

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

August 13, 2026

The regular meeting of the Hearing Examiner for the Metropolitan Development Commission of Marion County, Indiana, was scheduled for August 13, 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; Noah Pappas, Manager; and Nancy G. Whitaker, Administrative Coordinator.

Judy Weerts Hall, Hearing Examiner, called the meeting to order at 1:00 P.M. She noted that Current Planning Staff was continuing to limit the number of new Petitions docketed for the Hearing Examiner to 10 for an indefinite period. 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 additional Notice as required under the MDC Rules of Procedure, and instructed parties to contact Staff within one to two days after the hearing to discuss the 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, September 2, 2026, and that any Commitments agreed to for such Petitions must be submitted to Staff no later than August 26, 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.

SPECIAL REQUESTS, CONTINUANCES, WITHDRAWALS

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.

****Petitioner has withdrawn the Petition.**

No one was present to speak on behalf of the Petitioner. Kathleen Blackham (Staff) stated that the Petitioner's representative had emailed on August 4, 2026 that the Petitioner was withdrawing the Petition.

Hearing no other comments, the Hearing Examiner acknowledged the Withdrawal of 2025-ZON-123.

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.

****Petitioner has withdrawn the Petition.**

No one was present to speak on behalf of the Petitioner. Robert Uhlenhake (Staff) had no additional comments.

Hearing no other comments, the Hearing Examiner acknowledged the Withdrawal of 2026-ZON-049.

2025-CZN-865 (Amended) / 2025-CVR-865 (Amended) | 405, 409, and 411 South Shortridge Road
Warren Township, Council District #20
SRMK Realty, LLC, by Justin Kingen

Rezoning of 8.48 acres from C-S to C-S to provide for all I-1 uses, truck and trailer parking, auto-related service or repair, outdoor storage of contractor equipment, vehicles awaiting repair, and recreational vehicles.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 125-foot front yard setback (maximum front yard setback of 85 feet permitted); off-street parking area within the front yard with a zero-foot setback (not permitted, 10-foot front setback required); side yard setbacks from four and eight feet (10-foot side yard required); a ten-foot-tall chain link fence within the side and rear yards and a six-foot tall chain link fence in the front yard (maximum six-foot-tall fence permitted within the side and rear yards and maximum 3.5-foot-tall fence permitted in the front yard); and deficient landscaping in the rear transitional yard buffer (15-foot transitional yard landscape buffer required).

****Petitioner has withdrawn the Petitions.**

No one was present to speak on behalf of the Petitioner. Kathleen Blackham (Staff) stated that the Petitioner's representative had submitted an email on August 4, 2026, withdrawing the Petitions.

Hearing no other comments, the Hearing Examiner acknowledged the Withdrawal of Companion Petitions 2025-CZN-865 (Amended) and 2025-CVR-865 (Amended).

2026-APP-014 | 524 East 16th Street
Washington Township, Council District #13
PK-2
Kroger Limited Partnership I, by CJ McDonald

Park District Two Approval to provide for one freestanding sign and one building signs on existing building.

****Staff request for continuance for cause to September 24, 2026, with Notice.**

No one was present to speak on behalf of the Petitioner. Kathleen Blackham (Staff) said that continuance was needed because the Petitioner needed to file a sign variance which would require Notice.

Hearing no other comments, the Hearing Examiner continued 2026-APP-014 to the September 24, 2026 meeting, 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.

****Petitioner request for continuance for cause to September 24, 2026.**

The Petitioner's attorney, Joseph Calderon (11 South Meridian Street, Indianapolis, IN), asked for a continuation until September 24, 2026. He stated that continuance was needed to allow resolution of a title issue regarding a parcel adjoining the north side of the subject property, which, if determined to be vested with the subject property, could result in a significant site plan change. He also noted that that he had been in ongoing discussions with the Decatur Township Civic Council (DTCC) regarding this issue. Kathleen Blackham (Staff) had no additional comments.

Hearing no other comments, the Hearing Examiner continued 2026-ZON-039 to the September 24, 2026 meeting, without Notice unless required.

2026-ZON-041 | 3553 Shelby Street
Perry Township, Council District #23
Cameron & Caden Shake, by Mark & Kim Crouch

Rezoning of 0.48-acre from the C-3 (TOD) district to the D-10 (TOD) district to provide for multifamily housing.

