

METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA

HEARING EXAMINER

JULY 27, 2023 - HEARING RESULTS

Notice is hereby given that the Hearing Examiner for the Metropolitan Development Commission of Marion County held public hearings on Thursday, **July 27, 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:*

PETITIONS EXPEDITED:

2023-MOD-008 | 10832 Portside Court | Recommended Approval (subject to Commitments) to MDC August 16, 2023

Perry Township, Council District #24
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),

2023-MOD-013 | 3951 East Brunswick Avenue | Recommended Approval (subject to Commitments) to MDC August 16, 2023

Perry Township, Council District #24
D-4
Gary Hinks

Modification of the Commitments related to petition 90-Z-115 to modify Commitment 6.d, to allow for an above-ground pool (previous commitments prohibited above-ground pools).

2023-ZON-054 | 1554 Ringgold Avenue | Recommended Approval to MDC August 16, 2023

Center Township, Council District #21
Jason Blankenship, by Mark and Kim Crouch

Rezoning of 0.14 acres from the D-5 (TOD) district to the D-5II (TOD) district.

2023-ZON-058 | 1446 East Washington Street | Recommended Approval to MDC August 16, 2023

Center Township, Council District #17
Damien Center, Inc., by David Kingen

Rezoning of 0.06 acre from the MU-1 (TOD) district to the MU-2 (TOD) district.

2023-ZON-059 | 4640 Lafayette Road | Recommended Approval (subject to Commitment in Staff Report and thirty additional Commitments, received July 27, 2023) to MDC August 16, 2023

Pike Township, Council District #10
Hoosier Investments, LLC, by Timothy H. Button

Rezoning of 8.72 acres from the C-7 and C-5 districts to the C-7 district.

2023-ZON-060 | 1715 North Meridian Street | Recommended Approval to MDC August 16, 2023

Center Township, Council District #11
Heron High School, Inc., by David Kingen

Rezoning of 0.625 acre from the C-4 (RC) (TOD) district to the SU-2 (RC) (TOD) district to provide for educational uses.

2023-ZON-062 | 5318, 5326 & 5330 East 30th Street, 3015 North Downey Avenue and 3040 North Irvington Avenue | Recommended Approval (subject to Commitment in Staff Report) to MDC August 16, 2023

Warren Township, Council District #13
Phyllis and Donald Collins, by Russell L. Brown

Rezoning of 1.17 acres from the C-3 district to the I-2 district.

2023-ZON-065 | 3309 East St Clair Street and 601 & 603 North LaSalle Street | Recommended Approval to MDC August 16, 2023

Center Township, Council District #12
Englewood Community Development Corporation, by Joseph D. Calderon

Rezoning of 1.75 acres from the C-S and D-5 districts to the D-8 district to provide for a 43-unit, townhome-style residential development.

2023-ZON-066 | 8711 River Crossing Boulevard | Recommended Approval (subject to Commitment in Staff Report) to MDC August 16, 2023

Washington Township, Council District #3
8711 River Crossing, Inc., by Kevin Buchheit

Rezoning of 2.964 acres from the C-S (FF) district to the C-S (FF) district to add financial and insurance services as a permitted use.

2023-ZON-067 | 8095 East 30th Street | Recommended Approval (subject to Commitments, received July 27, 2023) to MDC August 16, 2023

Warren Township, Council District #13
Akakia Holdings 8095, LLC, by Kevin Buchheit

Rezoning of 0.60 acre from the I-3 district to the C-3 district to provide for a daycare.

2023-CZN-824 / 2023-CVC-824 | 1341 & 1401 Dr Martin Luther King Jr. Street and 453 West 14th Street | Recommended Approval to MDC August 16, 2023; Granted Approval of 2023-CVC-824 (subject to Commitments)

Center Township, Council District #11
KTKF Holdings, LLC, by Jamilah Mintze

Rezoning of 0.696 acre from the SU-1 (RC) and D-8 (RC) districts to the D-9 (RC) district.

Vacation of West 14th Street, being 50 feet in width, from the east right-of-way line of Dr Martin Luther King Jr. Street, east 120.02 feet to the west right-of-way line of the first north-south alley east of Dr Martin Luther King Jr Street, with a waiver of the assessment of benefits.

Vacation of the first north-south alley east of Dr Martin Luther King Jr Street, being of variable width, from the north right-of-way line of West 14th Street, south 200.60 feet, with a waiver of the assessment of benefits.

2023-CZN-837 / 2023-CVR-837 / 2023-CVC-837 | 217 West 10th Street and 916, 918 & 922 North Capitol Avenue | Recommended Approval of 2023-CZN-837 to MDC August 16, 2023; Granted Approval of 2023-CVR-837 and Adopted the Findings of Fact; Granted Continuance of 2023-CVC-837 to August 24, 2023, with Notice to Agencies

Center Township, Council District #11

MTP – 922 North Capitol Ave, LLC, by Joseph D. Calderon

Rezoning of 1.17 acres (217 West 10th Street) from the I-3 (RC) district to the CBD-2 (RC) district.

Variance of Development Standard of the Consolidated Zoning and Subdivision Ordinance to provide for two, mixed-use buildings, each with one 11' by 27' loading space (two loading spaces per building required, dimensions of 30' by 12' and 55' by 12' required), and to allow for buildings with frontages along 10th Street to meet the Sky Exposure Plane Three requirements (Sky Exposure Two standards required).

