



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

June 27, 2024

<b>Case Number:</b>	2024-ZON-068
<b>Property Address:</b>	2327 Dr. Martin Luther King, Jr. Street (Approximate Address)
<b>Location:</b>	Center Township, Council District #12
<b>Petitioner:</b>	Socorro Solutions 71010 LLC, by Jynell D Berkshire
<b>Current Zoning:</b>	C-1 (W-5)
<b>Request:</b>	Rezoning of 0.12-acre from the C-1 (W-5) district to the D-8 (W-5) district to provide for residential uses.
<b>Current Land Use:</b>	Residential
<b>Staff Recommendations:</b>	Approval
<b>Staff Reviewer:</b>	Marleny Iraheta, Senior Planner

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the request

**PETITION OVERVIEW**

**LAND USE**

The 0.12-acre subject site is developed with a two-family dwelling located in the Near Northwest – Riverside Neighborhood and within the Graceland Park platted subdivision.

It surrounded by two-family dwellings to the north and south, zoned D-3, undeveloped land to the east, zoned D-8, and a park to the west, zoned PK-1.

**REZONING**

This request would rezone the site from the C-1 district to the D-8 classification for residential uses.

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.

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.

### WELLFIELD

A wellfield is an area where the surface water seeps into the ground to the aquifer and recharges the wells that are the source of our drinking water. This secondary zoning district places closer scrutiny on uses and activities that might contaminate the underground drinking water supply.

There are two wellfield district designations. An area identified as W-1 is a one-year time-of-travel protection area. The W-5 is a five-year time-of-travel protection area. All development within these districts are subject to Commission approval.

This site is specifically located within the White River W-5 Wellfield Protection District. Unless exempted by Section 742-204.D Technically Qualified Person review requirement, a Site and Development Plan shall be filed with and be subject to approval on behalf of the Commission by the Technically Qualified Person (TQP).

### STAFF ANALYSIS

The rezoning would correct the residential use of the site with the corresponding zoning district and would align with the Neighborhood Plan for dwellings eight to fifteen units per acre.

Aerial images as far back as 1937 show a structure on site. A 1927 Baist Map shows a two-family dwelling at this site. Therefore, rezoning the site to continue to be used for residential uses would not be out of character with the historical use of the site. The petitioner notified staff that they would propose a four-unit multi-unit house on site which is a permitted use in the D-8 district.

For these reasons, staff is supportive of down zoning the properties from the C-1 district to the D-8 district.

### GENERAL INFORMATION

<b>Existing Zoning</b>	C-1 (W-5)
<b>Existing Land Use</b>	Residential (two-family dwelling)
<b>Comprehensive Plan</b>	8 to 15 units per acre

<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	C-1	Residential (two-family dwelling)
South:	C-1	Residential (two-family dwelling)
East:	D-8	Undeveloped
West:	Enter Zoning	Park
<b>Thoroughfare Plan</b>		
Dr. Martin Luther King Jr. Street	Primary Arterial Street	80-foot proposed right-of-way with a 66-foot existing right-of-way.
Myrtis Street	Local Street	48-foot proposed right-of-way with a 49-foot existing right-of-way.
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	Yes	
<b>Site Plan</b>	N/A	
<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>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- United Northwest Neighborhood Plan (2008)

### Pattern Book / Land Use Plan

- Not Applicable to the Site. Please see United Northwest Neighborhood Plan (2008) below.

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

- Not Applicable to the Site.



### Neighborhood / Area Specific Plan

- The United Northwest Neighborhood Plan (2008) recommends development to be for dwellings 5 to eight units per acre.

### Infill Housing Guidelines

- Not Applicable to the Site.

### Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Indy Moves Transportation Integration Plan (2018) proposes an off-street multi-use path on Dr Martin Luther King Junior Street / Michigan Road from Cold Spring Road to 16<sup>th</sup> Street.

## ZONING HISTORY

### Zoning History - Vicinity

**2023-CVC-809; 2357 Dr Martin Luther King Jr Street** (north of site), Vacation of the first north-south alley east of Dr Martin Luther King Jr Street, being twelve feet in width, from the south right-of-way line of 24th Street, south 134.54 feet to the first east-west alley south of 24th Street with a waiver of Assessment of Benefits, **withdrawn**.

**2023-CVR-809 (Amended); 2357 Dr Martin Luther King Jr Street** (north of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a zero-foot west front transitional yard (20-foot required), zero-foot north front yard (twelve-foot minimum required), five-foot south side yard (ten-foot side yard required), a five-foot south transitional yard (15-foot required), and a six-foot east transitional yard (15-foot required), **approved**.

