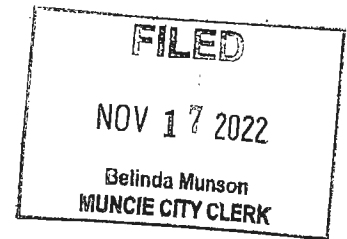


ORDINANCE NO. 41-22



BEING AN ORDINANCE TO AMEND  
THE CITY OF MUNCIE  
COMPREHENSIVE ZONING ORDINANCE  
FROM THE R-4 RESIDENCE ZONE, THE R-5 RESIDENCE ZONE,  
AND THE BV VARIETY BUSINESS ZONE  
TO THE R-5 RESIDENCE ZONE, THE CB CENTRAL BUSINESS ZONE,  
AND THE RC RECREATION & CONSERVATION ZONE  
ON PREMISES LOCATED AT  
620-716 N. WALNUT ST., 648-747 N. MULBERRY ST., 610-721 N. JEFFERSON ST.,  
601-735 N. ELM ST., THE EAST SIDE OF THE 700-800 BLK OF N. ELM ST.,  
110-318 E COLUMBUS AVE., 300-328 E. RACE ST.,  
AND 317 E. MYRTLE AVE., MUNCIE, INDIANA.

WHEREAS, the State enabling act for planning and zoning empowers the City Council of Muncie, Indiana to adopt a Comprehensive Zoning Ordinance and also provides for amendments to the said ordinance as the need arises; and

WHEREAS, the Common Council of the City of Muncie, Indiana has given reasonable regard to the Comprehensive Plan; current conditions and the character of current structures and uses in each district; the most desirable use for which land in each district is adapted; the conservation of property values throughout the jurisdiction; and responsible growth and development.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Muncie, Indiana, as follows:

**Section 1.** That the City of Muncie Comprehensive Zoning Ordinance adopted on the 5th day of November, 1973, be amended, changed and supplemented so as to include in the R-5 Residence Zone the following described real estate located in the City of Muncie, Indiana, to wit:

**Lots 1-12 in BLK 21, Lots 1-6 in BLK 23, Lots 1-10 in BLK 26 in the Whitely Land Company's 2nd Addition to the City of Muncie, Indiana, Lots 4-8 in Wysor and Hibbit's 1st Addition to the City of Muncie, Indiana, and Lots 22-28 in Jacob H. Wysor's 3rd Addition to the City of Muncie, Indiana**

AND to include in the CB Central Business Zone the following described real estate located in the City of Muncie, Indiana, to wit:

**Lots 13-16 in BLK 21, Lots 8-17 in BLK 22, Lots 7-18 in BLK 23, Lots 1-5 in BLK 24, and**

**Lots 1-3 and 9-12 in BLK 25, and Lots 11-17 in BLK 26 in the Whitely Land Company's 2nd Addition to the City of Muncie, Indiana, and a pt. of the Hackley Reserve est. to contain 0.6895 acres more or less**

AND to include in the **RC Recreation & Conservation Zone** the following described real estate located in the City of Muncie, Indiana, to wit:

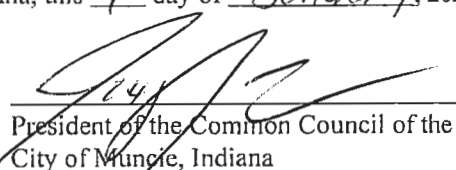
**BLK 18 and 20, including the vacated 16' alley within both blocks, vacated Madison Street between BLK 19 and BLK 20, and adj. to BLK 18, and vacated Myrtle Avenue between BLK 18 and BLK 20, all in the Whitely Land Company's 2nd Addition to the City of Muncie, Indiana**

**Section 2.** That all buildings or uses permitted and placed upon said above described real estate shall fully conform with all the provisions of the City of Muncie Comprehensive Zoning Ordinance and shall have obtained the proper permits.

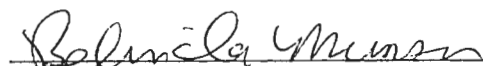
**Section 3.** That this Ordinance shall be in full force and effect from and after its passage by the Common Council and its approval by the Mayor of the City of Muncie, Indiana, and such publication as may be required by law.

	YEAS	NAYS	ABSTAINED	ABSENT
Aaron Clark	✓			
Jerry Dishman	✓			
Brandon Garrett	✓			
Jeff Green	✓			
Troy Ingram	✓			
Roger Overbey	✓			
Isaac Miller	✓			
Jeff Robinson		✓		
Rosa Selvey	✓			

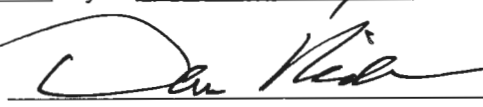
Passed by the Common Council of the City of Muncie, Indiana, this 9 day of January, 2023

  
President of the Common Council of the  
City of Muncie, Indiana


Presented by me to the Mayor for his approval this 9 day of January, 2023.

  
Belinda Munson, City Clerk of the  
City of Muncie, Indiana

The above ordinance approved (vetoed) by me this 9 day of January, 2023.

  
Daniel Ridenour, Mayor of the  
City of Muncie, Indiana

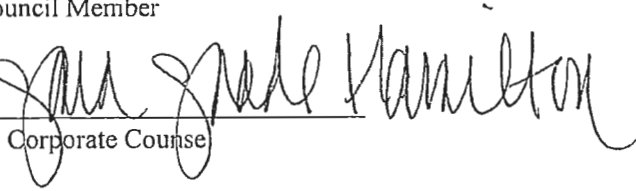
ATTEST:

  
Belinda Munson, City Clerk of the  
City of Muncie, Indiana

This ordinance is proposed by:

  
City Council Member

This ordinance is approved in form by:

  
Corporate Counsel

**REPORT TO THE COMMON COUNCIL OF  
THE CITY OF MUNCIE, INDIANA**

November 14th, 2022

**To the Honorable:**

Common Council of the City of Muncie, Indiana

**Dear Council Members:**

The Delaware-Muncie Metropolitan Plan Commission hereby submits to you the following report on the application of: City of Muncie, et al., 300 N. High St., Muncie, IN, such applicants petitioning the commission to rezone the real estate as described in the application, generally located at: 700, 702, 704/706, 710, 712, 714, and 716 N. Walnut St., Muncie, Indiana, from zone classification: R-5 Residence Zone to classification: CB Central Business Zone; and

to rezone the real estate as described in the application, generally located at: 620 N. Walnut St., Muncie, Indiana, from zone classification: BV Variety Business Zone to classification: CB Central Business Zone; and

to rezone the real estate as described in the application, generally located at: 648, 650, 651, 653, 655, 701, 703, 704, 705, 706, 707, 708, 709, and 711 N. Mulberry St., 110, 201, 204, 206, 208 213, and 215 E. Columbus Ave., 628, 630, 646, 649, 653, 654, 700, 701, 705, 709, 713, and 721 N. Jefferson St., Muncie, Indiana, from zone classification: R-4 Residence Zone to classification: CB Central Business Zone; and

to rezone the real estate as described in the application, generally located at: 713, 715, 717, 719/721, 741, and 745/747 N. Mulberry St., 610, 614, and 622 N. Jefferson St., 300, 312, 314, 320, 322/324, and 328 E. Race St., 601, 603, 613, 615, 625, 627, 641, 643, 647, 649, 653, 655, 703, 705, 715, 717, 719, 721, 727, 729, 731 733, and 735 N. Elm St., 317 and 318 E. Columbus St., and 317 E. Myrtle Ave., Muncie, Indiana, from zone classification: R-4 Residence Zone to classification: R-5 Residence Zone; and

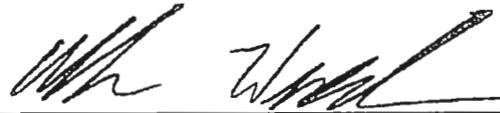
to rezone the real estate as described in the application, generally located at: on the east side of N. Elm St. and north of E. Columbus Ave. between Columbus Ave and the FA Flood Area Zone., Muncie, Indiana, from zone classification: R-4 Residence Zone to classification: RC Recreation & Conservation Zone.

**WHEREAS**, the said Plan Commission has given reasonable regard to the comprehensive plan, current conditions and the character of current structures and uses in each district, the most desirable use for which the land in each district is adapted, the conservation of property values throughout in the jurisdiction and responsible growth and development.

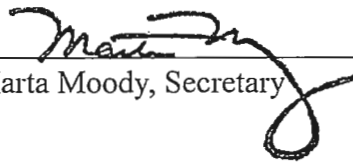
**NOW, THEREFORE,** the Delaware-Muncie Metropolitan Plan Commission hereby **FAVORABLY RECOMMENDS (6 - 1, 0 abstained, 2 absent)** the application for rezoning.

**DELAWARE-MUNCIE METROPOLITAN  
PLAN COMMISSION**

**BY:**

A handwritten signature in black ink, appearing to read 'Allen Wiseley', written over a horizontal line.

Allen Wiseley, President

A handwritten signature in black ink, appearing to read 'Marta Moody', written over a horizontal line.

Marta Moody, Secretary

Delaware-Muncie Metropolitan Plan Commission  
Excerpt of Case Analysis - November 2022

MPC 04-22Z      City of Muncie, et al.

**Location & Description:** 620-716 N. Walnut St. (east side only), 648-709 N. Mulberry St. (both sides of the street), 711-747 N. Mulberry St. (west side only), 610-646 N. Jefferson St. (east side only), 649-713 N. Jefferson St. (both sides of the street), 721 N. Jefferson St., the north side of the 300 BLK of E. Race St., the 100-300 BLK of E. Columbus Ave., 601-655 N. Elm St. (west side only), the 700 BLK of N. Elm St. (both sides of the street), the east side of the 800 BLK of N. Elm St., and 317 E. Myrtle Ave., Muncie

Located on the east side of N. Walnut St. extending - 240' to the north from E. Columbus Ave. and -270' to the south from E. Columbus Ave.; the entire west side of N. Mulberry St. between E. Myrtle Ave. and E. Columbus Ave., the west side of N. Mulberry St. extending - 170' south from E. Columbus Ave., the east side of N. Mulberry St. extending - 200' north from E. Columbus Ave. and 160' south from E. Columbus Ave., the west side of N. Jefferson St. extending -200' north from E. Columbus Ave. and 120' south from E. Columbus Ave., the east side of N. Jefferson St. extending -160' north from E. Columbus Ave. and south to E. Race St., the north side of E. Race St. between N. Jefferson St. and N. Elm St., the west side of N. Elm St. from E. Race St. to E. Myrtle Ave., and the east side of N. Elm St. between E. Columbus Ave. and the FA Flood Area Zone



to the north.

Traveling north on Walnut St. from downtown go ~ 0.5 miles to E. Columbus Ave., the site is on the right (east) side of N. Walnut St. extending along E. Columbus Ave. to the north and south along N. Mulberry St., N. Jefferson St., and N. Elm St.

The site includes ninety-two (92) parcels consisting of ~16.899 acres. The site includes 43 parcels with residences including 13 structures assessed as duplexes, 1 assessed as a triplex, 1 assessed as a 4-19 unit apartment building, and 1 that is a registered historic landmark, various accessory structures, 5 parcels with a commercial development with parking lot, 1 parcel with an office building, 3 parcels with a parking lot that was developed to serve a childcare center, 4 parcels with a not legal non-conforming off-site parking lot, and 36 vacant parcels (greenspace).

**Streets:** This section of N. Walnut St. is classified as a Secondary Arterial with an 80' proposed R.O.W. according to the Thoroughfare Plan Map. This section of N. Walnut St. has 30' of dedicated R.O.W. for the east half of Walnut St.

These sections of E. Columbus Ave., N. Mulberry St., N. Jefferson St., N. Elm St., E. Race St., and E. Myrtle Ave., are all classified as Local Roads with a 50' proposed R.O.W. according to the Thoroughfare Plan Map. This section of E. Columbus Ave. and E. Myrtle Ave. are platted with 60' of R.O.W. This section of N. Mulberry St. is platted with 45' of R.O.W. N. Jefferson St. and N. Elm St. are platted with 60' of R.O.W. north of Columbus Ave. N. Jefferson St. and N. Elm St. are platted with various widths of R.O.W. south of Columbus Ave. ranging from 60' widths at Columbus Ave. and narrowing to 45' before they reach Race St. Race St. is platted with 45' of R.O.W.

Due to the fact that this request proposes to rezone different areas to different zones, the review of the Land Use, Zoning and Request will be provided separately for : 1) the areas proposed to be rezoned to the CB Central Business Zone, 2) the areas proposed to be rezoned to the R-5 Residence Zone, and 3) the area proposed to be rezoned to the RC Recreation & Conservation Zone.

#### **General Requestion Information:**

The Basis for Decision requires the MPC to substantially determine:

1. That such change will not adversely affect the property values of the surrounding properties.
2. That this is need for the type of use proposed.
3. That the proposed use is the best and most adequate use of the property.
4. That the change shall not constitute spot zoning.
5. That the property owner is not being favored over surrounding property owners.
6. That the change is in line with good zoning practice.
7. That the owner can comply with all the requirements of the City or County zoning ordinances if the proposed use is approved.



8. That the proposed change will enhance the health, public welfare, safety, morals and convenience of the City or County.
9. That traffic congestion in public streets will not be increased.
10. That population density will not be increased unnecessarily.
11. That the owner is not speculating on land values and that he is not using the zoning procedure to satisfy himself financially.

