

METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA

HEARING EXAMINER

May 25, 2023 - MEETING RESULTS

Notice is hereby given that the Hearing Examiner for the Metropolitan Development Commission of Marion County held public hearings on Thursday, **May 25, 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 REQUESTS:

2023-CAP-829 / 2023-CVR-829 / 2023-CVC-829 | 822-838 Eugene Street, 815-827 West 30th Street, 2954 and 2709-2735 Dr. Martin Luther King Jr Street | **Granted Request to Transfer the Petitions to the MDC on June 21, 2023. Granted a one-day Waiver for the notification period for Legal Notice. Granted a nine-day Waiver for the Petition filing period.**

Center Township, Council District #11
The NRP Group, by Russell L. Brown

EXPEDITED PETITIONS:

2023-APP-014 | 2142 North Park Avenue | **Recommended Approval to MDC on June 21, 2023**

Center Township, Council District #11
PK-2
Matthew Peyton

Park District Two Approval to provide for a two-family dwelling and a four-car detached garage.

2023-ZON-015 | 2434 and 2444 Winthrop Avenue | **Recommended Approval, subject to Commitments, to MDC on June 21, 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.

CONTINUED PETITIONS:

2022-CZN-848 / 2022-CVC-848 / 2022-CVR-848 (Amended) | 419 & 441 East Ohio Street, 424 East Wabash Street and 124 & 132 North East Street | **After a Public Hearing, Recommended Approval of 2022-CZN-848 (subject to Commitments) to MDC June 21, 2023; Acknowledged the Withdrawal of the Request for a Waiver of the Assessment of Benefits; Approved 2022-CVC-848; Scheduled an Assessment of Benefits Hearing on June 29, 2023; Approved 2022-CVR-848 (subject to the Findings of Fact)**

Center Township, Council District #17
Moes, LLC / Feroze and Sons, LLC, by David Kingen and Emily Duncan

Rezoning of 0.85 acre from the CBD-2 (RC) and I-3 (RC) Districts to the CBD-2 (RC) district.

Vacation of the first north-south alley west of East Street, being twelve feet in width, from the south right-of-way line of Ohio Street, south 195 feet to the north right-of-way line of Wabash Street, with a waiver of the assessment of benefits.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for encroachments into the clear-sight triangles of the abutting streets and alleys.

2022-CZN-862 / 2022-CVR-862 (2nd Amendment) | 5204, 5206 and 5216 South Harding Street | Acknowledged the Withdrawal of the variance for the square footage for the 50-foot pole sign. After a Public Hearing, Recommended Denial of 2022-CZN-862 to MDC on June 21, 2023; Denied the further amended 2022-CVR-862.

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 (maximum 20-foot tall), 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-876 / 2022-CVR-876 / 2022-CVC-876 (2nd Amended) | 1507 & 1517 West Vermont Street and 333 Koehne Street | Granted the Continuance Request by Staff to June 29, 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 136 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.

2023-ZON-004 | 5680 Eden Village Drive | Acknowledged the Automatic Continuance filed by Registered Neighborhood Organization to June 29, 2023

Pike Township, Council District #8
Olanrewaju Ahmeed Azeez

Rezoning of 1.55 acres from the C-S district to the D-6 district to allow for a single-family attached residential development.

2023-ZON-024 / 2023-VAR-001 | 2802 South Holt Road | Continued the Public Hearing to June 29, 2023, to allow time for Petitioner to submit a more detailed site plan

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-814 / 2023-CVR-814 | 6419 West 86th Street, 6302, 6360 and 6424 West 79th Street | Granted the Continuance Request by Staff to June 29, 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).

2023-CZN-817 / 2023-CVR-817A | 2023-CVR-817B | 5959 East 38th Street and 3700, 3742 and 3790 North Arlington Avenue | After a Public Hearing, Recommended Approval of 2023-CZN-817, subject to Commitments and will include an amenity on-site and a fence along the west property line) to MDC on June 21, 2023; Approved the 2023-CVR-817A; Denied 2023-CVR-817B. Findings of Fact to be adopted on June 15, 2023

Warren Township, Council District #13
Horizon Bank, by Joseph D. Calderon

Rezoning of 5.8 acres from the MU-2 (FW) (FF) (TOD) and C-4 (FW) (FF) (TOD) district to the MU-2 (FW) (FF) (TOD) district to provide for a mixed-use development.

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

- a) Building heights of 50 feet for multi-family structures (maximum 35 feet permitted),
- b) A drive-through service unit located on the side of a proposed bank and not accessed by an alley (required to be located behind building and be accessed by an alley),
- c) With parking located in front of proposed buildings with a zero-foot setback (parking prohibited in front of buildings, 50-foot setback required),
- d) With portions of proposed buildings located behind the required Front Building Line (0'-10' building line required).

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

- a) Improvements located within the 60-foot Stream Protection Corridor of Pogue's Run (not permitted),
- b) With deficient interior parking lot landscaping (not permitted),

2023-CAP-819 / 2023-CVR-819 | 2801 South Pennsylvania Street | Continued the Public Hearing to June 15, 2023 in order for site plan showing parking detail to be submitted to Staff.

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).

NEW PETITIONS:

2023-MOD-008 | 10832 Portside Court | Acknowledged Automatic Continuance filed by Remonstrator to June 29, 2023

Lawrence Township, Council District #5
 D-P (FF)
 Raymond and Kimberly Peck, by Russell L. Brown

Modification of the development statement for 79-Z-107 (79-DP-3) for Lot 160 of Feather Cove, Section Five, to legally establish a paver patio (with table, stairs, railing and fire pit), with zero-foot side setbacks (eight-foot side and 22-foot aggregate side setback required).

2023-ZON-031 | 3807 Graceland Avenue | Acknowledged Automatic Continuance filed by Registered Neighborhood Organization to June 29, 2023

Washington Township, Council District #7
 Larry K. Covington, by Jamilah Mintze

Rezoning of 0.35 acre from the D-5 district to the D-8 district to provide for a seven-unit townhome development.

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.