

**USER MANUAL  
FOR THE  
SUPPLEMENTAL REVIEW PROCESS**



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## INTRODUCTION

This manual describes the Supplemental Review Process and should be used as a guide for use by petitioners, neighborhood representatives and municipal employees. The manual has been designed to clearly define the roles and expectations of each participant in this process. It indicates the steps in the process, how the process fits together with the standard rezoning process, the time line for various actions, the active participants, the information that may be requested and how that information will be reviewed. This manual represents an updated version of an officially adopted support document to the Rules of Procedure of the Metropolitan Development Commission titled "Supplemental Review Process, User Manual". This manual was created to update basic information like agency names, telephone numbers, etc. and in no way changes the substantive requirements of the Supplemental Review Process. The official adopted document is available at the Department of Metropolitan Development, suite 1821.

The volume of development activity within the city's boundaries often measures the economic health and vitality of a growing city. Although the city of Indianapolis welcomes development activity, the rapid growth throughout the city has been followed by widespread concern about the extent to which the various sectors of municipal government has been able, to support development with adequate infrastructure as the public service demands may exceed existing capacity in some parts of the city. In recent years these problems have been apparent (i.e. traffic congestion, storm water flooding and sewer moratoriums). There are several areas across the city where rapid development either has previously exceeded or could potentially exceed the capacity of public support facilities.

A critical step in the development of vacant areas is the rezoning of land. Rezoning has a bearing on the subsequent demands placed on the streets, sewers, drainage, parks and many other municipal services. If these potential demands are not considered before rezoning, the intensity of land uses can create infrastructure and service problems.

The Metropolitan Development Commission, as the body responsible for guiding development and redevelopment in Marion County, has adopted the Supplemental Review Process within its Rules of Procedure to provide for a more intense review process for those petitions proposing projects/development which are expected to have a significant impact on the surrounding land or infrastructure. This procedure was developed through the cooperation of the Department of Metropolitan Development, the Department of Transportation, the Department of Public Works, the Department of Parks and Recreation and representatives of the development community and neighborhood organizations. The majority of rezoning petitions not selected for Supplemental Review Process continue to be processed through the Hearing Examiner, then on to the Metropolitan Development Commission.

## **EXPLANATION OF SUPPLEMENTAL REVIEW PROCESS AND THE DISCUSSION MEETINGS**

The Supplemental Review Process is an expanded review designed to provide for thorough review of those rezoning and development petitions which may have a significant impact upon the regional infrastructure, surrounding land uses or other public services. This process formally expands the factors that the Metropolitan Development Commission considers when making decisions regarding development petitions.

This process is designed not only to allow for more information to be submitted for the benefit of the Metropolitan Development Commission, but it provides neighborhood/neighbors the opportunity to be involved as early as possible.

The discussion meeting is the first opportunity for all parties to come together and review the facts of the petition. The discussion meeting is an informational meeting, lasting approximately one hour. There will be a fixed meeting time and topics will be placed on the agenda and posted one week before the meeting.

The participants are representatives of the Departments of Metropolitan Development, Public Works, Transportation and Parks and Recreation, the petitioner and his/her experts (i.e. engineers, architects, planning consultants, etc.) and interested neighborhood representatives.

The meeting will follow this outline:

1. The petitioner presents the proposed project.
2. The representatives from the various agencies ask questions and request, if necessary, any additional studies or other information needed.
3. Representatives from the neighborhood ask questions and provide comments.
4. A representative from the Department of Metropolitan Development summarizes the meeting and describes the series of events to take place prior to the Metropolitan Development Commission hearing.

## OVERVIEW OF THE SUPPLEMENTAL REVIEW PROCESS

- Step 1**      **Petition is filed with DMD (room 1821 City-County Bldg.)**
- DMD staff conducts preliminary review and assessment of the petition to determine if Supplemental Review Process is appropriate.
  - Time: One week.
- Step 2**      **Notification to Neighbors**
- DMD staff prepares a notice, which mailed by the petitioner fourteen (14) days before the initial discussion meeting. This notice shall be sent to all adjoining property owners two (2) properties deep within 660 feet of the perimeter of the subject parcel, and to each registered neighborhood organization within the boundaries of which the subject property.
  - Time: One week from Step 1
- Step 3**      **Initial Discussion Meeting with Petitioner, Neighborhood Organization and city Agencies**
- The petitioner and his/her representatives describe the project. If conceptual plans were filed, petitioner must indicate the reasons why detailed information was not filed.
  - Neighborhood organization provides facts and expresses concerns.
  - City staff defines the scope of additional information or analysis required for proper review of the petition.
  - Petitioner may decline to continue to participate in the Supplemental Review Process at any time during Step 3.
  - Time: Meeting to last approximately one hour. Meeting is to be held from 2 to 3 weeks after notice is sent, in no case less than 14 days.
- Step 4**      **Petitioner Submittal**
- Petitioner prepares requested additional information or analysis for submittal.
  - Time: Unspecified time, as required by the petitioner
- Step 5**      **Findings preparation**
- City staff continues to review the additional information and analysis and prepares findings.
  - Time: Two weeks, unless submittal is deemed deficient

**Step 6 Post Review Discussion Meeting**

- City staff presents findings.
- Neighborhood organization(s) negotiate with petitioner, should both parties wish to do so.
- City staff negotiates with petitioner, if city staff could potentially support the proposal.
- Time: unspecified time, as required by the petitioner (Additional discussion meetings may be necessary to reach closure on negotiations. Petitioner may decide to schedule a public hearing at any time during Step 6).