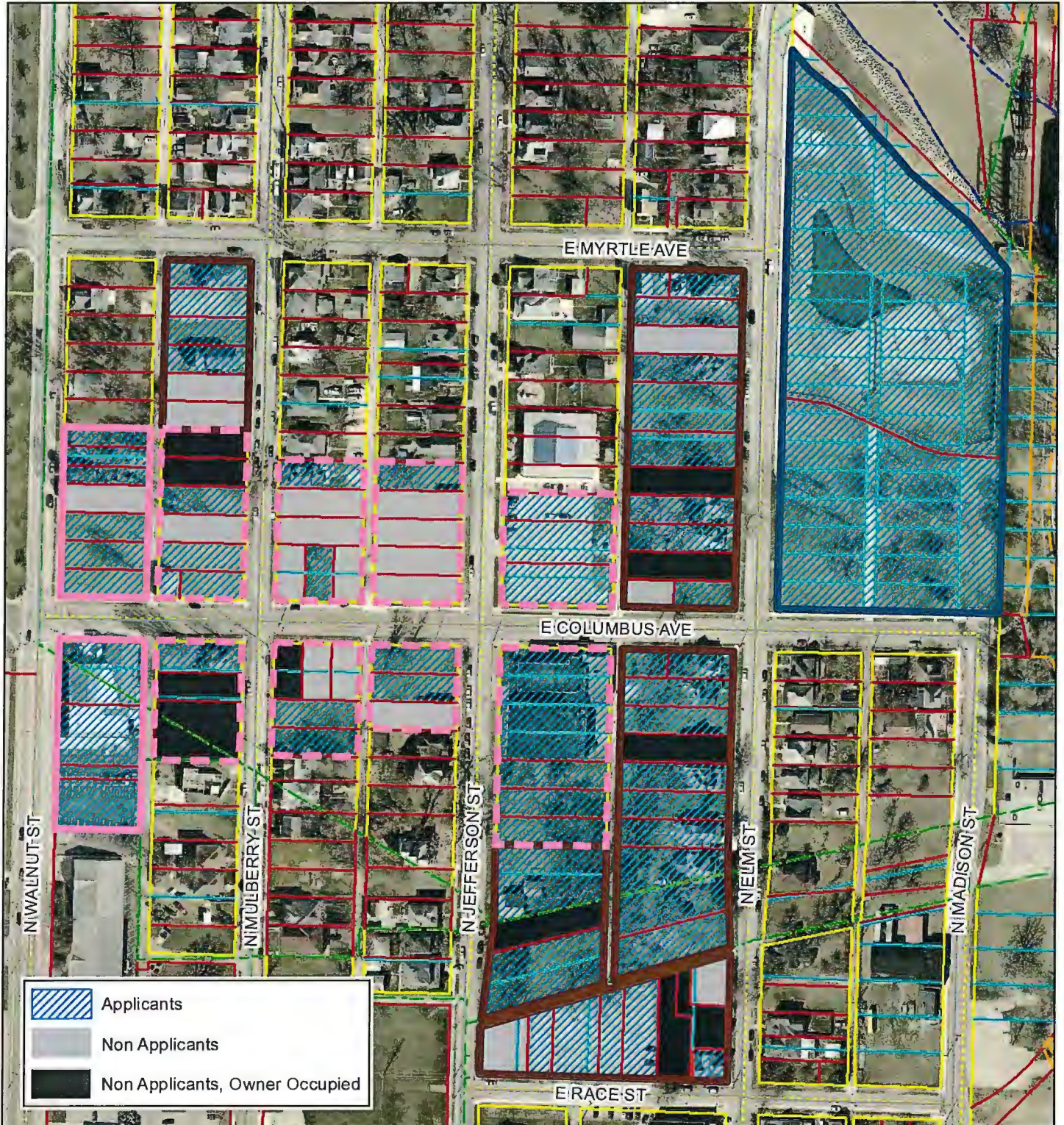
Since the request proposes to rezone different areas to different zones, the Plan Commission may make their recommendation to City Council on the application as a whole or for the separate rezonings.





This is the overall area included in the proposed rezoning. The colors symbolize the existing zone classifications. The labels verify the existing zone classifications and the proposed zone classification for each area involved in this request (zones classifications are abbreviated for legibility).





This map illustrates the areas involved in the request depicting the location of parcels owned by non-applicants including those that are owner occupied that would be rezoned.

This application was submitted by the property owners of more than 50% of the area to be rezoned as allowed by IC 36-7-4-602. Since not all property owners are applicants, it is important to understand how many properties are owned by non-applicants and the location of those parcels.



## Part 1- sites of the areas proposed to be rezoned to the CB Central Business Zone



**Land Use:** The sites are currently residential, commercial and vacant (greenspace) in use. Surrounding properties to the north and east are residential in use; surrounding properties to the south are institutional (Social Security office) and residential in use; and surrounding properties to the west are institutional (public school) in use.

The building on the southeast corner of Columbus Ave. and Jefferson St. was previously owned and operated by a religious institution. When the ownership changed to a for-profit entity that isn't using it as a residence, that building became a non-conforming use with non-conforming characteristics (for example, there is no on-site parking).

The parking lot on the northeast corner of Columbus Ave. and Jefferson St. was previously owned and operated by a religious institution. When the ownership changed to a for-profit entity, the use of that parking lot became a non-conforming use.

**Zoning:** These sites are classified in the R-4 Residence Zone, the R-5 Residence Zone, and the BV Variety Business Zone. Surrounding properties to the north are classified in the R-4 Residence Zone and the R-5 Residence Zone. Surrounding properties to the east are classified in the R-4 Residence Zone. Surrounding properties to the south are classified in the R-4 Residence Zone and the BV Variety Business Zone.



Surrounding properties to the west are classified in the R-4 Residence Zone.

**Request:** The applicants are requesting a change in zone to the CB Central Business Zone. The applicants would like to redevelop the properties with a mixed-use development with residences and commercial spaces.

The application states that the rezoning is “needed to draw investment and redevelop the key corridors of Columbus Avenue and Walnut Street into vibrant mixed-use corridors with a mix of housing densities including multifamily mixed-use, small-scale apartments, and townhomes, as well as uses related to the future YMCA facility being built across the street on Walnut St.” The proposed YMCA does not yet have an approved site plan. The McKinley Learn-Live Neighborhood Comprehensive Revitalization Vision does not show any uses within the neighborhood that relate to the future YMCA facility.

Currently, Walnut St. is a designated corridor and classified as a secondary arterial but Columbus Ave. is neither; Columbus Ave. is designated as a local road. The Corridor Development Standards were adopted in 2005 to help Muncie encourage quality development to enhance the corridors which enhances economic and public health of the City. Currently, redevelopment along Walnut St. is subject to the Corridor Development Standards.

The Comprehensive Revitalization Vision shows redevelopment of the entire area that would be rezoned to the CB Central Business Zone and area outside of the request. Most of what is labeled as “future redevelopment” is shown on parcels that are not owned by applicants. Of the 43 parcels involved in the request to rezone to the CB Central Business Zone, there are currently 23 residential units; 5 of those residential units are owner occupied homes and several of the rental units have long term tenants.

The application states that, “the plan is to target higher density, mixed-use redevelopment along the peripheral key corridors of the neighborhood and build townhomes in key locations while scaling down to the inner core of the neighborhood.” Columbus Ave. is not a peripheral corridor for the McKinley Neighborhood, the street is located in the middle of the neighborhood; the peripheral key corridors of the McKinley Neighborhood are Walnut St. and Wysor St. (see graphic to the right).

The building noted as “Future Event Venue” is located in the middle of the neighborhood and does not have any parking; the parking across the street to the north is shown as parking for a day-care center (which is the current use). Having a church replaced by an event center is not consistent with “scaling down to the inner

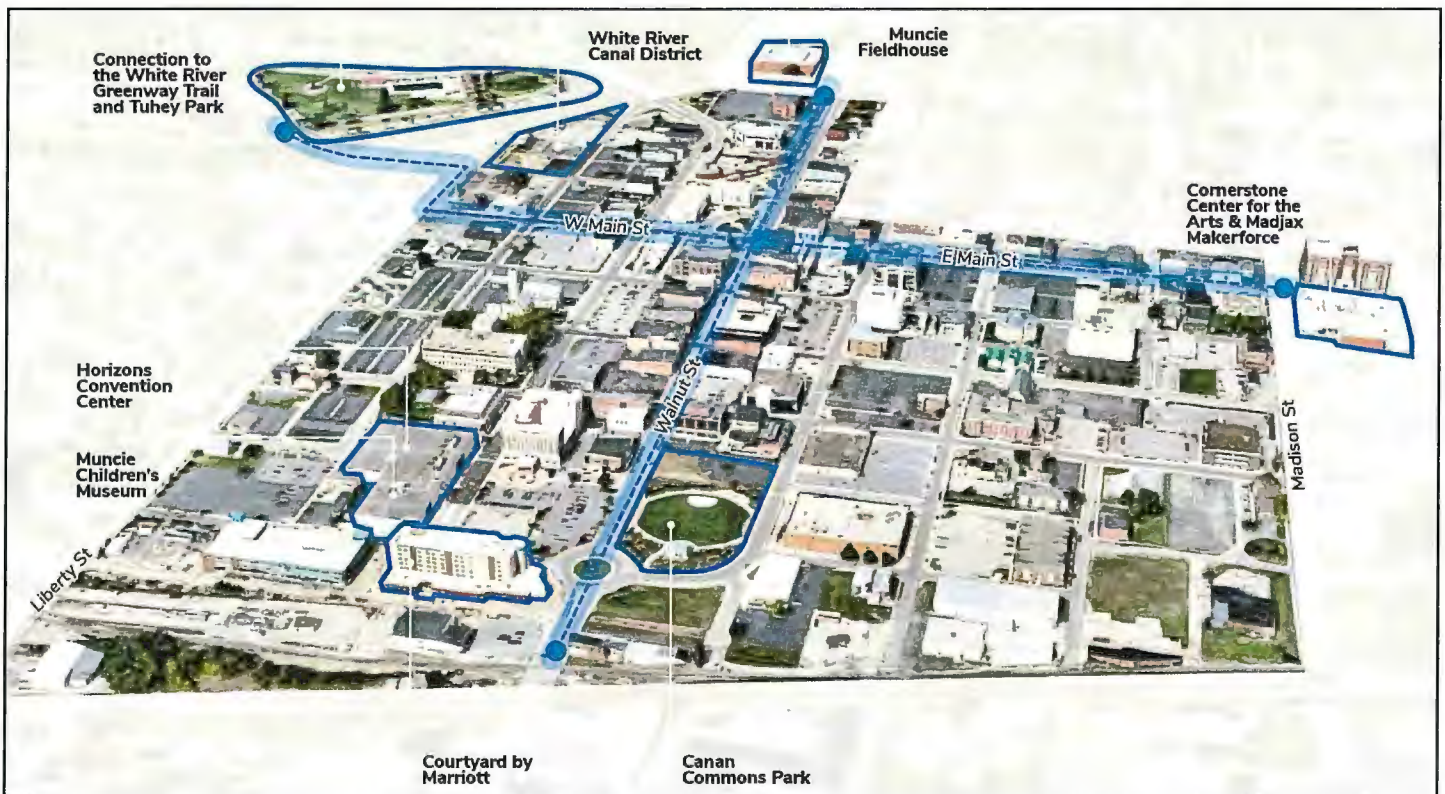


This map shows the area of the McKinley Neighborhood.

core of the neighborhood”. While rezoning that building to the CB Central Business Zone would allow this former church building to have a commercial use, the parking requirement for the use(s) would have to be provided. None of the plans provided show where this parking would be located.

Although the applicants state that this rezoning will advance the new Strategic Investment Plan’s Goal to “Make Walnut Street Exceptional & Connect Downtown to Community Assets”, this rezoning alone does not strengthen connections of the McKinley Neighborhood to the Downtown’s Walnut Street. The vision of redevelopment (page 7 of Exhibit B of the application) should include improvements that improve the connection of this neighborhood to the Downtown and improvements that enhance the transition from the Downtown to the neighborhood.

Rezoning area from the BV Variety Business to the CB Central Business Zone is a down-zoning as the BV Variety Business Zone allows more uses. The primary difference between the BV Variety Business Zone and the CB Central Business Zone is that the CB Central Business Zone has a reduced parking requirement for residential units. According to Polk City Directories, this area was used for a restaurant throughout the 1970’s; Concannon’s Pastry Shop was first listed in 1979. Rezoning the area from the BV Variety Business Zone to the CB Central Business Zone will not affect the current use.



This graphic is from pages 66-67 and 68-69 of the 2022 Comprehensive Plan.