**2023-CZN-809; 2357 Dr Martin Luther King Jr Street** (north of site), Rezoning of 0.50 acre from the C-1 district, to the D-8 district to provide for a multi-family development, **approved**.

**2022-UV2-030; 2307 Dr. Martin Luther King Jr Street** (south of site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for construction of a single-family dwelling (not permitted) with a 1.5-foot front setback along 23rd Street (10-foot front setback required), **granted**.

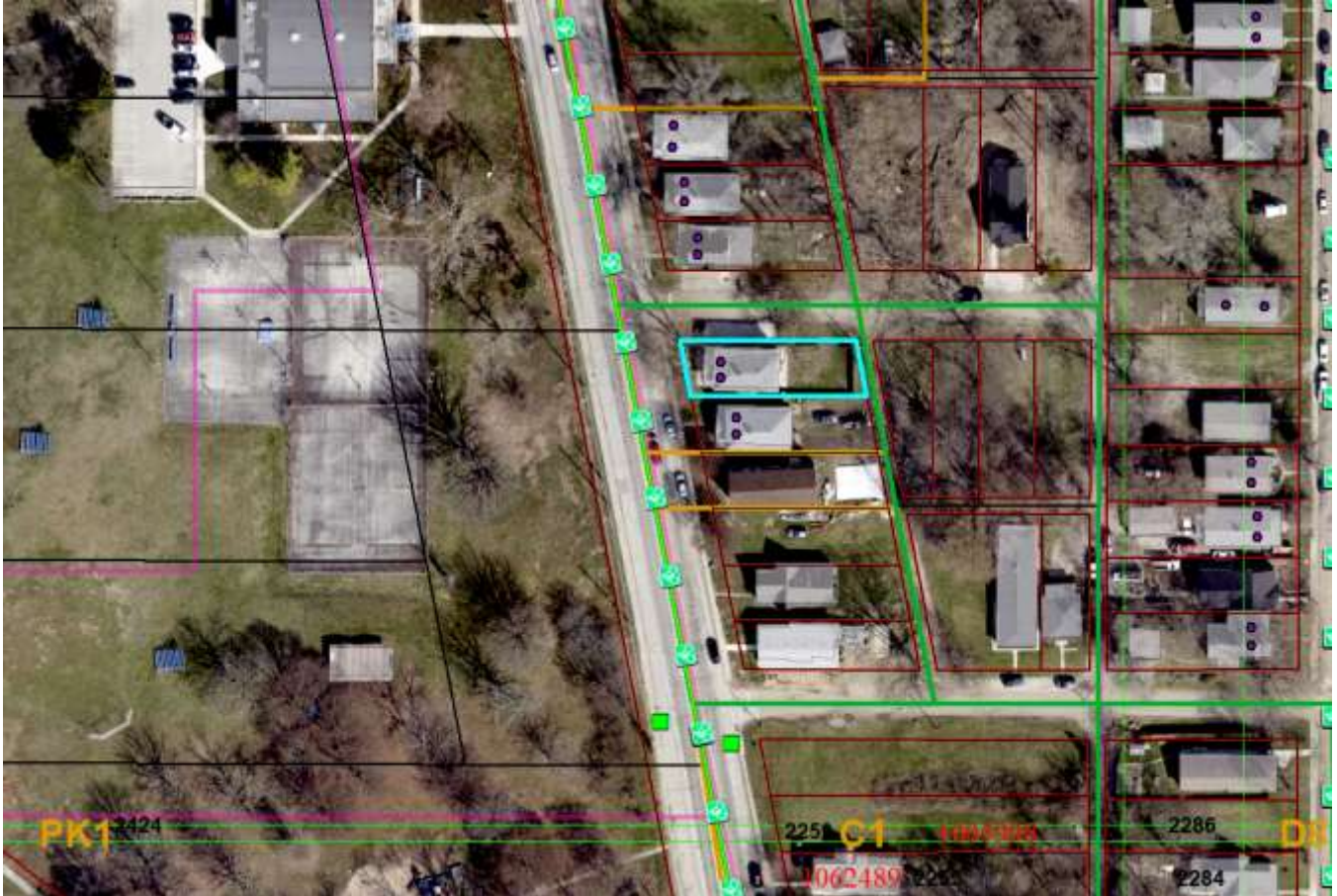
**2021-UV2-023; 2307 Dr. Martin Luther King Jr. Street** (south of site), Variance of use and development standards to allow for the construction of a manufactured home with a three-foot front setback and two parking spaces, **granted**.

**2019-ZON-012; 2319 Dr. Martin Luther King Jr. Street** (south of site), Rezoning of 0.12 acre from the C-1 (W-5) District to the D-8 (W-5) classification, **approved**.

