

METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA

HEARING EXAMINER

OCTOBER 26, 2023 – HEARING RESULTS

Notice is hereby given that the Hearing Examiner for the Metropolitan Development Commission of Marion County held public hearings on Thursday, **October 26, 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-APP-029 | 1017 Udell Street (continued NEW PETITION) | Recommended Approval to MDC November 15, 2023

Center Township, Council District #11

PK-1

City of Indianapolis, Department of Parks and Recreation, by Kate Warpool

Park District One Approval to provide for playground equipment and other park improvements.

2023-ZON-004 | 5680 Eden Village Drive | Recommended Approval, subject to the three Commitments in the Staff Report, to MDC November 15, 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-082 | 1102 and 1138 Roosevelt Avenue | Recommended Approval, subject to the two Commitments in the Staff Report, to MDC November 15, 2023

Center Township, Council District #17

Roosevelt Landsite, LLC, by Russell L. Brown

Rezoning of 6.60 acres from the I-4 district to the C-S district to provide for a mixed-use development including multi-family dwellings, neighborhood retail uses and a parking garage.

2023-ZON-096 | 4239 Madison Avenue | Recommended Approval, subject to the two Commitments in the Staff Report, to MDC November 15, 2023

Perry Township, Council District #24

Timothy J. Derloshon, by John Cross

Rezoning of 0.17 acre from the D-3 (TOD) district to the C-3 (TOD) district to provide for neighborhood commercial uses.

2023-ZON-097 | 1620 Industry Drive | Recommended Approval, subject to the two Commitments in the Staff Report, to MDC November 15, 2023

Warren Township, Council District #19

Commercial Team Construction, LLC, by David Gilman

Rezoning of 11.4 acres from the C-S district to the C-S district to add indoor recreational uses to the list of permitted uses and to modify Commitment #2, related to petition 2022-MOD-003, to amend the approved site plan.

2023-CZN-848 / 2023-CPL-848 | 2069 Yandes Street | Recommended Approval of 2023-CZN-848 to MDC November 15, 2023. Granted Approval of 2023-CPL-848, subject to the 11 conditions in the Staff Report.

Center Township, Council District #17
M/E Residential, LLC, by David Gilman

Rezoning of 0.42 acre from the I-3 district to the D-8 district.

Approval of a Subdivision Plat to be known as Starks Minor Subdivision, dividing 0.42 acre into four lots.

2023-CZN-852 / 2023-CVR-852 | 1902 Alvord Street | Recommended Approval of 2023-CZN-852, subject to the two Commitments in the Staff Report, to MDC November 15, 2023. Granted Approval of 2023-CVR-852, subject to the Findings of Fact.

Center Township, Council District #17
Urban Core Associates, LLC, by Joseph D. Calderon

Rezoning of 0.64 acre from the MU-1 district to the D-8 district to provide for a townhome development.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a townhome development with lots ranging from 800-square feet to 1,100-square feet (minimum 2,000-square foot lot required), with a 10-foot rear setback (fifteen feet required) and with main-floor area ranging from 406-square feet to 466-square feet (660-square feet required).

2023-CZN-857 / 2023-CVR-857 / 2023-CPL-857 | 436-444 Spruce Street and 1441 Deloss Street (continued NEW PETITIONS) | Recommended Approval of 2023-CZN-857, subject to the two Commitments in the Staff Report, to MDC November 15, 2023. Granted Approval of 2023-CVR-857, subject to the Findings of Fact. Granted Approval of 2023-CPL-857, subject to the 11 conditions in the Staff Report.

Center Township, Council District #17
Structure Midwest, LLC, by Russell L. Brown and Elizabeth Bentz Williams

Rezoning of 0.25 acre from the I-2 (TOD) district to the D-8 (TOD) district.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a multi-family development with direct vehicular access to Deloss Street (not permitted).

Approval of a Subdivision Plat to be known as Baker Midwest, Minor Plat, combining three platted lots (four tax parcels) into One Lot with a waiver of the Subdivision Regulations to allow for access to Deloss Street (exclusive alley access required).

