



Metropolitan Development Commission Hearing Examiner (December 1, 2022) Meeting Agenda

Meeting Details

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

Date: Thursday, December 01, 2022 **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. 2022-ZON-056 (Amended) | 3500 Sutherland Avenue | Center Township, CD #9

Monon Development Group, LLC, by Andi M Metzel

Rezoning of 6.8 acres from the D-5 (FW) district to the D-10 (FW) district to provide for a multi-family residential development, consisting of approximately 480 dwelling units.

Continuance Request by Staff to January 12, 2023.

2. 2022-ZON-071 (Amended) | 2022-VAR-011 | 7820 West Washington Street | Wayne Township, CD #22

Paige Darline Jensen

Rezoning of 0.53 acre from the D-A and C-5 districts to the C-5 district to legally establish a truck rental and automobile repair.

A variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a truck rental facility (not permitted) and an eight-foot-tall privacy fence (maximum six-foot tall fence permitted).

Continuance Request by Staff to January 12, 2023.

3. 2022-ZON-092 | 2022-VAR-010 (Amended) | 3301 North Raceway Road | Wayne Township, CD #6

Sammy and Annie Dotlich, by Joseph D. Calderon

Rezoning of 3.75 acres from the D-4 district to the C-S district to legally establish a commercial/building contractor and to provide for any of the following uses: Artisan Manufacturing; Light Manufacturing; Research and Development; Motorsports Industry; Mini-warehouses; Animal Care Boarding; Veterinarian Services; Artisan Food/Beverage; Farmers Market; Medical or Dental Office, Center or Clinic; Day Care Center; Club or Lodge; Community Center; Vocational, Technical or Industrial School; Religious Use; Greenway; Hair and Body Care Salon Services; Consumer Services or Repair of Consumer Goods; Eating Establishment/Food Preparation; Office Use; and Accessory Uses permitted in the I-1 District.

Variance of development standards to provide for outdoor storage in excess of 25% of enclosed buildings and within 500 feet of a protected district (outdoor storage limited to 25% of enclosed buildings, not permitted within 500 feet of a protected district).

Continuance Request by Petitioner to December 15, 2022.

4. 2022-ZON-124 | 940 West Banta Road | Perry Township, CD #23

John J. Holzer, Trustee, by David Kingen & Emily Duncan

Rezoning of 6.86 acres from the D-A (FW) (FF) district to the C-1 (FW) (FF) district.

Continuance Request by Petitioner to December 29, 2022.

5. 2022-ZON-126 | 1401 Indiana Avenue and 1426 Rembrandt Street | Center Township, CD #11

Matchbook Learning Schools of Indiana, Inc., by Joseph D. Calderon

Rezoning of 1.68 acres from the D-5 (RC) (W-1) district to the CBD-2 (RC) (W-1) district.

Timely Automatic Continuance filed by Petitioner to December 29, 2022.

6. 2022-CZN-848 / 2022-CVC-848 | 419 & 441 East Ohio Street, 424 East Wabash Street and 124 & 132 North East Street | Center Township, CD #17

Moes, LLC / Feroze and Sons, LLC, by David Kingen and Emily Duncan

Rezoning of 0.85 acre from the CBD-2 (RC) and I-3 (RC) Districts to the CBD-2 (RC) district.

Vacation of the first north-south alley west of East Street, being twelve feet in width, from the south right-of-way line of Ohio Street, south 195 feet to the north right-of-way line of Wabash Street, with a waiver of the assessment of benefits.

Continuance Request by Petitioner to January 26, 2023.

7. 2022-CVC-856 (Amended) | **Assessment of Benefits** | 6102 Carvel Avenue | Washington Township, CD #2

Buckingham Companies, by Mike Timko

Vacation of a fourteen-foot wide portion of Carvel Avenue, along the western edge of said right-of-way, from the northwest corner of the intersection of 61st Street and Carvel Avenue, north 280.70 feet.

Continuance Request by Staff to December 29, 2022.

8. 2022-CZN-863 / 2022-CVR-863 | 4437 Clark Drive and 4532 Northeastern Ave | Franklin Township, CD #25

David A. Retherford, Trustee of the Russell E. Flagle Revocable Trust

Rezoning of 2.05 acres from the D-5 (FF) and C-S (FF) districts to the D-5 (FF) district.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a lot with zero-feet of street frontage and lot width (minimum 25 feet of street frontage and 50 feet of lot width required).

Continuance Request by Petitioner and Staff to December 15, 2022.

9. 2022-CZN-867 / 2022-CVC-867 | 5400 and 5430 Greenfield Avenue and 400 Burgess Avenue | Warren Township, CD #12

Baldeep Baidwan by David Kingen and Emily Duncan

Rezoning of 2.71 acres from the D-5 district to the D-7 district to provide for multi-family development.

Vacation of a portion of Greenfield Avenue, ranging from 25 feet wide to 50 feet wide, from the southwest corner of Lot 65 in Witz and Spannuth's Addition, southeast 451.54 feet to the southeast corner of Lot 49 in said subdivision,

Vacation of a portion of Elm Avenue, ranging from 25 feet to 50 feet wide, from the northeast corner of Lot 59 in Witz and Spannuth's Addition, south 528.79 feet to the southeast corner of Lot 61 in said subdivision,

Vacation of the first east-west alley north of Greenfield Avenue, being 15 feet in width, from the southeast corner of Lot 59 in Witz and Spannuth's Addition, west 40.50 feet, to the northwest corner of Lot 61 in said subdivision,

Vacation of the first east-west alley north of Greenfield Avenue, being 15 feet in width, from the southwest corner of Lot 53 in Witz and Spannuth's Addition, east 182.20 feet, to the northeast corner of Lot 49 in said subdivision, all with a waiver of the Assessment of Benefits.

