permitted uses from 97-Z-48:

**EXHIBIT B**

A mixed use commercial/ industrial business center, including the following uses:

1. All uses permitted in the I-3-U Zoning District.
2. All uses permitted in the CBD-2 Zoning District.
3. Without limiting the foregoing, (a) all existing uses of the subject property as of the date of filing of the petition to rezone to the CBD-S zoning classification, including light manufacturing, offices, retail uses, studios, warehousing and distribution and delicatessens.
4. Eating places, any type or restaurant, including those providing alcoholic beverages.
5. Uses accessory and incidental to the foregoing, including, but not limited to accessory parking and loading.



Department of Metropolitan Development  
Division of Planning  
Current Planning

Requested modification:

Amended Exhibit "B"

MTP - Stutz Propco, LLC  
1060 North Capitol Avenue

Petitioner, MTP - Stutz Propco, LLC is the owner of the Stutz property. The existing CBD-S zoning allows for a variety of uses, including, but not limited to, "All uses permitted in the I-3-U Zoning District", as set forth on Exhibit "B" to the Rezoning Petition filed and approved as Case No. 97-Z-48. Petitioner desires to lease space to Calumet Specialty Products for use as a research laboratory.

The Petitioner's request, therefore, is to amend Exhibit "B" to allow "Research and Development, Other" uses as an additional permitted use as defined in the City of Indianapolis Consolidated Zoning / Subdivision Ordinance effective as of May 8, 2023.



## CALUMET SPECIALTY PRODUCTS

### RESEARCH LABORATORY PLAN OF OPERATION Stutz Building 1060 North Capitol Ave, Indianapolis, IN

#### THE BUSINESS

Calumet Specialty Products has signed a lease agreement to use space within the Stutz building located at 1060 North Capitol Ave for office activities as their corporate headquarters beginning the later part of 2024. Calumet proposes to lease an additional approximately 6,000 square feet on the first floor of the Stutz building to use as a research laboratory. This space is currently vacant. Calumet currently operates ten laboratories in the US, but none in the Indianapolis area. A floor plan layout for the proposed laboratory is included in Appendix A.

#### LABORATORY OPERATIONS

This lab will be used to perform small scale wet chemistry experiments to decide better formulations to improve existing products, develop brand new products, and perform routine testing on existing products. This is done by experimenting with different hydrocarbon fractions, raw materials, and formulated chemistry. This is accomplished by carrying out reactionary synthesis and/or blending chemistry and testing their combined properties in the lab using various lab instruments. The end Calumet products discovered in this lab will be used in many consumer applications such as cosmetics, candles, and lubricants so therefore will be made using very safe raw materials.

The purpose of the lab is to learn information which will be implemented at Calumet manufacturing sites in other parts of the country. For example, we will discover what formulations meet the customer requirements and differentiate our products from competitors. Then we will instruct our manufacturing sites (not in Indianapolis) on what is needed for the new and/or improved formulations for them to make in commercial scale. The Indianapolis lab proposed at the Stutz building will not be used to manufacture products for the intent of sale.

Calumet will not be conducting any experimentation or work with any explosives, radioactive materials, nor animals/biologicals/living organisms. We will conduct small scale reactions in test tube (5 mL) to gallon size glassware. A few years into the lease, Calumet may purchase a 100-gallon mixer to scale up environmentally friendly, consumer lubricants & oils such as marine & automotive engine oils and household consumer products. Any medium scale materials (55-gallon drum quantities) would be a blending/mixing process of our formulations and are safe for consumer use – non-hazardous. This medium scale is for learning about the blending process and providing more samples to send out to customers for their evaluation. This is not large enough for Calumet to make product for sale so this will continue to be done at dedicated manufacturing sites.

Materials used in the lab will be class 1, 2, and 3 flammable, combustible, and non-combustible solvents. In addition, corrosive liquids such as acids and bases of various concentrations will be used. Class 1 thru 3 type liquids will include plant-based liquids and solids (examples: vegetable oils, coconut, and soy wax) and petroleum-based liquids and solids (examples: mineral spirits, base oils, and micro-waxes) to

formulate products that are safe for eventual consumer contact and uses. Also used in small quantities to clean glassware and prepare samples for testing, some of the following chemical liquids will be used in the lab: class 1, 2, and 3 flammable, combustible, and non-combustible solvents (such as acetone, methanol, and hexane), in addition to aqueous solutions containing acids and bases of various concentrations. A storage area with proper ventilation is shown in Appendix A for reserve quantities of solid and liquid materials. Proper cabinets will hold corrosive acids & bases and flammable solvents. Ventilated hoods with external exhaust will be used for all general experimentation with materials that are volatile (evaporate into the air). Example pictures are shown in Appendix B.

