

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

July 9, 2026

Case Number: 2026-CZN-819 / 2026-CVC-819

Property Address: 5849 Crittenden Avenue

Location: Washington Township, Council District 7

Petitioner: Roman Catholic Archdiocese of Indianapolis Properties, Inc., as Trustee,
Bishop Chatard High School, Inc., by Brian J. Tuohy

Current Zoning: D-5

Rezoning of 0.48-acre from the D-5 district to the SU-2 district to provide for school uses.

Request: Vacation of a portion of East Northgate Street, being 50 feet wide, from the east right-of-way line of Crittenden Avenue (also being the northwest corner of Lot 100 of Northdale, an addition to the City of Indianapolis), 279 feet to a point (also being the northeast corner of Lot 30 in said subdivision).

Current Land Use: Educational uses and public street

Staff Recommendations: Approval of the rezoning request and the vacation.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The rezoning and vacation petitions were approved on May 28, 2026, and the assessment of benefits was scheduled for hearing on June 11, 2026. An appraisal report has not been submitted, so this hearing will need to be continued to July 9, 2026.

ADDENDUM FOR July 9, 2026, ASSESSMENT OF BENEFITS HEARING

The vacation petition was continued from the June 11, 2026 hearing, to the July 9, 2026 hearing, for a hearing on the assessment of benefits. An appraisal, file-dated June 29, 2026, has been submitted for consideration by the Hearing Examiner. Staff has reviewed the findings of the appraisal and agrees with its findings.

ASSESSMENT OF BENEFITS

Appraiser Used:	Paul Schuster (Monument Realty, LLC, dba Murphy Appraisal Services)
Appraiser's Benefits:	\$ 4,000.00
Appraiser's Fee:	\$ 1,000.00

RECOMMENDED MOTION: That the Hearing Examiner sustain, confirm, approve and adopt the Final Assessment Roll in 2026-CVC-819, assessing benefits therewith, in the amount of \$4,000.00 and that the petitioner pay the Appraiser's Fee of \$1,000.00.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning and the vacation request.

PETITION OVERVIEW

This 0.48-acre site, zoned D-5, is developed with a single-family dwelling and public street. It is surrounded by educational uses to the north, zoned SU-2; a single-family dwelling to the south, zoned D-5; a parking lot to the east, zoned SU-2; and a single-family dwelling to the west, across Crittenden Avenue, zoned D-5.

REZONING

This request would rezone the site to the SU-2 district to provide for school uses.

"No building, structure, premises or part thereof shall be constructed, erected converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this article and until the proposed Site and Development Plan and landscape plan have been filed with and approved on behalf of the Commission by the Administrator."

All land use within the Special Use districts shall be limited to the use or uses as identified in the Ordinance.

The Comprehensive Plan recommends suburban neighborhood typology for the site.

Recommended land uses in this typology include detached housing; attached housing; multi-family housing; assisted living facilities/nursing home; group homes; bed and breakfast; small-scale offices, retailing, and personal or professional services; small- and large- scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; small-scale parks; and community farms / gardens.

As proposed, this request would be consistent with and align with the Plan recommendation of suburban neighborhood that allows large-scale schools.

VACATION

This request would vacate a portion of East Northgate Street being 50 feet wide, from the east right-of-way line of Crittenden Avenue (also being the northwest corner of Lot 100 of Northdale, an addition to the City of Indianapolis), 279 feet to a point (also being the northeast corner of Lot 30 in said subdivision)

The request would permit adjacent properties, to the north and south, to be combined and incorporated into the school campus without an intervening public street, which could improve the safety of students.

Procedure

Neither the Division of Planning nor the Plat Committee, Hearing Examiner or Metropolitan Development Commission determines how vacated right-of-way is divided. The approval of a vacation petition only eliminates the public right-of-way. The vacation approval does nothing more. A petitioner will not receive a deed or other document of conveyance after the approval of a vacation.

The general rule under Indiana case law is that when a street or highway is vacated or abandoned the title to the land reverts to the abutting property owners. This rule exists by virtue of the fact that the abutting landowner owns to the center of the street or highway subject only to an easement for the public to the use of the street or highway. *Gorby v. McEndarfer* 135 Ind.App. 74, *82, 191 N.E.2d 786, **791 (Ind.App.1963). However, there are possible exceptions to this general rule.

