

METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA
HEARING EXAMINER

APRIL 9, 2026

The regular meeting of the Hearing Examiner for the Metropolitan Development Commission of Marion County, Indiana, was scheduled for April 9, 2026, at 1:00 P.M., in the Public Assembly Room of the City-County Building, Indianapolis, Indiana, 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.

Staff members present were Kathleen Blackham, Senior Planner; Robert Uhlenhake, Senior Planner; Jeffrey York, Manager; Josh Levesque, Senior Planner; Bryce Patz, Current Planning Administrator; and Nancy G. Whitaker, Hearing Specialist.

Judy Weerts Hall, Hearing Examiner, called the meeting to order at 1:00 P.M. She stated that the Hearing Examiner's hearing today would be conducted under the Rules of Procedure of the Metropolitan Development Commission (MDC). She informed those present of the time permitted to present testimony in support of the Petition and in opposition to it. The Hearing Examiner stated the procedures for filing a request for an appeal of her recommendation to the Commission, as well as any decision regarding an approved or denied petition. The Hearing Examiner explained that **recommendations** for Petitions heard that day would be forwarded to the MDC for consideration at its meeting on **May 6, 2026**, unless noted otherwise.

SPECIAL REQUESTS, CONTINUANCES, WITHDRAWALS

2026-APP-007 | 7307 West 38th Street
Pike Township, Council District #5
PK-2
Barry Foster, by Justin Taylor

Park District Two Approval to provide for a 35.574 square-foot front entry pylon sign.

Kathleen Blackham (Staff) requested a continuance to May 14, 2026, to allow proper notice to be given to all of those required to receive Notice.

Hearing no other comments, the Hearing Examiner granted a continuance to May 14, 2026, with Notice.

2025-ZON-114 (Second Amended) / 2026-VAR-002 | 4005 East Southport Road
Perry Township, Council District #24
Southport Road Development LLC, by David Gilman

Rezoning of 3.67 acres from the D-P (FF) (FW) district to the C-S (FF) (FW) district to provide for all C-4 uses, except adult entertainment, and to permit commercial or

building contractors, artisan manufacturing (e-commerce), and warehouse, wholesale, and distribution.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a commercial structure with zero feet of street frontage (minimum 50 feet of street frontage required), and for a zero-foot front setback (minimum ten-foot front setback required).

The Petitioner's representative, David Gilman (211 South Ritter Avenue, Suite H, Indianapolis, IN), requested a continuance to May 14, 2026, to allow Staff time to review the amended development statement and to discuss the request with a recently identified remonstrator. The Hearing Examiner noted she was aware of several opposition letters in the file. Attorney Paul Carroll (13 North State Street, Greenfield, IN), representing a remonstrator, said he did not oppose the continuance request.

Kathleen Blackham (Staff) clarified that the continuance would be without Notice.

Hearing no other comments, the Hearing Examiner granted a continuance to May 14, 2026.

2025-ZON-123 | 8500 West 10th Street (NEW)

Wayne Township, Council District #16
NDZA, by Justin Kingen and David Kingen

Rezoning of 5.96 acres from the C-1 (FW) (FF) district to the D-7 (FW) (FF) district to provide for residential development.

One of the Petitioners, Justin Kingen (618 East Market Street, Indianapolis, IN), requested a continuance to May 14, 2026, in order to have time to provide Staff with additional information. Kathleen Blackham (Staff) said Staff had no further comments.

Hearing no other comments, the Hearing Examiner granted a continuance to May 14, 2026.

2026-ZON-006 | 701 Shelby Street (NEW)

Center Township, Council District #18
Patrick Burtch, by Brian Burtch

Rezoning of 0.143-acre from the C-5 district to the D-5 district to provide for residential uses.

Robert Uhlenhake (Staff) said Staff had no additional comments.

Hearing no other comments, the Hearing Examiner acknowledged the Automatic Continuance to May 14, 2026, filed by a Registered Neighborhood Organization.

2026-ZON-007 | 2107 Columbia Avenue (NEW)

Center Township, Council District #13

City of Indianapolis, Department of Metropolitan Development, by Antonio Monserrat

Rezoning of 0.119-acre from the I-3 district to the D-8 district to provide for residential development.

Robert Uhlenhake (Staff) requested a continuance of the Petition to May 14, 2026, with Notice, as the legal notice provided the Petitioner stated an incorrect hearing date.

Hearing no other comments, the Hearing Examiner granted a continuance to May 14, 2026, with Notice.

