



Metropolitan Development Commission Hearing (February 4, 2026) Meeting Notice

Meeting Details

Notice is hereby given that the Metropolitan Development Commission of Indianapolis-Marion County, IN, will hold public hearings on:

Date: Wednesday, February 04, 2026 **Time:** 1:00 PM

Location: Public Assembly Room, 2nd Floor, City-County Building, 200 E. Washington Street

Business:

Adoption of Meeting Minutes: January 21, 2026

Special Requests

Policy Resolutions:

REAL ESTATE:

1. 2026-R-002

Authorizes the Department of Metropolitan Development to accept six (6) Surplus properties from the County Board of Commissioners.

2. 2026-R-003

Authorizes the Department of Metropolitan Development to dispose of real property through the Vacant to Vibrant program.

ECONOMIC DEVELOPMENT / INCENTIVES:

3. 2026-A-004 (For Public Hearing)

Final Economic Revitalization Area Resolution for TMC Winterton I LLC, located at 1010 East 86th Street and 8685 & 8699 Guilford Avenue, Council District #2, Washington Township. (Recommend approval of ten (10) years real property tax abatement.)

4. 2026-A-005 (For Public Hearing)

Resolution authorizing a hearing regarding termination of the Personal Property Tax Abatement associated with Economic Revitalization Area Resolution 2021-A-033, 2021, Hostess Brands LLC, located at 2929 North Shadeland Avenue, Council District #9, Warren Township.

PLANNING:

5. 2026-P-001

Resolution to make various appointments of the Metropolitan Development Commission, including: the Marion County Boards of Zoning Appeals; alternate Hearing Examiner; Hearing Officers; and the Plat Committee.

Zoning Petitions:

PETITIONS OF NO APPEAL (RECOMMENDED FOR APPROVAL):

6. 2024-MOD-019 | 8907 Fathom Crest

Lawrence Township, Council District #4
D-P
Bryan Harris

Modification of D-P Statement for Beamreach Section 3, related to 78-Z-152, to modify plat restriction 2. (v) to allow for a minimum side yard of six feet and an aggregate of 13 feet (current plat restriction requires a 22-foot aggregate side yard in all areas excepting Area 17 which allows 16 feet and no side yard less than eight feet in all areas, excepting in Area 17 which may be six feet).

7. 2025-MOD-023 | 8707 Shelby Street

Perry Township, Council District #23
HD-2
Shelby Street Property, LLC, by C. Addison Bradford

Modification of Commitments related to 97-Z-123 to terminate Commitment Number #2 to provide for a 45-foot half right-of-way (previous commitment required dedication of a 70-foot half right-of-way).

8. 2025-ZON-062 | 5709 Five Points Road and 7340 East Edgewood Avenue

Franklin Township, Council District #25
Grand Communities, LLC, by Brian J. Tuohy

Rezoning of 64.64 acres from the D-A (FF) district to the D-4 (FF) district to provide for residential development.

9. 2025-ZON-111 | 11207 East Washington Street

Warren Township, Council District #20
Indianapolis Public Transportation Corporation d/b/a IndyGo, by Brian J. Tuohy

Rezoning of 1.433 acres from the D-5 (TOD) district to the SU-9 (TOD) district to provide for supportive uses for a proposed IndyGo transit center.

10. 2025-ZON-121 | 4630 West 71st Street

Pike Township, Council District #1
Cassandra Thomas

Rezoning of 0.11-acre from the C-1 district to the D-2 district to legally establish an existing single-family detached dwelling.

11. 2025-ZON-125 | 9700 East Thompson Road

Franklin Township, Council District #25
Forestar (USA) Real Estate Group, Inc., by Brian J. Tuohy

Rezoning of 39.85 acres from the D-A (FF) district to the D-4 (FF) district to provide for a single-family residential development.

12. 2025-ZON-131 | 1255 Roosevelt Avenue

Center Township, Council District #13
1255 Roosevelt Partners, LLC, by Tyler Ochs

Rezoning of 3.66 acres from the I-4 (FF) district to the C-S (FF) district to provide for indoor recreational uses including a pickleball facility, a bar/tavern, and all I-4 uses.

13. 2025-ZON-136 | 1711 North College Avenue

Center Township, Council District #13
1711 N College Ave LLC., by John Smith

Rezoning of 0.12 acre from the C-1 district to the D-8 district to provide for residential uses.

PETITIONS OF NO APPEAL (RECOMMENDED FOR DENIAL):

14. 2025-ZON-098 (Amended) | 6157 East 38th Street

Warren Township, Council District #9
Thomas L. Pottschmidt

Rezoning of 5.16 acres from the C-5 (TOD) district to the I-3 (TOD) district for medium industrial uses.

Petitions for Public Hearing

PETITIONS FOR PUBLIC HEARING:

15. MODIFICATION PETITION RECOMMENDED FOR DENIAL BY HEARING EXAMINER, APPEAL FILED BY PETITIONER:

2025-MOD-024 | 5601 and 5621 Madison Avenue and 1525 East Dudley Avenue

Perry Township, Council District #23

C-5 (TOD)

Jade Investments of Indy Inc., by David E. Dearing

Modification of Commitments Numbers #2 and #5 related to 2015-ZON-007, subject to the site plan, file-dated November 18, 2025, for landscaping and office location (previous commitments provided for Administrator's Approval for redevelopment or replacement of the residential structure, no other commercial use and removal of the mobile office within 24 months after final approval of the rezoning).