****Petitioner request for continuance for cause to September 10, 2026.**

No one was present to speak on behalf of the Petitioner. Josh Levesque (Staff) said that a one-month continuance would allow the Petitioners to finalize new site plans after acquiring an additional parcel which would be included, and that new Notice was required. Mr. Levesque stated that Staff would not support any further continuance made by the Petitioner, noting that the Petition had been initially filed in June.

Hearing no other comments, the Hearing Examiner continued 2026-ZON-041 to the September 10, 2026 meeting, with Notice.

2026-ZON-059 | 337 East Morris Street
Center Township, Council District #18
Habitat for Humanity of Greater Indianapolis, Inc, by Chris Barnett

Rezoning of 0.093-acre from the SU-1 district to the D-8 district to provide for residential uses.

****Petitioner request for continuance for cause to August 27, 2026.**

No one was present to speak on behalf of the Petitioners. Robert Uhlenhake (Staff) noted that the Petition had initially been filed for a July 23rd hearing, but that meeting had been canceled, moving the Petition to this hearing. However, the Petitioner had already scheduled to be out of town. Therefore, a two-week continuance was needed without Notice.

Hearing no other comments, the Hearing Examiner continued 2026-ZON-059 to the August 27, 2026 meeting.

2026-ZON-066 | 931 South East Street

Center Township, Council District #18

AKAL Investments, Inc., by Josh Smith (RG Development, LLC)

Rezoning of 0.222-acre from the C-5 (RC) district to the D-8 (RC) district to provide for residential development.

****Staff request for continuance for cause to September 10, 2026.**

No one was present to speak on behalf of the Petitioners. Kathleen Blackham (Staff) said that the continuance was necessary to allow time to finalize the legal description for the site, and that a continuance without Notice would be needed.

Hearing no other comments, the Hearing Examiner continued 2026-ZON-066 to the September 10, 2026 meeting.

2026-CZN-829 / 2026-CVR-829 | 5430 West 86th Street

Pike Township, Council District #1

RaceTrac Petroleum, Inc., by Jasvir Singh

Rezoning of 3.05 acres from the C-4 district to the C-7 district to provide for high-intensity commercial uses.

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for commercial truck parking.

****Staff request for continuance for cause to September 10, 2026, with Notice.**

No one was present to speak on behalf of the Petitioner. Kathleen Blackham (Staff) stated that the Petitioner and his representative had filed a variance amending the request, which would require a continuance with Notice.

Hearing no other comments, the Hearing Examiner continued Companion Petitions 2026-CZN-829 and 2026-CVR-829 to the September 10, 2026 meeting, with Notice.

2026-CZN-834 / 2026-CPL-834 | 6509 Dean Road

Washington Township, Council District #3
K and D Epic Holdings, LLC, by David Gilman

Rezoning of 1.73 acres, from the D-S district to the D-1 district to provide for two, detached single-family dwellings.

Approval of a Subdivision Plat to be known as Dean Road Estates, subdividing 1.73 acres into two lots.

****Automatic Continuance to September 10, 2026, filed by a City-County Councilor.**

Kathleen Blackham (Staff) had no additional comments.

Hearing no other comments, the Hearing Examiner acknowledged the Automatic Continuance of Companion Petitions 2026-CZN-834 and 2026-CPL-834 to the September 10, 2026 meeting, filed by a City-County Councilor.

2026-MOD-001 | 7536 South Emerson Avenue

Perry Township, Council District #24

D-P

HSL Emerson, LLC, by Joseph D. Calderon

Modification of the site plan and Development Statement related to 2023-ZON-050 to remove age restriction of head of household (head of household being at least 55 years of age); allow multi-family units within five buildings (multi-family units limited to a single building); remove all references to Lot A; provide for a clubhouse and pool as a permitted accessory use; reduce accessory use setback along southern property line to 10 feet (accessory use setback along southern property line required 20 feet); provide for no less than 200 parking spaces (no less than 130 parking spaces allowed); provide for required bicycle parking spaces; and amend site plan in accordance with the amended Development Statement.

The Petitioner's attorney, Joseph Calderon (11 South Meridian Street, Indianapolis, IN), asked that the Petition be placed on the expedited portion of the docket. He noted that Staff supported the Petition, that the Petitioner had been in contact with the neighborhood, and no additional correspondence had been received since spring besides a letter forwarded from a nearby church.

The Hearing Examiner noted that April remonstrance letters were on file, with that the church's letter had been received on this day. Kathleen Blackham (Staff) stated that Staff did not object to expediting the Petition.

Hearing no other comments, the Hearing Examiner placed 2026-MOD-001 on the expedited portion of the docket.

