

**METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA
HEARING EXAMINER**

July 9, 2026

The regular meeting of the Hearing Examiner for the Metropolitan Development Commission of Marion County, Indiana, was scheduled for July 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; Josh Levesque, Senior Planner; Michael Weigel, Principal Planner I; Jeffrey York, Manager; Bryce Patz, Current Planning Administrator; and Nancy Whitaker, Hearing Specialist.

Judy Weerts Hall, Hearing Examiner, called the meeting to order at 1:00 P.M. She reminded attendees to silence electronic devices and to take any conversations to the hallway. She noted that there would be no hearing on July 23, 2026, and that the next Hearing Examiner meeting would be August 13, 2026. She stated that the current planning Staff was continuing to limit the number of new petitions to 10 per hearing for an indefinite period, as authorized under the MDC Rules of Procedure. She stated that the public hearings would be conducted in accordance with the Rules of Procedure of the Metropolitan Development Commission (MDC), and that Petitioners and Remonstrators each had a total of 15 minutes for sworn testimony, followed by the Staff recommendation, and then each side had five minutes for rebuttal. Reasonable additional time would be allowed for any member of the City-County Council. The Hearing Examiner stated that any party dissatisfied with a recommendation or decision had an automatic right to appeal, which must be filed with the Department of Metropolitan Development within five business days, with Notice as required under the MDC Rules of Procedure, and directed parties to contact Staff within one to two days after the hearing to discuss timely Notice using the designated appeal form. She noted that recommendations for zoning approval and modification petitions would be forwarded to the MDC for consideration at its meeting on Wednesday, August 5, 2026, and that any Commitments agreed to for such petitions must be submitted to Staff no later than July 29, 2026. The Hearing Examiner also noted that any variance, plat, and vacation decisions made that day would be final unless the petition decisions were appealed.

The Hearing Examiner then took a moment to honor the memory of Ross Vogelgesang, a longtime Department of Metropolitan Development employee whose contributions to the City of Indianapolis spanned approximately 30 years.

SPECIAL REQUESTS, CONTINUANCES, WITHDRAWALS

2022-CPL-828 | 4514 East 79th Street (Walk-On)

Washington Township, Council District #3

Christopher J. and Barbara W. Bodem, by David Kingen and Emily Duncan

Walk-on request for a waiver of the two-year recording requirement for the plat which had been approved on August 25, 2022.

The Petitioner's representative, Justin Kingen (2722 Manker Street, Indianapolis, IN), requested a waiver of the two-year recording requirement for the Subdivision Plat approved on August 25,

2022. He explained that the plat was a simple two-lot division and that the failure to record within the two-year window was an administrative oversight by the Petitioner's former firm and not the fault of the property owners, who had assumed the process had been completed. He stated the issue came to light only when the owners' architect discovered the parcel had not been split on GIS, and that the owners wished to record the plat within the next month in order to construct a second single-family residence for a family member. Glenn [last name to be confirmed] appeared as the owners' architect.

Jeffrey York (Staff) confirmed the Petition was a companion to a 2022 rezoning case, that the plat was for two lots and required no bonds, and that the two-year deadline had expired on August 25, 2024, nearly two years prior. He stated that as a matter of policy Staff recommended the plat be refiled, noting that the period had extended to nearly four years from the preliminary approval and that the longest prior extension granted had been one year beyond the two-year deadline. He noted that no changes to zoning or subdivision standards had occurred that would affect the plat if it were to be refiled.

Mr. Kingen replied that the spirit of the two-year requirement was to guard against changed conditions and reliance by others, and that neither concern was present for a simple two-lot plat.

The Hearing Examiner denied the special request for a waiver of the two-year recording requirement for 2022-CPL-828.

2026-MOD-003 | 8600 Combs Road

Franklin Township, Council District #25

I-3

Punjab Property Inc., by Patrick Rooney

Modification of Commitments related to Petition 2005-ZON-160 to include Commitment Number 1, to allow for truck or heavy vehicles sales, rental, or repair (commitment allowed only manufacture, assembly of repair of machinery and machinery components in the I-3-S district); Commitment Number 2 to allow for truck or heavy vehicles sales, rental, or repair (commitment allowed only construction companies, contractors, and home remodeling companies in the I-2-S district); Commitment Number 5 to provide for one building subject to the plans and elevations dated February 10, 2026 (required certain exterior materials on mini-warehouse buildings); Commitment Number 6 to protect and preserve existing trees outside of the construction limits and install landscaping subject to the landscaping plan dated February 10, 2026 (commitment provided for landscaping and exterior building materials related to mini-warehouse development); Commitment Number 11 to provide for parking/storage of trucks and trailers subject to the site plan dated February 10, 2026 (identified location of outdoor storage and eliminated outdoor storage of commercial vehicles, semi-truck and trailers); Commitment Number 19 to provide for one building subject to the site plan dated February 10, 2026 (commitment limited building height to 35 feet and not to exceed total of 15,000 square feet); Commitment Number 26 to provide for a perimeter fence and landscaping subject to the site plan dated February 10, 2026 (commitment identified location and materials of fencing); and Commitment Number 17 to be terminated and deleted (commitment limited semi-truck traffic to an average of a total of not more than two trips to and from the site per week).