2026-ZON-018 | 5510 Millersville Road (NEW)

Washington Township, Council District #3

R. Michael Thomas, by Ted Nolting

Rezoning of 2.75 acres from the D-3 and C-4 districts to the C-3 district to provide for a veterinary hospital.

Robert Uhlenhake (Staff) said a companion variance was filed after the rezoning petition was filed. Continuing the rezoning to April 23, 2026 was requested by Staff so both petitions may be heard at the same time.

Hearing no other comments, the Hearing Examiner granted a continuance to April 23, 2026.

2026-CVR-806 / 2026-CPL-806 | 2366 North College Avenue (NEW)

Center Township, Council District #8

D-8

Atlas Group, LLC, by John Cross

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a five-unit single-family attached development, consisting of three units with a main floor area of 326 square feet and two units with a main floor area of 341 square feet (minimum main floor area of 660 square feet required).

Approval of a Subdivision Plat to be known as 24th and College Townhomes, dividing 0.19-acre into five lots.

Kathleen Blackham (Staff) had no further comments.

Hearing no other comments, the Hearing Examiner acknowledged the Automatic Continuance to May 14, 2026, filed by a Registered Neighborhood Organization.

2026-CZN-808 / 2026-CVR-808 | 8540 Westfield Boulevard (NEW)

Washington Township, Council District #2

C-3 (TOD) and SU-38 (TOD)

Black Panther Athletica, LLC, by Michael Rabinowitch

Rezoning of 6.16 acres from C-3 (TOD) and SU-38 (TOD) to SU-16 (TOD) to provide for an indoor and outdoor recreational facility, with accessory uses including daycare, a restaurant, and retail.

Variance of Development Standard of the Consolidated Zoning and Subdivision Ordinance to provide for development with a 6.5-foot north side transitional yard setback (minimum 20-foot side transitional yard required), a five-foot rear yard setback (minimum 10-foot rear yard setback required), a zero-foot south side yard setback (minimum 10-foot side yard setback required), a building height of 64 feet along a transitional yard (maximum 18-foot height permitted), a front building line 94 feet from the property line and 51% of the lot width (range of 0-20 feet and 60% required), a single primary entry feature (3 required), 254 parking spaces (minimum 363 parking spaces required), a driveway with 32 feet in width (maximum 24-foot width), and front-yard parking with a 20-foot setback (25-foot setback required), and to provide for a pylon sign with an Electronic Variable Messaging Sign (EVMS) component (pylon sign within 600 feet of a protected district not permitted, EVMS not permitted).

Attorney Misha Rabinowitch (One Indiana Square, Suite 1800, Indianapolis, IN) requested a 2-day waiver of the 23-day notification period for written notice. The Hearing Examiner questioned Mr. Rabinowitch about a sign on the property, as she had not seen a sign. Mr. Weigel said that an affidavit had been submitted stating a sign had been posted, and perhaps something had happened to the sign. Mr. Rabinowitch said he would get another sign and post on the property.

Hearing no other comments, the Hearing Examiner granted a two-day waiver of the 23-day notification period for written notice.

The Hearing Examiner said that she was employed by the Jordan YMCA, next door to the subject property, and needed to recuse herself from the cases.

Hearing no further comments, the Hearing Examiner transferred the Petitions to the MDC and placed them on MDC May 6, 2026 agenda.

2026-CVR-810 / 2026-CPL-810 | 6801 Stanley Road (NEW)

Decatur Township, Council District #21

D-3

Claudia and Garcia Aboyetes & Jose M. Chicas, by David Gilman

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for two primary dwellings on two lots with the provision of a septic system for each dwelling (connection to public or semipublic sanitary sewer facilities required), and to both legally establish a detached accessory structure with a

5.3-foot north side yard setback (minimum 6-foot side yard required) and temporarily allow for a residential lot improved with solely an accessory structure (not permitted).

Approval of a Subdivision Plat to be known as Replat of Lot 42 in Quilin Acres Subdivision, subdividing 2.01 acres into two lots.

Michael Weigel (Staff) had no further comments.

Hearing no other comments, the Hearing Examiner acknowledged the Automatic Continuance to May 14, 2026, filed by a Registered Neighborhood Organization.

2026-CZN-814 / 2026-CVR-814 | 1438 East Washington Street (Walk-on Request)

Attorney Joseph Calderon explained that he had recently filed a rezoning and companion petition for the Damien Center (1438 East Washington Street). After learning from Staff that the petitions would not be docketed for the Hearing Examiner until May 28, 2026, Mr. Calderon requested that both petitions be transferred to the MDC for an initial hearing on May 20, 2026, as these are related to a tax credit project with deadlines that had to be met in July. Jeff York (Manager, DMD) said the Staff supported the transfer of the petitions to the MDC May 20, 2026 agenda.

