

METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA

HEARING EXAMINER

APRIL 13, 2023 - HEARING RESULTS

Notice is hereby given that the Hearing Examiner for the Metropolitan Development Commission of Marion County held public hearings on **Thursday, April 13, 2023**, at 1:00 PM in the Public Assembly Room on the 2nd Floor of the City-County Building, 200 East Washington Street, Indianapolis, IN, on the following petitions:

SPECIAL REQUEST:

2023-CZN-818 | 2023-CVC-818 | 2810, 2826, 2834, 2838 and 2844 Ruckle Street | Approved a partial refund of the filing fees in the amount of \$2214.50 for 2023-CVC-818

Center Township, Council District #9

Mapleton Fall Creek Development Corporation, by Andrea Townsend

Rezoning of 0.48 acre from the MU-2 district to the D-8 district.

Vacation of the first two 16-foot wide, east-west alleys north of 28th Street, from the west right-of-way line of Ruckle Street, west 131 feet, to the first north-south alley west of Ruckle Street, as Recorded as Instrument Number A201600096587, in the Office of the Recorder of Marion County, Indiana, with a waiver of the Assessment of Benefits.

EXPEDITED PETITIONS:

2023-APP-003 | 1020 Sharon Avenue | Recommended Approval to MDC on May 3, 2023

Wayne Township, Council District #11, Zoned PK-1

City of Indianapolis, Department of Parks and Recreation, by Jason Larrison

Park District One Approval to provide for playground equipment, a rubberized play surface and walking paths.

2023-APP-004 | 2320 North Centennial Street | Recommended Approval to MDC on May 3, 2023

Wayne Township, Council District #11, Zoned PK-1

City of Indianapolis, Department of Parks and Recreation, by Jason Larrison

Park District One Approval to provide for playground equipment and a rubberized play surface.

2023-APP-005 | 6050 Gateway Drive | Recommended Approval to MDC on May 3, 2023

Pike Township, Council District #10, Zoned PK-1 (FW)

City of Indianapolis, Department of Parks and Recreation, by Jason Larrison

Park District One Approval to provide for playground equipment, a rubberized play surface and walking paths.

2023-APP-006 | 1831 Lafayette Road | Recommended Approval to MDC on May 3, 2023

Wayne Township, Council District #11, Zoned PK-1 (FW)

City of Indianapolis, Department of Parks and Recreation, by Jason Larrison

Park District One Approval to provide for playground equipment, a rubberized play surface and walking paths.

2023-APP-007 | 2401 Howard Street | Recommended Approval to MDC on May 3, 2023

Wayne Township, Council District #16, Zoned PK-1

City of Indianapolis, Department of Parks and Recreation, by Jason Larrison

Park District One Approval to provide for playground equipment, a rubberized play surface and walking paths.

2023-MOD-005 | 2205 North Delaware Street | Recommended Approval to MDC on May 3, 2023

Center Township, Council District #11, Zoned C-S

Delaware 632, LLC, by Timothy E. Ochs

Modification of Development Statement and Site Plan related to petition 2015-CZN/CVR-817 to replace the approved site plan with the one filed with this petition, which shows 81 parking spaces and an enclosed patio for outdoor seating (previous site plan showed 83 parking spaces).

2023-ZON-009 | 5635 West 96th Street | Recommended Approval to MDC on May 3, 2023

Pike Township, Council District #1

Eric Sanquonetti

Rezoning of 4.213 acres from the C-S district to the C-S district to provide for indoor recreational and educational uses.

2023-ZON-011 | 3019 North Gale Street | Recommended Approval to MDC on May 3, 2023

Center Township, Council District #17

Dewayne Michaels Group, LLC, by David E. Dearing

Rezoning of 0.14 acre from the SU-1 district to the D-5II district to provide for residential uses.

2023-ZON-017 | 1416 English Avenue | Recommended Approval to MDC on May 3, 2023

Center Township, Council District #17

Ebuka Unogu, by Mark and Kim Crouch

Rezoning of 0.08 acre from the D-5 district to the D-5II district.

2023-ZON-020 | 25 South Tuxedo Street | Recommended Approval to MDC on May 3, 2023

Center Township, Council District #12

Marybeth McShea

Rezoning of 0.22 acre from the I-3 (TOD) district to the D-5 (TOD) district to provide for a two-family dwelling.

