

METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA

HEARING EXAMINER

April 23, 2020

Notice is hereby given that the Hearing Examiner for the Metropolitan Development Commission will hold public hearings on Thursday, April 23, 2020, scheduled to begin at 1:00 P.M., via WebEx at <https://indy.webex.com/indy/onstage/g.php?MTID=e10951c4002e066d0541b35ad5257c72d> or by calling +1-408-418-9388 United States Toll or 1-844-992-4726 United States Toll Free; the Event number (access code) is 711 804 865.

EXPEDITED PETITIONS:

2019-CZN-858 / 2019-CVR-858 (Amended) ***To Be Expedited.***
501-511 (odd) South East Street (*Approximate Addresses*)
Center Township, Council District #11
Daniel G. Corsaro Family Investments LLC, by Mark Demerly
Rezoning of 0.20 acre from the I-3 (RC) and CBD-2 (RC) districts to the D-8 (RC) district.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for four, 38-foot tall single-family dwellings with attached garages, with 3.5-foot front, side and rear setbacks, seven feet between dwellings and 30% open space, and with the corner lot being within the clear sight triangles of the abutting streets and alley (maximum 35-foot height, 25-foot front setback or average, four-foot side setback, 10-feet between dwellings, 15-foot rear setback, 55% open space and structures not permitted within the clear sight triangle).

2020-APP-004 ***To Be Expedited.***
2020 Dawson Street (*Approximate Address*)
Center Township, Council District #21
PK-1
Indy Parks and Recreation, by Andre Denman
Park District One Approval to provide for park renovations, including but not limited to, playgrounds, shelters, challenge course, court upgrades, skate pump track, site regrading, sidewalks and landscaping.

2020-ZON-014 ***To Be Expedited.***
5704, 5708, 5750 and 5790 West Minnesota Street; 1615, 1621 and 1629 Mickley Avenue
(*Approximate Addresses*)
Wayne Township, Council District #22
Quest Safety Products Inc., by Matthew M. Price
Rezoning of 6.125 acres, from the D-3 and SU-46 districts to the I-2 district.

2020-ZON-018 ***To Be Expedited.***
1000, 1100, 1200, 1210 and 1220 Waterway Boulevard and 1250, 1302, 1430 and 1510 Indiana Avenue (*Approximate Addresses*)
Center Township, Council District #11
16 Tech Community Corporation, by Mary E. Solada
Rezoning acres of 53.525 from the CBD-S (RC) (FW) (FF) (W-1) district, to the CBD-S (RC) (FW) (FF) (W-1) district to provide for Adaptive Re-use and Innovation, Flexible Research, Office, Multi-

family residential, hotel/conference center, retail and active uses.

2020-ZON-022 **To Be Expedited.**
1649 and 1653 South Delaware Street (approximate address)
Center Township, Council District #16
Win Win Financial Solutions LLC, by Brad Reed
Rezoning of 0.6 acre from the I-4 district to the D-5 district.

2020-ZON-024 **To Be Expedited.**
5320 South Belmont Avenue (Approximate Address)
Perry Township, Council District #20
Kopetsky Family LLC, by G. Thomas Blankenship and Robert D. Haas,
Rezoning of 67.767 acres from the D-5 (FF) district to the I-3 (FF) district.

2020-CZN-809 / 2020-CPL-809 / 2020-CVR-809 **To Be Expedited.**
1705 South East Street (Approximate addresses)
Center Township, Council District #21
Boy Chick Prop IN LLC, by David Kingen and Justin Kingen
Rezoning of 0.12 acre from the C-3 to D-5 district.

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for and legally establish the conversion of a two-family dwelling into two single-family attached dwellings (not permitted) on 2,451- and 2,481-square foot lots, with 18-foot lot widths, with a zero-foot interior side yard, with five feet between dwellings, and with a detached garage with a 3.9-foot rear setback (5,000-square foot lots, 50-foot lot width, three-foot side setback, 10 feet between dwellings, five-foot rear setback required).

Approval of a Subdivision Plat to be known as Replat of Lot #7 in David S. Beatty's Addition, dividing 0.12 acre into two single-family attached lots.

PETITIONS CONTINUED TO 5/14/2020:

Staff Recommends Continuance to May 14, 2020:

Due to the State of Emergency regarding COVID-19 and the impact of the surrounding properties, Staff recommends the following petitions to be heard at the May 14, 2020 Hearing.

