

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-CVR-835 / 2026-CPL-835

Property Address: 3989 Meadows Drive

Location: Washington Township, Council District #8

Petitioner: Temple of Praise Assembly Church, by Misha Rabinowitch

Current Zoning: D-8

Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a proposed multi-family development, consisting of 32 units (Medium Apartment), (maximum of 12 units or Small Apartment permitted), with 11 parking spaces (minimum of 32 spaces required), a building height of 40 feet (maximum building height of 35 feet permitted); and parking within the side yard setback (not permitted).

Approval of a Subdivision Plat to be known as The Meadows Replat of Block Q and part of Block P, subdividing 2.15 acres into two lots.

Current Land Use: Religious uses and associated parking.

Staff Recommendations: Approval of the variance requests and the plat

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing for these requests.

STAFF RECOMMENDATION

Staff recommends approval of the four variances of development standards request.

Staff recommends that the Hearing Examiner approve and find that the plat, file dated June 9, 2026, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provides a bond as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
2. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
4. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.

5. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
 6. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
 7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
 8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
 9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
 10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
 11. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.
 12. That the plat shall be recorded within two (2) years after the date of conditional approval by the Hearing Examiner.
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PETITION OVERVIEW

This 2.15-acre site, zoned D-8, is developed with religious uses and associated parking lots. It is surrounded by a governmental facility under construction and open space to the north and east, zoned D-P; commercial uses to the south, zoned C-4; and educational uses to the west, across Meadows Drive, zoned D-P.

VARIANCES OF DEVELOPMENT STANDARDS

As proposed, four variances, one of which is a use variance for a medium apartment, with three variances of development standards that include reduced parking, increased building height and parking in the side yard setback.

The use variance that would provide for a medium apartment consisting of 32 dwelling units when the D-8 district limits multi-family development to a small apartment with three to 12 dwelling units. Staff supports density and recognizes the proposed development would contribute to the housing shortage. Additionally, the proposed density at 14.8 units per acre would align with the village mixed use Comprehensive Plan recommendation of six to 25 units per acre. Consequently, staff supports this use variance and believes the development would not negatively impact surrounding land uses.

The request would also provide for reduced parking from the required minimum of 23 parking spaces to 11 parking spaces. Staff supports this reduction because adjacent parking would be available through a shared parking arrangement with the adjoining religious uses to the south. Staff also understands that the proposed multi-family development would be marketed to seniors that could further reduce the need for parking spaces.

The building height of the proposed multi-family building would be 40 feet when the Ordinance limits the building height to 35 feet. Staff believes that the five-foot increase would have minimal impact on the surrounding land uses and enable increased density.

Staff supports the request to allow for parking in the side yard due to the configuration of the parcel and the limited space to provide parking in the rear of the building.

PLAT

This request would provide for approval of a Subdivision Plat, to be known as The Meadows Replat of Block Q and part of Block P, dividing 0.74 acre into 2 lots.

Site Plan

The existing religious uses would be located on Lot 1 consisting of 1.41 acres. The proposed multi-family development, with 11 parking spaces, would be located on Lot 2 consisting of 0.74 acre for a total of 2.15 acres. Adams Street (50-foot public right-of-way) abuts Lot 2 along the northern boundary.

There would be 11 parking spaces adjacent to the proposed multi-family development. Parking for religious use would be provided to the north (25 parking spaces) and south (20 parking spaces) of the existing building.

The existing southern parking lot association with the religious is not included in the plat.

Streets

No new street is proposed. There are currently three access drives to the site, but the center access drive would be removed as the site is developed. Access drives to each to the two uses are proposed.

Sidewalks

Sidewalks currently exist along the Meadows Drive frontage.

Waivers

No waivers are requested.

GENERAL INFORMATION

Existing Zoning	D-8
Existing Land Use	Religious uses / parking lots
Comprehensive Plan	Village Mixed-Use

Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-P	Governmental facility
South:	C-4	Commercial uses
East:	D-P	Governmental facility
West:	D-P	Educational uses
Thoroughfare Plan		
Meadows Drive	Primary Collector	Existing 75-foot right-of-way and proposed 56-foot right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	June 9, 2026	
Site Plan (Amended)	N/A	
Elevations	June 9, 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	June 9, 2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Village Mixed-Use typology. The Village Mixed-Use typology creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre. |

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.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

Conditions for All Land Use Types – Village Mixed-Use 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.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- Where possible, contributing historic buildings should be preserved or incorporated into new development.

