

**METROPOLITAN DEVELOPMENT COMMISSION
INDIANAPOLIS-MARION COUNTY, INDIANA**

July 2, 2025

The regular meeting of the Metropolitan Development Commission (MDC) of Indianapolis-Marion County, IN, was held on Wednesday, July 2, 2025, at 1:00 P.M. in the Public Assembly Room of the City-County Building, Indianapolis, IN, for various purposes, including the holding of a Public Hearing on various Petitions listed on the Notice of Public Hearing, and for taking official action upon public business and public Notice thereof as required by IC 5-14-1.5.

ATTENDANCE

The following Commission members were present:

John J. Dillon III, President
Brandon Herget
Brent Lyle
Brigid Robinson
Bruce Schumacher, Acting Secretary
Gregg West

The following Commission members were absent:

Megan Garver, Vice-President
Brian P. Murphy, Secretary

The following City of Indianapolis employees were present:

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| Megan Vukusich | Director - DMD |
| Jennifer Fults | Deputy Director, Strategy and Collaboration - DMD |
| Carmen Lethig | Deputy Director, Planning, Preservation and Design - DMD |
| Sheri Oor | Principal Program Manager, Economic Incentives - DMD |
| Kathy Frazier Battle | Program Manager, Economic Incentives - DMD |
| Kathleen Blackham | Senior Planner - DMD |
| Marleny Iraheta | Senior Planner - DMD |
| Desire Irakoze | Principal Planner II - DMD |
| Jeffrey York | Manager - DMD |
| Edward D. Honea, Jr. | Current Planning Administrator - DMD |
| Nancy Whitaker | Board Specialist - DMD |
| Ethan Hudson | Counseling Attorney - ACC / OCC |

BUSINESS

CALL TO ORDER

President Dillon called the meeting to order at 12:59 P.M. and led the recitation of the Pledge of Allegiance.

MINUTES

Commissioner Schumacher made a Motion to adopt the Minutes from the June 18, 2025 meeting; Commissioner Herget seconded the Motion; the Commission adopted the Minutes by voice vote (6:0:0) as follows:

Ayes: Dillon, Herget, Lyle, Robinson, Schumacher, West
Noes: None
Recusals: None

The Minutes from the June 18, 2025 meeting were adopted.

SPECIAL REQUESTS

The Petitioner's representative, David Kingen (NDZA, Inc., 618 East Market Street, Indianapolis, IN), requested a further continuance of **Petition Nos. 2025-CZN-828 /2025-CVR-828 (Amended)** to July 16, 2025, with Notice, due to modifications made to the petition requests.

2025-CZN-828 / 2025-CVR-828 (Amended) | 1927, 1946, and 1950 East 32nd Street, and 3219 Orchard Avenue

Center Township, Council District #8
D-5 and SU-1

Universal Church of Truth and First Born, Inc., by Justin Kingen and David Kingen

Rezoning of 2.04 acres, from the D-5 and SU-1 districts to the D-7 district to provide for multi-family dwellings. Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 30-foot-tall multi-family dwelling, with 26 units, and a community building, at 1927 East 32nd Street, with a proposed floor area ratio of 1.68 (maximum floor area ratio of 0.70 permitted), a proposed livability space ratio of 0.26 (minimum livability space ratio of 0.95 permitted), for the proposed multi-family dwellings at 1950 East 32nd Street, and a reduced perimeter yard (20-foot perimeter yard required).

Kathleen Blackham (Staff) said Staff had no objection to the continuance request. The additional Notice had been mailed.

Hearing no comments or questions from the public or the Commission, Commissioner Herget made a Motion to continue the Petition to July 16, 2025; Commissioner Lyle seconded the Motion; the Motion was carried by a roll-call vote (6:0:0) as follows:

Ayes: Dillon, Herget, Lyle, Robinson, Schumacher, West
Noes: None
Recusals: None

The Commission continued Petition Nos. 2025-CZN-828 /2025-CVR-828 (Amended) to July 16, 2025, with Notice.

Desire Irakoze (Staff) requested a continuance of **Petition No. 2025-ZON-001** to July 16, 2025, to allow executed commitments to be filed appropriately.