**Step 7 Docketing for Public Hearing and preparation of Staff comments**

- DMD staff will set the petition on the next applicable docket of the Metropolitan Development Commission, providing for time for legal notification.
- DMD staff will prepare the staff report, with a recommendation.
- Time: At least 23 days (legal notice must be mailed by the petitioner to surrounding property owners, City-County Councilors and neighborhood organizations, as per the Metropolitan Development Commission's Rules of Procedure, at least 23 days prior to the public hearing).
- The staff report will be prepared one week before the Metropolitan Development Commission's public hearing.

**Step 8 Public Hearing by the Metropolitan Development Commission**

## PETITION FILING INFORMATION

For a realistic and effective analysis of the petition, certain information should be provided to the City for review upon filing of a petition. If this information is not provided, any assessment of the applicability of the Supplemental Review Process on that petition will be based upon the assumption of the most dense/intense land use of the parcel allowed by the proposed zoning district.

While petitioners are encouraged to provide all of this information at the time of filing, only items A and B are required to allow a petition to be filed. By providing all of the information requested in a timely manner, the petition process will be completed as quickly as possible.

The filing should contain:

**A. Legal Description**

**B. Vicinity Map** (a map of the area with the property boundaries delineated)

**C. Topography Map** (Department of Public Works 1:200 scale contour maps)

**D. Site Plan**, including the following:

*(It should be noted that if the petitioner cannot submit all of this information, a conceptual plan should be filed and the petitioner should be prepared at the initial Discussion Meeting to justify and/or explain why all the information is not provided)*

- Specific proposed use(s), with the size of each specified;
- Location of all existing and proposed improvements, structures and paved areas;
- Location of all existing or proposed swales, ditches or culverts;
- Topographic mapping -two foot contour and storm inventory maps;
- Drainage areas delineated on the site, off the site, and upstream;
- Floodway and Floodplains delineating extent and 100-year flood elevation;
- General hydrologic calculations giving discharges and basic information regarding on site detention sizing;
- Downstream information, including restrictive points and facility capacity;
- Proposed traffic access points;
- Opposing traffic access points on all abutting roadways;
- Internal roadways (possible connections to adjacent properties);
- Acceleration and deceleration lanes per Department of Transportation standards;
- Right-of-way recommendations using the Thoroughfare Plan as a guide;
- Wetlands (location and impact)
- Wooded areas
- Preliminary waste load allocation
- Total number of units, type and anticipated wastewater flow volume, both peak and average daily basis; and
- Proposed sanitary sewer connection site

These additional items are requested for a commercial use petition:

- Proposed drainage calculations;
- Off-site and on-site drainage areas in acres;
- Detention/retention area size;
- Easement widths;
- Final outfall locations; and
- Downstream capacity at the most restrictive location



## THRESHOLDS

The petitioner may request a decision from each of the applicable agencies, before a petition is filed, to determine if additional information would be requested. The petitioner may also inquire with the DMD staff to determine if a petition would be subject to the Supplemental Review Process. In instances where the petitioner has not previously contacted the affected agencies, the following criterion will be used to determine whether the Supplemental Review Process is applicable or not.

### Parks and Open Spaces Threshold

Further analysis or information may be required on:

- Any project located within:
  - One mile of a regional park, or
  - Two blocks of a community park, or
  - One block of a neighborhood park, or
  - One block of a sub-neighborhood park, or
  - One block of a municipal golf course, undeveloped park property or special leisure facility;
- Any project in or immediately adjacent to urban conservation areas (as defined by the Indianapolis-Marion County Comprehensive Plan);
- Any residential project over 150 units and outside of Center Township

### Drainage Threshold

An answer of 'yes' to any criterion may qualify the petition for inclusion:

- Any development in a floodplain or floodway;
- Any development sites within a DPW project area;
- Development which is located in areas that are difficult to drain, or currently poorly drained;
- Any development in a drainage impact area (an area that is identified as an impacted area by the Board of Public Works: a map of such declared areas is available in the Department of Public Works);
- Any development that includes a regulated drain easement (a drain established under Indiana law that allows the city to assess property owners within that watershed for drainage improvements and maintenance) on the subject property or any abutting property

### Sanitary Sewers Threshold

An answer of 'yes' to either criterion may qualify the petition for inclusion:

- Any project in an area currently not served by a sanitary sewer or in an area where there is no existing sewer capacity to serve the area;
- Any project in an area where downstream sanitary sewer and/or interceptor capacity deficiencies prohibit connection.