Conditions for All Housing

- Should be within a one-quarter-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
- Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection

Small-Scale Multi-Family Housing (defined as Single or multiple buildings each with five or more legally-complete dwelling units in a development of less than two acres and at a height of less than 40 feet.)

- Mixed-Use structures are preferred.
- Parking should be either behind or interior to the development.

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.
- 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

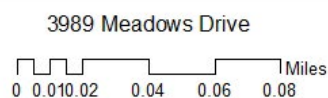
2024-MOD-022; 3985 Meadows Drive (west of site), requested a modification of Development Statement and Site Plan related to the rezoning petition 2010-ZON-042 to amend the site plan to allow an EMS Headquarters, **approved**.

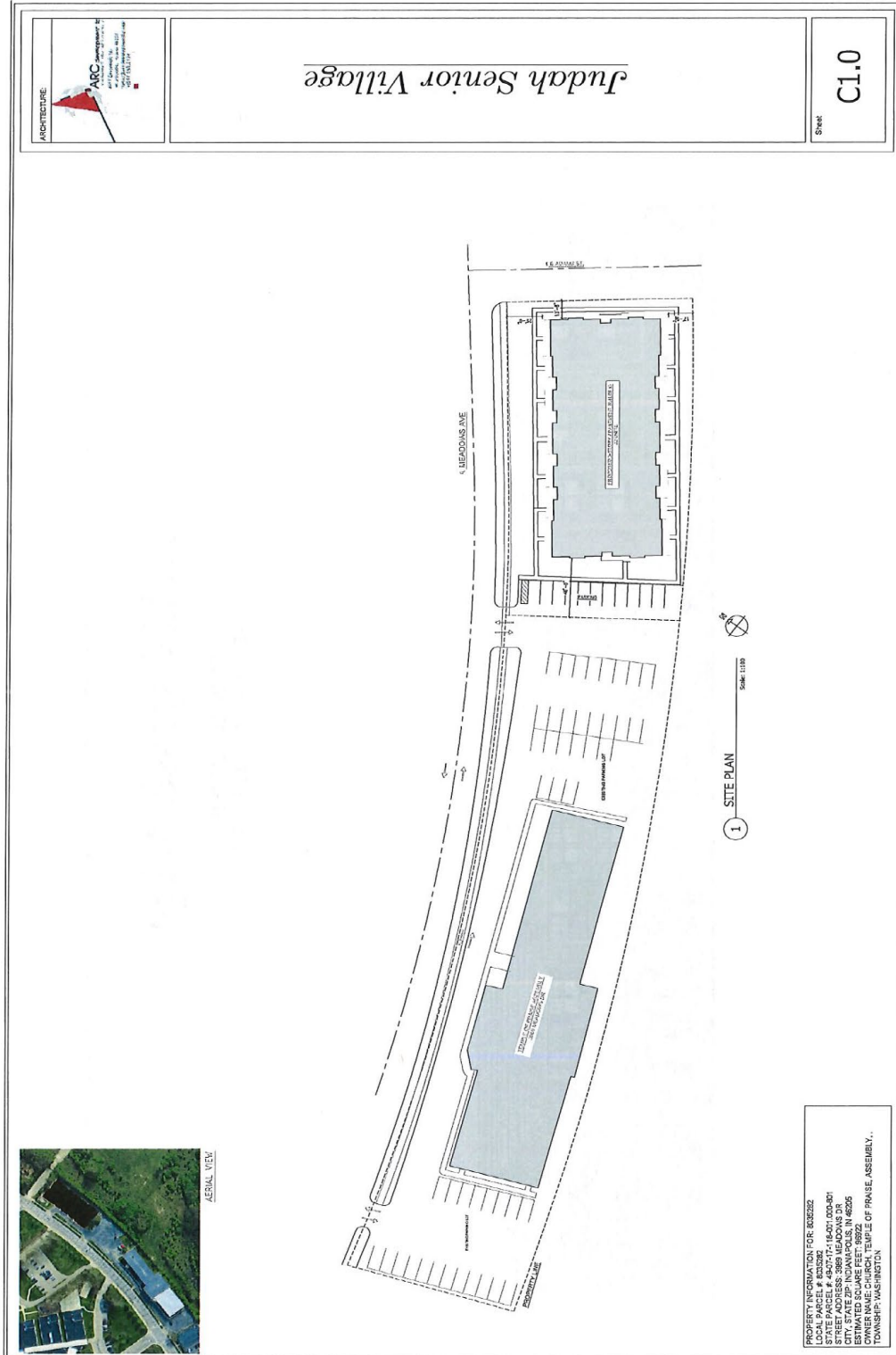
2010-ZON-042 / 2024-DP-003; 3801-4005 Meadows Drive, 3805-3806 North Dearborn Street (south of site), requested rezoning of 101.9 acres, from the D-8 (W-5), D-9 (W-5), SU-2 (W-5), C-4 (W-5) and C-S (W-5) Districts, to the D-P (W-5) classification to provide for single-family, two-family and multi-family residential uses, a) commercial uses permitted within the C-1, C-3 and C-4 Districts, b) special and institutional uses permitted within the SU-1, SU-2, SU-6, SU-7, SU-9, SU-37, SU-38, SU-39 Districts, c) mixed-use areas of residential and commercial in the same building as well as live/work units, including light manufacturing and assembly and residential, commercial and institutional uses within the same building, and d) uses permitted within the SU-3 and SU-9 Districts and agricultural uses, including a community garden and the sale of products produced therein, **approved**.