Nancy Whitaker (Hearing Specialist) read into the record that the Petitioner and Staff were requesting a continuance for cause. Robin Heldman (8824 Combs Road, Indianapolis, IN) appeared and stated she was present but was not requesting a continuance. The Hearing

Examiner acknowledged her presence and confirmed she was aware of the continuance request. Kathleen Blackham (Staff) explained that the Petitioner's representative was looking to amend the PSI plan and that engineering investigation was needed due to a wetland on the site, and that the Petitioner's representative had agreed to the August 27, 2026 hearing. Staff noted the Petition had been pending for some time and confirmed the continuance would be without Notice.

The Hearing Examiner stated that unless there were extenuating circumstances, no further continuances on behalf of the Petitioner would be granted.

Hearing no other comments, the Hearing Examiner continued 2026-MOD-003 to the August 27, 2026 hearing.

2025-ZON-123 | 8500 West 10th Street

Wayne Township, Council District #16

RSJ Holdings, LLC, by NDZA, Inc.

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

The Petitioner's attorney, Justin Kingen (2722 Manker Street, Indianapolis, IN), requested a continuance for cause to August 13, 2026, explaining that modifications to the zoning request were being made, including a change to the zoning district, which would require new Notice to be sent. Kathleen Blackham (Staff) confirmed Staff had been in conversation with the Petitioner's attorney regarding the changes and had no objection to the continuance.

Hearing no other comments, the Hearing Examiner continued 2025-ZON-123 to the August 13, 2026 hearing, with Notice.

2026-ZON-039 | 6501 Mann Road

Decatur Township, Council District #21

Kittle Property Group, by Joseph D. Calderon

Rezoning of 26.83 acres from the SU-1 (FF)(FW) and D-A (FF)(FW) district to the D-7 (FF)(FW) district to provide for a multi-family residential development.

Kathleen Blackham (Staff) requested a continuance for cause to August 13, 2026, stating that there were issues that needed to be resolved relative to the site before it could go forward, and that the Petitioner's representative, Mr. Calderon, was aware of the request.

Hearing no other comments, the Hearing Examiner continued 2026-ZON-039 to the August 13, 2026 hearing.

2026-ZON-049 | 5051 East 16th Street

Center Township, Council District #13

Kahlon Holdings LLC, by Joseph Csikos

Rezoning of 0.8-acre from the C-3 district to the C-4 district to provide for commercial uses.

Nancy Whitaker (Hearing Specialist) read into the record that an Automatic Continuance to August 13, 2026 had been filed by a Registered Neighborhood Organization. Robert Uhlenhake (Staff) had no additional comments.

Hearing no other comments, the Hearing Examiner acknowledged the Automatic Continuance of 2026-ZON-049 to the August 13, 2026 hearing, filed by a Registered Neighborhood Organization.

2026-ZON-051 | 4150 North High School Road

Pike Township, Council District #5

Nica Auto & Fleet Repair, LLC, by David Dearing

Rezoning of 1.9 acres from the C-4 district to the C-7 district to provide for used car sales and heavy vehicle repair.

Nancy Whitaker (Hearing Specialist) read into the record that an Automatic Continuance to August 13, 2026 had been filed by a Registered Neighborhood Organization. Kathleen Blackham (Staff) stated that only the Hearing Examiner's acknowledgment was required.

Hearing no other comments, the Hearing Examiner acknowledged the Automatic Continuance of 2026-ZON-051 to the August 13, 2026 hearing, filed by a Registered Neighborhood Organization.

2026-ZON-052 / 2026-APP-013 | 8700 West 30th Street

Wayne Township, Council District #11

Metropolitan School District of Wayne Township, by Benjamin Jackson

Rezoning of 28.53 acres from the SU-2 district to the PK-1 district for playground and sport court facilities with accessory parking. Park District-One Approval to provide for the construction of a comfort shelter and for repaving and restriping of existing parking and sport court areas.

Sam Schilling (8740 Brookhill Court, Indianapolis, IN), Vice President of the Friends of Robie Park, appeared and asked for the reason for the continuance and whether the rezoning could be heard that day. Michael Weigel (Staff) explained that the Petition had initially been filed and noticed only for the rezoning from SU-2 to PK-1, and that closer to the hearing the Petitioner had determined it would be beneficial to include the companion Park District-One Approval petition so both could proceed through the process together. Because the approval petition had not been included in the original legal Notice, a continuance to August 13, 2026 was required to allow time for new Notice to be sent with the required 23 days. He confirmed that new Notice would be sent. The Hearing Examiner advised Mr. Schilling to stay in contact with Staff and the Petitioner going forward to ensure the hearing remained on track for August 13, 2026.