2026-CVR-835 / 2026-CPL-835 | 3989 Meadows Drive

Washington Township, Council District #8

D-8

Temple of Praise Assembly Church, by Misha Rabinowitch

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a proposed multi-family development, consisting of 32 units (Medium

Apartment), (maximum of 12 units or Small Apartment permitted), with 11 parking spaces (minimum of 32 spaces required), a building height of 40 feet (maximum building height of 35 feet permitted); and parking within the side yard setback (not permitted).

Approval of a Subdivision Plat to be known as The Meadows Replat of Block Q and part of Block P, subdividing 2.15 acres into two lots.

The Petitioner's attorney, Misha Rabinowitch (One Indiana Square, Suite 1800, Indianapolis, IN), asked that the Petitions be placed on the expedited portion of the docket. He said that, although an email had been received expressing concern about a lack of neighborhood engagement, the Petitioner had held a video conference with neighborhood representatives earlier in the week and that the person who had raised the concern had emailed this morning that she did not oppose the project. The Hearing Examiner noted some confusion regarding two emails received from a neighborhood representative, Ashley Gerwitz Lindrum, noting neither email stated opposition. The Hearing Examiner also confirmed receipt of a neighbor's support letter. However, she had not received a copy of the letter from Councilor Gibson. Kathleen Blackham (Staff) said that Staff did not object to expediting the Petitions.

Hearing no other comments, the Hearing Examiner placed Companion Petitions 2026-CVR-835 and 2026-CPL-835 on the expedited portion of the docket.

2026-ZON-043 | 7030 East 33rd Street

Center Township, Council District #9

Damion Wiggins

Rezoning of 1.19 acres from the MU-1 district to the C-5 district for a used automobile sales business.

Kathleen Blackham (Staff) requested a continuance of the Petition to September 10, 2026, without Notice, to allow for further discussions between Staff and the Petitioner regarding the Petition. No one was present to speak on behalf of the Petitioner. The Hearing Examiner noted that a remonstrance email had been received and asked if the sender had been made aware of the continuance request. Ms. Blackham relayed that she would share the continuance information with the person who sent the email.

Hearing no other comments, the Hearing Examiner continued 2026-ZON-043 to the September 10, 2026 meeting.

2026-ZON-018 / 2026-VAR-004 | 5510 Millersville Road

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.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for an outdoor animal run/exercise area located 88 feet from a protected district (100-foot separation required).

Robert Uhlenhake (Staff) noted that the Petition had been continued many times but that discussions between the Petitioner, City-County Councilor Boots, and the neighborhood were progressing, and that

all parties requested an additional continuance to September 10, 2026. Mr. Uhlenhake said that, prior to the continuance, the Petitioner had withdrawn the companion variance, 2026-VAR-004, noting that a revised site plan removing the rear entrance onto De Quincey Street and a dog run eliminated the need for the variance. The revised site plan was included within the Staff Report.

Hearing no other comments, the Hearing Examiner acknowledged the Withdrawal of 2026-VAR-004 and continued 2026-ZON-018 to the September 10, 2026 meeting, without Notice.

2026-ZON-045 | 2003 North College Avenue

Center Township, Council District #13

Maigida Investment LLC, by David Gilman

Rezoning of 0.11-acre from the D-8 district to the MU-2 district to provide for a small mixed-use development.

Robert Uhlenhake (Staff) stated that the Petitioner requested continuance to August 27, 2026 to allow the Petitioner and the neighborhood to negotiate Commitments. Alita Osborne (1957 North College Avenue, Indianapolis, IN) stated that she had not been aware of the request for continuance and reported that efforts to obtain information from the Petitioner's representative after the June 25, 2026 hearing were ongoing. The Hearing Examiner confirmed with Mr. Uhlenhake that the continuance request from Stephen Wrench, President of the Broadway Park Neighborhood Association, had been received shortly before publication of the Staff Report, noting the request had been made by the neighborhood association and the Petitioner. The Hearing Examiner apologized to Ms. Osborne for the inconvenience and asked Staff to share contact information for both Mr. Wrench and the Petitioner's representative, David Gilman, with Ms. Osbourne.

Hearing no other comments, the Hearing Examiner continued 2026-ZON-045 to the August 27, 2026 meeting.

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.

