



# Metropolitan Development Commission Hearing Examiner (August 10, 2023) Meeting Agenda

## Meeting Details

Notice is hereby given that the Hearing Examiner of the Metropolitan Development Commission will hold public hearings on:

**Date:** Thursday, August 10, 2023

**Time:** 1:00 PM

**Location:** Public Assembly Room, 2nd Floor, City-County Building, 200 E. Washington Street, Indianapolis, IN

## Business:

### Special Requests

#### PETITIONS REQUESTING TO BE CONTINUED:

**1. 2023-ZON-052 | 5745 Kentucky Avenue**

Decatur Township, Council District #20

Unicorp National Developments, Inc., by Joseph D. Calderon

Rezoning of 2.575 acres from the D-A district to the C-4 district to provide for a gas station/convenience store.

**\*\*Petitioner withdrawal of the petition and request for a partial refund of filing fees**

**2. 2023-ZON-057 | 6801 and 6921 Mills Road and 6912 Camby Road**

Decatur Township, Council District #20

Arbor Homes, by Caitlin Dopher

Rezoning of 106.721 acres from the D-A district to the D-4 district to provide for residential development.

**\*\*Staff request for a continuance to August 24, 2023**

**3. 2023-ZON-063 (2nd Amended) | 3855 & 3955 North Emerson Avenue, 5035 East 39th Street and 5070 Roselawn Avenue**

Lawrence and Washington Townships, Council Districts #9 and #13

Harmony Park Apartments / Emerson Park Apartments, LLC, by David Kingen

Rezoning of 9.19 acres from the D-3 (TOD), D-4 (TOD), D-6 (TOD) and C-3 (TOD) districts to the D-8 (TOD) district to provide for a multi-family development.

**\*\*Staff request for a continuance to September 14, 2023**

**4. 2023-ZON-068 | 510 and 555 Fairfield Avenue**

Center Township, Council District #9

GDR Equity, LLC / Arnold Meyere Group, LLC, by David Kingen

Rezoning of 1.08 acres from the D-5 district to the C-3 district to provide for neighborhood commercial uses.

**\*\*Petitioner request for a continuance to September 28, 2023**

**5. 2023-ZON-070 | 456 South Emerson Avenue**

Center Township, Council District #12

Marjorie Armour & Shane Brothers, by David Kingen

Rezoning of 0.42 acre from the D-5 district to the C-4 district to provide for commercial uses.

**\*\*Petitioner request for a continuance to September 28, 2023**

**6. 2023-CVR-832 / 2023-CPL-832 | 2144 East 12th Street**

Center Township, Council District #17

D-5

Bybee Holdings LLC, by Jynell D. Berkshire

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the subdivision of a 5,700 square foot lot into two lots, with:

- a) Lot One containing an area of 2,742 square feet (minimum 5,000 square feet of lot area required);
  - b) Lot Two containing an area of 2,968 square feet and a lot width of 27.82 feet (40-foot lot width required);
- And the construction of a single-family dwelling on each lot, with:
- c) The dwelling on Lot One having a 1.8-foot front yard setback from Jefferson Avenue and a five-foot rear yard setback (minimum 10-foot front setback, 20-foot rear yard setback required); and
  - d) The dwelling on Lot Two having a 5.1-foot rear yard setback.

Approval of a Subdivision Plat to be known as Bybee's 12th Street Addition, a replat of Lot 18 in Joseph A. Moore's Addition, subdividing 0.14 acre into two lots.

**\*\*Petitioner request for continuance to August 24, 2023**

## Petitions for Public Hearing

### PETITIONS TO BE EXPEDITED:

**7. 2023-MOD-015 | 3150 East Thompson Road**

Perry Township, Council District #24

C-3

Steven H. Huth & Linda J. Huth

Modification of the Commitments related to petition 85-Z-137 to terminate Commitments #1 and #4 to allow for a building addition to the existing flower shop, an access drive and additional parking (current commitments limit the use of the northern 100 feet of the property to office uses and require conformance with renderings from the 85-Z-137 hearing).

**8. 2023-ZON-071 | 707 and 711 East McCarty Street**

Center Township, Council District #16

Lindsay and Patrick Mullen, by Jason Wolfe

Rezoning of 0.26 acre from the I-3 (RC) district to the D-8 (RC) district to provide for a single-family dwelling.