After a vacation of public right-of-way the county assessor determines how the vacated right-of-way will be assessed for tax purposes.

Petitioners and abutters of the vacated right-of-way should consult their own attorneys for advice regarding the ownership of the vacated right-of way.

RECOMMENDED MOTION: That the Hearing Examiner find that the proposed vacation is in the public interest; that a hearing upon the assessment of benefits be held on June 11, 2026; that the Hearing Examiner confirm and ratify the adoption of Declaratory Resolution 2026-CVC-819; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Single-family dwelling and public street	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North: SU-2	Educational uses
	South: D-5	Single-family dwelling
	East: SU-2	Parking lot
	West: D-5	Single-family dwelling
Thoroughfare Plan		
Crittenden Avenue	Local Street	Existing 60-foot right-of-way and proposed 48-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	

Wellfield Protection Area	No
Site Plan	N/A
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	April 3, 2026
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Suburban Neighborhood typology. “The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or parks.”

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

Conditions for All Land Use Types – Suburban Neighborhood Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.
- Hydrological patterns should be preserved wherever possible.
- Curvilinear streets should be used with discretion and should maintain the same general direction.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-Throughs for Longer Blocks, Are Encouraged.

Large-Scale Schools, Places of Worship, and Other Places of Assembly (defined as schools, places of worship, and other places of assembly that are generally more than five acres in size. particularly large centers of education such as township high schools and universities would not be included in this definition, and are considered to be regional special use).

- Should be located along an arterial street.
- If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.
- Schools should not be within 1000 feet of a highway, freeway, or expressway.
- Should be located within one-half mile of a bus or rapid transit stop, unless there is no bus service within the institution's service area.
- In predominantly platted, single-family neighborhoods, site should be at least as wide as it is deep.
- Should be in harmony with the surrounding neighborhoods and site and screen their parking, service, and emergency vehicle areas to buffer surrounding residential uses.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

The Marion County Thoroughfare Plan (2019) "is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area."

The following listed items describe the purpose, policies and tools:

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.



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- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.

ZONING HISTORY

2025-CZN-829 / 2025-CVC-828; 5802, 5808, 5814, and 5820 Evanston Avenue (east of site, requested rezoning of 1.56 acres from the D-5 district to the SU-2 district to provide for school uses and a vacation of Evanston Avenue, **approved.**

2018-ZON-016; 5824, 5830, 2834, and 5840 Evanston Avenue (east of site), requested rezoning of 0.8 acre, from the D-4 districts to the SU-2 classification, **approved.**

2004-ZON-818; 5714-5745 Evanston Avenue and 2019 Northdale Lake Drive (southeast of site), requested rezoning of 2.25 acres being in the D-6II District, to the D-P classification to legally establish multi-family residential development with a density of 10.70 units per acre, **approved.**

2000-ZON-069; 5885 Crittenden Avenue (north of site), requested rezone 10.6 acres from the D-5 to SU-2 to legally establish an existing high school and related athletic facilities, **approved.**