Hearing no further comments, the Hearing Examiner transferred the Petitions to the MDC and placed them on MDC May 20, 2026.

EXPEDITED PETITIONS

2026-APP-005 | 4600 Sunset Avenue (NEW)

Washington Township, Council District #7

UQ-1

Butler University, by Brian J. Touhy

University Quarter One Approval to provide for a 16,000 square-foot ballroom that will connect to the existing Clowes Memorial Hall and the Schrott Center for the Arts.

The Petitioner's attorney, Brian Tuohy (9294 North Meridian Street, Indianapolis, IN), said the Director of Campus and Community Development, Butler University, was present along with a long-time alum and advisor to Butler University and an employee of Shiel Sexton. Mr. Tuohy explained he had been in contact with the City-County Councilor, and the Petitioner had been working on plans/strategies to deal with parking needs related to this new development and did not foresee any issues. Mr. Tuohy said he had not received any remonstrance.

Hearing no other comments, the Hearing Examiner recommended Approval of the Petition to the MDC and placed it on the MDC May 6, 2026 agenda.

2026-APP-006 | 1702 & 1706 Ruckle Street and 516 East 17th Street (NEW) |
Center Township, Council District #13
PK-2
Holly Mate Holdings LLC, by Matthew Peyton

Park District-Two Approval to provide for a 5-unit townhome structure with attached garages accessed from the alley to the west.

The Petitioner's representative, Matthew Peyton (6219 Guilford Avenue, Indianapolis, IN), said he had met with the Park Broadway Neighborhood Association. He noted that a letter of support had been received from the Association after making some minor changes to the landscaping plan and structure. In response to the Petitioner's request for an early conditional permit, Mr. Weigel advised that the Petitioner should follow up by email to Staff. The Hearing Examiner also noted a letter of support received from Councilor Brown.

Hearing no other comments, the Hearing Examiner recommended Approval of the Petition to the MDC and placed it on the MDC May 6, 2026 agenda.

2026-ZON-003 | 951 South White River Parkway West Drive
Center Township, Council District #18
951 White River Parkway LLC, by Justin Kingen

Rezoning of 0.99-acre from the SU-2 (RC) district to the CS (RC) district to provide for a surface parking lot.

The Petitioner's representative, Justin Kingen (618 East Market Street, Indianapolis, IN), requested that the Petition, which had been recommended by Staff for approval, be placed on the Expedited docket.

Seeing no remonstrators present and no objection from Kathleen Blackham (Staff), the Hearing Examiner placed the petition on the Expedited docket.

Mr. Kingen explained that the C-S rezoning was to serve the event center across the street, allowing the lot to serve as an overflow parking lot for larger events. He added that this would benefit the neighborhood, reducing the number of cars parked on the street. Some discussions with the Valley Neighborhood led to a request to file a Regional Center petition related to the development of the site, and the Petitioner was committed to doing this after the rezoning of the site.

Kathleen Blackham (Staff) said Staff had no further comments.

After expediting the Petition, the Hearing Examiner recommended Approval to the MDC and placed the Petition on the MDC May 6, 2026 agenda.

2026-ZON-019 | 1714 West Minnesota Street (NEW)
Center Township, Council District #18
Habitat for Humanity of Greater Indianapolis Inc., by Chris Barnett

Rezoning of 0.104-acre from the C-1 district to the D-8 district to provide for residential uses.

The Petitioner's representative, Chris Barnett (3135 North Meridian Street, Indianapolis, IN), explained the request to rezone a vacant lot for which the neighborhood plan had recommended residential use over a long period of time. The plans and site plans had been provided to the West Indianapolis Neighborhood Congress (WIDC) as well as the West Indianapolis Development Corporation. Mr. Barnett said that WIDC had given him a verbal "ok" and had not heard from WINC, which was usually an indication that the organization did not object.

Josh Levesque (Staff) said Staff recommended approval and was unaware of any remonstrance.

Hearing no other comments, the Hearing Examiner recommended Approval of the Petition to the MDC and placed it on the MDC May 6, 2026 agenda.

PETITIONS FOR PUBLIC HEARING:

None.

ADJOURNMENT

There was no further business before the Hearing Examiner, so the meeting adjourned at 1:34 P.M.



Judy Weerts Hall, Hearing Examiner
Metropolitan Development Commission