

METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA

HEARING EXAMINER

June 15, 2023 - HEARING RESULTS

Notice is hereby given that the Hearing Examiner for the Metropolitan Development Commission of Marion County held public hearings on Thursday, **June 15, 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:

EXPEDITED PETITIONS:

2023-APP-015 | 1550 East County Line Road | Recommended Approval to MDC on July 5, 2023

Perry Township, Council District #23

HD-1

Community Health Network Foundation, Inc., by Timothy H. Button

Hospital District One Approval to provide for a 7,000-square foot addition to the surgery center building.

2023-APP-016 | 3091 East 19th Street | Recommended Approval to MDC on July 5, 2023

Center Township, Council District #17

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, walking paths and a picnic shelter.

2023-APP-017 | 2022 Roosevelt Avenue | Recommended Approval to MDC on July 5, 2023

Center Township, Council District #17

PK-1

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

Park District One Approval to provide for new playground equipment, a rubberized play surface, and the resurfacing of a basketball court.

2023-APP-018 | 2901 North Rural Street | Recommended Approval to MDC on July 5, 2023

Center Township, Council District #17

PK-1

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

Park District One Approval to provide for new playground equipment, a rubberized play surface, new walkways and sunshade structures.

2023-APP-019 | 3030 East 30th Street | Recommended Approval to MDC on July 5, 2023

Center Township, Council District #17

PK-1

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

Park District One Approval to provide for new playground equipment, a rubberized play surface, new walkways and additional parking.

the use of the site to an industrial coating operation.

2023-MOD-009 | 4375 Kentucky Avenue | Granted the Continuance Request by Petitioner to June 29, 2023

Decatur Township, Council District #22

C-S

Five Star Oil, Inc., by Garrett E. Lawton

Modification of the Commitments related to 2019-ZON-053 to extend the deadline for the completion of all commitments to September 30, 2023 (previous commitments required completion by several dates in 2020).

2023-MOD-010 | 1102 West 16th Street and 1633 Rembrandt Street | Recommended Approval to MDC on July 5, 2023

Center Township, Council District #11

I-3 (W-1)

Michaelis Development, LLP, by Stephanie J. Truchan

Modification of the Commitments related to 85-Z-8 to terminate Commitment #3, which restricted the use of the site to an industrial coating operation.

2023-ZON-040 | 10600 Prospect Street | Recommended Approval to MDC on July 5, 2023

Warren Township, Council District #19

Highlands at Grassy Creek Partners, by Chase Henderson

Rezoning of 10.45 acres from the D-3 (FW) (FF) district to the PK-1 (FW) (FF) district to park uses.

2023-ZON-041 | 1328 West 30th Street | Recommended Approval to MDC on July 5, 2023

Center Township, Council District #7

Scott Middleton

Rezoning of 0.13 acre from the C-3 district to the D-5 district.

2023-ZON-042 | 3002 South Arlington Avenue | Granted the Continuance Request by the Petitioner to July 13, 2023

Franklin Township, Council District #18

Vishavdeep Singh Cheema, by David Kingen

Rezoning of 5.52 acres from the D-A district to the I-2 district to provide for light industrial uses.

2023-ZON-043 | 1400 Campbell Avenue | Acknowledged Automatic Continuance filed by Registered Neighborhood Organization to July 13, 2023

Warren Township, Council District #19

JAK Holdings Group, LLC, by Mark and Kim Crouch

Rezoning of 1.16 acres from the C-1 district to the D-7 district.

2023-ZON-044 | 1305 and 1309 East 11th Street | Recommended Approval to MDC on July 5, 2023

Center Township, Council District #17
Compendium Group, LLC, by Paul J. Lambie

Rezoning of 0.18 acres from the MU-1 district to the D-8 district.

2023-ZON-045 | 601 and 701 Kentucky Avenue and 602 West McCarty Street | Recommended Approval to MDC on July 5, 2023

Center Township, Council District #16
701 Kentucky Ave, LLC, by Joseph D. Calderon

Rezoning of 10.85 acres from the I-4 (RC) district to the CBD-2 (RC) district.

2023-CZN-821 / 2023-CVR-821 / 2023-CPL-821 (Amended) | 4359 and 4361 East 75th Street | Granted a three-day Waiver for the notification period for the amended legal notice (2nd notice). Recommended Approval of 2023-CZN-821 to MDC on July 5, 2023. Approved 2023-CVR-821 and adopted the Findings of Fact. Approved 2023-CPL-821 subject to the 11 conditions in the Staff Report.