2020-CZN-804 / 2020-CVR-804 (Amended) **Continued to 5/14/2020.**
433, 437, 445, 451, 455 and 457 North State Avenue and 446 North Walcott Avenue (Approximate Addresses)
Center Township, Council District #17
Westminster Neighborhood Services Inc., by David Kingen and Justin Kingen
Rezoning of 0.95 acre from the C-S district to the D-8 district to provide for multi-family development.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for:

- a) to provide for a 1.10 floor area ratio;
- b) to provide for five-foot front yard setbacks (433-437), a five-foot south side setback for the three-story building, a two-foot south side setback and zero-foot east side setback for the

parking lot and trash enclosure area and a one-foot front setback from Sturm Avenue for the trash enclosure area and dog run area;

- c) to provide for five-foot front yard setbacks (446), a five-foot north side setback for the building and zero-foot north and west side setbacks for the parking lot and trash enclosure area; and
- d) to provide for a zero-foot front building setback along Sturm Avenue (445-457), a five-foot front yard setback along State Avenue for bicycle parking, a five-foot building setback along State Avenue, a five-foot north side setback for the building and a zero-foot east side yard for the building and parking lot (25-foot front and 20-foot front setback, 20% of lot width (minimum of four feet) and minimum 0.60 floor area ratio required).

2020-ZON-016 **Continued to 5/14/2020.**
6844 Coffman Road (*Approximate Address*)
Pike Township, Council District #7
Burland Brown, by Michael C. Peek
Rezoning of 0.55 acre from the C-1 district to the D-3 district.

2020-ZON-019 **Continued to 5/14/2020.**
2650 West Epler Avenue and 5201 South Warman Avenue (*Approximate Addresses*)
Perry Township, Council District #20
K & S Realty LLC, by G. Thomas Blankenship and Robert D. Haas
Rezoning of 39.644 acres from the D-5 (FF) district to the I-3 (FF) district.

2020-CAP-810 / 2020-CVR-810 **Continued to 5/14/2020.**
715 West Hampton Drive (*Approximate Address*)
Washington Township, Council District #7
UQ-1
Butler University, by Andrew Wert
University Quarter-One Approval of the demolition of an existing building and the construction of a new fraternity house with off-street parking.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 49-foot tall fraternity house with a 37-foot west side setback and a 26-foot east side setback (49-foot setback or one foot for each foot of building height required).

PETITIONS CONTINUED TO 6/11/2020:

Staff Recommends Continuance to June 11, 2020:

Due to the State of Emergency regarding COVID-19 and the impact of the surrounding properties, Staff recommends the following petitions to be heard at the June 11, 2020 Hearing.

2019-ZON-065 **Continued to 6/11/2020.**
4912 Erie Avenue and 4930 and 4950 North Keystone Avenue (*Approximate Addresses*)
Washington Township, Council District #9
Mardini LLC, by David Kingen and Justin Kingen
Rezoning of 0.54 acre from the D-5 (W-5) and C-7 (W-5) districts to the C-5 (W-5) classification.

2019-ZON-083 **Continued to 6/11/2020.**
5501 East Minnesota Street (*Approximate Address*)
Warren Township, Council District #18

Wallace Crossing Partners LLC and K P Fuller, by David Kingen and Justin Kingen
Rezoning of 46.14 acres from the D-3 (FW) (FF) district to the D-4 (FW) (FF) district.

2019-ZON-087 **Continued to 6/11/2020.**
2701 South Hunter Road (*Approximate Address*)
Warren Township, Council District #18
Michael and Lisa Birdwell and William and Christine Lewis, by Pat Rooney
Rezoning of 4.581 acres from the D-A district to the C-7 district.

2019-ZON-129 **Continued to 6/11/2020.**
4695 Matthews Avenue (*Approximate Address*)
Perry Township, Council District #24
Danny Baker, by David Kingen and Justin Kingen
Rezoning of 0.21 acre from the D-3 district to the D-6 district.

2019-CZN-841 / 2019-CVR-841 **Continued to 6/11/2020.**
2455 North Central Avenue (*Approximate Address*)
Center Township, Council District #11
Adams French Property LLC, by Brian J. Tuohy
Rezoning of 0.79 acre from the C-7 district to the C-S district to provide for a self-storage facility and MU-2 uses with the following prohibited uses: check cashing and validation service; liquor store; drive-through; laundromat; plasma (blood center); substance abuse treatment facility; dry cleaning plant or industrial laundry; retail adult entertainment business; firearm sales; fireworks sales; pawn shop; and automobile fueling station.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an approximately 55-foot tall mixed-use self-storage facility within the clear sight triangles of the abutting streets and alley (not permitted), with a zero-foot north front transitional yard, a three-foot east side transitional yard and eight parking spaces with a zero-foot south yard, all without landscaping (maximum 38-foot height and 25-foot height along a transitional yard, minimum 10-foot front, side and side transitional yards with landscaping required, minimum one parking space per 30 units required).