Hearing no other comments, the Hearing Examiner continued companion Petitions 2026-ZON-052 and 2026-APP-013 to the August 13, 2026 hearing, with Notice.

2026-CPL-822 / 2026-CVR-822 (Amended) | 3731 Wellington Avenue

Warren Township, Council District #9

D-5

Word of God Christian Tabernacle Church, Inc., by Chris Hinkle

Approval of a Subdivision Plat to be known as Bella Rosa Estates, dividing 2.773 acres into 13 single-family detached lots. Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for four lots with less than 40-foot lot width (minimum 40-foot lot width required).

The Petitioner's representative, Kevin Eckert (9138 Anchor Mark Drive, Indianapolis, IN), requested that companion Petitions 2026-CPL-822 and 2026-CVR-822 (Amended) be moved to the expedited portion of the docket. He explained that the plat had been amended from 14 to 13 lots at Staff's request, that Staff supported the request, that a variance on lot width was being sought for four lots, that the Warren Township Development Association had unanimously voted to support the Petition with one commitment regarding driveway length, and that no remonstrators were known to be present. Robert Uhlenhake (Staff) confirmed Staff supported the request and recommended approval subject to two commitments: a driveway length commitment requested by the Warren Township Development Association, and a heritage tree preservation plan to be submitted for the Administrator's Approval prior to the issuance of an ILP.

The Hearing Examiner moved companion Petitions 2026-CPL-822 and 2026-CVR-822 (Amended) to the expedited portion of the docket.

2026-ZON-047 | 448 North Kealing Avenue

Center Township, Council District #13

Willie Whiteside Jr., by Roger Upchurch

Rezoning of 0.1-acre from the C-1 district to the D-5 district to provide for a single-family dwelling.

The Petitioner's attorney, Roger Upchurch [address not given in transcript], requested a waiver of the four-day written Notice and two-day posted Notice. Robert Uhlenhake (Staff) confirmed Staff had no objection to the waiver, noting that the late Notice was due to Staff providing the Notices late and a federal holiday preventing earlier mailing.

The Hearing Examiner granted the four-day waiver of written Notice and two-day waiver of posted Notice for 2026-ZON-047.

2026-CPL-812 / 2026-CVR-812 | 4800 North Raceway Road

Pike Township, Council District #5

D-S

Estate of Lois E. Williams, by John Moore

Approval of a Subdivision Plat, dividing 2.4 acres into three partial lots to be known as Williams Minor Plat, a three-lot subdivision, with the remainder of each lot being in Hendricks County. Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for three lots with reduced lot width (minimum 150-foot required), with reduced street frontage (minimum 75 feet required), reduced lot size (minimum one acre

required), to provide for an accessory structure as the primary use on one lot (not permitted), and a five-foot rear setback (minimum 25-foot setback required).

The Petitioner's attorney, Brian J. Tuohy (9294 North Meridian Street, Indianapolis, IN), requested that companion Petitions 2026-CPL-812 and 2026-CVR-812 be placed on the expedited portion of the docket. He stated that the Pike Township Residents Association (PTRA) had voted unanimously to support the Petition at its June 10, 2026 meeting, that no commitments had been requested, and that the only known written comment was an email received on May 28, 2026 from adjacent property owners David Clemow and Krista Mulkey at 9158 Branch View Drive, opposing the Petition. He stated he had contacted those owners by telephone to explain the scope of the project but had not received a response. Kathleen Blackham (Staff) confirmed that Staff had received the early email from the neighbors but had not heard further from them, which was the reason the Petition had not previously been placed on the expedited docket. The Hearing Examiner stated she would read the neighbor email into the record when the Petition was called.

The Hearing Examiner placed companion Petitions 2026-CPL-812 and 2026-CVR-812 on the expedited portion of the docket.

2026-ZON-058 | 2950 and 2954 McPherson Street

Center Township, Council District #8

Arcadia 1 Development, LLC, by Jynell Berkshire

Rezoning of 0.25-acre from the D-5 district to the D-8 district for residential development.

Robert Uhlenhake (Staff) requested a one-day waiver of both the written and posted Notice, stating that the Petition had a deficient legal Notice.

The Hearing Examiner granted the one-day waiver of written Notice and posted Notice for 2026-ZON-058.

2026-APP-012 | 7431 West 34th Street

Wayne Township, Council District #11

PK-2

Luis Gonzalez Nunez, by Brianna Cushman

Park District Two Approval to provide for an addition to an existing single-family detached dwelling and a detached garage.