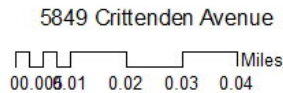
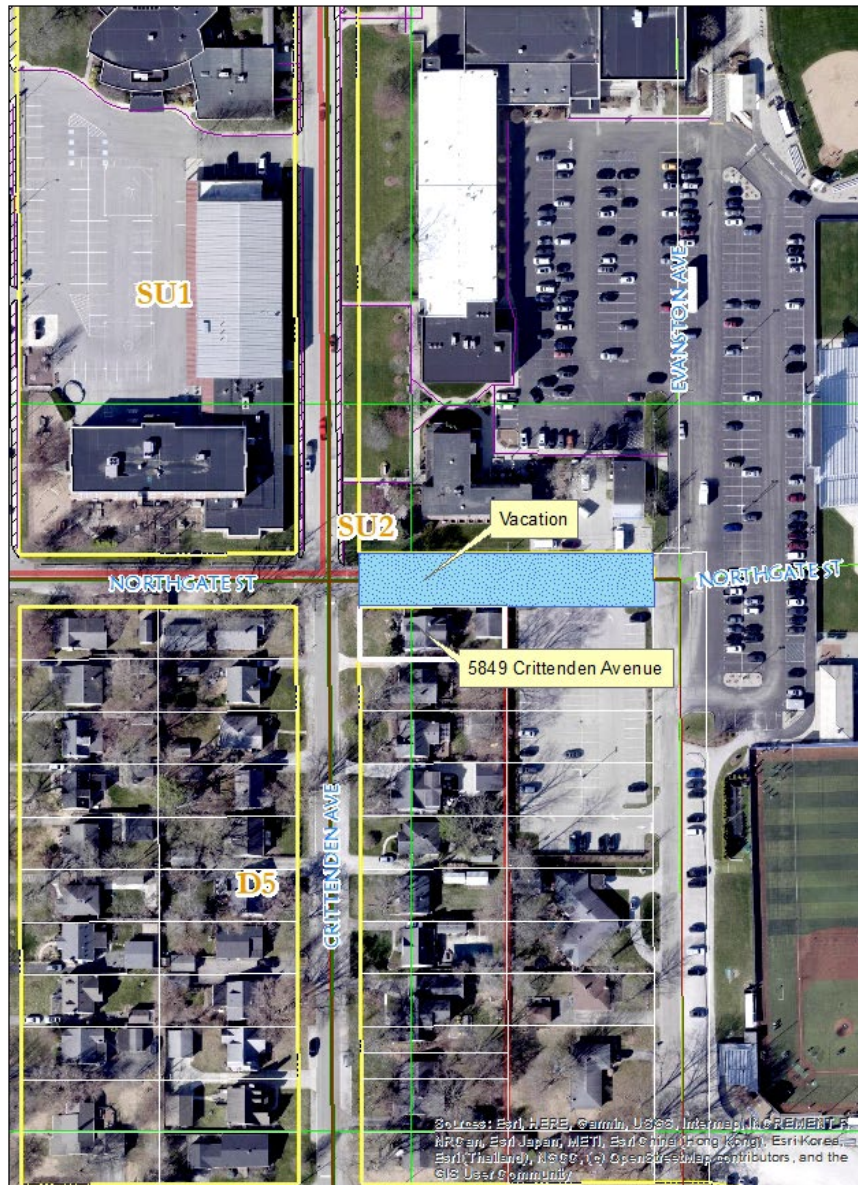
91-P-60; 2002 East 56th Street (east of site), requested approval of subdivision plat to be known as Northdale Subdivision, dividing 3.3+ acre into 4 lots, **approved.**

