

METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA
HEARING EXAMINER

December 12, 2024 – HEARING RESULTS

Notice is hereby given that the Hearing Examiner for the Metropolitan Development Commission of Marion County held public hearings on Thursday, **December 12, 2024**, 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 TO BE EXPEDITED:

2024-MOD-022 | 3985 Meadows Drive | Recommended Approval, subject to commitments, to MDC January 2, 2025

Washington Township, Council District #8
D-P

The Health & Hospital Corporation of Marion County, by Joseph D. Calderon

Modification of Development Statement and Site Plan related to rezoning petition 2010-ZON-042, to amend the site plan and Development Statement to allow an EMS Headquarters (current site plan has a 15-acre Woods and Valley Area).

2024-ZON-080 (2nd Amended) | 3720 East Washington Street | Recommended Approval, subject to commitments, to MDC January 2, 2025

Center Township, Council District #18
Marybeth McShea

Rezoning of 0.14-acre from the C-1 (TOD) District to the D-8 (TOD) District to provide for a four-unit multi-family residential development.

2024-ZON-097 | 6402 West Southport Road and 7300 South Mooresville Road | Recommended Approval, subject to commitments, to MDC January 2, 2025

Decatur Township, Council District #21
Goose Creek Farms, LLC, by Domonic Dreyer

Rezoning of 48.4 acres from the D-A district to the D-4 district for a residential development.

2024-ZON-133 | 629 and 655 West Hampton Drive | Recommended Approval to MDC January 2, 2025

Washington Township, Council District #7
Butler University, by Brian J. Tuohy

Rezoning of 3.67 acres from the UQ-1 district to the C-S district to renovate Ross Hall Dormitory into a 105-room hotel, restaurant, and University-related uses as outlined in the C-S Statement.

2024-CZN-839 / 2024-CPL-839 | 7747 Mountain Stream Way | Recommended Approval of 2024-CZN-839 to MDC January 2, 2025. Approved 2024-CPL-839 subject to the 12 conditions in the Staff Report.

Warren Township, Council District #20
Moses Daly

Rezoning of 0.49-acre from the D-6II district to the D-5II district to provide for a single-family development.

Approval of a Subdivision Plat, to be known as Fisher Creek Condominiums, dividing 0.49-acre into three lots.

2024-CZN-844 (Amended) / 2024-CVR-844 (Amended) | 1366 West County Line Road | Recommended Approval of 2024-CZN-844 (Amended), subject to commitments, to MDC January 2, 2025. Approved 2024-CPL-844 and adopted the Findings of Fact.

Perry Township, Council District #22

Eugene Gradient, Deborah Roush, Janet Massey, and Jenny Perry, by David Gilman

Rezoning of 3.77 acres from the D-A (W-5) district to the D-3 (W-5) district to provide for two single-family detached dwellings.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for Parcel II, with a lot width of 30 feet (minimum lot width of 70 feet required), and to allow for on-site sewage disposal systems for both lots (connection to public utilities required).

2024-CAP-847 / 2024-CVR-847 | 2001 West 86th Street | Recommended Approval of 2024-CAP-847 to MDC January 2, 2025. Approved 2024-CVR-847 and adopted the Findings of Fact.

Washington Township, Council District #1

St. Vincent Hospital and Health, by Kandyn Leach

Hospital District One Approval to provide for building identification and wayfinding signage for the Brain and Spine medical facility.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for two pole signs, within the clear-sight triangle and within the 10-foot front yard setback (pole sign not permitted, not permitted within the clear-sight-triangle, and a minimum 10-foot front setback required), one freestanding sign within the clear-sight triangle, and within the 10-foot front yard setback (not permitted within the clear-sight triangle, and a minimum 10-foot front setback required), and one building sign facing an interior private street (not permitted).

