

BOARD OF ZONING APPEALS DIVISION II

July 7, 2026

Case Number: 2026-UV2-009

Property Address: 6001 Michigan Road (approximate address)

Location: Washington Township, Council District #2

Petitioner: Speedway SuperAmerica LLC, by Laura Trendler

Current Zoning: C-3

Request: Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the replacement of underground fuel storage tank tops, product piping, and fuel dispensers related to an automobile fueling station use (not permitted).

Current Land Use: Commercial

Staff Recommendations: Staff recommends **approval** of the requested variance.

Staff Reviewer: Michael Weigel, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of the requested variance.

PETITION OVERVIEW

6001 Michigan Road is a parcel with a size of 0.79-acre at the northeastern corner of the intersection of Michigan and 60th Street. The property is currently developed with a fueling station use containing both a convenience store as well as a T-shaped fueling canopy with 5 pump islands underneath and associated underground storage tanks to the northwest. Surrounding land uses include a dollar store to the north, a vape shop and fireworks store to the south, and a construction contractor office and truck rental agency to the west. Residences exist further to the east of the property along 60th Street.

Approval of this petition would allow for the replacement of underground fuel storage tank tops, product piping, and fuel dispensers at the existing facility in a like-for-like manner and with reinstallation of concrete for any disturbed areas (full Plan of Operation within Exhibits below). Although the use of a fueling station was allowed by-right in the C-3 zoning district when the facility was originally constructed in 2005, in 2016 the Indianapolis Zoning Ordinance was amended to remove automobile fueling stations as a permitted use within C-3. This would mean that any use that is “constructed, erected, altered, converted, enlarged, extended, *reconstructed*, or relocated” (740-601.A.2 of the Ordinance; emphasis staff’s) would require conformity with current Ordinance standards. This is why the proposed scope of work would require a Variance of Use.

If the proposed scope of work included removal and replacement of the *canopy*, the need for compliance with various other Ordinance standards (i.e. placement of sidewalk along frontages commensurate with the size of the replaced canopy) would be required. However, this scope of work would not trigger the need for compliance with these standards given that it would strictly be limited to the replacement of underground tanks, pipes and dispensers.

This property is zoned C-3 to allow 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, and personal and professional service establishments. Similarly, the Comprehensive Plan Pattern Book recommends this property for Community Commercial uses to allow for low intensity commercial and office uses that serve nearby neighborhood (see Comprehensive Plan Analysis below).

Findings of Fact provided by the applicant indicate that grant of this variance would be justified since the components of the existing fueling station use require routine maintenance in order to remain functional and compliant with state standards. Staff's analysis would be that the proposed scope of work is closer in nature to maintenance of an existing use than to a full reconstruction or expansion of the use. Although a full removal and replacement of the canopy would be unlikely to be met with staff support, the current use is legally non-conforming and a lack of maintenance would infringe on the petitioner's ability to sell fuel in a safe and legal manner. Staff therefore recommends **approval** of the variance since the reconstruction would be predominantly below-grade and done in a like-for-like manner, with the caveat that a fuller reconstruction (i.e. removal and replacement of the full canopy or any expansion of pump islands, tanks, etc.) would likely not be supportable.

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Commercial	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	C-3	North: Industrial
South:	C-3	South: Undeveloped
East:	C-3	East: Industrial
West:	C-3	West: Fire Station
Thoroughfare Plan		
Michigan Road	Primary Arterial	96-foot existing right-of-way and 102-foot proposed right-of-way
60 th Street	Local Street	40-foot existing right-of-way and 50-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	

Wellfield Protection Area	No
Site Plan	06/03/2026
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	06/03/2026
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- 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.