Vacation of Roanoke Street, being 30 feet in width, from the south right-of-way line of 10th Street, south 253.10 feet.

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

2022-CZN-867 (Amended) / 2022-CVC-867 | 5400 and 5430 Greenfield Avenue and 400 Burgess Avenue | Granted Continuance to August 10, 2023

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-8 district to provide for residential development.

with zero-foot side setbacks (eight-foot side and 22-foot aggregate side setback required).

2023-MOD-009 | 4375 Kentucky Avenue | Granted Continuance to August 24, 2023, with Notice

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-ZON-004 | 5680 Eden Village Drive | Granted Continuance to August 24, 2023, with Notice

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 | After a Public Hearing, Recommended Approval of 2023-ZON-024 to MDC August 16, 2023; Denied 2023-VAR-001 as amended

Wayne Township, Council District #16
Maninder Singh

Rezoning of 0.36 acre from the D-5 (FF) district to the C-4 (FF) 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 the period until a permanent storage building is built~~);
- 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 | Recommended Approval of 2023-CZN-814 (subject to Commitments) to MDC August 16, 2023; Granted Approval of 2023-CVR-814 and Adopted the Findings of Fact

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 90-foot tall buildings on the eastern portion of the development (maximum 45-foot tall buildings permitted).

2023-CZN-828 / 2023-CVR-828 (Amended) | 3416, 3420 and 3520 South Post Road | Granted Continuance to August 24, 2023, for Traffic Operations Analysis

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), to provide for a 50-foot tall, 391-square-foot pole sign (maximum 20-foot tall, 300 square foot pole sign permitted), to provide for a 23-foot tall, 109-square-foot freestanding incidental sign (maximum eight-foot tall, 32 square feet permitted) and

to provide for a truck stop located within 425 feet of a protected district (500-foot separation required).

PETITIONS FOR PUBLIC HEARING (New Petitions):

2023-APP-020 | 8260 Naab Road | Acknowledged Automatic Continuance filed by Registered Neighborhood Organization to August 24, 2023

Washington Township, Council District #1

HD-2

SPT Ivey 8260 Naab MOB, by Doug Staley

Hospital District - Two Approval to provide for one wall sign.

2023-APP-021 | 8091 Township Line Road | Acknowledged Automatic Continuance filed by Registered Neighborhood Organization to August 24, 2023

Washington Township, Council District #1

HD-1/HD-2

Paragon Dream I, LLC, by Doug Staley

Hospital District-One and Two Approval to provide for one wall sign.

2023-MOD-014 | 6011 Copeland Mills Drive | Acknowledged Automatic Continuance filed by Registered Neighborhood Organization to August 24, 2023

Decatur Township, Council District #20

D-3

Jesse Cook

Modification of the Commitments related to petition 97-Z-30 to modify Commitment #20 to allow for a privacy fence along the property boundary (current commitment limits privacy fencing to being used in conjunction with a porch, patio, deck, terrace or pool, it must be located within fifteen feet of said structure and shall not encroach into the required building setbacks).

2023-ZON-063 (Amended) | 3855 & 3955 North Emerson Avenue and 5035 East 39th Street | Granted Continuance to August 10, 2023, with Notice

Lawrence and Washington Townships, Council Districts #9 and #13

Harmony Park Apartments / Emerson Park Apartments, LLC, by David Kingen

Rezoning of 5.81 acres from the D-3 (TOD), D-4 (TOD) and C-3 (TOD) districts to the D-8 (TOD) district to provide for a multi-family development.

2023-ZON-064 | 40 West 40th Street | After a Public Hearing, Recommended Approval to MDC August 16, 2023

Washington Township, Council District #7

Martin Luther King Multi-Service Center, by David Kingen

Rezoning of 2.37 acres from the D-2 (MSPC) district to the SU-7 (MSPC) district to legally establish a community center.

2023-CZN-834 / 2023-CVR-834 / 2023-CPL-834 | 4202 East 10th Street and 1009 Gladstone |
Granted Continuance to August 24, 2023, to allow Notice Signs to be reposted
Center Township, Council District #12
Mountain Goat Properties, LLC, by Pat Rooney

Rezoning of 0.134 acre from the C-4 district to the D-5II district.

Variance of Development Standard of the Consolidated Zoning and Subdivision Ordinance to provide for a 2.8-foot front yard setback (10-19.9-foot required), a two-foot side setback (three-foot required) and a 0.4-foot rear setback (fifteen feet required) for proposed Lot 5A.

Variance of Development Standard of the Consolidated Zoning and Subdivision Ordinance to provide for a five-foot corner side setback (eight feet required) for proposed Lot 5B.
Approval of a Subdivision Plat, to be known as 10th St and Gladstone Ave Addition, dividing 0.134 acre into two lots.

2023-CZN-835 / 2023-CVR-835 | 1100, 1106, 1110, 1114, 1118 and 1122 English Avenue | Granted
Continuance to August 24, 2023
Center Township, Council District #12
Lexington Place, LLC / LP 2, LLC, by Luke Burrow

Rezoning of 0.54 acre from the C-1 and C-5 districts to the D-8 district.

Variance of Development Standard of the Consolidated Zoning and Subdivision Ordinance to provide for six, three-story, single-family dwellings (maximum 2.5-story dwellings permitted), a five-foot corner west side setback for 1100 English Avenue (eight feet required), and to provide for encroachment into the clear-sight triangle for 1100 and 1106 English Avenue.

*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.