2023-CZN-809 / 2023-CVR-809 / 2023-CVC-809 (Amended) 2357 Dr Martin Luther King Jr Street |

Granted a Waiver of Notice from 23 days to 20 days; Recommended 2023-CZN-809 Approval to MDC on May 3, 2023; Approved 2023-CVR-809; Acknowledged Withdrawal of 2023-CVC-809

Center Township, Council District #11

Grundy Memorial Chapel, Inc., by David Kingen

Rezoning of 0.70 acre from the C-1 district, to the MU-1 district to provide for a multi-family development.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a zero-foot west front transitional yard (20-foot required), zero-foot north front yard (twelve-foot minimum required), five-foot south side yard (ten-foot side yard required), a five-foot south transitional yard (15-foot required), and a six-foot east transitional yard (15-foot required).

Vacation of the first north-south alley east of Dr Martin Luther King Jr Street, being twelve feet in width, from the south right-of-way line of 24th Street, south 134.54 feet to the first east-west alley south of 24th Street with a waiver of Assessment of Benefits.

2023-CZN-810 / 2023-CVR-810 / 2023-CPL-810 | 809 Noble Street | Recommended Approval of 2023-CZN-810 to MDC on May 3, 2023; Approved 2023-CVR-810 & 2023-CPL-810

Center Township, Council District #16

PADBROS, LLC, by Jynell D. Berkshire

Rezoning of 0.53 acre from the I-3 (RC) district to the D-8 (RC) district.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to legally establish front building setbacks along Noble Street of 4.5 feet (10-foot-19.9-foot required), a 3.8-foot and a 5.7 foot rear setback (fifteen feet required), and to provide for a 1.75-foot north side setback for proposed Lot 2 (three feet required).

Approval of a Subdivision Plat to be known as Padbros Noble Street Addition, subdividing 0.53 acre into two lots.

**2023-CVR-811 / 2023-CPL-811 | 1316 South Capitol Avenue and 207 Wisconsin Street |
Approved 2023-CVR-811 and 2023-CPL-811.**

Center Township, Council District #16
Jorge Oscar Gonzales

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached garage with a corner side setback of three feet (eight feet required).

Approval of a Subdivision Plat to be known as Padbros Noble Street Addition, subdividing 0.53 acre into two lots.

2023-CZN-813 / 2023-CVR-813 | 6206 North Olney Street | Recommended Approval of 2023-CZN-813 to MDC on May 3, 2023; Approved 2023-CVR-813

Washington Township, Council District #3
Logan and Erika Burdick

Rezoning of 0.76 acre from the SU-2 district to the D-1 district.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached accessory structure in the established front yard along 62nd Street (not permitted).

CONTINUED PETITIONS:

2022-CZN-840 / 2022-CVR-840 / 2022-CVC-840 (Amended) | 5436 Brookville Road | Continued 2022-CVC-840 to April 27, 2023; Acknowledged Withdrawal of 2022-CZN-840 & 2022-CVR-840

Warren Township, Council District #12
Baldeep Baidwan, by David Kingen and Emily Duncan

Rezoning of 1.60 acres from the C-3 district to the C-S district to provide for a truck retail and repair facility with related parking and limited C-4 uses.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for loading bays in the front yard (not permitted).

Vacation of the first northwest-southeast alley north of Brookville Road, being fifteen feet in width, from the southwest corner of Lot 40 in Witz and Spannuth's Addition, as recorded in Plat Book 16, Page 6 in the Office of the Marion County Recorder, southeast 210.40 feet to the northeast corner of Lot 5 in said subdivision, with a waiver of the Assessment of Benefits.

2022-CZN-847 / 2022-CVR-847 | 2619, 2625 and 2627 West Washington Street | After a public hearing, recommended Denial of 2022-CZN-847; MDC 5-3-2023; Denied 2022-CVR-847

Wayne Township, Council District #16
Purewal Holdings, Inc., by David Kingen and Emily Duncan

Rezoning of 0.39 acre from the C-4 (TOD) district to the MU-2 (TOD) district to provide for mixed-use development.

Variance of Development Standards to provide for:

1. A liquor store located 87 feet from a protected district (100-foot separation required),
2. A parking lot to be accessed from Holmes Avenue (access from adjacent alley required),
3. A front building line of 42.4% along Holmes Avenue (minimum 60% building frontage required),
4. A parking lot totaling 43.9% of the lot width along Holmes Avenue (maximum 40% of lot width permitted).