Kathleen Blackham (Staff) asked for a continuance for the Petition to August 27, 2026, noting that she had spoken with the Pike Township Residents Association (PTRA) the morning of this hearing and that questions were raised regarding the site and the request. Ms. Blackham said she wanted to hold further discussions with the Petitioner's attorney. The Petitioner's attorney, David Dearing, opposed the continuance, relaying that the Petitioner had met twice with PTRA, including the previous evening, had reached agreement on Commitments, and that PTRA's president had stated the Commitments in an email this morning. Mr. Dearing said that he had called Ms. Blackham the previous day but she had not returned his call, and that, according to a conversation with Ms. Blackham the prior week, the Petition would remain on the expedited portion of the docket. Ms. Blackham countered that she had returned his call that morning and left a message. The Hearing Examiner stated that she would grant a continuance or would hear the Petition that day, but that her recommendation would be denial because of outstanding issues. Mr. Dearing agreed under protest to the continuance, "reserving my objection for the record."

Hearing no other comments, and over the Petitioner's Attorney's objection, the Hearing Examiner continued 2026-ZON-051 to the August 27, 2026 meeting.

EXPEDITED PETITIONS

The Hearing Examiner explained that the expedited docket consisted of Petitions for which Staff had recommended approval and Staff was not aware of any opposition, and that testimony would be heard from any Remonstrators or members of the public present before a decision was made on any expedited Petition. Ms. Whitaker read the expedited Petitions into the record and administered the oath to all (as a group) who intended to testify on the Petitions.

2026-MOD-004 | 8133 East 96th Street

Lawrence Township, Council District #4

C-4

French Associates LLC, by Ashley Wallis

Modification of Commitments related to 95-Z-55 (1995-0116318), to modify Commitment #2, to permit development that is consistent and generally in conformance with the submitted site plan, file-dated August 2, 2025 (current commitment limits development to site plan file dated August 22, 1995).

The Petitioner's attorney, Bill French (French Associates, One America Square, Suite 1800, Indianapolis, IN), testified that the Petitioner felt the revised Commitment had addressed the matter. Robert Uhlenhake (Staff) had no further comments.

Hearing no other comments, the Hearing Examiner recommended Approval of 2026-MOD-004 to the MDC and placed the Petition on the MDC September 2, 2026 agenda.

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.

The Petitioner's representative, Ben Jackson, Principal Planner, spoke on behalf of Indy Parks. The Hearing Examiner confirmed support letters from City-County Councilor Wells, Friends of Riverside Park, and a neighbor had been received. Michael Weigel (Staff) had noted that an audience member was present with questions related to CD #11. Desi Smith (3070 Firestone Circle, Indianapolis, IN) stated that she had received a letter indicating that half of the property would be taken and wanted more information. The Hearing Examiner offered Ms. Smith the opportunity to speak with Mr. Jackson directly, outside of the meeting room, and noted she would have the option of continuing the Petition if she needed additional time.

The matter was then taken up later in the meeting. Mr. Jackson explained that the Petitions sought approval for repaving an existing multi-use court, two pickleball courts, a tennis court, and a basketball court, along with repaving of the existing parking lot, funded through a City-County Councilor-funded

project. He said that aging playground equipment, which duplicated services already provided by the school, would be moved, and that a previously proposed comfort station would not be constructed due to funding constraints, although approval was being sought in order that the Petitioner would be able to install it in the future when funding became available. Mr. Jackson confirmed that the Petitions would not change the boundaries of the park which Indy Parks utilized under a longstanding agreement with Wayne Township Schools. Ms. Smith confirmed that the explanation provided was satisfactory. Michael Weigel (Staff) stated that Staff recommended approval of the PK-1 rezoning to match current land use and to serve as an amenity for the surrounding area, and that Staff recommended approval of the approval Petition.

Hearing no other comments, the Hearing Examiner recommended Approval of 2026-ZON-052 and 2026-APP-013 to the MDC and placed the Petitions on the MDC September 2, 2026 agenda.

2026-ZON-055 | 1624 East 46th Street
Washington Township, Council District #7
K & D Epic Holdings LLC, by David Gilman

Rezoning of 0.14-acre from the SU-1 district to the D-5 district to allow for residential uses.

No one was present to speak on behalf of the Petitioner.

Hearing no other comments, the Hearing Examiner continued 2026-ZON-055 to the August 27, 2026 meeting.

2026-ZON-062 | 1234 West 30th Street
Center Township, Council District #12
Trending Transpiration CL and Hauling, by Keith Radcliff

Rezoning of 0.13-acre from the C-3 district to the D-5 district to provide for single-family residential development.

