



Metropolitan Development Commission Hearing Examiner (April 10, 2025) Meeting Agenda

Meeting Details

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

Date: Thursday, April 10, 2025

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. 2025-ZON-001 | 4150 North High School Road

Pike Township, Council District #5

Nica Auto and Fleet Repair, LLC, by Joseph D. Calderon

Rezoning of 1.90 acres from the C-3 district to the C-4 district to allow for an automobile repair shop.

****Petitioner request for continuance for cause to May 15, 2025**

2. 2025-ZON-012 | 6900 Milhouse Road

Decatur Township, Council District #21

D. R. Horton – Indiana, LLC, by Brian J. Tuohy

Rezoning of 11.15 acres from the D-A district to the D-4 district to provide for a single-family residential development.

****Petitioner request for continuance for cause to April 24, 2025**

3. 2025-ZON-024 | 5712 Bluff Road

Perry Township, Council District #22

Alt Construction, LLC, by Brian J. Tuohy

Rezoning of 41.55 acres from the D-A district to the I-2 district to provide for light industrial uses.

****Automatic continuance request to May 15, 2025, filed by Registered Neighborhood Organization**

4. 2024-CVR-855 / 2024-CPL-855 (Amended) | 1527 East 12th Street

Center Township, Council District #13

D-8 (FF) (FW)

Tyler and Natalie Sadek, by Paul J. Lambie

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached single-family dwelling on proposed Lot 3, with a front building line of approximately 210 feet (front building line range between 10 feet of 19.9 feet required).

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to build within 60 feet of the stream protection corridor (not permitted).

Approval of a Subdivision Plat to be known as Replat of Lot 29 in Milligan's Park Lane Addition, subdividing 1.878 acres into three lots.

****Remonstrator request for continuance for cause to May 15, 2025**

5. 2025-CZN-813 / 2025-CVR-813 / 2025-CVC-813 | 1406 and 1419 South Capitol Avenue

Center Township, Council District #18

The Annex Management Group, Inc., by Misha Rabinowitch

Rezoning of 5.17 acres from the I-1 and D-5 districts to the D-8 district to provide for multi-family dwellings.

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a multi-family residential development using the Large Apartment Residential Building Type Standards to the subject site (not permitted in D-8), to provide for minimum livability space ratio of 0.57 (minimum 0.60 required), and for a floor area ratio of 0.83 (maximum 0.80 permitted).

Vacation of: a portion of Capitol Avenue, ranging from 23.4 feet in width to 40.18 feet in width, from the south right-of-way of the first east-west alley south of Arizona Street, south and southeast 617.82 feet, to a point, a portion of Tennessee Street, being 25 feet in width, from the northwest corner of Lot 32 of Rech's South Meridian Street Subdivision, as recorded in the Marion County Recorder's Office, plat book 9, page 55, south 227.68 feet, to a point, a portion of Capitol Avenue, being 25 feet in width, from a point 227.68 south of the northwest corner of Lot 32 of Rech's South Meridian Street Subdivision, as recorded in the Marion County Recorder's Office, plat book 9, page 55, southeast 135.51 feet, to a point, a portion of the second north-south alley east of Senate Avenue, being five feet in width, beginning at the northwest corner of Lot 2 of Shmitt and Kottkamp's Subdivision, as recorded in the Marion County Recorder's Office, plat book 15, page 93, south 346.97 feet, to the north right-of-way line of the second east-west alley south of Wisconsin Street, being 3.75 feet in width, beginning at the southwest corner of Lot 11 of Shmitt and Kottkamp's Subdivision, as recorded in the Marion County Recorder's Office, plat book 15, page 93, east 151.02 feet, to the west right-of-way line of Capitol Avenue.