2022-CZN-862 / 2022-CVR-862 (Amended) | 5204, 5206 and 5216 South Harding Street |

Continued the Petitions to May 25, 2023

Perry Township, Council District #20

Quiktrip Corporation, by J. Murray Clark

Rezoning of 5.327 acres from the C-S district to C-7 classification to provide for a truck stop.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a dumpster enclosure in the front yard of SR 37 (not permitted in front yard), with a 50-foot tall, 568.5-square-foot pole sign (maximum 20-foot tall, 300 square feet permitted), with fifteen street trees along Harding Street (29 required) and sixteen trees along SR 37 (23 required) and to provide for a 23-foot tall, 109-square-foot free-standing incidental sign (maximum eight-foot tall, 32 square feet permitted).

2022-CZN-867 / 2022-CVC-867 | 5400 and 5430 Greenfield Avenue and 400 Burgess Avenue |

Continued the Petitions to July 27, 2023, with Notice

Warren Township, Council District #12

Baldeep Baidwan by David Kingen and Emily Duncan

Rezoning of 2.71 acres from the D-5 district to the D-7 district to provide for multi-family development.

Vacation of a portion of Greenfield Avenue, ranging from 25 feet wide to 50 feet wide, from the southwest corner of Lot 65 in Witz and Spannuth's Addition, southeast 451.54 feet to the southeast corner of Lot 49 in said subdivision,

Vacation of a portion of Elm Avenue, ranging from 25 feet to 50 feet wide, from the northeast corner of Lot 59 in Witz and Spannuth's Addition, south 528.79 feet to the southeast corner of Lot 61 in said subdivision,

Vacation of the first east-west alley north of Greenfield Avenue, being 15 feet in width, from the southeast corner of Lot 59 in Witz and Spannuth's Addition, west 40.50 feet, to the northwest corner of Lot 61 in said subdivision,

Vacation of the first east-west alley north of Greenfield Avenue, being 15 feet in width, from the southwest corner of Lot 53 in Witz and Spannuth's Addition, east 182.20 feet, to the northeast corner of Lot 49 in said subdivision, all with a waiver of the Assessment of Benefits.

2022-CZN-868 / 2022-CVR-868 (Second amendment) | 431 South Shortridge Road | Continued 2022-CZN-868 to April 27, 2023. Acknowledged the withdrawal of 2022-CVR-868.

Warren Township, Council District #18

Bhullar Deol Properties, Inc, by David Kingen and Emily Duncan

Rezoning of 2.74 acres from the D-A district to the C-S district to provide for an event center and C-1 uses with exceptions.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a zero-foot east yard (10-foot rear yard required), and without the required front-yard landscaping (landscaping required).

2022-CZN-876 / 2022-CVR-876 / 2022-CVC-876 (Amended) | 1507 & 1517 West Vermont Street and 333 Koehne Street | Continued the Petitions to May 25, 2023, with Notice

Center Township, Council District #16

Own It Enterprise, LLC, by David Kingen and Emily Duncan

Rezoning of 0.62-acre from the D-8 (RC) district to the CBD-2 (RC) district.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for side and rear yard setbacks of zero feet when abutting an alley (minimum ten-foot required), to legally establish a zero-foot front setback for vehicle areas (minimum eight-foot required), and for 31 off-street parking spaces (maximum of 23 off-street parking spaces permitted).

Vacation of the first alley east of Koehne Street, being 12 feet in width, from the south right-of-way line of Vermont Street, being the northeast corner of Lot 47 in Lentz Heirs Addition, Recorded in Plat Book 11, Page 69 in the Office of the Recorder of Marion County, Indiana, south a distance of 109 feet to the southeast corner of Lot 45 in said subdivision, with a waiver of the assessment of benefits.

Vacation of an irregular portion of White River Parkway West Drive located at the southwest intersection of Vermont Street and White River Parkway West Drive totaling 0.12 acres, with a waiver of the assessment of benefits.

NEW PETITIONS:

2022-CZN-864A / 2022-CZN-864B / 2023-CPL-864 | 370 South Franklin Road | Continued the Petitions to April 27, 2023

Warren Township, Council District #18

JAW Enterprises, LLC and M & K Warehouse Services, LLC, by William T. Rosenbaum

Rezoning of 3.543 acres from the D-A district to the C-7 district.

Rezoning of 3.45 acres from the D-A district to the I-2 district.