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

2023-ZON-042 | 3002 South Arlington Avenue | **Granted a continuance to November 16, 2023**

Franklin Township, Council District #18
Vishavdeep Singh Cheema, by David Gilman

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

2023-ZON-068 | 510 and 555 Fairfield Avenue | **Granted a continuance to November 16, 2023**

Center Township, Council District #9
GDR Equity, LLC / Arnold Meyere Group, LLC, by David Kingen

Rezoning of 1.08 acres from the D-5 district to the C-3 district to provide for neighborhood commercial uses.

2023-ZON-070 | 456 South Emerson Avenue | **Acknowledged the Withdrawal of the Petition**

Center Township, Council District #12
Marjorie Armour & Shane Brothers, by David Kingen

Rezoning of 0.42 acre from the D-5 district to the C-4 district to provide for commercial uses.

2023-ZON-072 | 2143 and 2145 South Emerson Avenue | **Granted continuance to December 14, 2023, with Notice**

Warren Township, Council District #18
Tropical Island, LLC, by David Kingen

Rezoning of 0.94 acre from the D-3 and SU-18 districts to the D-4 district to provide for residential uses.

2023-ZON-085 | 6531 East 34th Street | **Granted a continuance to December 14, 2023**

Warren Township, Council District #13
Ben Singh Bashal

Rezoning of one acre from the D-3 district to the I-2 district to provide for light industrial uses.

2023-ZON-086 | 6185, 6421, 6423 and 6441 East 34th Street | **Granted a continuance to December 14, 2023**

Warren Township, Council District #13
Ben Singh Bashal

Rezoning of 4.3 acres from the D-3 and C-S districts to the I-3 district to provide for truck/trailer parking and repair.

2023-CZN-803 / 2023-CVR-803 (Amended) | 3601 North Kitley Avenue and 6535 Massachusetts Avenue | **Acknowledged Automatic Continuance to November 16, 2023**

Warren Township, Council District #13
Diego Diaz Huijon, by Joseph D. Calderon

Rezoning of 7.9 acres from the D-3 district to the C-S district to legally establish a commercial building contractor with outside storage, accessory uses related to the building contractor and two single-family dwellings with residential accessory uses.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a front building setback of 338 feet from Massachusetts Avenue (65-foot maximum permitted) and outside storage with a zero-foot setback from the east and west property lines (10-foot transitional yard/side yard required).

2023-CZN-828 / 2023-CVR-828 (Amended) | 3416, 3420 and 3520 South Post Road | **Granted a continuance to January 11, 2024, with Notice, if needed**

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).

2023-CZN-844 / 2023-CPL-844 | 11805 Brookville Road | **Granted a continuance to November 16, 2023**

Warren Township, Council District #19
DGOIndianapolisin05032023, LLC, by Alex Intermill and Tyler Ochs

Rezoning of 1.55 acres from the SU-1 district to the C-3 district to provide for retail development.

Approval of a Subdivision Plat to be known as RSBR Brookville Road, subdividing 4.30 acres into two lots.

PETITIONS FOR PUBLIC HEARING (New Petitions):

2023-MOD-018 | 4411 Wild Pheasant Lane | **Granted continuance to December 14, 2023, with Notice**

Franklin Township, Council District #25
D-P
Nicole Smithers

Modification of Development Statement, related to 2003-ZON-060, to modify Commitment 8.A to legally establish a six-foot solid privacy fence (current commitment prohibits six-foot solid privacy fences along perimeter lots of the subdivision, unless they fence a patio, deck, hot tub, etc., are no more than 300 square feet and abut the residence).

2023-ZON-095 | 2936 North Mitthoefer Road | **Acknowledged Automatic Continuance to November 16, 2023**

Warren Township, Council District #14
KC Brothers, Inc., Joseph D. Calderon

Rezoning of 0.855 acres from the C-3 district to the C-4 district to legally establish an automobile fueling station.

2023-CZN-858 / 2023-CVR-858 | 7338 Five Points Road | **Granted a continuance to November 16, 2023**

Franklin Township, Council District #25
Narinder Sodhi, by Joseph D. Calderon

Rezoning of 5.45 acres from the D-A district to the D-2 district to provide for six single-family detached dwellings.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 30-foot setback from Shelbyville Road and a 25-foot setback from Five Points Road (40-foot setback from proposed right-of-way required along Shelbyville Road and 30-foot setback from Five Points Road required) and to provide for two lots with frontage on a private street (public street frontage required).

*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.