****Staff request for continuance for cause to April 24, 2025**

6. 2025-CZN-814 / 2025-CVR-814 | 3043, 3451, 3511, and 3801 South Post Road, 9405, 9609, 9611, and 9931 East Troy Avenue, 3430, 3440, and 3610 Davis Road, and 9500 Vandergriff Road

Franklin Township, Council District #20

Deep Meadow Ventures, LLC, by Joseph D. Calderon

Rezoning of 467.66 acres from the D-A (FF) (FW), C-4 (FF) (FW), and SU-43 (FF) (FW) districts to the C-S (FF) (FW) district for a data center campus development, and uses including light manufacturing, all research and development, utilities, agricultural uses, buildings and structures, as permitted in I-1 and office uses, as permitted in C-1. Permitted accessory uses would include utility structures, such as power substations, water towers, and overhead and underground powerlines and wastewater treatment facilities, outdoor storage, renewable energy facility, satellite dish antenna, signs, and temporary construction yard, office, or equipment storage.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building height of 75 feet (maximum 38-foot building height permitted) and no maximum front yard setback (maximum front yard setback of 85 feet permitted).

****Automatic continuance to May 15, 2025, filed by Registered Neighborhood Organization**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

7. 2025-ZON-016 | 2852 East County Line Road

Perry Township, Council District #24

TWG Development, LLC. by Joseph D. Calderon

Rezoning of 6.67 acres from the C-S (TOD) (FW) (FF) district to the D-9 (TOD) (FW) (FF) district to provide for multi-family dwellings.

8. 2025-ZON-018 | 2215 South Biltmore Avenue

Wayne Township, Council District #17
Ashley Allen

Rezoning of 0.32-acre from the I-2 (FF) district to the D-4 (FF) district to provide for residential uses.

9. 2025-ZON-023 | 3418 East 20th Street

Center Township, Council District #13
Brittney Gant

Rezoning of 0.12-acre from the SU-1 district to the C-1 district to provide for office and a child day care facility.

10. 2024-ZON-028 | 1631 Montcalm Street

Center Township, Council District #12
Josh Smith

Rezoning of 0.11-acre from the C-1 (W-1) district to the D-5 (W-1) district to provide for a single-family dwelling.

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

11. 2025-MOD-001 (Amended) | 4021 West 71st Street

Pike Township, Council District #6
I-1

Turner Adventures LLC, by Rebekah Phillips

Modification of Commitments related to 2023-ZON-078 to terminate commitment #3 and provide for sidewalk installation along West 71st Street in accordance with Section 744-302 of the Zoning and Subdivision Ordinance no later than the first of the following to occur: (1) four (4) years from the date of approval of 2025-MOD-001; (2) the date a new structural permit is sought; or (3) upon the sale of the property (previous commitment required the sidewalk to be installed within one year of zoning approval).

12. 2024-ZON-125 (Amended) | 4460 and 4498 North Keystone Avenue

Washington Township, Council District #8
Mark and Kim Crouch

Rezoning of 0.42-acre from the D-5 (W-1) and C-3 (W-1) districts to the C-5 (W-1) district to provide for commercial uses.

13. 2025-ZON-003 | 7420 North Shadeland Avenue

Lawrence Township, Council District #3
Shane Ellison

Rezoning of 1.15 acres from the C-1 district to the C-7 district to provide for a commercial and building contractor business.

14. 2025-ZON-013 | 240 East 22nd Street

Center Township, Council District #13
Zinkan Enterprises, by Russell L. Brown and Elizabeth Bentz Williams, AICP

Rezoning of 0.27-acre from the D-8 district to the MU-2 district to provide for a mixed-use development.

15. 2025-CAP-800 / 2025-CVR-800 | 1525 Shelby Street, 1133 Cottage Avenue and 1510 Olive Street

Center Township, Council District #18
SU-34 (TOD) (FF) and D-5 (TOD) (FF)
Fraternal Order of Police, Indianapolis Lodge #86, by Will Gooden and Elizabeth Bentz Williams

Modification of Commitments related to 2009-ZON-013 to terminate Commitment #2, which required a site plan indicating a ten-foot landscaped transitional yard; terminate Commitment #3, which required an opaque fence abutting the dwelling at 1129 Cottage Avenue; and to modify Commitment #5, to read "owners agree to complete all fence changes within six months of the grant of this petition" (originally stated to require all site improvements to be completed within one year of approval of 2009-ZON-013).

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 6.5-foot-tall fence and electronic gate, with a portion of the fence within the clear-sight triangle of Shelby Street and Cottage Avenue (maximum height of 3.5 feet permitted, not permitted within the clear-sight triangle of the abutting streets).