Washington Township, Council District #3
D-A

Thomas D. & Cynthia W. Mattingly and Michael R. & Carly A. Dury, by Anthony B. Syers

Rezoning of 7.194 acres from the D-A district to the D-S district.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to legally establish two existing parcels with zero-feet of street frontage and to provide for a subdivision creating a third lot, also without street frontage (125 feet of street frontage required).

Approval of a Subdivision Plat to be known as Mattingly Subdivision, dividing 3.884 acres into two lots.

2023-CAP-825 / 2023-CZN-825 | 1940 Forest Manor Avenue | Recommended Approval of 2023-CAP-825 and 2023-CZN-825 to MDC on July 5, 2023

Center Township, Council District #17
City of Indianapolis, Department of Parks and Recreation, by Jason Larrison
Park District One approval to provide for new playground equipment, play surface, walkways and parking.

Rezoning of 12.77 acres from the D-5 (FW) (FF) and I-3 (FW) (FF) districts to the PK-1 (FW) (FF) district to provide for park uses.

2023-CAP-826 / 2023-CVR-826 | 4195 Millersville Road | Recommended Approval of 2023-CAP-826 (subject to commitments) to MDC on July 5, 2023. Approved 2023-CVR-826 and adopted the Findings of Fact.

Washington Township, Council District #9
Garvey Properties, LLC, by Joseph D. Calderon
C-S (W-5)

Modification of Development Statement and Site Plan related to 2013-ZON-037 to remove the requirement for landscaping and buffering along Millersville Road and Meadows Parkway, and to provide for storage buildings as shown on the site plan submitted with this petition.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building located ten feet from Meadows Parkway with zero transparency (40% transparency required for buildings within 50 feet of a local street).

2023-CZN-827 / 2023-CVR-827 (Amended) | 6209 East Edgewood Avenue | **Granted a two-day Waiver for the notification period for amended legal notice (2nd notice). Recommended Approval of 2023-CZN-827 to MDC on July 5, 2023. Approved 2023-CVR-827 and adopted the Findings of Fact.**

Franklin Township, Council District #25

Salina and Jaime Hernandez, by David Gilman

Rezoning of 4.83 acres from the D-A district to the D-1 district.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the future subdivision of a parcel into two lots, with future Lot Two maintaining a 25-foot street frontage and lot width (minimum 45-foot street frontage, minimum 90-foot lot width required).

CONTINUED PETITIONS:

2023-ZON-021 | 3449 South Harding Street | **After a Public Hearing, Recommended Approval (subject to commitments) to the MDC July 5, 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-026 | 6501 Brookville Road | **Granted a Continuance Request by Petitioner to July 13, 2023**

Warren Township, Council District #18

Brookville Mart, Inc., by Cindy Thrasher

Rezoning of 2.9 acres from the I-3 district to the C-4 district to provide for a gas station and convenience store.

2023-CAP-819 / 2023-CVR-819 | 2801 South Pennsylvania Street | **Continued to June 29, 2023 due to lack of representation for the Petitioner**

Center Township, Council District #16

2801 S Pennsylvania LLC, by Jason E. Burk

D-8

Modification of Commitments related to 2019-ZON-086, modifying Commitment Four to reduce the amount of required parking to 1.75 spaces per residential unit, from two spaces per unit, and Commitment Ten to allow for additional lighting elements and height placement.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for parking areas up to 583 feet wide within the front yards of the subject site, depending on final site plan (parking areas within front yard limited to 30-foot widths).

2023-CAP-820 / 2023-CVR-820 | 6640 Heron Neck Drive | After a Public Hearing, Recommended Approval of 2023-CAP-820 to the MDC July 5, 2023. Approved 2023-CVR-820 and adopted the Findings of Fact.

Perry Township, Council District #20
WTS Inc., by Michael Rabinowitch

Modification of Commitments related to the approval of 2008-ZON-853 terminating Commitments Two and Three and replace them with commitments updating the regulatory site plan, elevations, renderings, and plan of operation.

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for 20-foot side and rear transitional yards (50-foot transitional yards required).