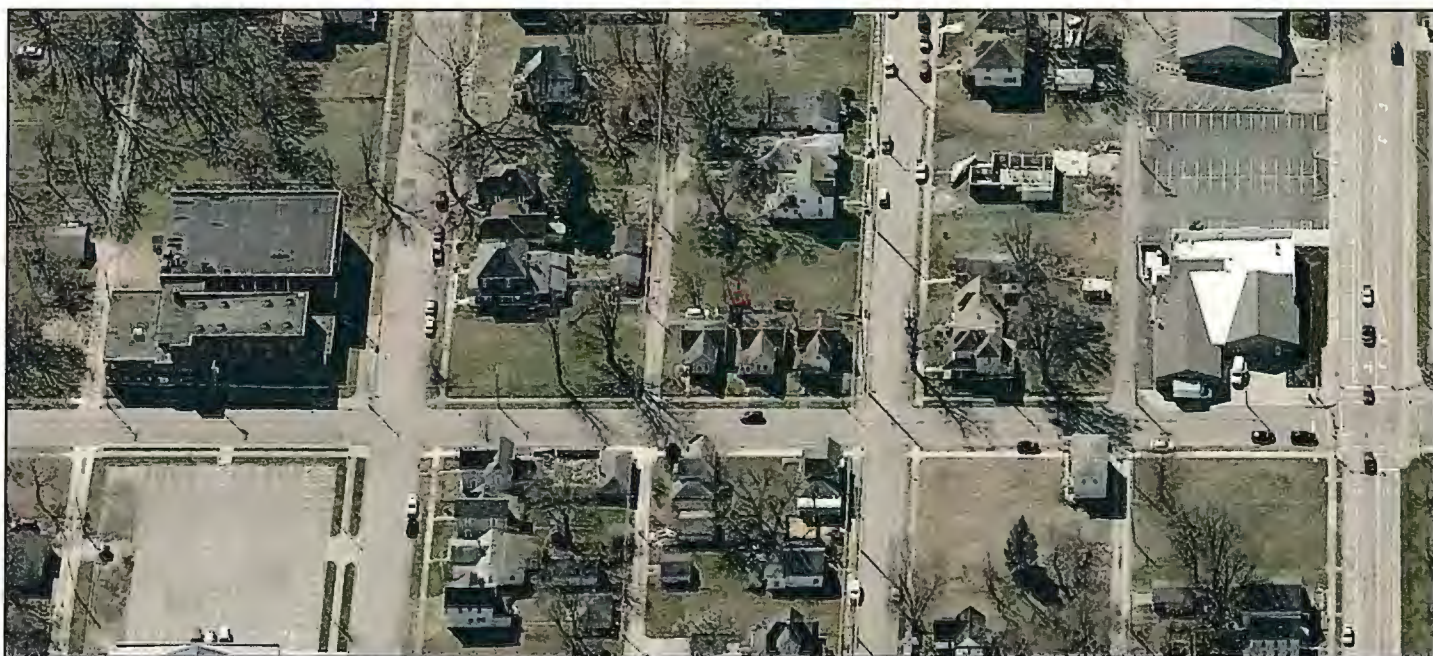
The graphic is used for the goal to Make Walnut Street Exceptional & Connect Downtown to Community Assets to illustrate the corridors of Muncie’s Downtown that should be focused on for public and private investment (Strategic Consideration #1) as well as the area to capitalize on the community assets that frame the Downtown area (Strategic Consideration #2).



Rezoning this area is not required for the City to improve the streetscape of Columbus Ave. Columbus Ave. is platted with 60' of R.O.W. which is plenty of R.O.W. to provide the elements of a complete street. A complete street is a street that provides safe access for motorists, pedestrians, bicyclists, and transit riders, for people of all ages and abilities; a complete street also provides trees for shade and the reduction of stormwater runoff among other benefits.



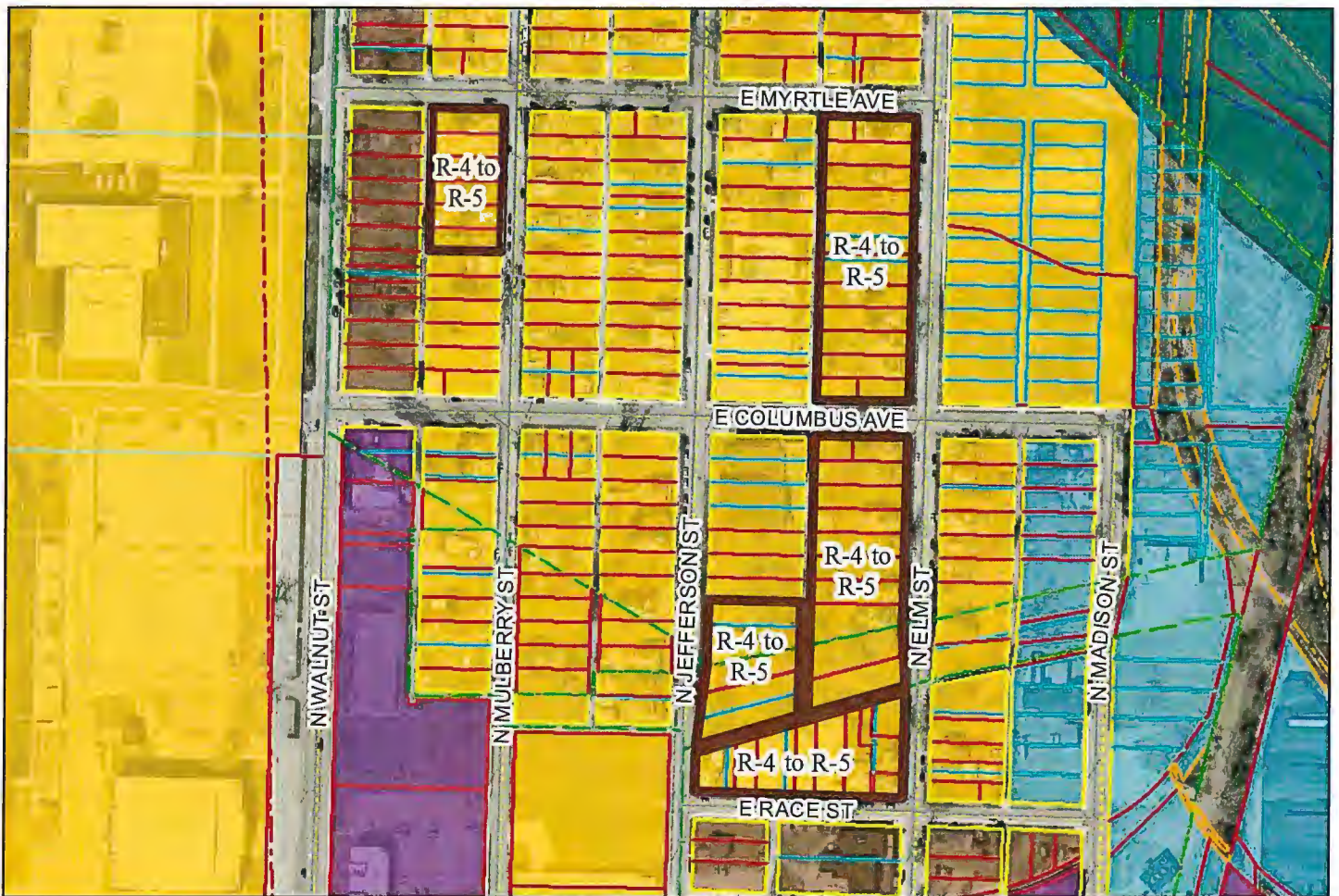
View of the sites on the north side of Columbus Ave. from the south looking north.  
(Eagleview, image from 03/20/2021)



View of the sites on the south side of Columbus Ave. from the north looking south. The former church is on the left. Concannon's Bakery is on the right. (Eagleview, image from 03/20/2021)



## Part 2- sites of the areas proposed to be rezoned to the R-5 Residence Zone



**Land Use:** The sites are currently residential and vacant (greenspace) in use with an unlawful commercial parking lot on the north side of Race St. The existing residential structures are variously assessed as single-family, duplexes, a couple triplexes, and a home converted into 4-19 units. Surrounding properties to the north, east, and west are residential in use; surrounding properties to the south are residential and commercial in use.

Background on unlawful parking lot: (The use of the manufacturing building on the SW corner of Elm St. and Race St. has been a non-conforming use since 1973; it has been used for manufacturing ice, cabinets, and now beer. When the current owner, Hickory & Elm LLC / Bill Lett, included a restaurant in the structure, they did not provide the parking required for that use. The owner was advised that they would need to seek variances for reduced parking and/or to put a parking lot in a residential zone; the owner was also advised that there are performance standards for parking lots. The owners then bought 4 parcels on the north side of Race St.; the parcels were covered in gravel to be used as a parking lot in 2017-2018. The owner did not request any variances and they did not provide the performance standards that are required in the City of Muncie Comprehensive Zoning Ordinance.)

**Zoning:** These sites are classified in the R-4 Residence Zone. Surrounding properties to the north and east are classified in the R-4 Residence Zone. Surrounding properties to the south and west are classified in the R-4

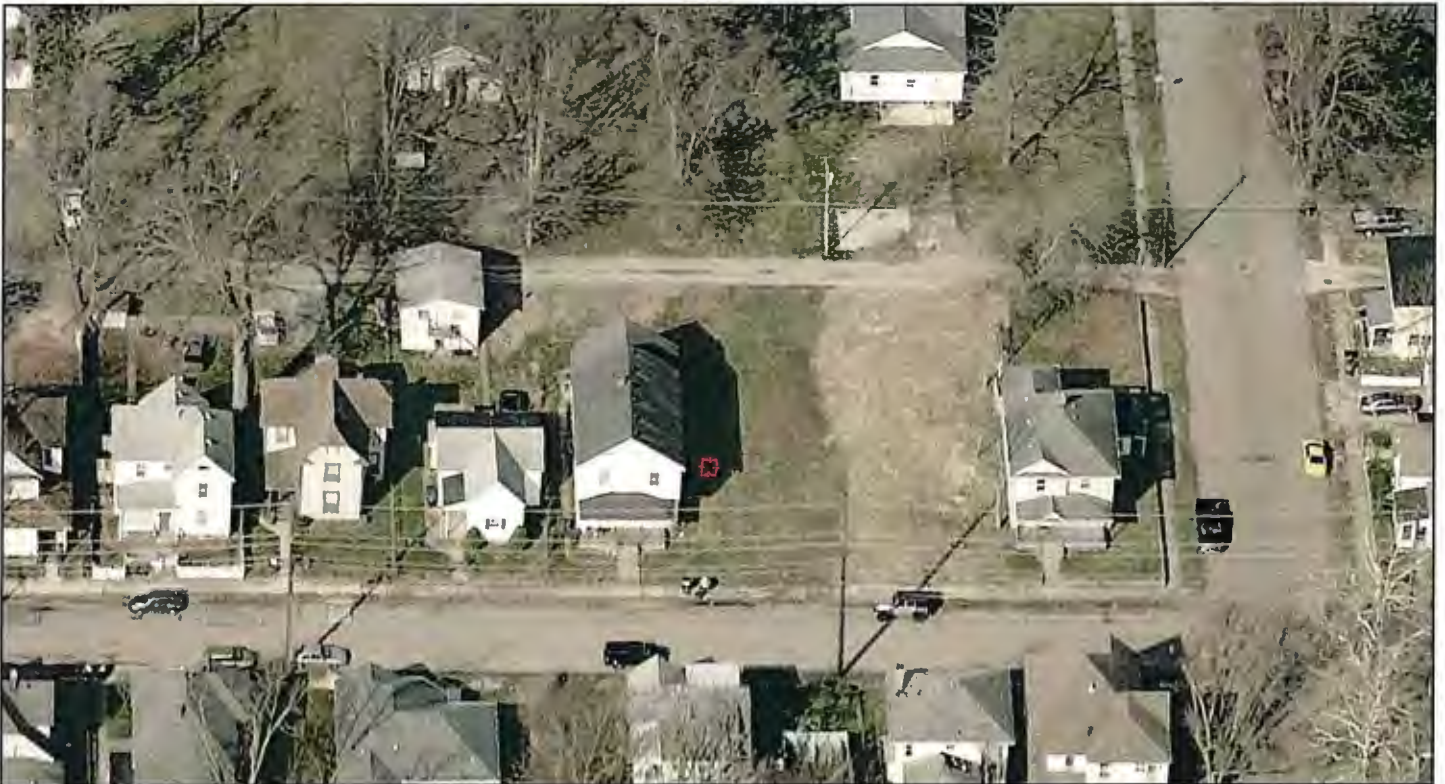


Residence Zone and the R-5 Residence Zone.

**Request:** The applicants are requesting a change in zone to the R-5 Residence Zone. The applicants would like to allow denser residential development.

This rezoning will not make the non-conforming parking lots a permitted use. The parking lots will remain in violation of the City of Muncie Comprehensive Zoning Ordinance. The parking lot does not meet the needs of the restaurant/microbrewery and patrons are filling the limited on-street parking which has had a negative affect on the residents in the neighborhood.

The R-5 Residence Zone allows single unit, two unit, and multiple unit developments. The R-5 Residence Zone has a larger lot area requirement for single unit developments than the R-4 Residence Zone; the R-4 Residence Zone allows for the densest single unit dwelling neighborhoods. The R-5 Residence Zone requires a minimum area of 6,500 sq. ft. per lot for single unit developments. The R-4 Residence Zone requires a minimum area of 6,250 sq. ft. per lot. Lots bound by Elm St., Myrtle Ave., Jefferson St., and Race St. in the W L Co's 2nd Addition were platted with 6,320 sq. ft. per lot. While individual lots are non-conforming for the required lot width and street frontage of 50' (this is the minimum lot width required in the R-4 Residence Zone and for single and two unit developments in the R-5 Residence Zone), rezoning to the R-5 Residence Zone will make those individual lots non-conforming for area as well.