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

2024-MOD-018 | 2345 Enterprise Park Place | Acknowledged the Withdrawal of the Petition

Center Township, Council District #8

C-S

JVS Transport, LLC, by David Gilman

Modification of Commitments, related to 2003-ZON-840, to modify Commitment Number Two (Attachment "B") Numbers Three and Five, to provide for the outdoor storage and

display of heavy equipment on Lots Five, Six, and Seven (current commitment prohibits outdoor storage and display of heavy equipment).

2024-ZON-050 | 3739 North Kitley Avenue | After a Public Hearing, Recommended Denial to the MDC January 2, 2025

Warren Township, Council District #9
Patrium LLC, by Luis Gomez

Rezoning of 1.22 acres from the D-3 (TOD) district to the C-7 (TOD) classification to provide for a commercial contractor.

2024-ZON-073 | 2024-ZON-073B | 2155 Kessler Boulevard, West Drive | Granted Continuance to January 9, 2025

Washington Township, Council District #2
Broadmoor Investments, LLC, by Russell L. Brown

Rezoning of 6.01 acres from the SU-34 (FF) district to the D-4 (FF) district to provide for residential uses.

Rezoning of 7.68 acres from the SU-34 district to the D-5II district to provide for residential uses.

2024-ZON-093 / 2024-VAR-011 (Amended) | 4410 Allisonville Road | Acknowledged the Withdrawal of 2024-VAR-011. Granted Continuance of 2024-ZON-093 to February 13, 2025, with Notice, as needed

Washington Township, Council District #8
EZ-Stor LLC, by David Kingen and Emily Duncan

Rezoning of 3.25 acres from the C-S (FF) (W-1) district to the C-S (FF) (W-1) district to provide for a proposed self-storage building expansion.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for nine parking spaces (minimum 30 parking spaces required).

2024-ZON-100 (Amended) | 3550 Division Street | After a Public Hearing, Recommended Denial, subject to commitments, to MDC January 2, 2025

Perry Township, Council District # 22
KM International, Inc., by David Gilman

Rezoning of 5.09 acres from the D-4 district to the D-6 district to provide for residential development.

2024-ZON-101 (Amended) | 1820 South Arlington Avenue | Granted Continuance to January 23, 2025

Warren Township, Council District #20
Prime USA, Inc., by David Gilman

Rezoning of 22.02 acres from the D-A (FF) to the D-S (FF) district to provide for single-family residential development.

2024-ZON-118 | 7851 Sargent Road | Granted Continuance to December 19, 2024

Lawrence Township, Council District #4
John Franklin Roesner

Rezoning of 4.611 acres from the D-S (FF) (FW) district to the SU-7 (FF) (FW) district to provide for a community center and associated parking.

2024-ZON-124 | 10026 East 21st Street | After a Public Hearing, Recommended Denial to the MDC January 2, 2025

Warren Township, Council District #15
Mitthoeffer Properties, by David D. Wilson

Rezoning of 0.46-acre from the C-3 district to the C-5 district to provide for retail uses.

2024-ZON-127 | 6018 North Keystone Avenue | After a Public Hearing, Recommended Approval, subject to commitments, to MDC January 2, 2025

Washington Township, Council District #7
Evolution Process Service, LLC, by Rebekah Phillips

Rezoning of 0.219-acre from the D-3 district to the C-1 district to provide for office uses.

2024-ZON-128 | 8040 East Southport Road | After a Public Hearing, Recommended Approval, subject to commitments, to MDC January 2, 2025

Franklin Township, Council District #25
Kopetsky's Auto Wash, by Elizabeth Bentz Williams

Rezoning of 1.21 acres from the C-S district to the C-4 district to provide for an automobile and light vehicle wash use.

2024-CVR-834 (Amended) / 2024-CPL-834 | 6650 South Meridian Street | Granted Continuance to January 9, 2025, with Notice

Perry Township, Council District #22
D-A
Chin United Pentecostal Church, by Katlyn Grey

Variance of Development Standards and a Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for religious uses on proposed Lot One, with a zero-foot north side yard setback (minimum 30-foot required) and a 15-foot rear yard setback (minimum 75-foot required).