NEW PETITIONS:

2023-ZON-038 | 6041 and 6125 East Thompson Road | Granted a Continuance Request by Remonstrator to June 29, 2023

Franklin Township, Council District #18
Albert Fullenkamp, by David Gilman

Rezoning of 3.40 acres from the C-S and D-P districts to the C-3 district to provide for a neighborhood commercial development.

2023-ZON-039 | 3304 North Sherman Drive | Acknowledged the Withdrawal of 2023-ZON-039

Center Township, Council District #17
Desmond King, by Jamilah Mintze

Rezoning of 0.26 acre from the D-5 district to the C-3 district to provide for neighborhood commercial uses.

2023-ZON-046 | 7250 North Keystone Avenue | Granted a Continuance Request by Remonstrator to June 29, 2023

Washington Township, Council District #2
Hansen Collision, Inc., by J. Murray Clark

Rezoning of 4.199 acres from the D-4 and C-4 (FF) districts to the C-4 (FF) district to provide for automobile, motorcycle, and light vehicle service or repair.

2023-ZON-047 | 6901 Michigan Road | Acknowledged Automatic Continuance filed by Registered Neighborhood Organization to July 13, 2023

Pike Township, Council District #7
DealPoint Merrill, LLC, by J. Murray Clark

Rezoning of 11.737 acres from the C-4 district to the C-S district to provide for self-storage uses.

**2023-CAP-822 / 2023-CVR-822 | 1625, 1631 and 1637 Nowland Avenue and 1258 Windsor Street |
Granted the Continuance Request by Staff and Petitioner to July 13, 2023**

Center Township, Council District #17

1625 Nowland, LLC, 1631 Nowland, LLC, Raymond Street Partners, LLC and Indianapolis Film Project,
by David Kingen
MU-2

Modification of the Site Plan and Commitments for 2017-CZN-816 / 2017-CVR-816 as modified
by 2018-MOD-006 to:

A. Modify Commitment #1 requiring adherence to the Site plan file-dated June 21, 2018 and the
Plan of Operation file-dated July 18, 2018 to provide for an amended site plan and to provide for
an outdoor seating area for the serving and sales of alcohol.

B. Terminate Commitment #18 which required certain building materials and colors for the
building façade and former window openings.

C. Modify Commitment #22 to allow the selling and serving of alcohol (previous commitment
prohibited alcohol sales).

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to
provide for a 6.75-foot tall fence with eleven-foot tall support posts surrounding an outdoor
dining area (maximum 3.5-foot tall fence permitted).

**2023-CZN-823 and 2023-CVC-823 | 1545 Van Buren Street and 2014, 2016 and 2018 Draper Street
| After a Public Hearing, Recommended Denial of 2023-CZN-823 and 2023-CVC-823 to the MDC
July 5, 2023**

Center Township, Council District #21

GSS, LLC, by Mary E. Solada

Rezoning of 9.56 acres from the D-10 and I-3 districts to the I-2 district.

Vacation of the first 15-foot wide alley west of Draper Street, from the north lot line of Lot 69 of The
Justice C. Adams South Park subdivision as recorded in Plat Book 16, Page 177 in the Office of
the Recorder of Marion County, Indiana, north 44 feet to the north lot line of Lot 70 in said
subdivision.

Vacation of an irregular portion of right-of-way adjacent to the first north-south alley west of Draper
Street, being part of Lot 57 in The Justice C Adams subdivision, as described in Instrument
Number 76-53438 in the Office of the Recorder of Marion County, Indiana, all with a waiver of the
Assessment of Benefits.

**2023-CZN-828 / 2023-CVR-828 | 3416, 3420 and 3520 South Post Road | Granted a Continuance
Request by the Petitioner to June 29, 2023**

Franklin Township, Council District #18

Quicktrip Corporation, by J. Murray Clark

Rezoning of 12.269 acres from the C-S and C-7 districts to the C-7 district to provide for a truck
stop.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to
provide for no street trees along the northern portion of the Post Road frontage (street trees
required), no planting beds/shrubs along the entire Post Road frontage (landscaping required),
three parking lot trees (17 required), and to provide for a 50-foot tall, 391-square-foot pole sign

(maximum 20-foot tall, 300 square foot pole sign permitted), and to provide for a 23-foot tall, 109-square-foot freestanding incidental sign (maximum eight-foot tall, 32 square feet 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.