Equipment located in the lab: Approximately 20 instruments (examples: weighing scales, viscosity testing equipment, chromatography for chemical identification) will be on top of research grade lab benches. These are all commercially available pieces of equipment approved for safety by OSHA standards. We will have gas cylinders to supply helium, nitrogen, and hydrogen to these instruments as shown in Appendix B. All gas cylinders will have safety attachments to secure them in place.

**SAFETY:** An adequate number of sinks, showers, and eyewash stations will be situated in the lab for quick access to rinsing off any accidental spills as shown in Appendix A. In addition, appropriate fire suppression will be installed including overhead sprinklers, and chemical suppression for the sample storage area and fire extinguishers throughout the lab. All necessary permits will be identified and acquired with the assistance of qualified engineering firms. Training in fire suppression will also be mandatory. Any accidental spills or release would be contained to within the laboratory room, mitigated with the proper safety precautions.

**NOISE:** The loudest pieces of equipment are the fume hoods which can be up to 70db. Fume hoods not in use, are operational but with the front door pulled down, the noise is minimal. The combined noise from 5 fume hoods (one possibly added in the future) is 77db given the logarithmic decibel scale.

#### ZONING

This section will be completed by Somera Road.

#### HOURS OF OPERATION

Typical hours of operation will be Monday through Friday approximately 8 am to 5 pm. There will not be any scheduled evening or weekend shifts.

#### NUMBER OF EMPLOYEES

At startup, there will be two (2) employees in the lab. This will gradually increase to seven (7) employees over multiple years. These will be fully trained scientists under the direction of a qualified laboratory supervisor. For example, Lydia Dobler has been proposed as leading the laboratory who has a Ph.D. in Analytical Chemistry and has directed an R&D chemistry laboratory in the past.

**EXPECTED TRAFFIC**

Besides employee traffic, we will receive small shipments of supplies via the loading dock including samples of approximately 1 quart to one gallon. Occasionally there may be larger sizes from 5 gal pails to 55-gal drum of material. Approximately one time per month, a disposal company will remove waste from the laboratory using a 55-gal drum.

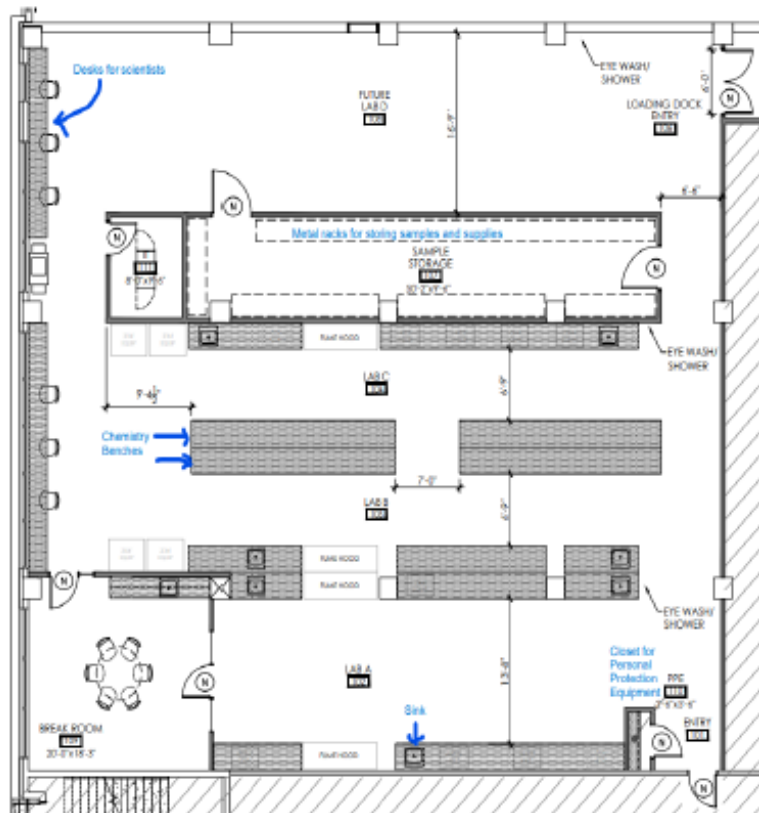
**MISCELLANEOUS**

Ventilation through the adjacent room via existing ductwork and up through the ceiling is planned.

**OUTSIDE STORAGE**

All materials will be stored inside the laboratory with no additional space needed outside of the building.

APPENDIX A: Calumet Floorplan



Example of current Calumet lab



Example of laboratory instrumentation in current Calumet lab



Examples of sample storage





West elevation of subject site – proposed laboratory would be in the first-floor space



Public entrance on the west façade, along Senate Avenue



Proposed laboratory space





Proposed laboratory space