Approval of a Subdivision Plat, to be known as 6650 South Meridian Street Addition, dividing 14.68 acres into two lots.

2024-CVR-838 (Amended) / 2024-CPL-838A / 2024-CPL-838B | 2451 – 2682 West 78th Street, 7649 – 7757 (odd) Diamond Street, 2822 – 2863 Emerald Street, 2801 – 2936 Moonstone Street, 2808 – 2863 Ruby Boulevard, and 7650 – 7740 (even) Walnut Drive | Granted Continuance to January 23, 2025, with Notice

Pike Township, Council District #1
D-5
Apex Realty Group, by David A. Retherford

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for:

- a. Construction of some dwelling units, depending on the home model, at three stories in height (maximum 2.5 stories in height permitted),
 - b. Minimum lot size ranging from 4,945 square feet to 4,998 square feet for up to 23 lots (minimum lot size of 5,000 square feet required),
 - c. Side yard setback of four feet for Phase 2 Lots 2, 10 and 18 in Block R, Lot 14 in Block J, Lots 1, 2, 8, 16, 17, and 18 in Block S, Lot 7 in Block I, Lot 1 in Block A, Lot 13 in Block T, Lot 17 in Block Y, and Lot 18 in Block X, and for Phase 3 Lot 16 in Block A-A (minimum side yard setback of five feet required),
 - d. A side yard setback of three feet for Phase 2 Lot 9 in Block S and for Phase 3 Lot 11 in Block C-C (minimum side yard setback of five feet required),
 - e. Corner side yard setbacks of five feet for all corner lots (minimum corner side yard setback of eight feet required),
 - f. Construction of some dwelling units, depending on the home model, with front loaded garages of up to 70% of the front façade (maximum 30% of the front façade, if within 12 feet of the front building line, or 45% of the front façade if behind 12 feet of the front building line permitted),
 - g. 60% landscaped living material in the front yard (minimum 65% landscaped living material in the front yard required),
 - h. Minimum main floor area of 550 square feet of livable space on the main floor of a dwelling over one story in height (minimum 660 square feet of livable space on the main floor of a dwelling over one story in height required).
- Approval of a Subdivision Plat, to be known as Augusta Heights, Phase 2, dividing 12.28 acres into 84 lots.

Approval of a Subdivision Plat, to be known as Augusta Heights, Phase 3, dividing 3.88 acres into 32 lots.

2024-CZN-842 / 2024-CVR-842 | 2147 Columbia Avenue and 1315 East 22nd Street | Acknowledged the Withdrawal of 2024-CVR-842. Granted Continuance to January 9, 2025, with Notice

Center Township, Council District #13

Keyon Johnson and K & D Epic Holdings, LLC, by David Gilman

Rezoning of 0.264-acre from the D-8 and I-3 districts to the D-5 district to provide for a four-unit dwelling.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a four-unit dwelling, with a walkway along the south side yard lot line (walkways permitted to encroach up to two feet into the side yard) and to provide for one off-street parking space within the corner side yard (minimum eight-foot corner side yard setback required).

PETITIONS FOR PUBLIC HEARING (New Petitions):

2024-MOD-021 | 4901 and 4919 South Emerson Avenue & 5155 Shear Avenue | **Granted a one-day Waiver of the 23-day notification period for written Notice | Granted Continuance to January 9, 2025**

Franklin Township, Council District #24

C-S

Emerson Place Apartments, LLC, by Joseph D. Calderon

Modification of Commitments related to 2022-CZN-839 to terminate Commitments 5 and 6, which required the developer to provide (5) “a sidewalk or pavement markings providing safe pedestrian passage between south end of subject property and the intersection of Emerson Ave and Emerson Place Rd” and (6) “Sidewalk connections between subject property and the Grocery Store site.”