16. 2025-CAP-804 / 2025-CVR-804 (Amended) | 324 West Morris Street and 325 Wilkins Street

Center Township, Council District #18

C-S

Kaur Properties, LLC, by Adam DeHart

Modification of commitments and site plan related to 2019-CZN-827, to terminate Specific Commitments for Old Southside Neighborhood Association, commitment #1, which required that the exterior of the hotel should be consistent or complimentary to the new Emrich Plaza convenience store, and, to provide for revised building footprint, indoor and outdoor amenities, minor site revisions, pedestrian access revisions, and a revised shared parking lot.

Variance of Development Standard of the Consolidated Zoning and Subdivision Ordinance to provide for a zero-foot front setback from Wilkins Street, with no landscaping (10-foot front setback required, minimum six-foot landscaping along the entire frontage required and one tree per 35 feet of street frontage required), deficient interior landscaping within the parking area (one shade tree per 180 square feet of interior landscaping area required), a zero-foot south side yard setback (10-foot side yard setback required), and the installation of landscaping within the right-of-way (not permitted).

17. 2025-CZN-809 / 2025-CVR-809 | 8800 East Raymond Street

Warren Township, Council District #20

Alexander Construction and Landscape, by David Retherford

Rezoning of 4.37 acres from the C-5 district to the I-2 district to provide for a commercial and building contractor's business.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for outdoor storage and operations comprising of 225% of the total gross floor area of enclosed buildings (maximum 25% permitted), to provide for a gravel parking and storage area, (not permitted), with a 52-foot front transitional yard (minimum 100-foot front transitional yard required), with a 15-foot east side transitional yard (minimum 50-foot side transitional yard required), with a 10-foot north rear yard (minimum 30-foot rear yard required), without interior and exterior landscaping (minimum 9% of lot covered with landscaping required), to permit for outdoor loading and unloading of equipment and material 15 feet from a protected district (minimum 500 feet required), and to allow a six-foot tall aluminum fence with masonry columns in the front yard (maximum 3.5-foot tall fence permitted in the front yard).

18. 2025-CVR-810 / 2025-CPL-810 | 1222 North Temple Avenue

Center Township, Council District #13

D-5

Maurice K. Kistler and Vivian R. Kistler, by John Cross

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 38.5-foot lot width and zero-foot south side setback at the walkway for proposed Lot One, a 36.53-foot lot width for proposed Lot Two (minimum 40-foot lot width required for each lot and five-foot side setback required).

Approval of a Subdivision Plat to be known as Replat of Lot 48 in Vajens Springdale Subdivision, subdividing 0.32-acre into two lots.

PETITIONS FOR PUBLIC HEARING (New Petitions):

19. 2025-ZON-026 | 2932 Central Avenue

Center Township, Council District #12

College Flats, LLC, by Misha Rabinowitch

Rezoning of 0.154-acre from the C-1 district to the D-8 district to provide for a row house.

Additional Business:

20. ADOPTION OF FINDINGS OF FACT IN SUPPORT OF THE HEARING EXAMINER'S DECISION:

2024-CVR-853 | 420 West 40th Street (March 13, 2025 hearing)

Washington Township, Council District #7

Edith Glover, by Lester Wiley Carver

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish an existing surface parking lot, with a zero-foot front transitional yard setback, with landscaping within the right-of-way (minimum ten-foot transitional yard with landscaping on subject parcel required), and a nine-foot east transitional yard setback (minimum ten-foot transitional yard required).

2025-CVR-808 (Amended) | 4360 North Keystone Avenue (March 27, 2025)

Washington Township, Council District #8

C-5 (FF) (W-1)

Emay Ayad, by Russell L. Brown

Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for provide for one portable permanent storage container for storage of materials, and one portable temporary storage container for storage of materials (portable storage containers not permitted for more than 30 days).

**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 planneroncall@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) 327-7093, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.

Any decision of the Hearing Examiner may be **appealed** to the Metropolitan Development Commission (MDC), subject to deadlines prescribed by the MDC Rules of Procedure. Please contact the Current Planning staff, **317-327-5155**, or planneroncall@indy.gov, within one to two days after the hearing, to determine the appropriate appeal process. Please see this link for the Appeal form: [REQUEST FOR APPEAL](#)