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)

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

N/A

ZONING HISTORY – VICINITY

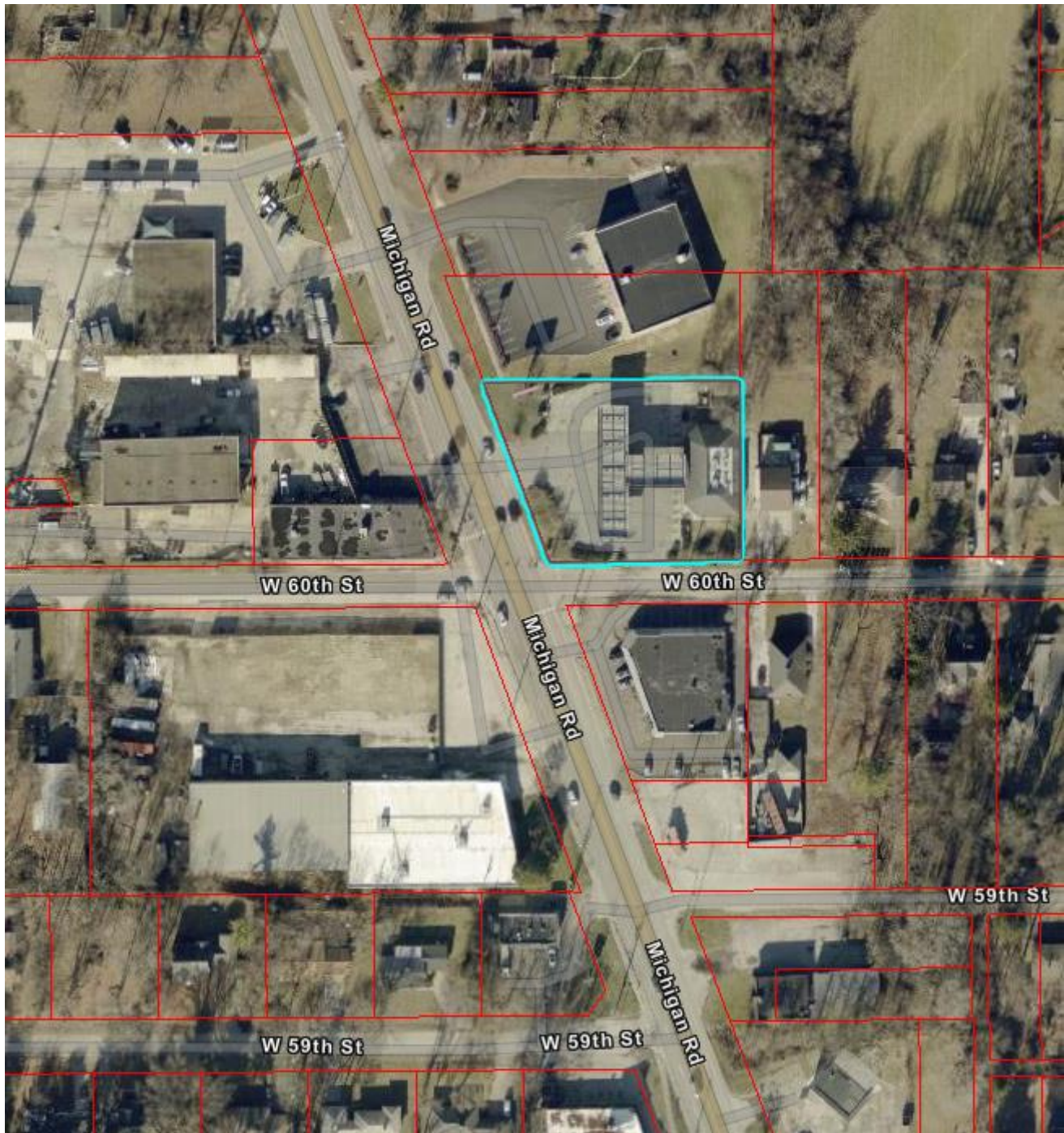
2012ZON023 ; 6002 Michigan Road (west of site), Rezoning of 1.69 acres, from the D-2 and C-3 Districts to the C-S classification, to provide for C-3 and automobile restoration and sales uses, **withdrawn**.