Hearing no questions or comments from the public or the Commission, Commissioner Robinson made a Motion to continue **Petition No. 2025-ZON-001** to the July 16, 2025 meeting; Commissioner West seconded the Motion; the Motion was carried by a roll-call vote (6:0:0) as follows:

Ayes: Dillon, Herget, Lyle, Robinson, Schumacher, West
Noes: None
Recusals: None

The Commission continued **Petition No. 2025-ZON-001** to the July 16, 2025 meeting.

POLICY RESOLUTIONS

President Dillon requested the reading of the resolutions on the Agenda, and Hearing Specialist Nancy Whitaker read the Resolutions into the Record.

ECONOMIC DEVELOPMENT / INCENTIVES:

2025-A-025 Preliminary Economic Revitalization Area Resolution for Thunderbird CC Land Partners LLC, located at 6900 English Avenue, Council District #20, Warren Township. (Recommend approval of up to (10) years real property tax abatement.)

2025-A-026 Preliminary Economic Revitalization Area Resolution for Roche Diagnostics Operations, Inc., located at 9115 Hague Road, Council District #4, Lawrence Township. (Recommend approval of (10) years real property tax abatement.)

2025-A-027 Preliminary Economic Revitalization Area Resolution for Roche Diagnostics Operations, Inc., located at 9115 Hague Road, Council District #4, Lawrence Township. (Recommend approval of (10) years personal property tax abatement.)

COMMUNITY INVESTMENTS:

2025-C-001 Authorizes the Department of Metropolitan Development to negotiate and execute an agreement with Coalition for Homelessness Intervention and Prevention to provide funding for the Street to Home initiative to provide rental assistance to people currently experiencing homelessness and/or suffering from Substance Abuse Disorder in an amount not to exceed \$2,700,000 of opioid settlement funds.

PLANNING:

2025-P-009 Authorizes the Director of the Department of Metropolitan Development to enter into an Interlocal Cooperation Agreement with the City of Lawrence relating to administrative and certain development plan approvals.

Hearing no comments or questions from the Commission, Commissioner Schumacher made a Motion to approve all the Resolutions which did not stand for public hearing [**Resolution Nos. 2025-A-025, 2025-A-026, 2025-A-027, 2025-C-001, and 2025-P-009**]; Commissioner Lyle seconded the Motion; the Motion was carried by a roll-call vote (6:0:0) as follows:

Ayes: Dillon, Herget, Lyle, Robinson, Schumacher, West
Noes: None

Recusals: None

The Commission approved Resolution Nos. 2025-A-025, 2025-A-026, 2025-A-027, 2025-C-001, and 2025-P-009.

PETITIONS OF NO APPEAL

Petitions Recommended for Approval by the Hearing Examiner:

2025-MOD-005 | 7841 Michigan Road

Pike Township, Council District #1

C-3 / D-5

Las Palmas Supermercado, LLC, by Meghan Binkerd

Modification of Development Statement related to petition 94-Z-42 to modify Commitment 5, to allow a grocery store (current commitment prohibits grocery or convenience stores).

2025-MOD-006 | 3801 North Raceway Road

Pike Township, Council District #11

D-6

D. R. Horton – Indiana, LLC, by Brian J Tuohy

Modification of Commitments and Site Plan related to 2024-ZON-023 to modify Commitment 2, to provide that rental units would be permitted on lots which are subject to a mortgage insured or guaranteed by the Federal Housing Administration, the Veteran's Administration and/or the United States Department of Agriculture (previous commitment requires the HOA to approve rental of units within the neighborhood, with a restriction that a maximum of 20% of the units may be rented at any one time).

2025-MOD-009 | 2934 North Hawthorne Lane

Warren Township, Council District #9

SU-1

Vietnamese and American Buddhist Association Corporation

Modification of the Commitments and Site Plan, related to petitions 2018-MOD-012 and 2014-ZON-077, to provide for a one-story, 3,890 square foot, community center.