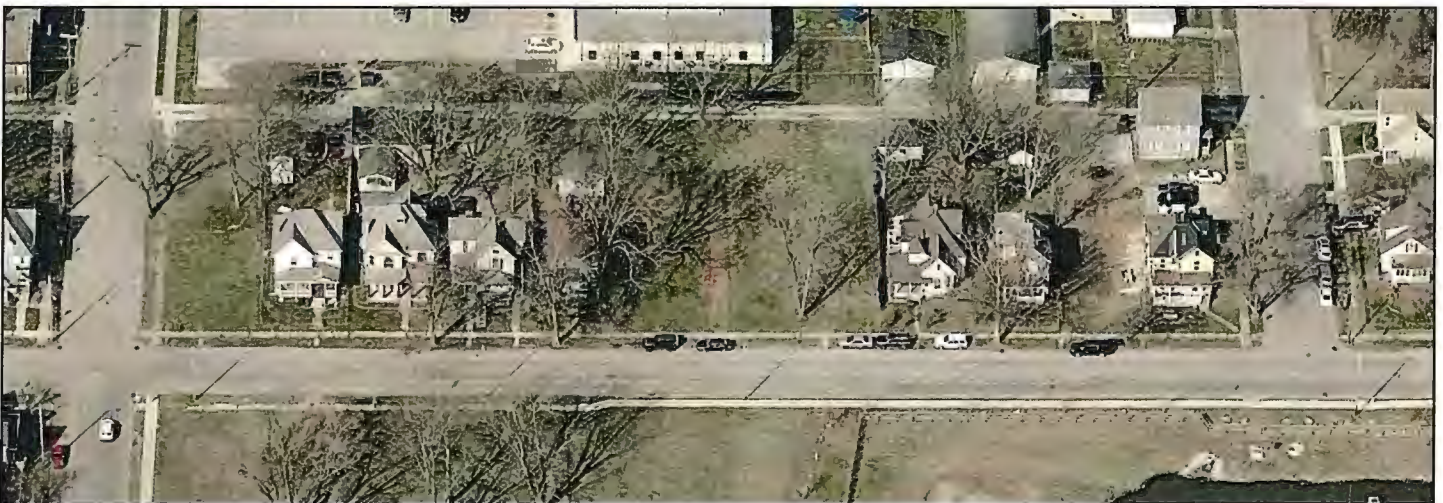


View of the site on the north half of Mulberry St. between Columbus Ave. and Myrtle Ave. from the east looking west. (Eagleview, image from 03/20/2021)





View of the site bound by Elm St. (in the foreground), Race St. (on the left), Jefferson St. (in the background), and Columbus Ave. (on the right) from the east looking west. The large building on the left side of Race St. is the brewery/restaurant that installed the gravel parking lots in the neighborhood. The house on the northwest corner of Elm St. and Race St. has been demolished since this image was captured. The large building in the upper right portion of the picture is a former church; that building and most of the greenspace abutting it are within the area that the applicant has requested to be rezoned to the CB Central Business Zone. (Eagleview, image from 03/20/2021)



View of the site along Elm St. (in the foreground) between Columbus Ave. (on the left) and Myrtle Ave. (on the right) from the east looking west. (Eagleview, image from 03/20/2021)



### Part 3- site of the area proposed to be rezoned to the RC Recreation & Conservation Zone

**Land Use:** The site is currently greenspace (vacant) in use. Surrounding properties to the north and east are greenspace and recreational in use; surrounding properties to the south and west are residential in use.

**Zoning:** The site is classified in the R-4 Residence Zone. Surrounding properties to the north are classified in the FA Flood Area Zone. Surrounding properties to the east are classified in the II Intense Industrial Zone. Surrounding properties to the south are classified in the R-4 Residence Zone and the II Intense Industrial Zone. Surrounding properties to the west are classified in the R-4 Residence Zone.

**Request:** The applicants are requesting a change in zone to the RC Recreation & Conservation Zone. The applicants would like to affirm that the properties will not be redeveloped with a commercial use and will be preserved as greenspace.



View of the site along Columbus Ave (in the foreground) and Elm St. (on the left) from the south looking north. (Eagleview, image from 03/20/2021)



**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION  
PROPOSED ZONING CHANGE APPLICATION**

Jurisdiction: (Check One)

☐ Delaware County

☒ City of Muncie

Submitted: 10-11-22

Case No.: MPC 04-22Z

(1) Applicant: City of Muncie, et al. See attached Exhibit A for full list of applicants.

Address: See attached Exhibit A for addresses. Phone: \_\_\_\_\_

(2) Record of Applicant's Ownership:

A. ☒ By Deed:  
Deed Book No. & Page No.: See Exhibit A for Deed information.  
Date of Deed: See Exhibit A for Deed information.

B. ☐ By Recorded Contract:  
Misc. Book No. & Page No.: \_\_\_\_\_  
Date of Contract: \_\_\_\_\_

C. ☐ By Unrecorded Contract:  
Date of Contract: \_\_\_\_\_  
Name of Contract Seller: \_\_\_\_\_  
Book No. & Page No. Of Deed in Seller's Name: \_\_\_\_\_

(3) Legal Description of Property for which rezoning is requested: (From the Deed or Abstract).  
See attachment "Legal Description of Property for which Rezoning is Requested"

(4) Common Address of Property Involved:  
See Exhibit A for full list of properties involved.

(5) Proposed zoning change: (Give exact zone classification.)  
From the R5, R4, and Variety Business Zone  
To the Central Business, Recreation/Conservation, and R5 Zone

### **Response to #3 - Legal Descriptions of Property for which Rezoning is Requested**

Area to be rezoned from the R-5 Residence Zone to the CB Central Business Zone:

Lots 13-18 in BLK 23 in the Whitely Land Company's 2<sup>nd</sup> Addition to the City of Muncie, Indiana

Area to be rezoned from the BV Variety Business Zone to the CB Central Business Zone:

Lots 4 & 5 in BLK 24 the Whitely Land Company's 2<sup>nd</sup> Addition to the City of Muncie, Indiana, and a pt. of the Hackley Reserve est. to contain 0.593 acres more or less

Area to be rezoned from the R-4 Residence Zone to the CB Central Business Zone:

Lots 13-16 in BLK 21, Lots 8-17 in BLK 22, Lots 7-12 in BLK 23, Lots 1-3 in BLK 24, Lots 1-3 and 9-12 in BLK 25, and Lots 11-17 in BLK 26 in the Whitely Land Company's 2<sup>nd</sup> Addition to the City of Muncie, Indiana, and a pt. of the Hackley Reserve est. to contain 0.0965 acres more or less

Area to be rezoned from the R-4 Residence Zone to the R-5 Residence Zone:

Lots 1-12 in BLK 21, Lots 1-6 in BLK 23, Lots 1-10 in BLK 26 in the Whitely Land Company's 2<sup>nd</sup> Addition to the City of Muncie, Indiana, Lots 4-8 in Wysor and Hibbit's 1<sup>st</sup> Addition to the City of Muncie, Indiana, and Lots 22-28 in Jacob H. Wysor's 3<sup>rd</sup> Addition to the City of Muncie, IN

Area to be rezoned from the R-4 Residence Zone to the RC Recreation & Conservation Zone:

BLK 18 and 20, including the vacated 16' alley within both blocks, vacated Madison Street between BLK 19 and BLK 20, and adj. to BLK 18, and vacated Myrtle Avenue between BLK 18 and BLK 20, all in the Whitely Land Company's 2<sup>nd</sup> Addition to the City of Muncie, Indiana

- (6) Intent and Purpose of Proposed Change: (Specify use contemplated on property.)

See Exhibit B attached, page 1-7.

- (7) Will the Owner develop the property for the use specified in Item 6 or does owner intend to sell property for the purpose specified.

See Exhibit B attached, page 8.

- (8) State how the proposed change will not adversely affect the surrounding area.

See Exhibit B attached, page 8.

- (9) Will certain variances be requested if the proposed zoning change is granted?  
(If yes, list the variances)

Not anticipated at this time.

- (10) Has the applicant provided stamped, addressed envelopes to send notices of this rezoning to all the property owners within 300 feet? Yes.

Has the applicant discussed this rezoning with those owners personally? See Exhibit B.

(If answer is yes, give their attitudes toward the rezoning.)

See Exhibit B, page 8.

- (11) Are there any restrictions, easements, and/or covenants governing the property prohibiting its use for the purpose specified in this application?

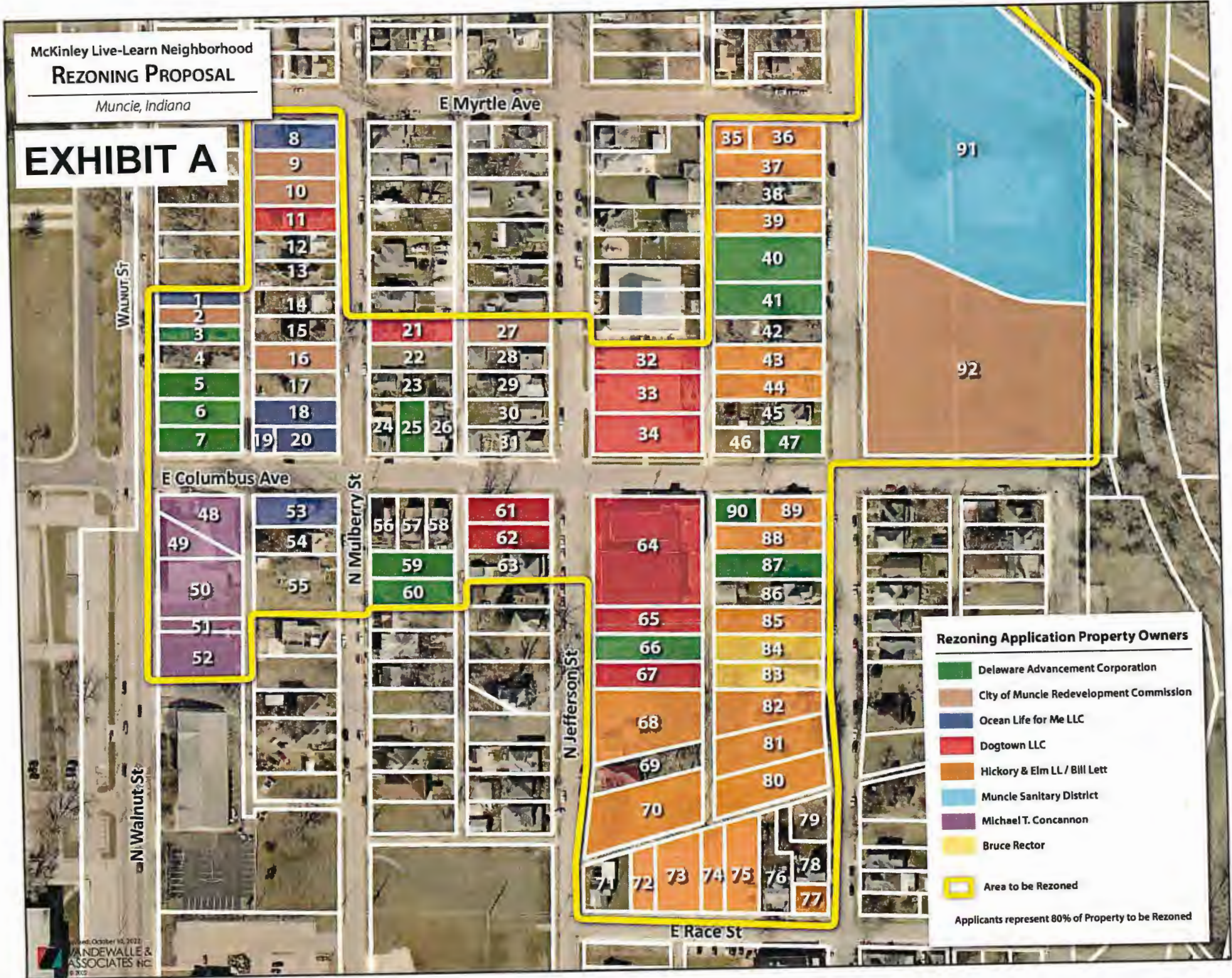
(If answer is yes, attach copy of it and/or explain.)

None that are known of.



McKinley Live-Learn Neighborhood  
**REZONING PROPOSAL**  
 Muncie, Indiana

**EXHIBIT A**



**Rezoning Application Property Owners**

- Delaware Advancement Corporation
- City of Muncie Redevelopment Commission
- Ocean Life for Me LLC
- Dogtown LLC
- Hickory & Elm LL / Bill Lett
- Muncie Sanitary District
- Michael T. Concannon
- Bruce Rector
- Area to be Rezoned

Applicants represent 80% of Property to be Rezoned



# EXHIBIT A

## Rezoning Applicant List:

- City of Muncie (Lead Applicant)
- City of Muncie Redevelopment Commission
- Delaware Advancement Corporation
- Dogtown LLC
- Hickory & Elm LLC
- Michael T Concannon
- Ocean Life For Me LLC
- Bill Lett
- Muncie Sanitary District
- Bruce Rector

## Property Information for all Properties to be Rezoned

Graphic #	Parcel ID	Property Address	Owner Address	Deed Book No. & Page No.	Date of Deed	Applicant
1	1110 154007000	716 N WALNUT ST	OCEAN LIFE FOR ME, LLC 835 W 27TH ST SAN PEDRO, CA 90731	2019R07495	6/12/2019	YES
2	1110 154008000	714 N WALNUT ST	CITY OF MUNCIE REDEVELOPMENT COMMISSION 401 S HIGH ST MUNCIE, IN 47305	2016R11255	9/15/2016	YES
3	1110 154009000	712 N WALNUT ST	DELAWARE ADVANCEMENT CORPORATION 401 S HIGH ST MUNCIE, IN 47308	2022R08400	6/6/2022	YES
4	1110 154010000	710 N WALNUT ST	IWASAKI DARRYL 19521 HELENA CIRCLE HUNTINGTON BEACH, CA 92646	2022R09553	6/24/2022	NO