Kathleen Blackham (Staff) requested a six-day waiver of written Notice, explaining that Staff had provided the Notice to the Petitioner's representative late and that the posted sign Notice had been timely. She noted that Staff had heard from some neighbors, whose comments would be addressed when the Petition was called. The Petitioner's representative, Brianna Cushman (495 Gondola Run, Greenfield, IN 46140), confirmed that the sign had been posted on time.

The Hearing Examiner granted a six-day waiver of written Notice for 2026-APP-012.

EXPEDITED PETITIONS

The Hearing Examiner explained that expedited petitions are those for which Staff has recommended approval and has not been made aware of any opposition. She stated that if remonstrators or members of the public were present with objections, testimony would be heard before a decision was made.

2026-APP-010 | 136 West 14th Street, 120 West 15th Street, 144 West 16th Street, 1701 & 1801 Senate Boulevard, 2055 North Senate Avenue, 2055 North Capitol Avenue

Center Township, Council District #12

HD-1 (TOD)(W5) & HD-2 (TOD)(W5)(RC)

Indiana University Health, Inc., by Faegre Drinker Biddle & Reath LLP

Hospital District 1 and Hospital District 2 Approval to provide for a sign program for the IU Health Hospital Campus.

The Petitioner's representative, Mark Leach (Faegre Drinker, 600 East 96th Street, Indianapolis, IN), stated the Petition sought approval of a unified sign program for IU Health's new downtown hospital campus, the majority of which was zoned CBD-S, with properties to the north of 16th Street and east of Capitol Avenue zoned HD-1 and HD-2. He confirmed the Petitioner agreed with the Staff Report recommending approval and requested that the approval petition be granted and the submitted Findings of Fact adopted. Josh Levesque (Staff) noted that an updated site plan had been provided showing two pages instead of the previously cropped one, and that the Findings of Fact had been corrected but were accurate as provided.

Hearing no other comments, the Hearing Examiner recommended Approval of 2026-APP-010 and placed the Petition on the MDC August 5, 2026 agenda.

2026-APP-012 | 7431 West 34th Street

Wayne Township, Council District #11

PK-2

Luis Gonzalez Nunez, by Brianna Cushman

Park District Two Approval to provide for an addition to an existing single-family detached dwelling and a detached garage.

The Petitioner's attorney, Brianna Cushman (495 Gondola Run, Greenfield, IN 46140), stated the Petition sought approval for an addition to the existing home and a detached garage, and confirmed the Petitioner agreed with the two conditions in the written Staff Report. Kathleen Blackham (Staff) noted that Staff had received correspondence from neighbors expressing concern that the property remain residential, and that in conversation with Ms. Cushman that morning the Petitioner had agreed to a third commitment limiting the use of the property to residential uses only. She stated there would accordingly be three commitments: substantial compliance with the site plan and elevations file-dated July 9, 2026; dedication of right-of-way; and limitation of the property to residential use only. The Petitioner's representative confirmed agreement with all three commitments.

Hearing no other comments, the Hearing Examiner recommended Approval of 2026-APP-012 and placed the Petition on the MDC August 5, 2026 agenda, subject to three commitments: substantial compliance with the site plan and elevations file-dated July 9, 2026; dedication of right-of-way; and residential use only.

2026-MOD-005 | 7445 Kentucky Avenue

Decatur Township, Council District #21

C-S

Mann Properties, LLC, by Dustin Stevenson (GPD Group, Inc.)

Modification of the C-S Statement related to 2022-ZON-112, item A. Commercial Area, 2. Site Development to allow for 130 parking spaces (development standards of C-3 district shall be required with a maximum of 78 parking spaces permitted).

The Petitioner's representative, Dustin Stevenson (GPD Group, Inc., 1117 Perimeter Center West, Atlanta, GA), stated that the C-S zoning letter required compliance with C-3 zoning standards, which limited parking to one space per 100 square feet, resulting in a maximum of 78 spaces for the proposed 7,825 square foot building, and requested permission for 130 parking spaces, noting the site was not near a bus line. He confirmed that the Decatur Township Civic Council (DTCC) had voted unanimously (31: 0) to support the Petition. Kathleen Blackham (Staff) confirmed that Staff had no objection to approval given the site's distance from transit and had received a letter of support from DTCC.

Hearing no other comments, the Hearing Examiner recommended Approval of 2026-MOD-005 and placed the Petition on the MDC August 5, 2026 agenda.

2026-ZON-047 | 448 North Kealing Avenue

Center Township, Council District #13

Willie Whiteside Jr., by Roger Upchurch

Rezoning of 0.1-acre from the C-1 district to the D-5 district to provide for a single-family dwelling.

The Petitioner's representative, Roger Upchurch (8736 Champions Drive, Indianapolis, IN 46256), stated the rezoning was requested for the construction of a single-family residence. Robert Uhlenhake (Staff) stated that Staff supported the rezoning as appropriate, noting that the current C-1 zoning was a legacy designation related to the former proximity of the RCA plant, and that adjacent residential buildings made the requested D-5 zoning suitable for the site.