2025-MOD-013 | 10100 East 46th Street

City of Lawrence, Lawrence Township, Council District #10

SU-7

Michael Jones, by Will Gooden and Elizabeth Bentz Williams

Modification of the Commitments related to petition 2001-ZON-002 to modify Commitments #3 and #4 to allow for development to be in substantial compliance with the site plan, dated April 25, 2025, and that any future change in the site plan shall be subject to Administrator's Approval, and that the use of the property shall be in substantial compliance with the narrative, dated March 28, 2025 (previous commitments required development in substantial compliance with the site plan, filed-dated March 16, 2001 and that the use be in substantial compliance with the narrative, file-dated April 3, 2001).

2025-ZON-048 | 122 and 130 West Raymond Street

Center Township, Council District #18

Kio Hmung, by Raymond A. Basile

Rezoning of 0.23-acre from the C-1 district to the C-4 district to provide for an automobile repair shop.

2025-ZON-049 | 1344, 1346, and 1352 Deloss Street

Center Township, Council District #18

Malika Choudhary, by Mark and Kim Crouch

Rezoning of 0.26-acre from the I-2 (TOD) district to the D-8 (TOD) district to provide for residential uses.

2025-ZON-050 | 526 and 534 South Keystone Avenue

Center Township, Council District #18

Miguel Villasol, by Mark and Kim Crouch

Rezoning of 0.37-acre from the D-5 district to the D-5II classification to provide for residential uses.

2025-ZON-051 | 4324 East New York Street

Center Township, Council District #13

Malak Services, LLC, by Terrance Kinnard

Rezoning of 0.08-acre from the C-3 (TOD) district to the D-5 (TOD) district legally establish a detached single-family dwelling.

2025-ZON-052 | 4446 Mann Road

Decatur Township, Council District #21

Dave and Sons Properties II, by David Gilman

Rezoning of 0.825-acre from the C-3 district to the C-4 district for an automobile fueling station.

2025-CZN-820 | 4221 North Emerson Avenue

Lawrence Township, Council District #9

Spivey Properties, LLC, by David Gilman

Rezoning of 0.789-acre from the D-2 and C-3 districts to the C-3 district to provide for neighborhood commercial uses.

Hearing no questions or comments, Commissioner Robinson made a Motion to approve the above-listed **Petitions of No Appeal [Petition Nos. 2025-MOD-005, 2025-MOD-006, 2025-MOD-009, 2025-MOD-013, 2025-ZON-048, 2025-ZON-049, 2025-ZON-050, 2025-ZON-051, 2025-ZON-052, 2025-CZN-820.]** that the Hearing Examiner recommended for approval; Commissioner Schumacher seconded the Motion; the Motion was carried by a roll-call vote (6:0:0) as follows:

Ayes: Dillon, Herget, Lyle, Robinson, Schumacher, West

Noes: None

Recusals: None

The Commission approved Petition Nos. 2025-MOD-005, 2025-MOD-006, 2025-MOD-009, 2025-MOD-013, 2025-ZON-048, 2025-ZON-049, 2025-ZON-050, 2025-ZON-051, 2025-ZON-052, and 2025-CZN-820, upholding the Hearing Examiner's recommendations.

President Dillon recognized Attorney Sam Young (Tuohy Bailey & Moore LLP), who was present representing **Petition No. 2025-MOD-006**. Mr. Moore asked for approval of the Petition. President Dillon welcomed Mr. Young to the meeting of the MDC.

Petition Recommended for Denial by the Hearing Examiner:

2025-MOD-003 | 8302 Michigan Road

Pike Township, Council District #1

C-S

Halle Properties, LLC, by Jennifer Wolfe

Modification of commitments related to 95-Z-172 and 96-Z-216, to modify Commitment 2. h. for a freestanding sign on an outlot (previous commitment permits wall signs and prohibits freestanding signs for outlots).

President Dillon asked Staff to comment on the recommendation to deny **Petition No. 2025-MOD-003**; Marleny Iraheta (Staff) explained that the request involved a free-standing sign on an outlot that was not permitted. Staff recommended denial of the Petition. The Hearing Examiner heard the case and recommended denial of the Petition. Edward Honea (Current Planning Administrator) remarked that the Petitioner had not contacted Staff to file an appeal after the Hearing Examiner meeting.