**9. 2023-CZN-833 / 2023-CPL-833 | 3815 North Lawndale Avenue**

Pike Township, Council District #10

317 Realty Group LLC, by Jynell D. Berkshire

Rezoning of 1.192 acres from the D-7 District to the D-5II District to provide for single-family residential development.

Approval of a Subdivision Plat to be known as Lawndale Addition, dividing 1.192 acres into eight lots.

**10. 2023-CZN-839 / 2023-CVR-839 | 802 South West Street**

Center Township, Council District #16

McCarty West Associates, LLC, by Hannah Able

Rezoning of 0.25 acres from the I-4 (RC) district to the D-10 (RC) district to provide for multi-family dwelling uses.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a four-story, 21-unit multi-family building on a 10,931-square foot lot (minimum 12,000-square foot lot required for a medium apartment use), with a zero-foot corner side setback along McCarty Street (ten feet required), a zero-foot south side setback (five feet required), a zero-foot rear setback (ten feet required), with a Floor-Area Ratio

(FAR) of 1.35 (maximum 0.8 FAR permitted) and a Livability Space Ratio (LSR) of 0.48 (minimum 0.66 LSR required).

**11. 2023-CVC-840 / 2023-CVR-840 | 260 South Illinois Street (101 West Georgia Street), 201 South Capitol Avenue**

Center Township, Council District #16  
Capitol Improvement Board, by Aaron Hurt

Vacation of air-rights over a portion of South Capitol Avenue, for an overhead walkway, from a point 124.34 feet south of the southeast corner of Georgia Street and Capitol Avenue, of irregular Capitol shape (0.087 acres), west over the 90-foot right-of-way of Capitol Avenue and being between the elevations of 726.00 feet and 760.00 feet above sea level, with a waiver of the assessment of benefits.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 40-story tall hotel, ballroom and parking garage encroaching into the Sky-Exposure Plane Two for Illinois Street, Georgia Street and Capitol Avenue.

**PETITIONS FOR PUBLIC HEARING (Continued Petitions):**

**12. 2023-ZON-043 | 1400 Campbell Avenue**

Warren Township, Council District #19  
JAK Holdings Group, LLC, by Mark and Kim Crouch

Rezoning of 1.16 acres from the C-1 district to the D-7 district.

**13. 2023-ZON-056 | 3700 and 3818 South Post Road**

Franklin Township, Council District #18  
West Side Tractor Sales, by David A Retherford

Rezoning of 23.56 acres from the D-A and SU-43 districts to the C-S district to provide for a business headquarters and tractor and equipment sales and service.

**14. 2023-ZON-055 | 8850 East 21st Street**

Warren Township, Council District #19  
8850 Twenty First Street, Inc, by David E. Dearing

Rezoning of 3.433 acres from the C-4 district to the D-7 district to provide for multi-family housing.

**PETITIONS FOR PUBLIC HEARING (New Petitions):**

**15. 2023-ZON-061 | 5201 South Harding Street**

Perry Township, Council District #20  
Gurdeep Singh, by Pat Rooney

Rezoning of 0.75 acre from the I-2 and D-A districts to the C-7 district to provide for truck repair.

**16. 2023-CZN-838 / 2023-CVR-838A / 2023-CVR-838B | 5437 Greenfield Avenue**

Warren Township, Council District #12  
Glenroy Construction Co. Inc, by Brian J. Tuohy

Rezoning of 0.73 acre from the D-5 District to the I-2 District.

Special Exception to legally establish heavy outdoor storage associated with a commercial contractor in an I-2 Classification.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish heavy outdoor storage associated with a commercial contractor within the north transitional yard and the side and rear yard setbacks (30-foot transitional yard required, 10-foot side and rear setbacks required) and an existing perimeter fence topped with barbed wire (barbed wire fencing prohibited).

**Additional Business:**

\*\*The addresses of the proposals listed above are approximate and should be confirmed with the Division of Planning. Copies of the proposals are available for examination prior to the hearing by emailing [planneroncall@indy.gov](mailto:planneroncall@indy.gov). Written objections to a proposal are encouraged to be filed via email at [dmdpubliccomments@indy.gov](mailto:dmdpubliccomments@indy.gov) before the hearing and such objections will be considered. At the hearing, all interested persons will be given an opportunity to be heard in reference to the matters contained in said proposals. The hearing may be continued from time to time as may be found necessary. For accommodations needed by persons with disabilities planning to attend this public hearing, please call the Office of Disability Affairs at (317) 327-5654, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.