Hearing no other comments, the Hearing Examiner recommended Approval of 2026-ZON-047 and placed the Petition on the MDC August 5, 2026 agenda.

2026-ZON-053 | 230 West Morris Street

Center Township, Council District #18

Bana Properties, LLC, by Goitom Beyen

Rezoning of 0.33-acre from the C-1 district to the D-7 district to provide for residential development.

The Petitioner's representative, Goitom Beyen (10190 Longford Drive, Avon, IN 46123), stated that the Petition sought to convert an existing church building from C-1 to D-7 for residential use and confirmed agreement with the two commitments in the Staff Report, requiring the site to be

maintained in a reasonably neat and orderly manner and that development be in substantial compliance with the site plan file-dated June 6, 2026.

Beverly Kane (3255 Winfield Avenue, Indianapolis, IN) appeared in support and stated her family had owned and occupied a property at 1146 South Capitol Avenue since 1958 and also owned properties in the 1100 blocks of Senate and Illinois Streets. She stated she had spoken with the Petitioner [representative], was satisfied that secured parking had been arranged, and welcomed the project to the community on behalf of the Miller family.

Kathleen Blackham (Staff) recommended approval, noting that Indiana Landmarks had requested certain documents but had not followed up further, and that the Old Southside Neighborhood Organization had been working with the Petitioner on a commitment related to short-term rentals. She confirmed the Petitioner had agreed to a third commitment addressing short-term rental limitations, the exact wording of which was to be agreed upon between the Petitioner and the Old Southside Neighborhood Organization. The Petitioner's representative confirmed that the four primary units would be long-term rentals and that one flexible unit, designed to accommodate professionals such as traveling nurses for stays of three to six months or more, would not be offered as a short-term rental of the Airbnb type. This understanding was confirmed with the Old Southside Neighborhood Organization's representative.

Hearing no other comments, the Hearing Examiner recommended Approval of 2026-ZON-053 and placed the Petition on the MDC August 5, 2026 agenda, subject to the two commitments in the written Staff Report and a third commitment restricting short-term rentals as agreed between the Petitioner and the Old Southside Neighborhood Organization.

2026-ZON-054 | 2506 Prospect Street

Center Township, Council District #18

Susan Mitchell, by Antonio Amaryllis

Rezoning of 0.10-acre from the I-3 district to the D-5 district to provide for residential uses.

The Petitioner's representative, Mary Litson (910 Fairfield Avenue, Indianapolis, IN), explained that the request was for the property to remain residential, as it had been zoned residential for many years. Kathleen Blackham (Staff) had no further comments and confirmed Staff had not received any correspondence regarding the Petition.

Hearing no other comments, the Hearing Examiner recommended Approval of 2026-ZON-054 and placed the Petition on the MDC August 5, 2026 agenda.

2026-ZON-058 | 2950 and 2954 McPherson Street

Center Township, Council District #8

Arcadia 1 Development LLC, by Jynell Berkshire

Rezoning of 0.25-acre from the D-5 district to the D-8 district for residential development.

Robert Uhlenhake (Staff) appeared on behalf of the Petitioner and stated that Staff recommended approval of the rezoning to D-8, as the D-8 zoning would allow for development compatible with the area. He noted that on a prior petition for the property a neighborhood

organization had requested commitments, but that Staff had not heard from the neighborhood on this Petition and there were accordingly no commitments.

Hearing no other comments, the Hearing Examiner recommended Approval of 2026-ZON-058 and placed the Petition on the MDC August 5, 2026 agenda.

2026-CPL-812 / 2026-CVR-812 | 4800 North Raceway Road

Pike Township, Council District #5

D-S

Estate of Lois E. Williams, by John Moore

Approval of a Subdivision Plat, dividing 2.4 acres into three partial lots to be known as Williams Minor Plat, a three-lot subdivision, with the remainder of each lot being in Hendricks County. Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for three lots with reduced lot width (minimum 150-foot required), with reduced street frontage (minimum 75 feet required), reduced lot size (minimum one acre required), to provide for an accessory structure as the primary use on one lot (not permitted), and a five-foot rear setback (minimum 25-foot setback required).

The Petitioner's attorney, Brian J. Tuohy (9294 North Meridian Street, Indianapolis, IN), explained that the subject property consisted of a thin strip of land on the west side of Raceway Road (the county line), that remained in Marion County, with the bulk of the three proposed lots lying in Hendricks County. He stated this situation arose from a historical reconfiguration of the road, and that the Estate of Lois Williams wished to develop three residential lots, requiring variances for reduced lot width, reduced street frontage, reduced lot size, an accessory structure as the primary use on one lot, and a reduced rear setback for a long-existing garage.