2019-CZN-844 / 2019-CVR-844 (Amended) **Continued to 6/11/2020.**
1847, 1906 and 1910 West Washington Street (*Approximate Addresses*)
Center Township, Council District #16
Los Nitidos LLC / RRD Properties LLC, by David Kingen and Justin Kingen
Rezoning of 0.52 acre from the D-5 district to the MU-2 district.

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for single-family residential dwellings (not permitted) and to provide for a proposed mixed-use structure (1910), parking lot and trash container with a five-foot west side transitional setback and an existing mixed-use structure (1906) with a 25-foot front setback and a parking lot with a five-foot east side transitional yard, and a parking lot (1847) with a five-foot south transitional yard and zero-foot east transitional yard (maximum 25-foot front setback, 15-foot side and 10-foot rear transitional yard required).

2020-ZON-001 **Continued to 6/11/2020.**
5763 Michigan Road (*Approximate Address*)
Washington Township, Council District #7
Raul Garcia and Norma Solano Garcia, by David Kingen and Justin Kingen

Rezoning of 0.41 acre, from the D-5 district to the MU-2 district.

2020-ZON-005 **Continued to 6/11/2020.**
7802 Marsh Road (*Approximate Address*)
Pike Township, Council District #1
Lineage Hemp Inc., by Mary E. Solada
Rezoning of 15.052 acres from the D-1 district to the D-A district.

2020-ZON-006 **Continued to 6/11/2020.**
719 Indiana Avenue (*Approximate Address*)
Center Township, Council District #11
BC MWL Project Partners LLC, by Timothy E. Ochs
Rezoning of 2.6 acres from the C-S (RC) district to the CBD-2 (RC) district.

2020-CVR-800 / 2020-CVC-800 / 2020-CPL-800 **Continued to 6/11/2020.**
846 and 850 Fletcher Avenue (*Approximate Addresses*)
Center Township, Council District #16
Shelby Holdings LLC, by David Kingen and Justin Kingen
D-8
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for five units with a zero-foot front setback from Interstate 65, and zero-foot side and rear setbacks, (50-foot front setback, four-foot side setbacks and 15-foot rear setback required).

Vacation of a portion of the first northeast-southwest alley west of Calvary Street, being 14 feet wide, from the northwest corner of Lot 94 of Fletcher, Stone, Witt, Taylor and Hoyt's Subdivision of Outlots 94, 95, 96, 97, 98 and the south half of Lot 91 in the City of Indianapolis, as recorded in Plat Book One, Pages 161, 162 and 164 in the Office of the Recorder of Marion County, being the south right-of-way line of the first northwest-southeast alley south of English Avenue and north of Fletcher Avenue, to a point southwest 49.12 feet to the right-of-way of Interstate 65, and

Vacation of a portion of the first northwest-southeast alley south of English Avenue and north of Fletcher Avenue, being 14 feet wide, from the southeast corner of Lot 64 of said subdivision, being the west right-of-way line of the first northeast-southwest alley west of Calvary Street, to a point northwest 26.34 feet to the right-of-way of Interstate 65.

Both with a waiver of the assessment of benefits.

Approval of a Subdivision Plat to be known as Replat of Lots 94 and 95 in Fletcher, Stone, Witt, Taylor and Hoyt's Subdivision, dividing 0.21 acre into five single-family attached dwellings, with a waiver of sidewalks.

2020-CZN-805 / 2020-CPL-805 / 2020-CVR-805 **Continued to 6/11/2020.**
3633 Kentucky Avenue (*Approximate Address*)
Decatur Township, Council District #22
Larkspur 3633 Indy LLC, by David Kingen and Justin Kingen
Rezoning of 9.06 acres from the C-4 district to the C-S district to provide for all C-3 uses, Truck upfitting, the retail sales of truck parts, corporate warehouse and training center and classrooms for sales and professional development.

Approval of a Subdivision Plat to be known as Palmer Trucks Estate, dividing 9.06 acres into three lots.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a 13-foot tall wall in the south side yard and east front yard of Mann Road and a six-foot tall and 7.67-foot tall wall in the west front yard of Olender Drive (maximum 3.5-foot tall fence/wall permitted in the front yard and 10-foot tall fence/wall permitted within the side yard).