2024-ZON-123 | 281, 303 and 307 North Elder Avenue & 320, 322, 324, 326, 328, 330, 332, and 334 North Mile Avenue and 1821 West New York Street | **Granted Continuance to January 9, 2025, with Legal Notice to be mailed by the Petitioner**

Center Township, Council District #18

NDZA, by David Kingen and Emily Duncan

Rezoning of 1.19 acres from the I-4 district and D-5 district to the SU-7 district to provide for nonprofit uses.

2024-ZON-131 | 5820 South Emerson Avenue | **Granted Continuance to January 9, 2025**

Perry Township, Council District #24

IN Indianapolis Emerson, LLC, by Joseph D. Calderon

Rezoning of 21.23 acres from the C-1, C-3, and D-A districts to the D-5II district to provide for townhome and duplex development.

2024-ZON-132 | 3702-3744 Keystone Avenue | **Granted Continuance to January 23, 2025**

Center Township, Council District #19

Fortified Group, LLC, by Dale Pruitt

Rezoning of 1.61 acres from the D-5 (TOD) (W-5) district to the MU-2 (TOD) (W-5) district to provide for a 95-unit multi-family complex and mixed-use development.

2024-ZON-134 | 5802 West 71st Street | **Granted Continuance to January 9, 2025**

Pike Township, Council District #6

Park 100 Investment, LLC by, Brian J. Tuohy

Rezoning of 2.16 acres from the C-S district to the C-S district to renovate two hotels into 68 studio, four one-bedroom, and 22 two-bedroom apartments.

2024-ZON-135 | 11700 and 11850 East 38th Street and 4002 North Carroll Road | **Granted Continuance to January 23, 2025, and noted new representative for Petitioner**

Warren Township, Council District #15

Laibe & Russell Investment LLC, by Mark and Kim Crouch

Rezoning of 46.77 acres from the D-5 (FF) district to the D-4 (FF) district to provide for a single-family detached residential development.

2024-ZON-136 | 10635 Indian Creek Road South | Acknowledged the Automatic Continuance to January 9, 2025, filed by Remonstrator

Franklin Township, Council District #25
Gurudwara Shaheedan, Inc., by Joseph D. Calderon

Rezoning of 7.544 acres from the D-A (FF) (FW) district to the SU-1 (FF) (FW) district to provide for religious uses.

2024-CZN-845 / 2024-CVR-845 | 5022 Rockville Road | Acknowledged the Withdrawal of 2024-CVR-845. Granted Continuance of 2024-CVR-845 to January 9, 2025.

Wayne Township, Council District #16
Cultivar Properties, LLC, By David Gilman
C-3 / C-5 (FF)

Rezoning of 3.03 acres from the C-3 (FF) and C-5 (FF) districts to the I-1 (FF) classification to provide for light industrial uses.

Variance of Development Standards of Consolidate Zoning and Subdivision Ordinance to provide for a 15-foot east side transitional yard setback (minimum 50-foot side transitional yard setback required) and a 10-foot north rear yard setback (minimum 30-foot rear yard setback required).

2024-CZN-846 / 2024-CVR-846 | 1267 and 1271 South East Street | Granted Continuance to January 9, 2025

Center Township, Council District #18
Southeast Neighborhood Development, Inc., by Joshua A. Peters

Rezoning of 0.214-acre from the D-P district to the MU-2 district to provide for a mixed-use development.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building encroaching into the clear-sight triangle of South East Street and Orange Street (not permitted), and six surface parking spaces (minimum 11 surface-parking spaces required).

2024-CZN-849 / 2024-CVR-849 | 1629 Deloss Street | Granted Continuance to January 9, 2025, with Legal Notice to be mailed by the Petitioner

Center Township, Council District #18
I-2
Abolaji Oladipupo

Rezoning of 0.08-acre from the I-2 district to the D-5II classification to legally establish a detached single-family dwelling.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for an expansion of an existing detached single-family dwelling, with a zero-foot east side yard setback (minimum three-foot side yard setback 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 planneroncall@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) 327-7093, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.