The Hearing Examiner read into the record an email dated May 28, 2026, from David Clemow and Christa Mulkey at 9158 Branch View Drive, requesting denial of all requested exceptions and citing concerns about ordinance lot size standards, frontage and setback requirements, and potential future municipal infrastructure issues. She noted that the Petitioner's attorney had attempted to contact the neighbors by telephone to explain the scope of the project but had not received a response.

Kathleen Blackham (Staff) confirmed Staff recommended approval, noting the unusual situation of a parcel straddling the county line and that the variances were considered reasonable given the configuration, and that no further correspondence had been received from the neighbors after the initial email.

Hearing no other comments, having expedited the Petitions, the Hearing Examiner approved and found that Plat 2026-CPL-812, file-dated March 3, 2026, complied with the standards of the subdivision regulations, subject to the 11 conditions in the written Staff Report. She granted 2026-CVR-812, subject to the site plan, and adopted the Findings of Fact.

2026-CZN-816 / 2026-CVR-816 | 4511 Allisonville Road

Washington Township, Council District #8

MU-1 (FF)

Broad Ripple Construction, LLC, by Joseph D. Calderon
Rezoning of 0.21-acre from MU-1 (FF)(W-1) to C-S (FF)(W-1) to provide for a contractor's office, offices, light manufacturing, artisan manufacturing, research and development, consumer services and repair of consumer goods, vocational, technical, or industrial school, medical or dental offices, hair and body salon, financial and insurance offices, and a day care.
Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a reduction of the transparency requirement of the front façade between three feet and eight feet of the wall surface, within 50 feet of a primary entrance (minimum 40% transparency required), and to provide for a six-foot-tall fence within the front yard (maximum height of 3.5 feet permitted).

The Petitioner's attorney, Joseph D. Calderon (11 South Meridian Street, Indianapolis, IN), expressed appreciation to Staff and the Hearing Examiner for their patience during the extended process. He stated that the additional time had been well spent, allowing for an accurate understanding of the right-of-way grant's impact on the property, a redesign of the building, and a revision of the C-S statement to reflect the proposed occupancy by Broad Ripple Construction. He confirmed the Petitioner's agreement with all four commitments (three in the written Staff Report and a fourth requiring substantial compliance with the building renderings file-dated July 8, 2026.) He noted that the variance for a decorative six-foot fence in the front yard was appropriate for a commercial operation, and that the transparency variance was necessitated by an overhead drive-in door and the narrow configuration of the parcel. Kathleen Blackham (Staff) recommended approval of both the rezoning and the two development standard variances, confirming the three commitments in the written Staff Report along with the fourth commitment regarding the building renderings file-dated July 8, 2026.

Hearing no other comments, having expedited the Petitions, the Hearing Examiner recommended Approval of 2026-CZN-816 and placed the Petition on the MDC August 5, 2026 agenda, subject to the three commitments in the written Staff Report and a fourth commitment that the development substantially complies with the building renderings file-dated July 8, 2026. She granted 2026-CVR-816, subject to the site plan, and adopted the Findings of Fact.

2026-CVC-819 | 5849 Crittenden Avenue (Assessment of Benefits Hearing)

Washington Township, Council District #7

SU-2 (Pending)

Roman Catholic Archdiocese of Indianapolis Properties, Inc., as Trustee, Bishop Chatard High School, Inc., by Brian J. Tuohy

Vacation of a portion of East Northgate Street, being 50 feet wide, from the east right-of-way line of Crittenden Avenue (also being the northwest corner of Lot 100 of Northdale, an addition to the City of Indianapolis), 279 feet to a point (also being the northeast corner of Lot 30 in said subdivision).

The Petitioner's attorney, Brian J. Tuohy (9294 North Meridian Street, Indianapolis, IN), stated this was the assessment of benefits portion of the previously approved vacation of a section of Northgate Street east of Crittenden Avenue. He advised that the appraiser had returned an appraised value of \$4,000 and that the Petitioner agreed with the assessment. Kathleen Blackham (Staff) confirmed that Staff had reviewed the appraisal report and approved it and directed the Hearing Examiner to the recommended motion on Page 139 of the Staff Report.

Hearing no other comments, having expedited the Petition, the Hearing Examiner sustained, confirmed, approved, and adopted the final assessment role in 2026-CVC-819, assessing benefits therewith in the amount of \$4,000, and ordered that the Petitioner pay the appraiser's fee of \$1,000.

PETITIONS FOR PUBLIC HEARING

2026-CZN-821 (Withdrawn) / 2026-CVR-821 | 3404, 3432, 3434, 3438, and 3444 North Illinois Street (Amended during hearing)

Center Township, Council District #8

Redline Holdings XII, LLC, by Justin Kingen

Rezoning of 1.12 acres from the D-10 (TOD) district to the MU-2 (TOD) district to provide for a mixed-use development, including approximately 99 dwelling units and 2,507 square feet of commercial space.

