

BOARD OF ZONING APPEALS DIVISION III

August 19, 2025

Case Number: 2025-DV3-024
Address: 2747 North Emerson Avenue (approximate address)
Location: Warren Township, Council District #9
Zoning: I-2 (FW) (FF)
Petitioner: Pridgen Property Holdings LLC S, by Joseph D. Calderon
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for a waiver of the requirement to install pedestrian connectivity between a freestanding building and the existing sidewalk network along the right-of-way of Emerson Avenue (required).

Current Land Use: Integrated Industrial Warehouse Center

Staff Recommendation: Staff recommends denial of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was previously automatically continued from the July 15, 2025, hearing, to the August 19, 2025, hearing, at the request of a Registered Neighborhood Organization.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

- ◇ This request is to waive the requirement to install pedestrian connectivity between a freestanding building and the existing sidewalk network along the right-of-way of Emerson Avenue.
- ◇ The requirement for the pedestrian connectivity is a result of the proposed four (4) new warehouses, along with the existing two (2) warehouses that predate the Ordinance requirement.
- ◇ Sidewalk requirements in Industrial redevelopment zones are addressed in the Consolidated Zoning and Subdivision Ordinance Section 744-300. 744-301(F)(2) specifically states for Internal Connectivity: "Within a freestanding lot, project, or integrated center, hard-surfaced walkways shall be provided in accordance with a pedestrian plan that shall include a walkway system that functionally connects all of the building's main front entrances with the sidewalk located in the public right-of-way of each of the freestanding lot or integrated center's eligible public streets. Nonresidential and mixed-use developments containing more than one primary building on a single lot shall include an unobstructed walkway or pathway at least 5-feet wide providing access between the primary buildings."

- ◇ The purpose of the pedestrian connectivity is to provide a safe route to the buildings from the public right of way, without having to use a driveway which is the main means for vehicular access.
- ◇ The petitioners' Findings of Fact indicate that pedestrian connectivity from the right-of-way does not benefit the community and only enhances risks inherent in co-mingling pedestrian traffic with industrial traffic.
- ◇ Staff disagrees that there is a practical difficulty preventing the installation of any pedestrian connectivity. The existing driveway can be widened to create an adjacent walking path along the side of it, allowing employees a safe pedestrian connection from the street to the buildings.
- ◇ Staff agrees there are risks with co-mingling pedestrian traffic and industrial traffic, which is the need for the required walkway and the reasoning for the Ordinance requirement. There is nothing preventing employees to use the mass transit system, or a ride share program that lets them out at the Emerson Avenue frontage driveway entrance, resulting in their need to safely walk to the interior existing and proposed warehouses.
- ◇ The Indianapolis Department of Public Works has a project (ST-26-501) to rehab the pavement on Emerson Avenue between 21st and 30th Streets, where the subject site is located. This project has plans for the installation of sidewalks along this portion of Emerson Avenue, as a result of a road diet, allowing the use of existing right-of-way for that sidewalk installation. The required pedestrian connectivity would connect to those planned sidewalks, allowing for further safe passage for pedestrians.

GENERAL INFORMATION

Existing Zoning	I-2	
Existing Land Use	Integrated Industrial Warehouse Center	
Comprehensive Plan	Light Industrial uses	
Surrounding Context	<u>Zoning</u>	Surrounding Context
	North: I-2	Commercial Contractor
	South: I-2	Industrial Warehouse
	East: D-4	Single-Family dwellings
	West: I-3	Undeveloped
Thoroughfare Plan		
Emerson Avenue	Primary Arterial	122-foot existing and proposed right-of-way.
Context Area	Compact area	
Floodway / Floodway Fringe	Yes	
Overlay	Environmentally Sensitive – 100-year Flood Plain	
Wellfield Protection Area	No	
Elevations	N/A	
Landscape Plan	N/A	
Site Plan	May 8, 2025	
Findings of Fact	May 8, 2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Light Industrial uses for the site.

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends the Light Industrial typology that provides for industrial, production, distribution, and repair uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Typical uses include warehousing, self-storage, assembly of parts, laboratories, wholesaling, and printing. Industrial or truck traffic should be separated from local/residential traffic.

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

2005-SE3-003; 2627 and 2719 N. Emerson Avenue (south of site), requested a Special Exception of the Industrial Zoning Ordinance to provide for a metal finishing facility, within an existing two-story building, **granted**.

2004-UV2-26; 2545 Emerson Access (south of site), requested a Variance of Use of the Industrial Zoning Ordinance to provide for an automobile storage lot for inoperable automobiles. **Granted**.

97-Z-125; 2601-2607 North Emerson Avenue (south of site), requested the rezoning of 0.42 acre from the I-2-U to C-4. **Approved**.