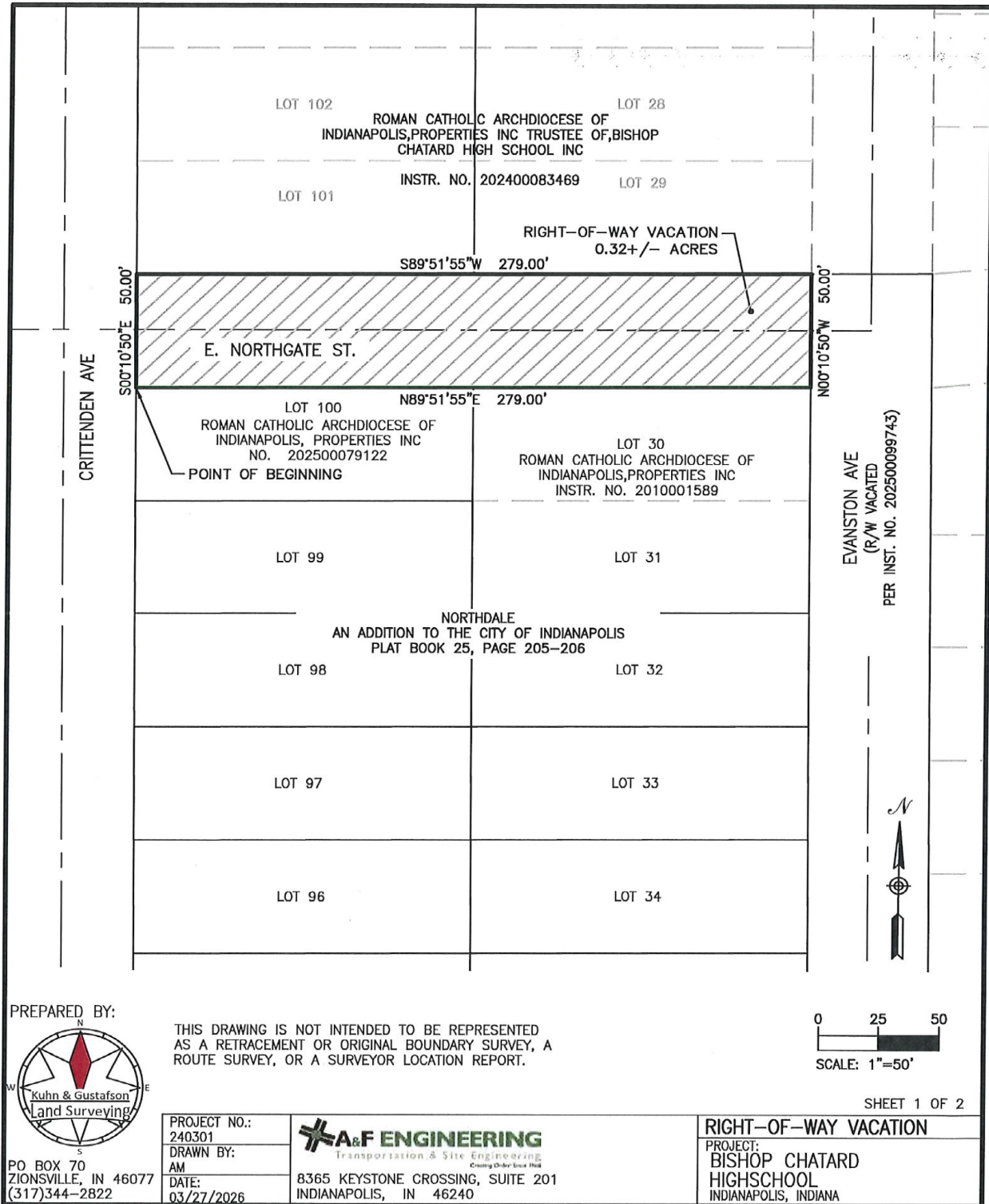
70-Z-56; 1700 – 1900 East 54th Street (south of site), requested rezoning of 55.75 acres being in the D-4 and D-5 districts to the D-6II classification to provide for the construction of an apartment and townhouse development, **approved.**

70-Z-52; South side of Kessler Boulevard, East Drive, between Crittenden and Norwaldo Avenues (north of site), requested rezoning 3.70 acres from the D-5 district to the SU-1 classification to provide for the construction of a new church building with off street parking as per plans filed, **approved.**

67-Z-105; All lots east of Evanston and lots on west and east of Caroline Between and including lots facing East 58th Street and Northgate Street (east of site), requested rezoning of approximately 6.573 acres being in the D-5 district to Special Use (2) classification to permit recreational purposed, **approved.**

EXHIBITS







Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
PLAT COMMITTEE
HEARING EXAMINER
OF MARION COUNTY, INDIANA

PETITION FOR VACATION OF A PUBLIC WAY, EASEMENT OR PUBLIC PLACE

FINDINGS OF FACT

1. THE PROPOSED VACATION IS IN THE PUBLIC INTEREST because:
The vacation will allow the Petitioner to develop and improve the site with a parking area and related improvements for use by Chatard High School. The portion of Northgate Street to be vacated terminates at the entrance of the school's parking lot and is not a through street. Additionally, Petitioner owns the parcels on both sides of the portion of Northgate Street to be vacated. The vacation allows for the connection of school owned property without an intervening public street and promotes safety by separating school traffic from neighborhood traffic. The vacation will allow for substantial investment in the area and off street parking for the school.

DECISION

IT IS THEREFORE the decision of this body that this VACATION petition is APPROVED, subject to any conditions stated in the minutes (which conditions are incorporated herein by reference and made a part of this decision).

Adopted this _____ day of _____, 20 ____



View looking east along East Crittenden Avenue



View looking west along East Crittenden Avenue



View of school campus looking north from East Crittenden Avenue



View of school campus looking north from East Crittenden Avenue



View of school campus looking north from East Crittenden Avenue



View of school campus looking northeast from East Crittenden Avenue



View of school campus looking east from East Crittenden Avenue



View looking southeast across recently vacated Evanston Avenue



View looking south along recently vacated Evanston Avenue



View of campus looking south across East Crittenden Avenue



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