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a Large Mixed-Use development (not permitted); ~~with a 10-foot front yard setback (25-foot front setback required);~~ with a zero-foot rear yard setback (minimum 10 feet required); with a perimeter yard from zero to 10 feet in width (minimum of 20 feet required); ~~with one primary entry feature (minimum of one primary entry feature for every 50 feet required);~~ to provide for excessive wall plane or blank wall façade (blank wall limited to 50 linear feet and 600 square feet of façade); with a FAR of 2.77 (maximum 0.80 FAR permitted); with a LSR of 0.078 (0.66 required); with 47 on-street and off-street parking spaces provided (minimum 82 parking spaces required); with reduced first-story transparency (minimum 60% transparency required) and reduced upper-story transparency (minimum 20% transparency required); and ~~with eight street trees along North Illinois Street (11 street trees required).~~

The Petitioner's attorney, Justin Kingen (2722 Manker Street, Indianapolis, IN), noted for the record that 2026-CZN-821 had been previously withdrawn. He stated that the underlying D-10 zoning, approved by the MDC in 2024 under Petitions 2024-ZON-042 and 2024-VAR-007, entitled the site for multi-family housing, and that the current variance petition sought a variance of use to allow 2,500 square feet of ground-floor commercial space within the already-approved building, along with related development standard variances. He noted that the amended Petition reduced the number of variances from eight to five, with the requests for the 10-foot front yard setback from Illinois Street, the primary entry feature variance, and the street trees variance being withdrawn due to design modifications, leaving the following five: perimeter yard, rear yard setback, floor area ratio, landscape surface ratio, and vehicle parking. He referenced the Crown Hill Neighborhood 34th Street Redevelopment Plan, Page 24, which called for 2,400 square feet of commercial space at this specific site, noting the Petition would exceed that recommendation. He stated a letter of support had been received from City-County Councilor Ron Gibson and that the project had been presented at multiple meetings with neighborhood groups including the Crown Hill Neighborhood Association, Midtown Indy, and Mapleton Fall Creek CDC.

Diana Burdick (DTM Real Estate, 8250 Haverstick Road, Suite 230, Indianapolis, IN), stated that DTM had been meeting with the Crown Hill Neighborhood Association (CHNA) since 2023, including appearances before the neighborhood association and its board, and had worked with Midtown Indy and Mapleton Fall Creek CDC as facilitators. She stated that the project was a tax credit development with INHP as the landowner and that the Petitioner had been responding

to the neighborhood's request for commercial space, which was the reason for the current variance of use petition.

The Hearing Examiner read into the record a letter of support dated May 29, 2026, from City-County Councilor Ron Gibson, and a letter of support dated June 27, 2026, from Nathaniel Martin Nelson of an adjacent neighborhood, both in favor of the Petition.

The following remonstrators appeared:

Danita Hoskin (3434 North Kenwood Avenue, Indianapolis, IN), President of the CHNA, stated that the neighborhood's voices had not been adequately considered, that the community development corporations referenced by the Petitioner deferred to the Crown Hill Neighborhood Association on this matter, and that while the Association supported commercial development and additional housing, it raised concerns about the extent of the variance requests, the lack of meaningful engagement, and the precedent that approval might set for the corridor.

Johnathan Onuorah (3150 North Capitol Avenue, Indianapolis, IN), Chair of the CHNA Land Use Committee and the 34th Street Corridor Community, stated that the Petitioner had not engaged meaningfully with the neighborhood, had not seen the letter from Mr. Nelson, that decisions had been made without the neighborhood's input, and objected to the volume and nature of the variance requests. He also felt that the amount of area designated for retail space was too small.

Claudia Ross (3161 North Kenwood Avenue, Indianapolis, IN), a Crown Hill homeowner of approximately 15 years, stated that if the project truly fit the site, it should not require so many variances, and questioned the purpose of the city's development standards if they could be waived for a single project.

Annette Maddox (3730 North Capitol Avenue, Indianapolis, IN), a Crown Hill resident of approximately 15 years, stated the proposal did not support the neighborhood's need for structured, high-utility commercial development and opposed the Petition.

Kathleen Blackham (Staff) recommended approval of the variance of use and the remaining five development standard variances, noting consistency with the Comprehensive Plan's village mixed-use designation, the site's proximity to the Red Line transit station at Meridian Street and 30th Street, the support for similar variances at the time of the 2024 D-10 rezoning, and the challenges inherent in developing an infill site of this configuration. She confirmed that the three withdrawn variances reduced the total from eight to five and that the vehicle parking reduction was supportable given transit access.

In rebuttal:

Ms. Burdick relayed that she had attended two neighborhood association meetings and was asked to leave at the 2nd meeting. She reiterated that the plan was for 2500 square feet of commercial space and relayed the Midtown representative was "okay" with the development moving forward.

Wayne Maddox (3730 North Capitol Avenue, Indianapolis, IN) stated that the project included no provisions for grocery access. Mr. Onuorah reiterated that the neighborhood had not been meaningfully consulted and that the decisions cited by the Petitioner had been made without the neighborhood's knowledge or consent.