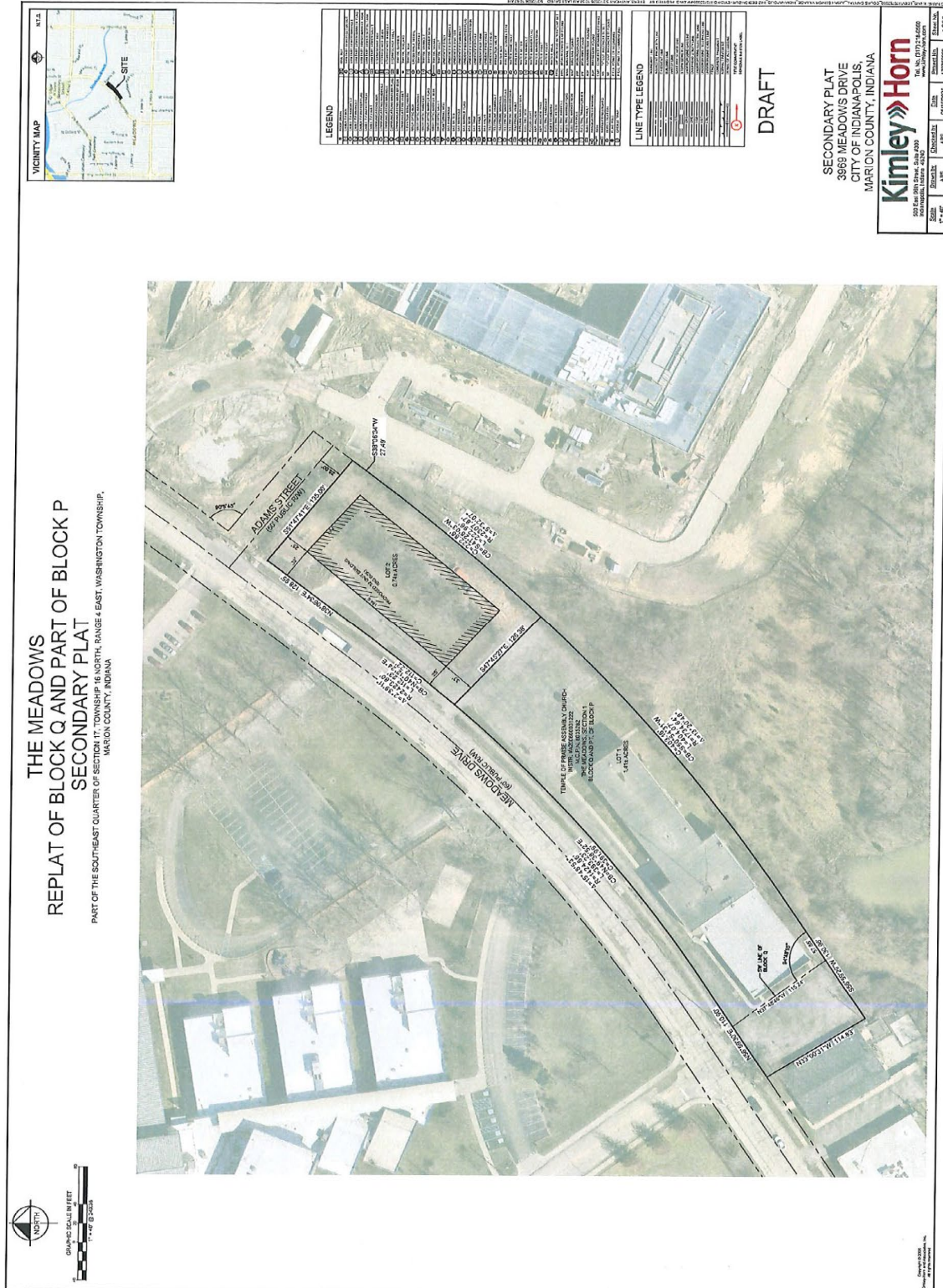
2006-ZON-008; 4000 Meadows Drive (north of site), requested rezoning of 13.95 acres from C-1(W-5), C-4(W-5), and D-8(W-5) to SU2-(W-5) to provide for a charter school, **approved**.