Approval of a Subdivision Plat to be known as M.B. Rapp Acres, dividing 6.82 acres into two lots.

2023-ZON-015 | 2434 and 2444 Winthrop Avenue | Acknowledged the Automatic Continuance to May 11, 2023

Center Township, Council District #17

Indianapolis Neighborhood Housing Partnership, by Jeff Hasser

Rezoning of 1.35 acres from the I-2 district to the D-8 district.

2023-ZON-021 | 3449 South Harding Street | Acknowledged the Automatic Continuance to May 11, 2023

Perry Township, Council District #20

RIARS, LLC, by David Gilman

Rezoning of 0.75 acre from the D-4 (FF) district to the C-3 (FF) district to provide for retail sales of accessories and parts for semi-tractors and trailers.

2023-ZON-022 | 2810, 2834, 2838 and 2844 Ruckle Street | Acknowledged the Withdrawal of Petition 2023-ZON-022 & Approved the transfer of fees to 2023-CZN-818 and 2023-CVC-818, both scheduled for initial hearing on April 27, 2023

Center Township, Council District #9

Mapleton Fall Creek Development Corporation, by Andrea Townsend

Rezoning of 0.48 acre from the MU-2 district to the D-8 district.

2023-ZON-023 | 8480, 8508 and 8510 Ditch Road | Acknowledged the Automatic Continuance to May 11, 2023

Washington Township, Council District #1

Adams French Property, LLC, by Brian J. Tuohy

Rezoning of 1.88 acres from the C-1 and C-4 districts to the C-S district to provide for a self-storage facility.

2023-ZON-024 / 2023-VAR-001 | 2802 South Holt Road | Continued to May 11, 2023, with Notice

Wayne Township, Council District #16

Maninder Singh

Rezoning of 0.36 acre from the D-5 district to the C-4 district to provide for an automobile body repair shop.

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for:

- a. A six-foot tall perimeter chain link fence with barbed wire (fence height limited to 3.5 feet in front yards, chain link not permitted within front yards in Commercial Districts, chain link within side yards must be coated in vinyl within Commercial Districts, barbed wire prohibited);
- b. Outdoor Storage and Operations associated with automobile repair (not permitted);
- c. The permanent location of a portable storage structure (limited to 30 consecutive days);
- d. Two sliding gates within the clear sight triangles of the vehicular access drives along Farnsworth Street and Holt Road (encroachment of clear sight triangles not permitted); and
- e. Lack of hard surfaced parking area (hard surfaced parking areas required).

2023-CZN-812 / 2023-CVR-812 (Amended) | 1257 South East Street | After a public hearing, recommended Approval of 2023-CZN-812; Approved the amended 2023-CVR-812

Center Township, Council District #21

Bryce Chambers, by Mark and Kim Crouch

Rezoning of 0.13 acre from the C-1 district to the D-5 district.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a secondary dwelling unit without an entrance visible from the public right-of-way (not permitted).

2023-CZN-814 / 2023-CVR-814 | 6419 West 86th Street, 6302, 6360 and 6424 West 79th Street | Continued to May 11, 2023

Pike Township, Council District #1

Cornerstone Companies, Inc. and GCG Investments, LLC, by J. Murray Clark

Rezoning of 200 acres from the D-A, D-1 and D-2 districts to the C-S classification to provide for a mixed-use development consisting of C-3 permitted uses, limited C-4 permitted uses, Artisan Manufacturing, Light Manufacturing, Research and Development uses, Live-Work units, multi-family dwellings and single-family attached dwellings, two-family dwellings and Triplex or Fourplex uses.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 90-foot tall buildings on the eastern portion of the development (maximum 45-foot tall buildings permitted).

The addresses of the proposals listed above are approximate and should be confirmed with the Division of Planning. For a complete list of petitions, staff reports, and hearing results, visit <https://indianapolis-in.municodemeetings.com/DMDmeetings>.

Copies of the proposals are available for examination prior to the hearing by emailing planneroncall@indy.gov. Written objections to a proposal are encouraged to be filed via email at dmdpubliccomments@indy.gov before the hearing and such objections will be considered. At the hearing, all interested persons will be given an opportunity to be heard in reference to the matters contained in said proposals. The hearing may be continued from time to time as may be found necessary. For accommodations needed by persons with disabilities planning to attend this public hearing, please call the Office of Disability Affairs at (317) 327-5654, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.