



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

June 27, 2024

Case Number: 2024-ZON-044 (Amended)

Property Address: 918 East 27th Street, 2735, 2739, 2743, 2747, 2751, 2752 and 2755 Guilford Avenue, 820 East 27th Street, 2708, 2712, 2716, 2720, 2724, 2728, 2732, 2736, 2740, 2744, 2748, 2752, and 2756 Winthrop Avenue (even)
(Approximate Addresses)

Location: Center Township, Council District #8

Petitioner: Historic Grandview LLC, by Paul J. Lambie

Current Zoning: D-5

Request: Rezoning of 2.96 acres from the D-5 district to the D-8 district for residential development.

Current Land Use: Vacant land

Staff Recommendations: Approval, subject to the commitments listed below.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued this petition from the May 9, 2024 hearing, to the May 23, 2024 hearing at the joint request of remonstrators and the petitioner's representative.

The Hearing Examiner continued this petition from the May 23, 2024 hearing, to the June 27, 2024 hearing to amend the petition and provide legal notice.

Three additional parcels were added to the rezoning request. One parcel would be contiguous to the existing parcels and two would be in proximity. Consequently, staff continues to recommend approval, subject to the previously requested commitments.

STAFF RECOMMENDATION

Approval, 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. Final elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).
2. 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 / receptacles provided for the proper disposal of trash and other waste.

PETITION OVERVIEW

This 2.4-acre site, zoned D-5, is comprised of eighteen parcels. It is surrounded by single-family dwellings to the north, across East 28th Street, zoned D-5; single-family dwellings to the south, zoned D-5 and D-8, across East 27th Street; vacant land to the east, across Winthrop Avenue, zoned I-2; and single-family dwellings to the west, across Guilford Avenue, zoned D-5.

The request would rezone all the parcels to the D-8 (Walkable Neighborhood) District to provide for walkable neighborhood development including two-unit row houses with potential future platting for individual unit sale. “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.”

The D-8 district is one of five dwelling districts that would “implement walkable, compact neighborhoods within a well-connected street network and block structure, using slow neighborhood streets, walkable connectors, and multi-mode thoroughfares.” These districts require urban public and community facilities and services to be available. Additionally, these districts may be used to support nearby commercial and transit investments.

The Comprehensive Plan recommends traditional neighborhood typology for the site. As proposed, this request would be consistent with Plan recommendation as well as the historical residential use of the land. This request would also support the ongoing redevelopment and renewal efforts in this neighborhood.

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 receptacles for proper disposal of trash and other waste.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Vacant land	
Comprehensive Plan	Traditional neighborhood typology	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North:	D-5 Single-family dwellings
	South:	D-5 / D-8 Single-family dwellings
	East:	I-2 Vacant land
	West:	D-5 Single-family dwellings
Thoroughfare Plan		
East 27th Street	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
Winthrop Avenue	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
East 28th Street	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.
Guilford Avenue	Local Street	Existing 58-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	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

- 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.”

Pattern Book / Land Use Plan

- *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.
- 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.

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

- 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:
 - 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 dwellings 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).

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 describes 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

2022-ZON-018; 2602, 2634, and 2640 Winthrop Avenue (south of site), requested rezoning 0.40 acre from the I-2 district to the D-8 district to allow for single-family residential, **approved**.

2022-DV3-023; 2703 Guilford Avenue (west of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for single-family detached dwelling with a reduced rear setback, **granted**.

2021-CZN-850 / 2021-CVR-850; 2606 Winthrop Avenue (south of site), requested rezoning of 0.13 acre from the I-2 district to the D-8 district and variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling and detached garage with reduced open space, **approved and granted**.

2021-ZON-015; 2614 and 2618 Winthrop Avenue (south of site), requested rezoning of 0.26 acre from the I-2 district to the D-8 district, **approved**.

2020-CZN-830 / 2020-CVR-830; 2626 Winthrop Avenue (south of site), requested rezoning of 0.251 acre from the I-2 district to the D-8 district and variances of developments standards provide for two, two-family dwellings, with reduced setbacks and open space, **approved and granted**.

2020-ZON-048; 1123 East 25th Street (south of site), requested rezoning of 1.435 acres from the I-4 district to the D-8 district, **approved**.

2020-CZN-830 / 2021-CVR-830; 2625 Winthrop Avenue (south of site), requested rezoning of 0.25 acre from the I-2 district to the D-8 district and a variance of development standards to provide for deficient front and side setbacks, distance between dwellings and open space, **approved and granted**.

98-V1-32; 2744 North Guilford Avenue (west of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a two-family residence with reduced parking spaces, lot area and lot width, **granted**.

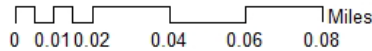
98-V1-31; 2720 North Guilford Avenue (west of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a two-family residence with reduced parking spaces, lot area and lot width, **granted**.

84-UV3-99; 2610 and 2612 Winthrop Avenue (south of site), requested a variance of use to provide for a two-family dwelling in an industrial district, **granted**.

Sanborn Map - 1898



918 and 820 East 27th Street, 2735-2755 Guilford Avenue and 2712-2756 Winthrop Avenue





View looking north along Winthrop Avenue



View looking south along Winthrop Avenue



View looking north along Guilford Avenue



View looking south along Guilford Avenue



View looking northeast across intersection of Winthrop Avenue and East 27th Street



View of site looking west across Winthrop Avenue



View of site looking west across Winthrop Avenue



View of site looking west across Winthrop Avenue



View of site looking west across Winthrop Avenue



View of site looking west across Winthrop Avenue



View looking northwest across intersection of Winthrop Avenue and East 28th Street



View looking south on north/south alley west of Winthrop Avenue



View of site looking east across Guilford Avenue



View of site looking east across Guilford Avenue