5	1110 154011000	704 N WALNUT ST	DELAWARE ADVANCEMENT CORPORATION 401 S HIGH ST MUNCIE, IN 47305	2020R09589	8/6/2020	YES
6	1110 301001000	702 N WALNUT ST	DELAWARE ADVANCEMENT CORPORATION 401 S HIGH ST MUNCIE, IN 47305	2020R09588	8/6/2020	YES
7	1110 301002000	700 N WALNUT ST	DELAWARE ADVANCEMENT CORPORATION 401 S HIGH ST MUNCIE, IN 47305	2020R09587	8/6/2020	YES
8	1110154012000	747 N MULBERRY ST MUNCIE	OCEAN LIFE FOR ME, LLC 835 W 27TH ST SAN PEDRO, CA 90731	2019R07496	6/12/2019	YES
9	1110154013000	741 N MULBERRY ST MUNCIE	MUNCIE REDEVELOPMENT COMMISSION 300 S HIGH ST MUNCIE, IN 47305	2020R11914	9/10/2020	YES
10	1110154014000	719 N MULBERRY ST	MUNCIE REDEVELOPMENT COMMISSION 300 S HIGH ST MUNCIE, IN 47305	2017R12989	10/4/2017	YES
11	1110154015000	717 N MULBERRY ST UNIT 2 MUNCIE	DOGTOWN LLC 519 N ELM ST MUNCIE, IN 47305	2021R18104	10/26/2021	YES
12	1110154016000	715 N MULBERRY ST	WRIGHT CARL L AND LINDA J 1001 W DUNN AVE MUNCIE, IN 47303-1718	1996 6030	10/18/1996	NO
13	1110154017000	713 N MULBERRY ST	HISTORIC MUNCIE LP ONE INDIANA SQUARE SUITE 3000 INDIANAPOLIS, IN 46204	2007R24332	10/25/2007	NO
14	1110154018000	711 N MULBERRY ST	SHAW ROBERT J & MARY R 711 N MULBERRY ST MUNCIE, IN 47305-1439	2006R13009	6/28/2006	NO
15	1110154019000	709 N MULBERRY ST	MICHAEL ROBIN & JUDY	2000 8249	12/1/2000	NO

16	1110 154020000	707 N MULBERRY ST	CITY OF MUNCIE REDEVELOPMENT COMMISSION	2018R03706	3/29/2018	YES
17	1110154021000	705 N MULBERRY ST	MOUSER MICHELLE A PO BOX 88 OAKVILLE, IN 47367-0088	1994 4991	9/9/1994	NO
18	1110 301003000	703 N MULBERRY ST	OCEAN LIFE FOR ME LLC 835 W 27TH ST SAN PEDRO, CA 90731	2021R12452	7/27/2021	YES
19	1110 301004000	108 E COLUMBUS AVE	OCEAN LIFE FOR ME, LLC 835 W 27TH ST SAN PEDRO, CA 90731	2019R07497	6/12/2019	YES
20	1110 301005000	701 MULBERRY ST	OCEAN LIFE FOR ME LLC 835 W 27TH ST SAN PEDRO, CA 90731	2021R12453	7/27/2021	YES
21	1110 157008000	708 N MULBERRY ST	DOGTOWN LLC 519 N ELM ST MUNCIE, IN 47305	2021R18104	10/26/2021	YES
22	1110 157009000	706 N MULBERRY ST	MUNCIE HOME OWNERSHIP & REVITALIZATION INC 120 W CHARLES ST MUNCIE, IN 47305	2019R11070	8/26/2019	NO
23	1110 157010000	704 N MULBERRY ST	ANDERSON JOEL & LAURIE P O BOX 631 GASTON, IN 47342	2017R14459	11/2/2017	NO
24	1110 302001000	204 E COLUMBUS AVE	VONG PAXON 7209 S PRIMROSE PKWY MUNCIE, IN 47302-8700	2007R14268	6/1/2007	NO
25	1110 302002000	206 E COLUMBUS AVE	DELAWARE ADVANCEMENT CORPORATION 401 S HIGH ST MUNCIE, IN 47305	2020R09586	8/6/2020	YES
26	1110 302003000	208 E COLUMBUS ST	WEISS JEFFREY 10 ARCADIA AVE LATHAM, NY 12110-4532	1985 1664	5/17/1985	NO
27	1110 157018000	721 N JEFFERSON ST	CITY OF MUNCIE REDEVELOPMENT COMMISSION 401 S HIGH ST Muncie, IN 47305	2017R12993	10/4/2017	YES

28	1110 157019000	713 N JEFFERSON ST	FRANCOIS YVES ADLEY 12 OREGON ST MAPLEWOOD, NJ 07040	2021R17460	10/14/2021	NO
29	1110 157020000	709 N JEFFERSON ST	BOGAR BEVERLY 1258 SUNSET AVE PASADENA, CA 91103	2022R12494	8/16/2022	NO
30	1110 302004000	705 N JEFFERSON ST	HICKS BRAD 1608 S IRVINGTON DR YORKTOWN, IN 47396-9593	2006R08163	4/13/2006	NO
31	1110 302005000	701 N JEFFERSON ST	LUKE ANITA S 701 N Jefferson St Muncie, IN 47305-1425	2011R02357	2/4/2011	NO
32	1110 159009000	0 N JEFFERSON ST	DOGTOWN LLC 519 N ELM ST MUNCIE, IN 47305	2020R02126	2/10/2020	YES
33	1110 303001000	0 N JEFFERSON ST	DOGTOWN LLC 519 N ELM ST MUNCIE, IN 47305	2020R02126	2/10/2020	YES
34	1110 303002000	0 N JEFFERSON ST	DOGTOWN LLC 519 N ELM ST MUNCIE, IN 47305	2020R02126	2/10/2020	YES
35	1110 159011000	317 E MYRTLE AVE	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2018R09760	8/2/2018	YES
36	1110 159012000	735 N ELM ST	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2018R09760	8/2/2018	YES
37	1110 159013000	733 N ELM ST	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2018R09760	8/2/2018	YES
38	1110 159014000	731 N ELM ST	TRUSEDELL JACQUELINE E & LACEY GIBBS 705 N MANHATTAN AVE MUNCIE, IN 47303	2020R12146	9/14/2020	NO
39	1110 159015000	729 N ELM ST	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2018R09760	8/2/2018	YES
40	1110 159016000	727 N ELM ST	DELAWARE ADVANCEMENT CORPORATION 401 S HIGH ST MUNCIE, IN 47305	2020R09593	8/6/2020	YES

41	1110 159017000	721 N ELM ST	DELAWARE ADVANCEMENT CORPORATION 401 S HIGH ST MUNCIE, IN 47306	2020R10473	8/17/2020	YES
42	1110 159018000	719 N ELM ST	PRICE NORMAN EUGENE SR 719 N ELM ST MUNCIE, IN 47305-1419	1979 3534	8/27/1979	NO
43	1110 159019000	717 N ELM ST	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2018R09760	8/2/2018	YES
44	1110 303003000	715 N ELM ST	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2018R09760	8/2/2018	YES
45	1110 303004000	705 N ELM ST	GIBBS CLINTON & LACEY 705 N ELM ST MUNCIE, IN 47305	2018R02738	3/6/2018	NO
46	1110 303005000	318 E COLUMBUS AVE	CHRIST TEMPLE CHURCH OF DELAWARE COUNTY 654 N JEFFERSON ST MUNCIE, IN 47305-1422	2006R09348	5/3/2006	NO
47	1110 303006000	703 1/2 N ELM ST	DELAWARE ADVANCEMENT CORPORATION 401 S HIGH ST MUNCIE, IN 47305	2020R09583	8/6/2020	YES
48	1110 305001000	640 N WALNUT ST	CONCANNON MICHAEL T 7717 N COUNTY ROAD 320 E Albany, IN 47320	2017R07842	6/20/2017	YES
49	1110 305002000	640 ADJ N WALNUT ST	CONCANNON MICHAEL T 7717 N COUNTY ROAD 320 E Albany, IN 47320	2017R07842	6/20/2017	YES
50	1110 305003000	620 N WALNUT ST	CONCANNON MICHAEL T 7717 N COUNTY ROAD 320 E Albany, IN 47320	2017R07842	6/20/2017	YES
51	1110 305029000	620 ADJ N WALNUT ST	CONCANNON MICHAEL T 7717 N COUNTY ROAD 320 E Albany, IN 47320	2017R07842	6/20/2017	YES

52	1110 305004000	620 ADJ N WALNUT ST	CONCANNON MICHAEL T 7717 N COUNTY ROAD 320 E Albany, IN 47320	2017R07842	6/20/2017	YES
53	1110 305007000	655 N MULBERRY ST	OCEAN LIFE FOR ME LLC 835 W 27TH ST SAN PEDRO, CA 90731	2020R10515	8/18/2020	YES
54	1110 305008000	653 N MULBERRY ST	WHICKER PAULA J 653 N MULBERRY ST MUNCIE, IN 47305	2014R03897	4/10/2014	NO
55	1110 305009000	651 N MULBERRY ST	BIRD MICHAEL E 651 N MULBERRY ST MUNCIE, IN 47305	2018R04140 2012R16662	04/09/2018 12/17/2012	NO
56	1110 306001000	201 E COLUMBUS AVE	MATHEWS JOYCE A & DAVID M 201 E COLUMBUS AVE MUNCIE, IN 47305	2009R21699	10/26/2009	NO
57	1110 306002000	213 E COLUMBUS AVE	CLEMMONS PROPERTIES LLC P O BOX 246 DUNKIRK, IN 47336	2021R02382	2/17/2021	NO
58	1110 306003000	215 E COLUMBUS AVE	CRISWELL PAUL J JR 2280 W KILGORE AVE MUNCIE, IN 47304-4918	2022R07641	5/19/2022	NO
59	1110 306004000	650 BLK N MULBERRY ST	DELAWARE ADVANCEMENT CORPORATION 401 S HIGH ST MUNCIE, IN 47305	2020R09597	8/6/2020	YES
60	1110 306005000	648 N MULBERRY ST	DELAWARE ADVANCEMENT CORPORATION 401 S HIGH ST MUNCIE, IN 47305	2020R09596	8/6/2020	YES
61	1110 306016000	600 BLK N JEFFERSON ST	DOGTOWN LLC 519 N ELM ST MUNCIE, IN 47305	2020R02126	2/10/2020	YES
62	1110 306015000	653 N JEFFERSON ST	DOGTOWN LLC 519 N ELM ST MUNCIE, IN 47305	2020R02126	2/10/2020	YES

63	1110 306017000	649 651 N JEFFERSON ST	JERNAGIN EDDIE & MAMMIE REVOCABLE LIVING TRUST 322 E GILBERT ST MUNCIE, IN 47305	2021R03594	3/10/2021	NO
64	1110 307001000	654 N JEFFERSON ST	DOGTOWN LLC 519 N ELM ST MUNCIE, IN 47305	2020R02126	2/10/2020	YES
65	1110 307004000	646 N JEFFERSON ST	DOGTOWN LLC 519 N ELM ST MUNCIE, IN 47305	2020R02126	2/10/2020	YES
66	1110 307005000	630 N JEFFERSON ST	DELAWARE ADVANCEMENT CORPORATION 401 S HIGH ST MUNCIE, IN 47305	2020R09601	8/6/2020	YES
67	1110 307006000	628 N JEFFERSON ST	DOGTOWN LLC 519 N ELM ST MUNCIE, IN 47305	2021R05289	4/6/2021	YES
68	1110307008000	622 N JEFFERSON ST 622 1/2 N JEFFERSON ST	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2022R12772 & 2022R12773	8/22/2022	YES
69	1110307009000	614 N JEFFERSON ST	PRICE PAUL D AND DARLENE E 614 N JEFFERSON ST MUNCIE, IN 47305-1422	1980 4220	10/31/1980	NO
70	1110307010000	610 N JEFFERSON ST	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2018R01454	2/1/2018	YES
71	1110307011000	300 E RACE ST	PR HOUSING LLC 28626 MOUNT WHITNEY WAY RANCHO PALOS VERDES, CA 90275	2022R01723	1/31/2022	NO
72	1110307012000	312 E RACE ST	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2017R13228	10/10/2017	YES
73	1110307013000	314 E RACE ST	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2017R13229	10/10/2017	YES
74	1110307015000	320 E RACE ST	LETT BILL 4600 W JACKSON ST MUNCIE, IN 47304	2020R00667	1/15/2020	YES



75	1110307016000	322 E RACE ST 324 E RACE ST	LETT BILL 4600 W JACKSON ST MUNCIE, IN 47304	2020R00666	1/15/2020	YES
76	1110307017000	328 E RACE ST	SHOPHER THOMAS J AND KITTY J 328 E RACE ST MUNCIE, IN 47305-1405	1985 0338	1/24/1985	NO
77	1110307032000	601 N ELM ST	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2021R02381	2/17/2021	YES
78	1110307031000	603 N ELM ST	SORRELS JESSE 603 N ELM ST MUNCIE, IN 47305	2014R09996	8/29/2014	NO
79	1110307029000	613 N ELM ST	WH HOUSING SOLUTIONS LLC 391 E LAS COLINAS BLVD # 130249 IRVING, TX 75039	2017R11805	9/8/2017	NO
80	1110307028000	615 N ELM ST	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2018R10653	8/21/2018	YES
81	1110307027000	625 ADJ N ELM ST	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2022R09979	7/5/2022	YES
82	1110307026000	625 N ELM ST	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2022R09979	7/5/2022	YES
83	1110307025000	627 N ELM ST	RECTOR BRUCE A 627 N ELM ST MUNCIE, IN 47305	2016R04068	4/13/2016	YES
84	1110307024000	641 N ELM ST	RECTOR BRUCE A 627 N ELM ST MUNCIE, IN 47305	2022R10377	7/13/2022	YES
85	1110307023000	643 N ELM ST	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2018R09760	8/2/2018	YES
86	1110307022000	647 N ELM ST	ANACKER SIGUMOND R & JOSEPH DEWAYNE 647 N Elm St Muncie, IN 47305-1417	2002 4081	6/5/2002	NO