Seeing no comments from the public or the Commission, Commissioner West made a Motion to **uphold the Hearing Examiner's recommendation of denial for Petition No. 2025-MOD-003**; Commissioner Lyle seconded the Motion; the Motion was carried by a roll-call vote (6:0:0) as follows:

Ayes: Dillon, Herget, Lyle, Robinson, Schumacher, West

Noes: None

Recusals: None

The Commission denied Petition No. 2025-MOD-003, upholding the Hearing Examiner's recommendation.

PETITIONS FOR PUBLIC HEARING

REZONING PETITION SCHEDULED FOR INITIAL HEARING:

2025-ZON-037 | 2226 Carrollton Avenue

Center Township, Council District #8

Carrollton Commons, LLC, by Misha Rabinowitch

Rezoning of 1.05 acres from the D-8 district to the D-P district to provide for a 25-unit modular townhome community.

President Dillon explained the Rules governing the hearing. Besides the Petition, he noted the presence of a Remonstrator and City-County Councilor Gibson (Council District #8).

The Petitioner's attorney, Misha Rabinowitch (One Indiana Square, Suite 1800, Indianapolis, IN), said the Petitioner, Eric Armstrong, was a local developer who wanted to revitalize blighted properties in the Midtown area and provide lower-cost housing. While referring to a paper exhibit provided to each Commission along with an electronic presentation, Mr. Rabinowitch explained that the site had been vacant for at least 25 years. The property was surrounded by single-family homes and zoned D-8. He referred to examples of similar recent townhome developments approved in 2021 by the MDC. The proposed development would comprise 25 three-bedroom units, each with dedicated garages, two access points from the alley, and 10 guest parking spaces. A landscape plan met the Green Factor requirements and included an amenity space with a gazebo. Mr. Rabinowitch stated that the Petitioner would agree to a commitment requiring final elevations to be subject to the Administrator's approval. He noted the project was consistent with the recommendation of traditional neighborhood and that the Reagan Park Neighborhood Association and an adjacent property owner supported the project.

John Thompson (business owner at adjacent property) supported the Petition. Mr. Thompson said he operated Thompson Distribution and First Electric Supply. He described his extensive involvement in the community and his various service activities. Mr. Thompson noted Mr. Armstrong's work on a renovation of a music store at 30th and College and supported the Petition for needed housing in the area near downtown.

President Dillon inquired whether the project complied with the City's setback ordinances. Mr. Rabinowitch replied that the development did not fit the existing D-8 requirements; D-P zoning was sought to establish appropriate setbacks. The D-8 zoning would require a reduction in density to meet D-8 setback standards.

Commissioner Lyle asked about feedback from the City's architect. Mr. Rabinowitch indicated that the City architect wanted input on the final design of the building, having commented on the colors shown in the renderings, and generally agreed with Staff's concerns about density. President Dillon asked Mr. Rabinowitch to provide what the setbacks would be if the rezoning were approved.

Remonstrator Billy Ratthahao (2235 Carrollton Avenue, Indianapolis, IN) testified, representing himself and neighbors Eric and Mikayala Feetterer (2229 Carrollton Avenue, Indianapolis, IN). Mr. Ratthahao was concerned about desirability and viability. He said that similar developments by Onyx and East and Estrich had not sold out, despite special financing options, noting price reductions and long marketing periods. He also provided other examples of unsold townhome developments in the nearby area. President Dillon questioned Mr. Ratthahao who no longer used his nearby property for his primary residence.

City-Councilor Ron Gibson (CD #8) spoke in support of the project and praised Mr. Armstrong's vision for revitalization. Councilor Gibson noted the need for affordable housing at increased density while respecting the surrounding neighborhood.