Annette Maddox reiterated opposition, stating that the neighborhood already had apartments along the corridor and lacked commercial and community gathering spaces. Mr. Onuohah maintained his opposition to the Petition. Ms. Maddox said the neighbors were opposed to apartments at this location and wanted commercial development.

The Hearing Examiner acknowledged the strong feelings of the neighborhood, encouraged continued dialogue between the parties, and noted that the underlying zoning of the property was D-10 (high-density residential). She stated that the variance requests, as amended to five, were supportable given the proximity to the Red Line, the infill nature of the site, and the development standards approved in 2024. She noted that any party dissatisfied with the decision had the right to appeal within five business days, which would place the matter on the MDC August 5, 2026 agenda.

The Hearing Examiner approved 2026-CVR-821, subject to the site plan, and adopted the Findings of Fact.

2026-CPL-822 / 2026-CVR-822 (Amended) | 3731 Wellington Avenue

Warren Township, Council District #9

D-5

Word of God Christian Tabernacle Church, Inc., by Chris Hinkle

Approval of a Subdivision Plat to be known as Bella Rosa Estates, dividing 2.773 acres into 13 single-family detached lots. Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for four lots with less than 40-foot lot width (minimum 40-foot lot width required).

This matter had been placed on the expedited portion of the docket during special requests but was removed from the expedited docket upon the appearance of a Remonstrator and was heard under the public hearing docket.

The Petitioner's representative, Kevin Eckert (9138 Anchor Mark Drive, Indianapolis, IN), stated the subdivision plat, as amended from 14 to 13 lots at Staff's request, proposed single-family detached lots on a site formerly improved by a swim club demolished in the 1970s. He stated the Warren Township Development Association had voted unanimously to support the Petition with a commitment that driveways for each home accommodate at least two vehicles, confirmed the Petitioner would undertake a heritage tree study, and expressed the Petitioner's desire to retain as much foliage as possible, while acknowledging that retention could not be committed to until final lot layouts were determined.

The Hearing Examiner read into the record a letter of support dated July 2, 2026, from the Warren Township Development Association, signed by its President Phillips, unanimously supporting the Petition with the driveway accommodation commitment.

Jim Kane (8215 East 37th Place, Indianapolis, IN), President of the 38th and Franklin Road Neighborhood Association, appeared as a Remonstrator and stated his organization's concern centered on five heritage trees on the site (four oaks and one eastern cottonwood), all healthy, 65 years or older, and over three feet in diameter. He stated that a commitment to retain the trees specifically was preferable to a study that might result in their removal, noting that

replacement plantings could not replicate the oxygen production and carbon capture capacity of mature hardwood trees, particularly given the site's proximity to Interstate 465.

Robert Uhlenhake (Staff) recommended approval of 2026-CPL-822, finding that the plat, to be submitted for Administrator's Approval, would comply with the standards of the subdivision ordinance subject to the 10 conditions in the Staff Report. He noted the site was zoned D-5, had been undeveloped for a significant period, and that while the Comprehensive Plan recommended office-commercial for the area, the lack of access to 38th Street made commercial development unlikely. He confirmed the lots would lead to an extension of the Wellington Avenue cul-de-sac to be constructed by the Petitioner, with sidewalks per code. For 2026-CVR-822 (Amended), he recommended approval subject to two commitments: the driveway length commitment from the Warren Township Development Association (WTDA), and a heritage tree preservation plan to be submitted for Administrator's Approval prior to the issuance of an ILP. He also noted that an updated survey would need to be submitted for Administrator's Approval reflecting the reduction from 14 to 13 lots.

In rebuttal, the Petitioner's representative, Mr. Eckert, reiterated the Petitioner's desire to retain the heritage trees and confirmed agreement with the tree preservation plan commitment, while noting that retention could not be guaranteed until final lot layouts were determined.

Mr. Kane reiterated his concern that without a specific commitment to retain the trees, there would be nothing to prevent their removal once the Petition was approved.

The Hearing Examiner recommended Approval of 2026-CPL-822 and found that the plat, to be submitted for Administrator's Approval, would comply with the standards of the subdivision regulations subject to the 10 conditions listed in the Staff Report. She granted 2026-CVR-822 (Amended), subject to the site plan and the following commitments: (1) driveways for each home to accommodate a minimum of two vehicles; and (2) a heritage tree preservation plan to be submitted for administrator's approval prior to the issuance of an ILP. She adopted the Findings of Fact and noted that an updated survey reflecting the amended 13-lot plat would be submitted for Administrator's Approval.

ADJOURNMENT

There was no further business before the Hearing Examiner, so the meeting was adjourned at 3:35 P.M.


Judy Weerts Hall, Hearing Examiner
Metropolitan Development Commission