2020-CZN-807 / 2020-CVR-807 (Amended) **Continued to 6/11/2020.**
2965 North Sherman Drive and 3801 East 30th Street (*Approximate Addresses*)
Center Township, Council District #17
Sherman Property Group Inc., by David Kingen and Justin Kingen
Rezoning of 0.76 acre from the D-5 and C-3 districts to the C-S district to provide for a convenience store and gasoline station, C-1, C-3 and MU-1 uses.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a convenience store with a 139-foot front setback from Sherman Drive, a zero-foot east side transitional yard (including a trash enclosure), revised and new curb cuts along Sherman Drive and 30th Street, and a pylon sign and landscaping within the clear sight triangle of the abutting streets (maximum 65-foot front setback, eight-foot transitional yard required along an alley, access shall be exclusively from the alley when street frontage is less than 200 feet and property abuts an improved alley, no new curb cuts permitted if property abuts an improved alley, and structures and landscaping not permitted within the clear sight triangle). Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a 13-foot tall wall in the south side yard and east front yard of Mann Road and a six-foot tall and 7.67-foot tall wall in the west front yard of Olender Drive (maximum 3.5-foot tall fence/wall permitted in the front yard and 10-foot tall fence/wall permitted within the side yard).

2020-ZON-013 **Continued to 6/11/2020.**
8515 Indian Creek Road South (*Approximate Address*)
Franklin Township, Council District #25
Alberto and Vandi Miranda
Rezoning of 2.06 acres from the D-P district to the D-A classification.

2020-ZON-015 **Continued to 6/11/2020.**
3820 Redfern Drive (*Approximate Address*)
Perry Township, Council District #24
MJRR Property Inc, by David Kingen and Justin Kingen
Rezoning of 3.5 acres from the C-3 district to the C-S district to provide for a convenience store and gasoline station, C-1, MU-1 and C-3 uses.

2020-ZON-017 / 2020-VAR-002 **Continued to 6/11/2020.**
17, 23, 129, 209 and 215 South Bridgeport Road and 8531, 8603, 8615, 8635, 8651, 8659, 8663, 8705, 8715, 8735, 8739 and 8751 Rockville Road (*Approximate Addresses*)
Wayne Township, Council District #14
Sam Patterson (Bridgeport East Limited Partnership), by Steve Alexander
Rezoning of 27.89 acres from the D-A, D-4, C-3 and C-S districts to the MU-2 classification.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a range of maximum heights exceeding 35 feet, including 45 feet, 55 feet, and 65 feet, with architectural features up to 80 feet; to provide for commercial establishments exceeding 8,000 square feet; and to permit curb cuts exceeding 24 feet in width (maximum 35-foot height permitted, maximum 8,000 square feet of floor area permitted for single commercial establishments and maximum curb cut width of 24 feet permitted).

2020-ZON-020 **Continued to 6/11/2020.**
9140 East McGregor Road (*Approximate Address*)
Franklin Township, Council District #25
Lennar Homes of Indiana Inc., by Brian J. Tuohy
Rezoning of 67.54 acres from the D-A district to the D-4 district.

2020-ZON-021 **Continued to 6/11/2020.**
460 South High School Road (*Approximate Address*)
Wayne Township, Council District #22
The Luba Komsiski Irrevocable Living Trust Dated 10/28/2009, by Rogelio Mancillas Jr.
Rezoning of 13.4 acres from the D-3 district to the D-8 district.

2020-ZON-026 **Continued to 6/11/2020.**
6259 Five Points Road (*Approximate Address*)
Franklin Township, Council District #25
Premier Land Company, by Joseph D. Calderon
Rezoning of 36.39 acres from the D-A district to the D-3 district.

2020-CZN-812 / 2020-CPL-812 **Continued to 6/11/2020.**
11800 East 21st Street (*Approximate Addresses*)
Warren Township, Council District #14
Universal Properties LLC, by David Kingen and Justin Kingen
Rezoning of 13.47 acres from the D-3 and MU-2 districts to the D-4 district.

Approval of a Subdivision Plat to be known as Deeba Acres, dividing 13.47 acres into 42 lots, with a waiver of perimeter sidewalks.

Public hearings are accessible to persons with disabilities. For accommodations needed by persons with disabilities planning to attend the hearing, please call the Office of Disability Affairs at (317) 327-5654, at least 48 hours prior to the meeting. Copies of the proposals listed above and all plans and exhibits pertaining thereto are on file and available for examination prior to the hearing by sending an e-mail request to PlannerOnCall@indy.gov between the hours of 8:00 A.M. and 4:30 P.M. Monday through Friday. Written objection to a proposal may be filed with the Secretary of the Metropolitan Development Commission before the hearing at DMDPublicComments@indy.gov 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.

Division of Planning
Current Planning Section
Department of Metropolitan Development