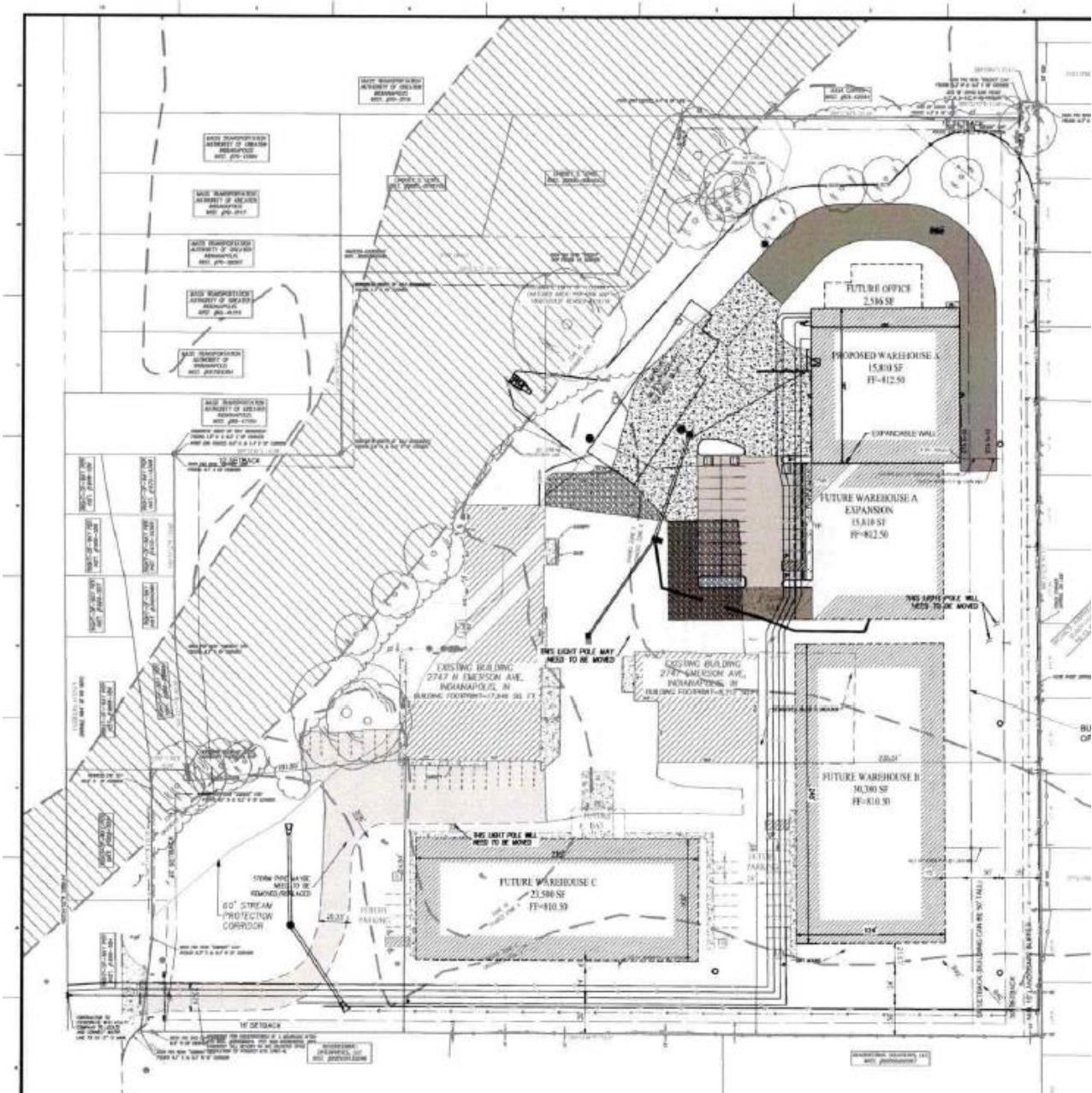
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EXHIBITS

Location Map



Site Plan





Findings of Fact

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 operation on the subject property is a long standing industrial use which is not visited by the public via sidewalk, and the variance, if granted, will actually enhance public safety by not creating a conflict between pedestrian traffic and industrial vehicular/truck traffic.

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 variance would not impact any adjoining property because the required improvements on the subject property would only connect to Emerson Avenue, and there is existing access to Emerson Avenue for adjoining properties.

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

pedestrian connectivity to industrial buildings from the public right-of-way in this instance does not benefit the community and only enhances risks inherent in commingling pedestrian traffic with industrial vehicular/truck traffic.

Photographs



Existing subject site driveway, looking west towards Emerson Avenue from the parking lot.



Existing warehouse on site, looking northeast



Proposed warehouse location, looking southwest.



Proposed warehouse location, looking north.