87	1110 307021000	649 661 N ELM ST	DELAWARE ADVANCEMENT CORPORATION 401 S HIGH ST MUNCIE, IN 47305	2020R09591	8/6/2020	YES
88	1110 307020000	653 N ELM ST	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2018R09760	8/2/2018	YES
89	1110 307019000	655 N ELM ST	HICKORY & ELM LLC 4600 W JACKSON ST MUNCIE, IN 47304	2018R09760	8/2/2018	YES
90	1110 307018000	317 E COLUMBUS AVE	DELAWARE ADVANCEMENT CORPORATION 401 S HIGH ST MUNCIE, IN 47305	2020R09585	8/6/2020	YES
91	1110304001000	708 N ELM ST MUNCIE	MUNCIE SANITARY DISTRICT 300 N HIGH ST Muncie, IN 47305	2021R16742 2021R13683 2015T08891 2015R09039 2015R09032 2015R08892 2015R11148 2015R11127 2015R09441 2015R10590 2015R09033 2015R08888 2015R08868 2015R09031 2015R09040 2016R15722 2015R08907 2015R11394 2015R11385 2015R12051 2015R12993 2015R11751 2021R08317	9/30/2021 8/17/2021 8/04/2015 8/06/2015 8/06/2015 8/04/2015 9/16/2015 9/16/2015 8/14/2015 9/02/2015 8/06/2015 8/04/2015 8/04/2015 8/06/2015 8/06/2015 12/08/2016 8/04/2015 9/23/2015 9/23/2015 10/02/2015 10/27/2015 9/28/2015 5/21/2021	YES
92	1110304006000	708 BLK N ELM ST MUNCIE	CITY OF MUNCIE 300 N HIGH ST MUNCIE, IN 47305	2021R21255	12/17/2021	YES

# EXHIBIT B

## Muncie McKinley Neighborhood Rezoning Application Responses

### (6) Intent and Purpose of Proposed Change: (Specify use contemplated on property.)

The property within the rezoning boundary shown in Exhibit A is being rezoned from R-4 Residence, R-5 Residence and Variety Business to R-5 Residence, Central Business, and Recreation & Conservation Zone. This change in zoning districts will help establish the proper zoning needed to draw investment and redevelop the key corridors of Columbus Avenue and Walnut Street into vibrant mixed-use corridors with a mix of housing densities including multifamily mixed-use, small-scale apartments, and townhomes, as well as uses related to the future YMCA facility being built across the street on Walnut Street. In fact, the recently adopted 2022 Delaware-Muncie Comprehensive Plan found that “appealing housing options—existing or new—are limited and make it hard to compete for households and the businesses that need those households.” The Comprehensive Plan’s Vision for 2040 specifically states that one of the community’s top priorities and future-oriented Vision Element is to have: “Housing conditions and options have strengthened: Existing housing has received strong levels of reinvestment and households of all types have appealing options to choose from.”

The rezoning changes will not only directly advance the Comprehensive Plan’s vision for stronger housing conditions and options, but it will also allow existing buildings, such as the former Church building to be renovated with new uses such as offices, events space, and other complimentary uses. Upzoning key areas in the neighborhood from R-4 Residence to R-5 Residence will allow the development of townhomes in neighborhood, bringing greater housing diversity and housing options in a central location for the neighborhood and community as a whole.

Additionally, nationwide there is an ongoing shift to update exclusionary zoning policies such as the existing R-4 Residence Zone which restricts higher-density housing options and has requirements for large minimum lot sizes. There is a body of research that has found that single family zoning districts are not only too restrictive, but in turn they limit racial and economic diversity and raise housing costs in neighborhoods. Moreover, according to Brookings research on single-family zoning found that, “single-family zoning is a pivotal contributor to the housing affordability crisis because it both limits the supply of housing and enables inefficient use of existing housing inventory and land in already scarce desirable, sustainable places.”<sup>1</sup> Therefore, by rezoning to more flexible zoning districts such as R-5 Residence and Central Business, the neighborhood will be able to redevelop with a variety of housing densities and types that do not exist today, increasing population density in the neighborhood and allowing for more ownership opportunities.

The plan is to target higher density, mixed-use redevelopment along the peripheral key corridors of the neighborhood and build townhomes in key locations while scaling down to the inner core of the neighborhood. This will preserve the predominantly single-family use in the inner core while allowing a variety of housing types to establish in the neighborhood. See neighborhood revitalization vision in page 7.

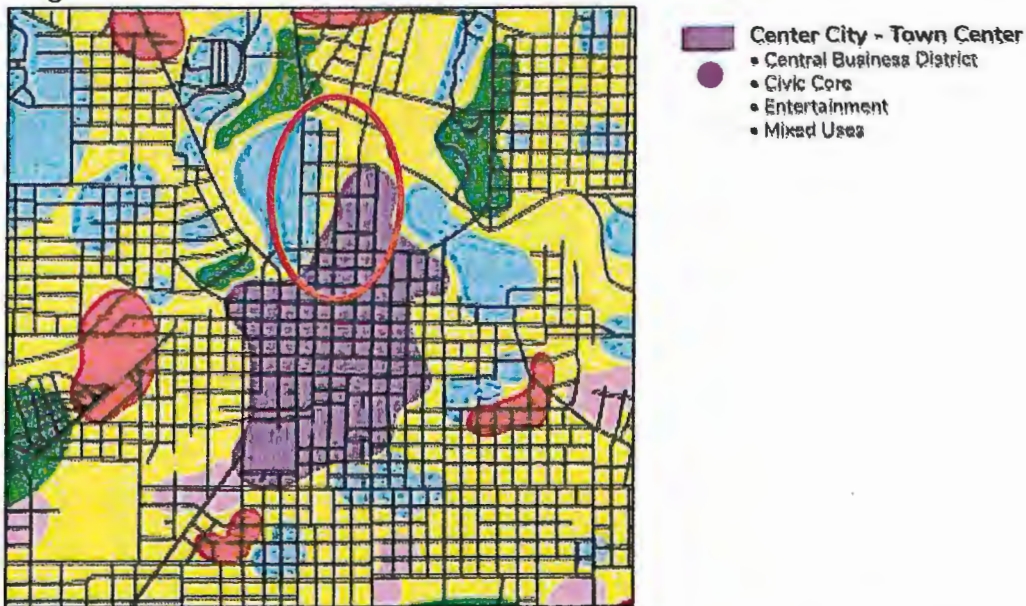
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<sup>1</sup> Tracy Hadden Loh, Joanne Kim, and Jennifer S. Vey. (2008). Diverse neighborhoods are made of diverse housing. Brookings. <https://www.brookings.edu/blog/the-avenue/2022/02/08/diverse-neighborhoods-are-made-of-diverse-housing/>

## ALIGNMENT WITH DELAWARE-MUNCIE COMPREHENSIVE PLAN

In addition to advancing the new Comprehensive Plan's Vision for the future of Muncie, the rezoning proposal will advance specific guiding principles and recommendations from the Plan, including:

- The **Future Land Use** chapter on page 46 of the Comprehensive Plan specifically states that the following guiding principles, which align with the rezoning proposal, should be incorporated into a new city and county zoning map. Those are:
  - a. "Permit neighborhood commercial development opportunities to punctuate residential neighborhoods—cafes, convenient commercial, grocers, etc."
    - i. The Central Business Rezoning will permit those type of uses to establish along the corridors of Columbus and Walnut Avenue and complement the residential areas.
  - b. "In residential neighborhoods where market strength is weak or declining and new development is unlikely, consider creative ways to reimagine the use of residential lots where housing has been demolished as park land and/or green infrastructure for storm water capture."
    - i. Rezoning the greenspace area along Elm Street, which once had homes but have now been demolished, into Recreation & Conservation will allow this area to stay at as a greenspace in the long-term.
  - c. The Delaware County Future Land Use Map on page 47 of the Comprehensive Plan shows that given the proximity to downtown and institutional uses that surround it, the area should be primarily Center City-Town Center at the corridors and to the south of the neighborhood, seamlessly making the connection and transition to downtown. The plan states that "the zoning code is the primary tool the city can use to ensure future development patterns are aligned with the comprehensive plan". A close up of the Future Land Use map with the McKinley Neighborhood circled in red is shown below.



- As part of the **Muncie Strategic Investment Plan**, Goal #1 is to "Make Walnut Street Exceptional & Connect Downtown to Community Assets". A specific *Strategic Consideration* to advance that goal is to "Strengthen connections to adjacent neighborhoods" such as the McKinley Neighborhood.
  - a. The rezoning proposal accomplishes just that by establishing a zoning district complementary to the current downtown zoning of Central Business and R-5, which allow the corridors to

seamlessly transition from medium housing densities and commercial to the higher density mixed-use downtown.

- The **Strategic Investment Plan** Goal #2 is to “Nurture Healthy Blocks for Healthy Neighborhoods”. Specific *Strategic Considerations* to advance this goal include block-level redevelopment and investment, strategic acquisitions targeted by healthy blocks approach, and coordinate affordable housing investment plans to ensure that investments promote access to economic opportunity and do not reinforce concentrated poverty.
  - a. The McKinley Live-Learn Neighborhood Comprehensive Revitalization Vision on page seven of this document advances many of the Strategic Considerations listed above with the ongoing strategic acquisitions that have been going on for the past couple of years; new housing redevelopment opportunities that are underway; the intentionality to complete owner-occupied housing rehab in target areas; and targeting mixed-use redevelopment along major corridors.
  - b. The proposed rezoning changes are just one step to continue advancing the neighborhood’s comprehensive revitalization vision.

## **LEVERAGING RECENT WORK & INVESTMENTS**

As part of the Muncie Sanitary District’s sewer separation work, they acquired and demolished the properties east of Elm Street (700 Block) between Columbus Avenue and Myrtle Avenue. Today the site serves as a stormwater detention area to the north, and greenspace to the south. The McKinley neighborhood residents have very much appreciated the park space opportunity that resulted from Muncie Sanitary’s work and have expressed the desire to preserve the land as greenspace and parkland for the long-term. Earlier this year, the Muncie Sanitary District commissioned FlatLand Resources to develop a park plan for the greenspace to the south. By rezoning this specific area to Recreation & Conservation, development will be limited, and the greenspace will be preserved as parkland for good.

Over the past six year the McKinley Neighborhood has been experiencing many changes that began with the Muncie Sanitary sewer separation work. The Muncie Sanitary District sewer separation work required acquiring and demolishing several deteriorated homes – spurring other investments such as the Elm Street Brewery with their current expansion plans, streets are being planned for reconstruction, and the great greenspace is being dedicated as a parkspace for the neighbors. More recently, the YMCA announced that it would be establishing itself on the Muncie Central High School Campus.

The changes and new announcements have been positive; however, there’s significant work to be done to transform the neighborhood into an equitable and diverse place for all, specifically:

- The City of Muncie was able to procure grant funding resources through the State of Indiana READI program to improve the intersection of Columbus Avenue and Walnut Street and to reconstruct the first block of Columbus Avenue into a complete street with on-street parking, street furniture, street trees, lighting and bike lanes. The end goal is to reconstruct all of Columbus Avenue into complete street as funds become available.
- The intersection improvements and enhancements are necessary for the YMCA and ancillary uses to develop in the neighborhood’s key corridors. The intersection improvements will allow better traffic flow and safe crossings to and from the neighborhood to the new YMCA facility.
- Moreover, the City is already experiencing housing demands – therefore, completing the Columbus Avenue street project will prepare the corridor for mixed-use development that will house other

contributing uses to the YMCA such as a holistic yoga studio, physical therapy, other uses. These mixed-use buildings will have residential above, bringing a new housing type to the neighborhood that don't exist today and will further respond to market demands.

By rezoning the area to R-5 Residence, Central Business, and Recreation & Conservation Zones, many of these mixed density residential uses and improvements will be feasible. Lastly, the current low-density zoning districts do not currently allow for these types of projects and improvements to take place.