Marleny Iraheta (Staff) stated that Staff recommended denial of the rezoning to the D-P district. She noted that Staff found the design lacking in creativity, with most units not facing street frontage and having inadequate open space. The proposed floor area ratio would exceed the maximum of 0.60, and the livability space ratio would fall below the minimum of 0.66 at 0.35. Built and vehicular areas would exceed natural outdoor areas. Staff recommended D-8 development with a courtyard pattern and would consider minimal variances that resulted. Staff also expressed concern about the proposed three-story height and noted that the development was mid-block residential, rather than being organized around collector streets, greenways, parks, or retail areas. Staff noted Staff's requirement for the City's architect review of the final elevation in the event of approval of the Petition.

Commissioner Schumacher asked Staff to clarify what variances would be needed to achieve the Petitioner's goals under the existing zoning. Ms. Iraheta (Staff) replied that this option had not been discussed and therefore could not be specified at this time. Upon additional questioning, Ms. Iraheta stated that major concerns included the massing and layout of the site, as well as visibility from Carrollton Avenue.

President Dillon questioned Staff's recommendation given the site's twenty-plus year vacancy and the current housing needs. Edward Honea (Current Planning Administrator) responded that the D-P zoning requires superior site design and must meet or exceed the base zoning district standards. The townhomes should demonstrate what is exceeded beyond the standard district requirements. It appeared that the townhomes met the five-foot setbacks. Mr. Honea said he did not know if the Staff agreed that the setbacks were required from a development standpoint, but perhaps from a financing

standpoint, but noted that there was nothing on file to indicate the latter. He explained that Staff did not feel the rezoning request provided sufficient benefits to justify waiving most of the zoning standards.

President Dillon emphasized the need to provide housing in a long-vacant area and asked for setback information from the Petitioner's attorney. Mr. Rabinowitch reported the front setback on Carrollton to be ten feet, rear setback off the alley at 7.5 feet, and side yard setbacks at 4 feet. Mr. Rabinowitch felt Staff's core issue was density.

Eric Armstrong (Carrollton Commons, LLC), the developer, testified that he consulted with the Staff before seeking financing. He pointed out that front-facing buildings engage with neighbors while rear buildings access parking directly from the alley. He described amenities. Mr. Armstrong added that a courtyard would be created between the facing buildings for meeting space. He shared that he had partnered with Community First Bank for funding, and the homes were to be underwritten at approximately \$375,000.

Commissioner West asked about the adequacy of guest parking. Mr. Armstrong replied that the garages were oversized, and oversized pads allowed parking behind the garage areas. Overflow parking was available on the street. There would be ten guest spaces for 25 units, which was more favorable than the ratio provided by the similar Onyx and East development. Commissioner Lyle asked about approaches that could be used to address the neighbor's concerns about the unsold units in nearby developments. Mr. Armstrong argued that this development was different, and he felt the price point was competitive. Additionally, he believed that maintaining an open model home throughout the construction period would be an added advantage. Commissioner Schumacher inquired about the potential concessions that could be made to make the project economically viable while addressing the City's concerns. Mr. Armstrong emphasized that density was necessary to reduce per-unit lot costs and keep home prices affordable while maintaining quality construction.

The Remonstrator, Mr. Ratthahao added his concerns about parking adequacy, noting that townhome garages typically become storage spaces. He felt that existing home redevelopment was a more affordable alternative.

Councillor Gibson made final comments in support of the need for affordable housing.

President Dillon asked the Commissioners to mark their ballots (6:0):

Ayes: Dillon, Herget, Lyle, Robinson, Schumacher, West

Noes: None

The Commission approved Petition No. 2025-ZON-037, subject to proposed commitments.

COMPANION PETITION DENIED BY HEARING EXAMINER, APPEAL FILED BY PETITIONER:

2024-CVR-855B | 1527 East 12th Street

Center Township, Council District #13

D-8 (FF) (FW)

Tyler and Natalie Sadek, by Paul J. Lambie

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to build within 60 feet of the stream protection corridor (not permitted).

President Dillon explained the Rules governing the hearing. He noted that no remonstrators and no City-County Councilors were present.