Continuance Request by Petitioner and Staff to December 15, 2022.

10. 2022-CZN-868 / 2022-CVR-868 | 431 South Shortridge Road | Warren Township, CD #18

Bhullar Deol Properties, Inc, by David Kingen and Emily Duncan

Rezoning of 2.74 acres from the D-A district to the C-7 district.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 20-foot south side transitional yard (40 feet required), a zero-foot east yard (10-foot rear yard required), without the required front-yard landscaping (landscaping required).

Continuance Request by Petitioner to January 26, 2023.

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

11. 2022-APP-014 | 1902 Ruckle Street | Center Township, CD #11

Compendium Group, LLC, by Jason Wolfe

Park District Two Approval to provide for a two-family dwelling and a three-car detached garage with the garage encroaching into the clear-sight triangle of 19th Street and an adjacent alley.

12. 2022-APP-015 | 7510 Fishback Road | Pike Township, CD #1

Thomas A. & Jill A. Miller

Park District Two Approval to provide for a 54-foot tall addition to a single-family dwelling for an observation room.

13. 2022-MOD-020 | 4755 Statesmen Drive | Washington Township, CD #3

Sycamore Springs Partners, LLC, by Adam Dehart

Modification of Site Plan related to 95-Z-53 as modified by 99-AP-9 to legally establish a commercial building and provide for a parking lot expansion.

14. 2022-MOD-021 | 3125 North German Church Road | Warren Township, CD #14

Davis Building Group, LLC, by Elizabeth Bentz William

Modification of Commitments related to 2021-ZON-046 to modify Commitment #15 to allow the HOA governing documents to permit rented or leased dwellings (previous commitment required dwellings to be owner-occupied for a period of one year before they could be rented or leased) and to remove the requirement for trash receptacle enclosure provisions in the HOA governing documents.

15. 2022-MOD-022 | 5389 Rockville Road | Wayne Township, CD #15

Rockville Dynasty, LLC, by Michael Rabinowitch

Modification of Commitments related to rezoning petition 2001-ZON-054, to remove Tobacco Store as a prohibited use on Lots 2 and 3.

16. 2022-ZON-125 | 5212 and 5246 Bluff Road | Perry Township, CD #23

Burmese American Community Institute, Inc., by Andi M. Metzel

Rezoning of 9.24 acres from the D-A district to the SU-38 district to provide for a community center.

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

17. 2022-ZON-027 (Amended) | 7250 North Keystone Avenue | Washington Township, CD #2

Gerber Collison and Glass

Rezoning of 7.20 acres from the D-4 and C-4 (FW) (FF) districts to the C-4 (FW) (FF) district to provide for Automobile Service and Repair.

18. 2022-ZON-063 (Amended) | 4720 Kingsway Drive | Washington Township, CD #9

MRE Investors, LLC, by Patrick Rooney

Rezoning of 3.28 acres from the C-3 (W-5) district to the C-4 (W-5) district to provide for indoor entertainment / banquet hall.

19. 2022-ZON-078 | 8965 Rockville Road | Wayne Township, CD #15

Vu Tran, by Pat Rooney

Rezoning of 0.57 acre from the D-2 district to the C-3 district to provide for retail uses.

20. 2022-ZON-116 (Amended) | 205 Palmer Street | Center Township, CD #16

Tom and Hawk Properties, LLC, by Alex Intermill

Rezoning of 1.07 acres from the I-4 district to the C-S district to provide for all C-1 uses; all C-3 uses; all C-4 uses except substance abuse treatment facilities, adult entertainment businesses, adult entertainment businesses (retail), pawn shops, liquor stores or firearm sales; and art galleries, artist studios, art marketplaces and an indoor entertainment venue/banquet facilities.

21. 2022-ZON-119 | 2525 West 44th Street | Washington Township, CD #8

Children's Better Health Institute, a division of the Benjamin Franklin Literary and Medical Society, Inc, by Timothy E. Ochs

Rezoning of 22.79 acres from the SU-7 district to the SU-2 district to provide for educational uses.

22. 2022-CZN-843 / 2022-CVR-843 / 2022-CPL-843 | 10505 Indian Creek Road South | Franklin Township, CD #25

Six Brothers, Inc., by Pat Rooney

Rezoning of 23.665 acres from the D-A (FF) district to the D-S (FF) district.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for six single-family detached lots with frontage on a private drive (public street frontage required).

Approval of a Subdivision Plat to be know as Six Brothers Subdivision, dividing 23.665 acres into six lots.

PETITIONS FOR PUBLIC HEARING (New Petitions):

23. 2022-CZN-869 / 2022-CVR-869 | 1631 and 1851 West Thompson Road | Perry Township, CD #20

Truck County of Indiana, Inc., by Timothy E. Ochs

Rezoning of 21.85 acres from the I-4 (FF) district to the C-7 (FF) district.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a Green Factor score of 0.1730 (Green Factor of 0.22 or higher required), with four free-standing signs (maximum two permitted per frontage) along Thompson Road, with 184 feet and 187 feet of separation between signs

(minimum 300 feet required), with two pole signs being 60 feet tall (maximum 20-foot tall pole signs permitted, maximum one pole sign permitted per street frontage).

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. Written objections to a proposal are encouraged to be filed via email at 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.