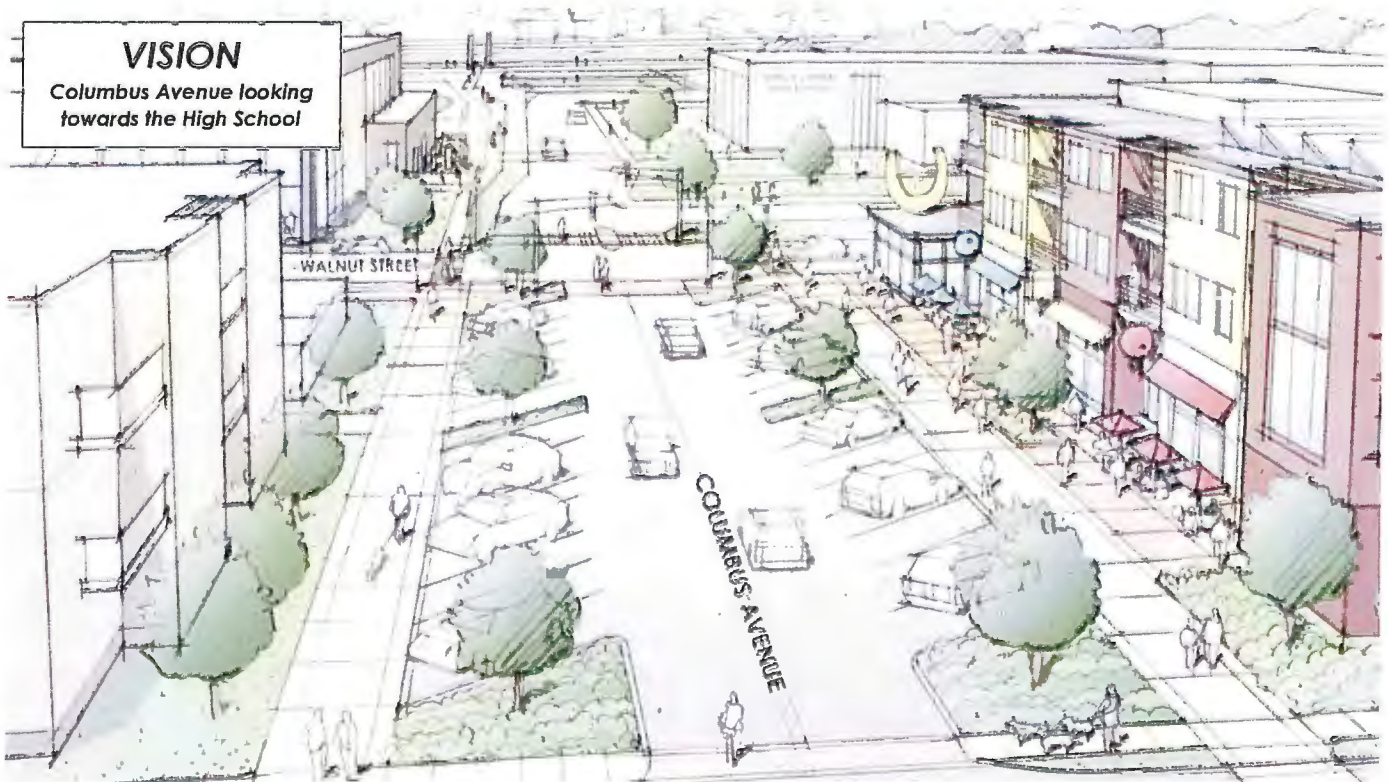
## TODAY

Columbus Avenue looking  
towards the High School



## VISION

Columbus Avenue looking  
towards the High School





## VISION

Corner of Columbus Avenue & Walnut  
Street, across from Concannon's Bakery



Revised January 18, 2022

**VANDEWALLE &  
ASSOCIATES**



**(7) Will the Owner develop the property for the use specified in Item 6 or does owner intend to sell property for the purpose specified.**

Given that the properties are owned by multiple property owners, some of the owners intend to develop the property for the specified uses described above (including residential mixed-use buildings, townhomes, and parkspace) and other owners will work with developer(s) to redevelop the properties. Overall, the rezoning will facilitate the development described above and will also help with the other long-term redevelopment projects envisioned for the corridor.

**(8) State how the proposed change will not adversely affect the surrounding area.**

The proposed rezoning change will not adversely impact the surrounding area. The proposed uses such as a mix of housing types will be complementary to the single-family housing that exists in the inner core of the neighborhood. Many of the adjacent property owners have been made aware of this zoning request through a neighborhood meeting held a few months where they expressed support for the McKinley Neighborhood vision – a vision that includes a variety of housing types, amenities, and parkland that support a vibrant neighborhood. The City also attended the September 15<sup>th</sup> McKinley Neighborhood Association meeting to continue discussing the neighborhood's vision and more specifically the rezoning plans – they were very supportive of the rezoning proposal.

Overall, the rezoning will bring more benefits to the neighborhood, including:

- Additional economic opportunities to the corridors by allowing a mix of uses, including more jobs, services, and a variety of housing types to establish in the neighborhood
- Vibrant commercial and retail environments as well as more community gathering spaces
- Buildings adjacent or proximate to sidewalks, increasing walking comfort level
- Modifying Columbus Avenue with bike lanes and reconstructed sidewalks that will link other neighborhoods to the corridor, the YMCA, the High School, and other trails which will increase the supply of physical activity
- Creating pedestrian-oriented walkable corridors with streetscape amenities such as pedestrian lighting, street trees, and street furniture to create a sense of safety
- Preserved parkland in the long-term

**(10) Has the applicant discussed this rezoning with those owners personally?**

The City has not discussed the rezoning with all property owners within 300 feet. However, over the past two years there have been many discussions with the McKinley Neighborhood Association regarding the redevelopment projects in the neighborhood. Specifically, Mayor Ridenour met with the Neighborhood Association on September 15<sup>th</sup>, 2022 and presented the rezoning proposal. The Neighborhood Association was very supportive and appreciated the reinvestment efforts and positive attention the neighborhood is receiving.

## AFFIDAVIT

(I or We) City of Muncie being duly sworn, depose and say that I/We am/are the owner(s)/contract owner(s) and contract seller(s) of property involved in this application and that the foregoing signatures, statements, and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief.

SIGNATURES: Dan Ridenour Mayor  
Dan Ridenour

Subscribed and sworn to before me this 18<sup>th</sup> day of October, 2022



Shareen M. Wagley  
Notary Public

6-12-2026  
My Commission Expires

Resident of Delaware county  
State of Indiana

### DO NOT WRITE IN THIS SPACE

The foregoing application has been inspected by me and was submitted to the Delaware-Muncie Metropolitan Plan Commission Office in accordance with all the formal requirements. If properly advertised by the applicant, this application will be heard by the Plan Commission in Public hearing on the 3<sup>rd</sup> day of November, 2022.

Signed [Signature]

Date 10-21-2022



## AFFIDAVIT

(I or We) JEFFREY HOWE being duly sworn, depose and say that I/We am/are the owner(s)/contract owner(s) and contract seller(s) of property involved in this application and that the foregoing signatures, statements, and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief.

SIGNATURES: Jeffrey Howe

Subscribed and sworn to before me this 18<sup>th</sup> day of October, 20 22

Shareen M. Wagley  
Notary Public

6-12-2026  
My Commission Expires

Resident of Delaware County

State of Indiana

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Signed Jeffrey Howe

Date 10-21-2022



## AFFIDAVIT

(I or We) Delaware Advancement Corporation being duly sworn, depose and say that I/We am/are the owner(s)/contract owner(s) and contract seller(s) of property involved in this application and that the foregoing signatures, statements, and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief.

SIGNATURES: \_\_\_\_\_

*[Signature]*

Subscribed and sworn to before me this 12 day of October, 2022



*[Signature]*  
Notary Public

6-12-2026  
My Commission Expires

Resident of Delaware county

State of Indiana

### DO NOT WRITE IN THIS SPACE

The foregoing application has been inspected by me and was submitted to the Delaware-Muncie Metropolitan Plan Commission Office in accordance with all the formal requirements. If properly advertised by the applicant, this application will be heard by the Plan Commission in Public hearing on the 3<sup>rd</sup> day of November, 2022.

Signed \_\_\_\_\_

*[Signature]*

Date 10-21-2022

## AFFIDAVIT

(I or We) DOGTOWN, LLC being duly sworn, depose and say that I/We am/are the owner(s)/contract owner(s) and contract seller(s) of property involved in this application and that the foregoing signatures, statements, and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief.

SIGNATURES:

Phil  
PHILIP TEVIS  
MEMBER

Subscribed and sworn to before me this 10th day of October, 2022

Barbara A. Frost

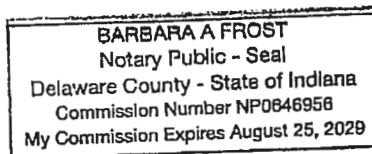
Notary Public

08/25/2029

My Commission Expires

Resident of Delaware County

State of Indiana



### DO NOT WRITE IN THIS SPACE

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Signed

[Signature]

Date

10-21-2022

## AFFIDAVIT

(I or We) Hickory + Elm LLC being duly sworn, depose and say that I/We am/are the owner(s)/contract owner(s) and contract seller(s) of property involved in this application and that the foregoing signatures, statements, and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief.

SIGNATURES: \_\_\_\_\_

Subscribed and sworn to before me this 10<sup>th</sup> day of October, 2022



Olin Carter  
Notary Public

May 8, 2026  
My Commission Expires

Resident of Delaware County

State of Indiana

### DO NOT WRITE IN THIS SPACE

The foregoing application has been inspected by me and was submitted to the Delaware-Muncie Metropolitan Plan Commission Office in accordance with all the formal requirements. If properly advertised by the applicant, this application will be heard by the Plan Commission in Public hearing on the 3<sup>rd</sup> day of November, 2022.

Signed [Signature]

Date 10-21-2022



## AFFIDAVIT

(I or We) Michael T Concannon being duly sworn, depose and say that I/We am/are the owner(s)/contract owner(s) and contract seller(s) of property involved in this application and that the foregoing signatures, statements, and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief.

SIGNATURES: Michael T. Concannon

Subscribed and sworn to before me this 12<sup>th</sup> day of October, 2022



Shareen Wagley  
Notary Public

6-12-2026  
My Commission Expires

Resident of Delaware County

State of Indiana

### DO NOT WRITE IN THIS SPACE

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Signed [Signature]

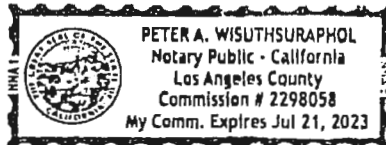
Date 10-21-2022

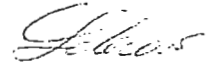
## AFFIDAVIT

(I or We) JACOB CRAWFORD, OCEAN LIFE FOR ME LLC being duly sworn, depose and say that I/We am/are the owner(s)/contract owner(s) and contract seller(s) of property involved in this application and that the foregoing signatures, statements, and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief.

SIGNATURES: 

Subscribed and sworn to before me this 8<sup>th</sup> day of SEPTEMBER, 2022



  
PETER A. WISUTHSURAPHOL  
Notary Public

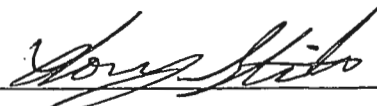
JULY 21, 2023  
My Commission Expires

Resident of LOS ANGELES County

State of CALIFORNIA

### DO NOT WRITE IN THIS SPACE

The foregoing application has been inspected by me and was submitted to the Delaware-Muncie Metropolitan Plan Commission Office in accordance with all the formal requirements. If properly advertised by the applicant, this application will be heard by the Plan Commission in Public hearing on the 3<sup>rd</sup> day of November, 2022.

Signed 

Date 10-21-2022

## AFFIDAVIT

(I or We) William Lett being duly sworn, depose and say that I/We am/are the owner(s)/contract owner(s) and contract seller(s) of property involved in this application and that the foregoing signatures, statements, and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief.

SIGNATURES: [Signature]

Subscribed and sworn to before me this 18th day of October, 2022



Shareen M. Wagley  
Notary Public

6-12-2026  
My Commission Expires

Resident of Delaware County

State of Indiana

### DO NOT WRITE IN THIS SPACE

The foregoing application has been inspected by me and was submitted to the Delaware-Muncie Metropolitan Plan Commission Office in accordance with all the formal requirements. If properly advertised by the applicant, this application will be heard by the Plan Commission in Public hearing on the 3<sup>rd</sup> day of November, 2022.

Signed [Signature]

Date 10-21-2022

## AFFIDAVIT

(I or We) Muncie Sanitary District being duly sworn, depose and say that I/We am/are the owner(s)/contract owner(s) and contract seller(s) of property involved in this application and that the foregoing signatures, statements, and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief.

SIGNATURES:

[Signature] John Barham  
District Admin.

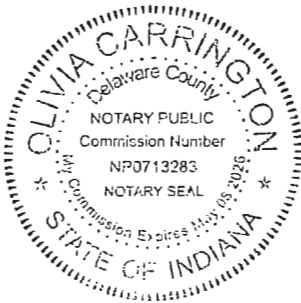
Subscribed and sworn to before me this 10<sup>th</sup> day of October, 2022

[Signature]  
Notary Public

May 08, 2026  
My Commission Expires

Resident of Delaware County

State of Indiana



### DO NOT WRITE IN THIS SPACE

The foregoing application has been inspected by me and was submitted to the Delaware-Muncie Metropolitan Plan Commission Office in accordance with all the formal requirements. If properly advertised by the applicant, this application will be heard by the Plan Commission in Public hearing on the 3<sup>rd</sup> day of November, 2022.

Signed [Signature]

Date 10-21-2022



## AFFIDAVIT

(I or We) Bruce A Rector being duly sworn, depose and say that I/We am/are the owner(s)/contract owner(s) and contract seller(s) of property involved in this application and that the foregoing signatures, statements, and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief.