2001-ZON-165; 3940 Meadows Drive (south of site), requested rezoning of 12.5 acres from C-4 to C-S to provide for a general contractor with related offices and outdoor storage, general offices, educational use, and C-3 uses, **approved**.

2000-ZON-031; 3960 Meadows Drive (south of site), requested rezoning of eight acres from C-4 to C-S to provide for I-3 uses, **withdrawn**.









Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA**

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:
the parking need for the propose senior living community will be less than typical multifamily developments and sufficient parking through an agreement with the adjacent church will be provided.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:
the parking need for the proposed senior living community will be less than typical multifamily developments and sufficient parking through a shared parking arrangement and agreement with the adjacent church will be provided.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:
the ordinance parking requirement does not account for the reduced parking demand for senior living communities, nor does it take into account shared parking with the adjacent church property.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____

METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

(Parking Within Setback)

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The proposed parking within the sideyard setback will be integrated with the adjacent parking lot with a cross access easement.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The proposed parking within the sideyard setback will be integrated with the adjacent parking lot with a cross access easement.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

The setback requirement, as it relates to parking, does not contemplate the integrated nature of the development.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____

_____	_____
_____	_____
_____	_____

Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA**

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE

the site is conducive to a development that is more dense and exceeds the development standards for small apartments under the D-8 zoning ordinance.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE

the site is conducive to a development that is more dense and exceeds the development standards for small apartments under the D-8 zoning ordinance.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE

the site, although conducive to multifamily development, is narrowly configured.

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE

although the site is conducive to multifamily development in accordance with the D-8 zoning classification, the ordinance, as written, does not permit the large medium development standards to be applied to D-8.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE

the Village Mixed Use typology, applicable to the site, contemplates multifamily housing like the proposed development which is compatible with the area.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____

Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA**

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

the variance for height of five (5) feet above what is already permitted in the D-8 zoning classification is minimal and fits in context with other multifamily developments in the area.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

the proposed development is being constructed in a manner that is complimentary to the existing adjacent church with shared parking and access.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

although a three (3) story building fits in context and is consistent with the existing D-8 zoning, the 35 ft. height limitation prohibits 3-story residential development.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____

_____	_____
_____	_____
_____	_____



View looking south along Meadows Drive



View looking north along Meadows Drive



View of southern portion of site looking south along Meadows Drive



View of site looking north



View of northern portion of site looking northeast



View of site looking east



View looking southeast along existing building



View of northern portion of site looking east across Meadows Drive



View of northern portion of site looking east across Meadows Drive



View of existing building looking east across Meadows Drive



View of site looking southeast at existing building across Meadows Drive



View of site looking east at southernmost parking lot across Meadows Drive



View from site looking west across Meadows Drive



View from site looking northwest across Meadows Drive



View from site looking southwest across Meadows Drive