While referring to a paper packet and an electronic presentation, the Petitioner's representative, Paul Lambie (5636 East Washington Street, Indianapolis, IN), explained that the property in Windsor Park had been recently divided into three lots, with Pogue's Run bordering the west side. The lots extend over 400 feet deep from 12th Street. Mr. Lambie noted that the Hearing Examiner had approved the plat of the three-lot subdivision and a variance for Lot 3, which would allow the Sadeks' home to be set back 200 feet from the street but denied the stream protection corridor variance. Mr. Lambie argued that the 60-foot setback requirement was too strict, as Pogue's Run was more like a smaller, low-volume Category 2 Stream, which only requires a 25-foot setback. He clarified that his alternative site plan was meant to show the impracticality of building without a variance, not that it was a viable development plan. He emphasized the difference between "practical difficulty" and "impossibility" in variance law. Without the variance, Lot 2 would be unbuildable due to conflicting setback rules. Building closer to the street was not possible due to the stream protection corridor, and it was also not possible to build farther back due to front setback requirements. He cited support from the Marion County Soil and Water Conservation District, recommending a 25-foot setback, and presented eight letters of support from the neighbors.

Micah Hill, Compendium Group LLC (961 North Highland Avenue, Indianapolis, IN), a home builder with over twenty years of experience, stated that the Sadeks wanted to build a home on a site where a former historic home had stood, minimizing the impact on the site and preserving old-growth trees along Pogue's Run. He explained that the preferred plan would place two homes at the front, with a typical D-8 setback, to align with the other homes along 12th Street. Without the variance, Lot 2 would require a 170-foot front setback. This setback would result in the home facing the rear of neighboring properties and garages. Mr. Hill emphasized the importance of proper front setbacks in historically designated areas. He said he was committed to directing runoff toward Pogue's Run and would incorporate swales and landscaping to minimize the impact.

Commissioner West asked who categorized streams and whether there was a process to seek recategorization. He also inquired about the impacts of water runoff and rain if the Petition were approved.

Edward Honea (Current Planning Administrator) said he didn't have a definitive answer about stream categorization, but the standards had been in effect since April 2016. The Staff person who had helped put together the stream protection corridor ordinance was no longer with the City.

Commissioner West asked about runoff and rain. Mr. Hill said that commitments had been made to minimize the impact of runoff and rain.

Mr. Honea interjected that there was a definition for the stream categories, and he read the definitions aloud for the record.

Desire Irakoze (Staff) noted that the site had an acre of undeveloped land, even with the stream protection corridor setbacks. He argued that the hardship was caused by the developer's choice of layout, not the zoning ordinance. The encroachment was about 35 feet into the 60-foot corridor for this Category One stream. While some homes in the area encroached on the corridor, they were built around 1924, before the stream protection corridor ordinance was enacted. President Dillon noted experience with Pogue's Run issues in prior major City projects and disagreed with the characterization of the stream as having limited flow.

In rebuttal, Mr. Lambie said Staff only addressed feasibility and not practicality. A staggered house development would be out of character with the neighborhood development pattern. He reminded the Commission of the one-year refiling period if this variance was denied and before an alternative development could be presented with a front setback variance. He reemphasized that the Marion County Soil and Water Conservation District recommended a 25-foot setback in their subdivision report. He noted the builder's commitment to preserve the existing trees along the stream bank and concluded that all the statutorily required findings of fact had been met for the variance request.

Commissioner West inquired about a commitment to implement erosion control measures during the construction phase. Mr. Lambie stated that in the Commissioners' packets, three conditions had been described to which the Petitioner had agreed to abide by after discussion with the neighbors.

Commissioner Lyle asked about the home on Lot 3, which was set back further toward the waterway. Mr. Hill explained the positioning of this home and added that the house was still not fully tucked behind the other two lots.

President Dillon asked the Commissioners to mark their ballots (5:1):

Ayes: Herget, Lyle, Robinson, Schumacher, West

Noes: Dillon

The Commission approved Petition No. 2024-CVR-855B.

ADDITIONAL BUSINESS

Seeing no additional business, Commissioner Schumacher made a Motion to adjourn. President Dillon adjourned the meeting at 2:34 P.M.

Attest: _____

MDC Secretary

Date

 _____ President
Metropolitan Development Commission