SIGNATURES: B. Rector

Subscribed and sworn to before me this 12<sup>th</sup> day of October, 20 22



Shareen Wagley  
Notary Public

6-12-2026  
My Commission Expires

Resident of Delaware County

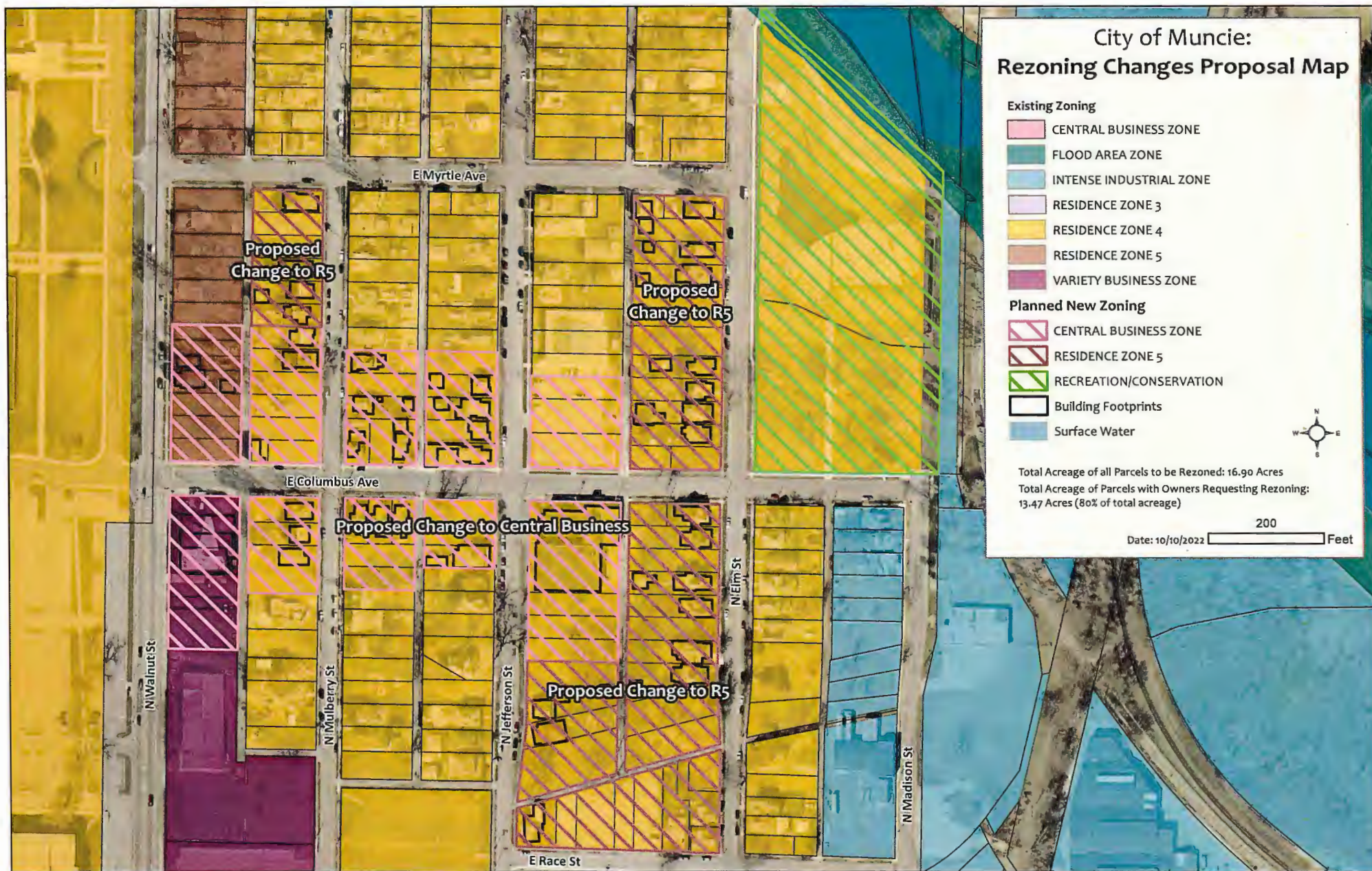
State of Indiana

### DO NOT WRITE IN THIS SPACE

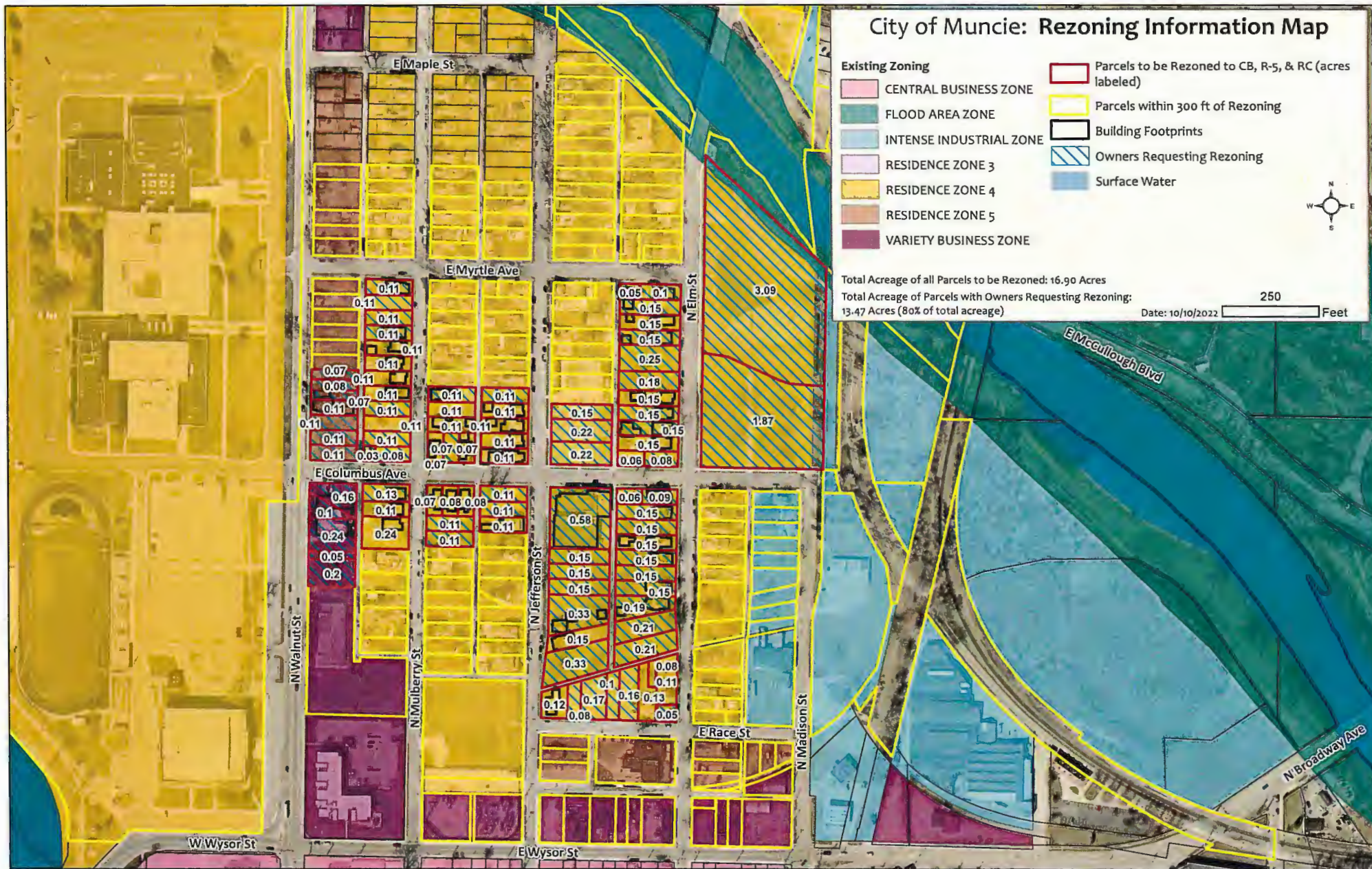
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Signed [Signature]

Date 10-21-2022







MCKINLEY Live Learn NEIGHBORHOOD ASSOCIATION INC.

627 N. Elm Street , Muncie , Indiana 47305

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To: Mayor Ridenour

Date: 10/11/2022

As President of the McKinley Live Learn Neighborhood, we are in complete support of the proposed zoning changes for the neighborhood.

Sincerely,

Bruce Rector



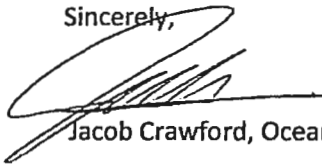
September 8, 2022

To whom it may concern,

My name is Jacob Crawford, and I have been a homeowner in Muncie for the past three and a half years. I own lots 7, 16, 17, 18 and 76 as noted in the rezoning proposal. I brought my vision to the McKinley District that one day we could rebuild this area back to its splendor and much more. I remain committed to that vision.

I strongly stand in support of the plans for the area and the rezoning proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jacob Crawford', with a stylized flourish extending from the end.

Jacob Crawford, Ocean Life For Me LLC

(c) After the zoning ordinance for a jurisdiction has been adopted as described in subsection (a), the following procedure applies to a proposal to change the zone maps (whether by incorporating an additional map or by amending or deleting a map) incorporated by reference into the ordinance:

(1) The proposal may be initiated either:

(A) by the plan commission; or

(B) by a petition signed by property owners who own at least fifty percent (50%) of the land involved.

(Under the advisory planning law or the area planning law, any participating legislative body also may initiate the proposal and require the plan commission to prepare it.)

(2) The plan commission or petitioners must prepare the proposal so that it is consistent with section 601 of this chapter.

(3) The plan commission and the legislative body both must comply with section 603 of this chapter.

(4) The plan commission must give notice and hold a public hearing under section 604 of this chapter.

(5) The plan commission must certify the proposal to the legislative body under section 605 of this chapter.

(6) Except as provided in subdivision (7), the legislative body must consider the proposal under section 608 of this chapter, and section 608 of this chapter governs whether the proposal is adopted or defeated.

(7) If the alternate procedure in section 608.7 of this chapter is adopted, that section governs whether the proposal is adopted or defeated after consideration by:

(A) the plan commission under section 608.7 of this chapter; or

(B) the legislative body under section 608 of this chapter.

(8) If the proposal is adopted under section 608 or 608.7 of this chapter, the plan commission must update the zone maps that it keeps available under section 610 of this chapter.

(9) The zone map changes take effect as described in section 610 of this chapter.

[Pre-Local Government Recodification Citations: 18-7-2-40; 18-7-2-41 part; 18-7-4-602; 18-7-4-48; 18-7-5-62 part.]

*As added by Acts 1981, P.L.309, SEC.23. Amended by Acts 1981, P.L.45, SEC.19; P.L.335-1985, SEC.16; P.L.220-1986, SEC.16; P.L.192-2016, SEC.1.*

#### **IC 36-7-4-603      Zoning ordinance; preparation and consideration of proposals**

Sec. 603. In preparing and considering proposals under the 600 series, the plan commission and the legislative body shall pay reasonable regard to:

(1) the comprehensive plan;

(2) current conditions and the character of current structures and uses in each district;

(3) the most desirable use for which the land in each district is adapted;

(4) the conservation of property values throughout the jurisdiction; and

(5) responsible development and growth.

[Pre-Local Government Recodification Citations: 18-7-2-39 part; 18-7-4-603; 18-7-4-47 part; 18-7-5-60 part.]

*As added by Acts 1981, P.L.309, SEC.23. Amended by P.L.335-1985, SEC.17; P.L.220-1986, SEC.17.*

#### **IC 36-7-4-604      Zoning ordinance; notice and hearing before certification of proposed ordinance; prohibited communications**

Sec. 604. (a) Before the plan commission certifies a proposal to the legislative body under section 605 of this chapter, the plan commission must hold a public hearing under this section.

(b) The plan commission shall give notice of the hearing by publication under IC 5-3-1.

the comprehensive plan and the development requirements specified in the zoning ordinance.

(4) Provide for planned unit development through adoption and amendment of zoning ordinances, including PUD district ordinances (as defined in section 1503 of this chapter).

(5) Establish in which districts the subdivision of land may occur.

(e) When it prepares a proposal to initially adopt a zoning ordinance for a jurisdiction, the plan commission shall also prepare zone maps. The purpose of the zone maps is to indicate the districts into which the incorporated areas and unincorporated areas, if any, are divided.

[Pre-Local Government Recodification Citations: 18-7-2-38; 18-7-2-41 part; 18-7-4-601; 18-7-4-46; 18-7-5-58 part.]

*As added by Acts 1981, P.L.309, SEC.23. Amended by Acts 1982, P.L.212, SEC.2; P.L.355-1983, SEC.1; P.L.335-1985, SEC.15; P.L.220-1986, SEC.15; P.L.320-1995, SEC.6.*

**IC 36-7-4-602            Zoning ordinance; procedures for adoption of ordinances, amendments, and map changes**

Sec. 602. (a) The following procedure applies to a proposal to adopt an initial zoning ordinance (or to adopt a replacement zoning ordinance after repealing the entire zoning ordinance, including amendments and zone maps) for a jurisdiction:

(1) The plan commission must initiate the proposal.

(2) The plan commission must prepare the proposal so that it is consistent with section 601 of this chapter.

(3) The plan commission and the legislative body both must comply with section 603 of this chapter.

(4) The plan commission must give notice and hold a public hearing under section 604 of this chapter.

(5) The plan commission must certify the proposal to the legislative body under section 605 of this chapter.

(6) The legislative body must consider the proposal under section 606 of this chapter, and section 606 of this chapter governs whether the proposal is adopted or defeated.

(7) If the proposal is adopted under section 606 of this chapter, the plan commission must print (and publish, if required) the ordinance under section 610 of this chapter.

(8) The ordinance takes effect as described in section 610 of this chapter.

(b) After the zoning ordinance for a jurisdiction has been adopted as described in subsection (a), the following procedure applies to a proposal to amend or partially repeal the text (not zone maps) of the ordinance:

(1) The plan commission may initiate the proposal. (Under the advisory planning law or the area planning law, any participating legislative body also may initiate the proposal and require the plan commission to prepare it.)

(2) The plan commission must prepare the proposal so that it is consistent with section 601 of this chapter.

(3) The plan commission and the legislative body both must comply with section 603 of this chapter.

(4) The plan commission must give notice and hold a public hearing under section 604 of this chapter.

(5) The plan commission must certify the proposal to the legislative body under section 605 of this chapter.

(6) The legislative body must consider the proposal under section 607 of this chapter, and section 607 of this chapter governs whether the proposal is adopted or defeated.

(7) If the proposal is adopted under section 607 of this chapter, the plan commission must print the amendments to the zoning ordinance under section 610 of this chapter.

(8) The amendments take effect as described in section 610 of this chapter.