**2003-ZON-071; 2335 Dr. Martin Luther King Jr. Street** (south of site), Rezoning of 0.104 acre from C-1 (W-5) to C-3 (W-5), to provide for a beauty and barbershop, **denied**.

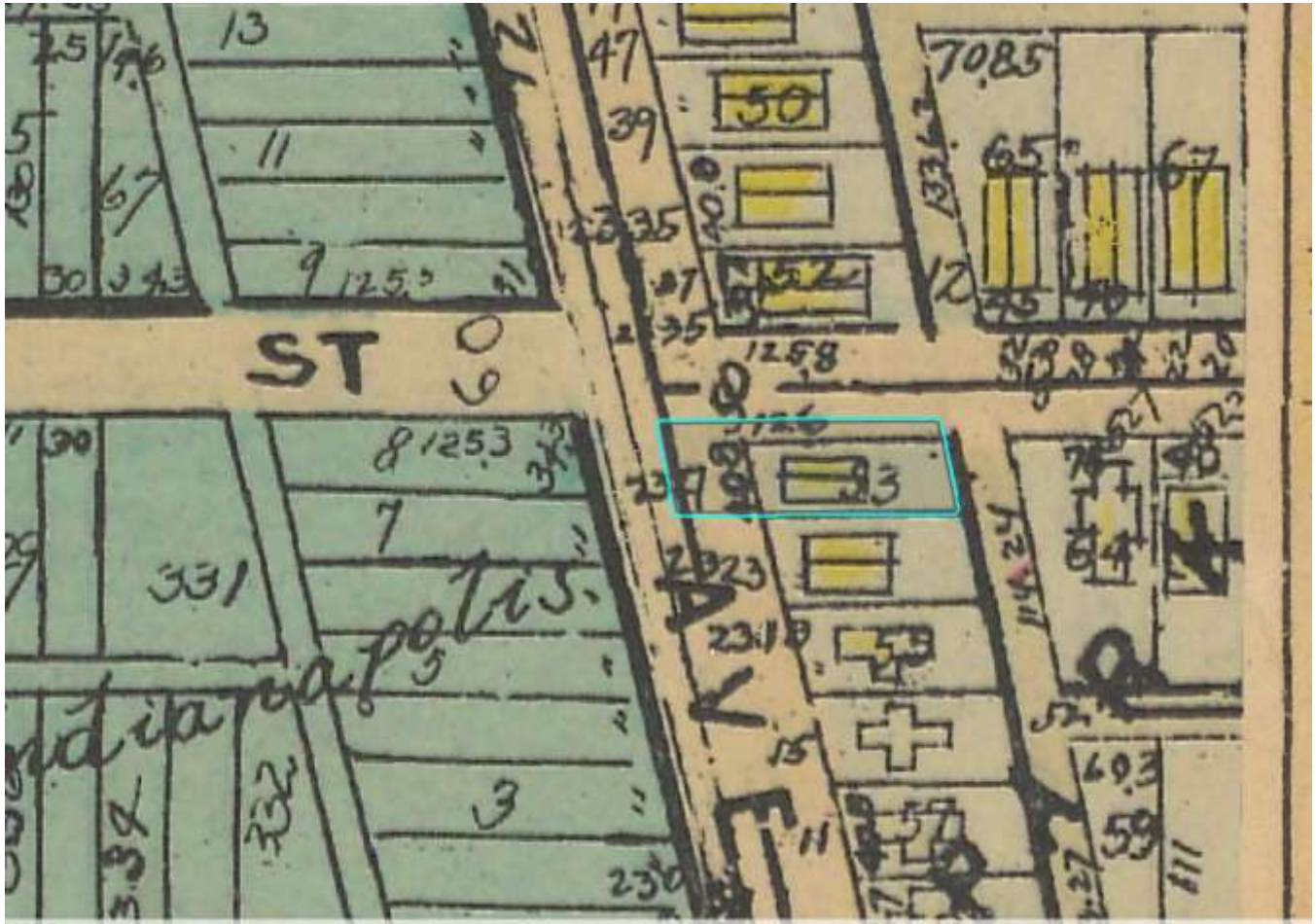
**83-HOV-86; 2302 North Indianapolis Avenue** (southeast of site), Variance of development standards to allow a room addition in the required four-foot side setback, **granted**.

EXHIBITS





1937 Aerial Image



1927 Baist Map





Photo of the subject site.



Close up view of the existing duplex.



Photo of the street frontage along Dr. Martin Luther King Junior Street.



Photo of the north building façade of the existing duplex.



Photo of the rear yard of the subject site.



Photo of the Watkins Park west of the site.



Photo of the duplex and single-family dwelling south of the site.



Photo of the duplexes north of the site.