The Petitioner's representative, Keith Radcliff (Premeer Investment Group, 6027 Tammin Drive, Indianapolis, IN), had no comments. Michael Weigel (Staff) had no further comments.

Hearing no other comments, the Hearing Examiner recommended Approval of 2026-ZON-062 to the MDC and placed the Petition on the MDC September 2, 2026 agenda.

2026-ZON-063 | 3009 and 3015 North Gale Street
Center Township, Council District #8
REDX Group LLC, by Alex Sedique

Rezoning of two lots, totaling 0.35-acre, from the SU-1 district to the D-5 district to provide for residential purposes.

The Petitioner's representative, Alex Sedique, and Josh Levesque (Staff) had no additional comments.

Hearing no other comments, the Hearing Examiner recommended Approval of 2026-ZON-063 to the MDC and placed the Petition on the MDC September 2, 2026 agenda.

2026-ZON-064 | 1004 South Keystone Avenue

Center Township, Council District #18

RET Holdings II LLC, by Madelynn Turner

Rezoning of 0.11-acre from the I-3 district to the D-5 district to legally establish an existing single-family dwelling and for construction of a detached accessory building.

The Petitioner, Madelynn Turner (1506 West Smith Valley Road, Greenwood, IN), and Michael Weigel (Staff) had no additional comments.

Hearing no other comments, the Hearing Examiner recommended Approval of 2026-ZON-064 to the MDC and placed the Petition on the MDC September 2, 2026 agenda.

2026-CZN-828 / 2026-CVR-828 | 1170 Kentucky Avenue

Center Township, Council District #18

KM23 Property, LLC, by Justin Kingen

Rezoning of 1.569 acres from the C-1 (FF) district to the C-4 (FF) district to provide for commercial uses.

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for a commercial and building contractor.

The Petitioner's representative, Justin Kingen (2722 Manker Street, Indianapolis, IN), said the Petitioner was in agreement with the two Commitments in the Staff Report and noted that, after discussions with the West Indianapolis Neighborhood Congress, the West Indianapolis Development Corporation, and the Valley Neighborhood Association, the Petitioner had also agreed to 33 excluded uses, which had been submitted to Staff. Kathleen Blackham (Staff) confirmed that Staff recommended approval, subject to the two Commitments in the Staff Report and the additional excluded uses.

Hearing no other comments, the Hearing Examiner recommended Approval of 2026-CZN-828 to the MDC, subject to the two Commitments in the Staff Report and a commitment to exclude 33 uses requested by neighborhood groups, and placed the Petition on the MDC September 2, 2026 agenda. The Hearing Examiner granted 2026-CVR-828, subject to the site plan, and adopted the Findings of Fact.

2026-CZN-831 / 2026-CVR-831 | 1144 South Belmont Avenue

Center Township, Council District #18

Alex Kercheval, by Ryan M. Spahr

Rezoning of 0.25-acre from the D-5 district to the C-3 district to provide for commercial uses.

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a recording studio (not permitted), without required transitional side and rear yard setbacks (minimum 10-foot side and rear transitional yard setbacks required).

The Petitioner's attorney, Ryan Spahr (1292 East 91st Street, Indianapolis, IN), represented the Petitioner, Alex Kercheval, who was also present. Mr. Spahr described three Commitments: A Staff-requested Commitment to keep the property neat, tidy, and free of trash; a Commitment to place the existing storage shipping container on a permanent foundation within one year; and a list of prohibited uses requested by the West Indianapolis Development Corporation, and to which the Petitioner agreed. Mr. Spahr said that an additional meeting with the West Indianapolis Development Congress had led to no additional requested prohibited uses. Kathleen Blackham (Staff) had no additional comments.

Hearing no other comments, the Hearing Examiner recommended Approval of 2026-CZN-831 to the MDC, subject to the three Commitments in the Staff Report, and placed the Petition on the MDC September 2, 2026 agenda. The Hearing Examiner granted 2026-CVR-831, subject to the site plan, and adopted the Findings of Fact.

2026-CZN-839 / 2026-CVR-839 | 947 Eastern Avenue

Center Township, Council District #13

Melissa Yurechko, by Justin Kingen

Rezoning of 0.08-acre from the C-3 district to the D-5 district to provide an attached garage for an existing detached single-family dwelling.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a proposed attached garage with a nine-foot rear setback (minimum 20-foot rear setback required).

The Petitioner's representative, Justin Kingen (2722 Manker Street, Indianapolis, IN), relayed that the Petitioner agreed with the Commitment in the Staff Report requiring substantial compliance with the site plan. Kathleen Blackham (Staff) had no additional comments.