### Transportation Threshold

A traffic impact analysis may be requested on any development that meets criterion A and either criterion B or C, or both:

#### A. Significantly Sized Project

A development meets this criterion if it contains 150 or more single-family residential units or it generates 100 or more peak hour trips in the peak direction.

#### B. Nearby Congestion

A development meets this criterion if the proposed development is expected to significantly impact surrounding roadways, intersections or sets of intersections which are already operating at level-of-service "D" or lower during any hour which is selected by the DOT for analysis. The level-of- service will be determined by an analysis prescribed in the Highway Capacity Manual using data that reflects the current traffic condition.

#### C. Modifications to Roadways

This criterion is met when the proposed development is expected by the DOT to impact significantly a roadway segment identified in the City's Transportation Improvement Program for improvements. This criterion is also met when the proposed development includes modifications to the roadway system, other than curb cuts or acceleration / deceleration lanes.

Petitioner should refer to the *Applicant's Guide: Transportation Impact Studies For Proposed Development* for further details regarding specifics of transportation study.

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Note: These thresholds would not apply to those petitions that would conform zoning to an existing legally established use. However, if an existing legally established use would propose to expand/intensify to the extent that such expansion/intensification would trigger a threshold, then the above criterion would apply.

# Public notice

## First Meeting Supplemental Review Process

(Public Hearings will be scheduled later and notice will be sent)

This is a meeting, not a public hearing. The purpose of this meeting is to provide information only. Details regarding a proposed development in your area (see attached map) will be presented at this discussion meeting.

The proposed development:

### LEGAL DESCRIPTION:

Please review the attachments for further explanation of the Supplemental Review Process. If you cannot attend this meeting, the information regarding the filing can be reviewed in the Department of Metropolitan Development office (room 1821, City-County Building). A public hearing will be held later and notice of that hearing will be sent.

The meeting will be held on the 20<sup>th</sup> Floor of the City-County Building, Indianapolis, Indiana, on, \_\_ \_\_, at 10:00 a.m.

Please feel free to contact the Department of Metropolitan Development at 327-5155 if you have any questions regarding the Supplemental Review Process.

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### ATTACHMENTS:

1. *Base map with site marked,*
2. *Copy of "Explanation of the Supplemental Review Process and the Discussion Meeting", and*
3. *Copy of "Overview of the Supplemental Review Process"*

## TIME TABLE FOR SUPPLEMENTAL REVIEW PROCESS

(The "Overview of the Supplemental Review Process" contains detailed description of each step)

WEEK ONE	(Step 1)	Petition Filed
WEEK TWO	(Step 2)	Notification of 1 <sup>st</sup> Meeting
WEEK THREE		
WEEK FOUR	(Step 3)	Initial Discussion Meeting
WEEK FIVE	(Step 4)	Petitioner Prepares Study
WEEK SIX	(Step 5)	Staff Reviews Study
WEEK SEVEN		
WEEK EIGHT	(Step 6)	Post Review Discussion (Remonstrators must indicate if they will initiate their own study)
WEEK NINE	(Step 7)	Legal Notices due out 23 days prior to the hearing
WEEK TEN		
WEEK ELEVEN		
WEEK TWELVE	(Step 8)	Public Hearing of the Metropolitan Development Commission

TIME REQUIRED: Minimum Ten (10) Weeks

## EXPLANATION OF TASK RESPONSIBILITIES

(Who is responsible for what?)

This is an explanation of roles for all participants throughout the process

WHO	PROCESS	RESULT	ACCESS TO PROCESS
Petitioner	File Petition	Petition and supporting documentation	Prepared by Petitioner
City	Petition Selection	Confirm Supplemental Review Process	File available to Remonstrators
Petitioner	Notifies of Discussion Meeting	Notice Received	Neighbors / Neighborhood Organizations Invited to Participate
City	Initial Review Meeting	Discussion of Information Still Needed	Petitioner to attend, Neighbors may attend
Petitioner	Preparation of Impact Report	Impact Analysis Report	Report Placed in File
City	Review Impact Report	Impact Finding(s)	Impact Findings sent to Petitioner and placed in file
City	Negotiation	Proposed	Petitioner participates in negotiations and Neighbors may work with petitioner***
City	Public Notice Prepared and Petition docketed for hearing	Public Notice	
Petitioner	Individual Notice Sent	Individual Notice	
City	Preparation of Staff Report	Staff Report	
Open	Metropolitan Development Commission hearing	Proposed petition and commitments	Petitioner and remonstrators present their positions, respectively.

\*\*\* Neighborhood/neighborhood organization must indicate at this step if an independent study (e.g. traffic impact study) will be submitted.