2007UV2013 ; 5988 Michigan Road (southwest of site), Variance of Use and Development Standards of the Commercial Zoning Ordinance to provide for an industrial use primarily engaged in the cleaning and repair of various damaged goods (not permitted), and to legally establish: (a) a 6.5-foot south side transitional yard (minimum twenty-foot transitional side yard required), without landscaping (landscaping required); (b) a zero-foot landscape strip along the existing right-of-way of Michigan Road (ten-foot landscaped strip required); (c) a zero-foot landscape strip along the existing right-of-way of 60th Street (ten-foot landscape strip required); and (d) loading docks in front of the established front building line of the existing approximately 25,500 square foot building along West 60th Street (loading docks not permitted in front of the established front building line). **approved**.

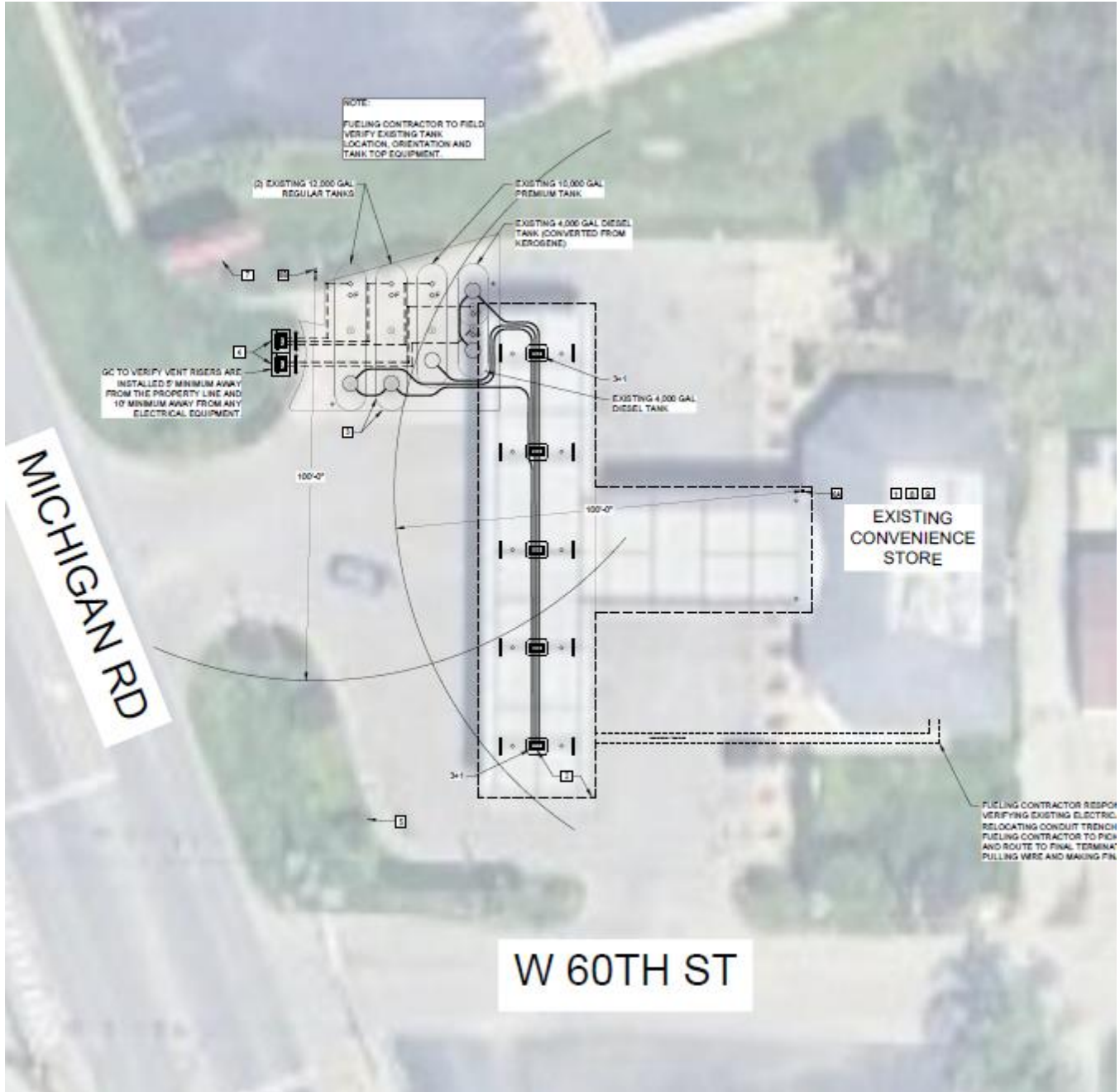
98-UV3-15 ; 2032 West 60th Street (east of site), Variance of Use of the Commercial Zoning Ordinance to provide for the location of an optical transfer node facility, being a facility designed to boost fiber optic signal strength (not permitted), **approved**.