Hearing no other comments, the Hearing Examiner recommended Approval of 2026-CZN-839 to the MDC, subject to the Commitment in the Staff Report, and placed the Petition on the MDC September 2, 2026 agenda. The Hearing Examiner granted 2026-CVR-839, subject to the site plan, and adopted the Findings of Fact.

2026-MOD-001 | 7536 South Emerson Avenue

Perry Township, Council District #24

D-P

HSL Emerson, LLC, by Joseph D. Calderon

Modification of the site plan and Development Statement related to 2023-ZON-050 to remove age restriction of head of household (head of household being at least 55 years of age); allow multi-family units within five buildings (multi-family units limited to a single building); remove all references to Lot A; provide for a clubhouse and pool as a permitted accessory use; reduce accessory use setback along southern property line to 10 feet (accessory use setback along southern property line required 20 feet); provide for no less than 200 parking spaces (no less than 130 parking spaces allowed); provide for required bicycle parking spaces; and amend site plan in accordance with the amended Development Statement.

The Petitioner's attorney, Joseph Calderon (11 South Meridian Street, Indianapolis, IN), said that the property had been rezoned in 2023 to D-P to allow for an age-restricted, multi-family development, and that the Petitioner was seeking a modification of the Development Statement and site plan to remove

the senior restriction, provide for scattered buildings rather than a single building, add a pool with clubhouse, and increase the parking ratio. The Hearing Examiner pointed out a letter (dated August 5, 2026) from Southport Presbyterian Church which stated no objection to the removal of the senior-living restriction and noted that all other correspondence was dated in April. Mr. Calderon added that the Petitioner had commissioned third-party traffic and drainage reports due to concerns raised and had circulated the reports to Staff and other interested parties the prior week. Kathleen Blackham (Staff) had no further comments.

Hearing no other comments, the Hearing Examiner recommended Approval of 2026-MOD-001 to the MDC and placed the Petition on the MDC September 2, 2026 agenda.

2026-CVR-835 / 2026-CPL-835 | 3989 Meadows Drive

Washington Township, Council District #8

D-8

Temple of Praise Assembly Church, by Misha Rabinowitch

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a proposed multi-family development, consisting of 32 units (Medium Apartment), (maximum of 12 units or Small Apartment permitted), with 11 parking spaces (minimum of 32 spaces required), a building height of 40 feet (maximum building height of 35 feet permitted); and parking within the side yard setback (not permitted).

Approval of a Subdivision Plat to be known as The Meadows Replat of Block Q and part of Block P, subdividing 2.15 acres into two lots.

The Petitioner's attorney, Misha Rabinowitch (1 Indiana Square, Suite 1800, Indianapolis, IN), appeared on behalf of the Petitioner. He stated that the Petitions sought three variances to permit construction of a 32-unit senior affordable housing project on property adjacent to and owned by Temple of Praise Assembly Church, addressing parking, parking within the setback, and building height, and noted that a Plat request was also part of the Petitions. He stated that Staff supported the Petitions and that he was not aware of any opposition. The Hearing Examiner noted a letter of support from a neighbor and an email from a neighborhood representative raising points to be addressed. Kathleen Blackham (Staff) had no further comments.

Hearing no other comments, the Hearing Examiner granted 2026-CVR-835, subject to the site plan, and approved the Findings of Fact. The Hearing Examiner approved 2026-CPL-835, finding that the Plat filed dated June 9, 2026 complied with the standards of the subdivision regulations, subject to the 12 conditions in the written Staff Report.

ADDITIONAL BUSINESS

2026-VAR-002 | 4005 East Southport Road

Perry Township, Council District #24

Southport Road Development LLC, by David Gilman

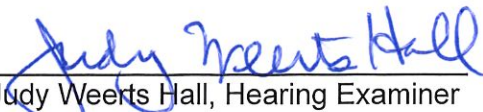
Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a commercial structure with zero feet of street frontage (minimum 50 feet of street frontage required), and for a zero-foot front setback (minimum ten-foot front setback required).

The Hearing Examiner noted that 2026-VAR-002 had been denied following a public hearing at the June 11, 2026 meeting, and that adoption of the Negative Findings of Fact remained.

The Hearing Examiner adopted the Negative Findings of Fact for the denial of 2026-VAR-002.

ADJOURNMENT

There being no further business before the Hearing Examiner, the meeting adjourned.



Judy Weerts Hall, Hearing Examiner
Metropolitan Development Commission