EXHIBITS

2026UV2009 ; Aerial Map



2026UV2009 ; Site Plan



2026UV2009 ; Findings of Fact

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE

Speedway is requesting a Use Variance to allow replacement of their existing Fuel Dispensers, Underground Storage Tank Tops, and Product Piping for their facility. The replacement will be like-for-like. The project will not be injurious to the public health, safety, morals, and general welfare of the community because the replacement will remove aging equipment and replace it with new equipment that is the latest technology. This maintenance will result in an overall improvement for customers, neighbors, and employees.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE

The use and value of the area adjacent to 6001 Michigan Road will not be affected in a substantially adverse manner because the property is currently being used as a convenience store and fuel sales facility. The proposed equipment replacement will not result in a more intense use, it will merely allow for the existing facility to update its fueling equipment to be compliant with state regulations.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE

It is our understanding that the existing convenience store and fuel sales facility was a Permitted Use at the time it was constructed. The Variance is unique because Speedway's facility utilizes equipment which expires and requires maintenance and repairs to keep the facility up to state standards. Speedway would like to maintain their existing facility and upgrade its equipment to provide a level of services comparable with new facilities.

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE

Without routine maintenance and repairs at the existing fuel facility, equipment will deteriorate overtime. The requested Use Variance will allow Speedway to maintain the current conditions of their business and does not represent an expansion of the current use.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE

The PlanIndy Land Use Map designates the property as "Community, Regional, or Heavy Commercial". We believe the existing use is consistent with the Land Use Map and its surroundings along a commercial corridor. Maintenance to this facility will benefit Speedway's customers and neighbors.

2026UV2009 ; Plan of Operation

Speedway owns and operates an automobile service station located at 6001 Michigan Road, in Indianapolis, Indiana (Parcel Number: 8006123). The subject property is comprised of a convenience store, an auto-fuel canopy over 5 double-sided fuel dispensers, and a dumpster enclosure. Underground fuel storage tanks which serve the facility are located underground in the northwest corner of the property, along Michigan Road. The facility is open 24-hours, 7-days per week, and is staffed by 2 attendants per work shift. The facility is an existing non-conforming use in the C-3 District.

Speedway is proposing to replace the underground fuel storage tank tops, product piping, and fuel dispensers at their facility. In areas where concrete is disturbed for the equipment replacement, concrete will be re-installed in good condition. The equipment replacement will be like-in-kind. To allow maintenance to occur, a Use Variance is being requested. Please reference the Findings of Fact for Additional information. The requested Use Variance will allow Speedway to maintain the current conditions of their business and does not represent an expansion of the current use.

2026UV2009 ; Photographs



Photo 1: Subject Site Viewed from Southwest



Photo 2: Subject Site Viewed from Northwest

2026UV2009 ; Photographs (continued)



Photo 3: Adjacent Property to North



Photo 4: Adjacent Property to Northwest

2026UV2009 ; Photographs (continued)



Photo 5: Adjacent Property to Southwest



Photo 6: Adjacent Property to South

2026UV2009 ; Photographs (continued)



Photo 7: Adjacent Property to Southeast



Photo 8: Adjacent Property to East