16. REZONING PETITION RECOMMENDED FOR DENIAL BY HEARING EXAMINER, APPEAL FILED BY PETITIONER:

2025-ZON-132 (Amended) | 5736 Madison Avenue

Perry Township, Council District #23

Jade Investments GMA, LLC, by David E. Dearing

Rezoning of 1.21 acres from the D-1 (TOD) district to the C-1 (TOD) district to provide for a day care center and office / commercial uses.

17. REZONING PETITION SCHEDULED FOR INITIAL HEARING:

2025-ZON-130 | 1033, 1037, 1041, 1045, 1049, and 1053 Harlan Street

Center Township, Council District #18

Harbours at Harlan, LLC, by Michael Rabinowitch

Rezoning of 1.05 acres from the D-5 district to the D-P district to provide for a townhome development, consisting of 15 dwelling units.

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 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.

METROPOLITAN DEVELOPMENT COMMISSION (MDC)

MEMBER ROSTER

Commissioner	Appointing Authority	Term
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John J. Dillon III (President)	Mayor	01/01/2026 – 12/31/2026
Megan Garver (Vice-President)	Mayor	01/01/2026 – 12/31/2026
Brian P. Murphy (Secretary)	Mayor	01/01/2026 – 12/31/2026
Bruce Schumacher (Acting Secretary)	Mayor	01/01/2026 – 12/31/2026
Brandon Herget	City-County Council	02/02/2026 – 02/02/2027
Brent Lyle	City-County Council	12/02/2025 – 12/02/2026
Daniel Moriarty	City-County Council	08/11/2025 – 08/11/2026
Brigid Robinson	Mayor	01/01/2026 – 12/31/2026
Gregg West	City-County Council	05/05/2025 – 05/25/2026

This meeting can be viewed live at [indy.gov: Channel 16 Live Web Stream](https://indy.gov/Channel16LiveWebStream). The recording of this meeting will also be archived (along with recordings of other City/County entities) at [indy.gov: Watch Previously Recorded Programs](https://indy.gov/WatchPreviouslyRecordedPrograms).

Vacant to Vibrant (V2V)/Indianapolis Land Bank
Real Estate Acquisition from County Board of
Commissioners (02-04-2026) Various Locations

**METROPOLITAN DEVELOPMENT COMMISSION
OF
MARION COUNTY, INDIANA
Resolution No. 2026-R-002**

WHEREAS, the Department of Metropolitan Development, ("DMD"), by authority of and pursuant to I.C. 36-7-15.1, is engaging in redevelopment activities in the Marion County Redevelopment District ("District"); and

WHEREAS, pursuant to I.C. 36-7-15.1-6, the Metropolitan Development Commission ("MDC") is charged with the responsibility of promoting the use of land in the manner that best serves the interest of the City of Indianapolis ("City") and its inhabitants, both from the standpoint of human needs and economic values; and

WHEREAS, the MDC is authorized by I.C. 36-7-15.1-7 to accept property needed for redevelopment of areas needing redevelopment that are located within the redevelopment district; and

WHEREAS, the Board of Commissioners of Marion County, Indiana ("Marion County Commissioners") are the owners of certain real property located in the District as shown on Exhibit A which were offered in a tax sale without being sold ("Subject Real Properties"); and

WHEREAS, the Subject Real Properties are an essential component of the City's land bank goals being pursued by DMD in the redevelopment district; and

WHEREAS, the Marion County Commissioners passed a resolution on December 16, 2025, to transfer to DMD six Subject Real Properties for the amounts shown on Exhibit A, attached hereto for a total cost not to exceed Three Thousand Six Hundred Dollars (\$3,600.00).

WHEREAS, the DMD's desires to accept this transfer of the Subject Real Properties as shown on Exhibit A, on behalf of the Commission.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The DMD is hereby authorized to accept the 6 Subject Real Properties as shown on Exhibit A, from the Marion County Commissioners for a total cost not to exceed Three Thousand six hundred and 00/100 Dollars (\$3,600.00).
2. The Director of the DMD is hereby authorized to execute any and all documents necessary to effect the conveyance of the Subject Real Properties in accordance with this Resolution, and all actions heretofore taken by any such official toward the completion thereof and hereby ratified, confirmed and approved.

Approved as/to Adequacy of Legal Form:

By Sheila Kinney
Sheila Kinney, Asst. Corporation Counsel

Date: 1/27/2026

Metropolitan Development Commission:

By: _____
John J. Dillon III, President

Date: _____

EXHIBIT A

Subject Real Properties			
Parcel	Common Address	Legal Description	Cost
1016464	40 N GLADSTONE AV	TUXEDO PARK L38 B2	\$600.00
1019093	1550 E 34 TH ST	HOWLANDS 2ND HOMESTEAD L78	\$600.00
1024813	2805 STATION ST	BRIGHTWOOD L2, L3 & L4 BLK135	\$600.00
1034435	1743 E 34 TH ST	AIRSLIE ADD L61	\$600.00
1074547	3059 FOREST MANOR AV	ROBINWOOD ADD L15	\$600.00
9044377	4951 W VERMONT ST	PT E1/2 SW1/4 S6 T15 R3 BEG 2665.56' N & 136' SE OF SW COR; SE121.4', S100', NW121.4', N100' TO BEG .279AC.	\$600.00

Multiple Properties
Real Estate Conveyance
Multiple Transferees

**METROPOLITAN DEVELOPMENT COMMISSION
OF
MARION COUNTY, INDIANA
Resolution No. 2026-R-003**

WHEREAS, The City of Indianapolis ("City"), Department of Metropolitan Development ("DMD"), is engaging in disposition and redevelopment activities within the Marion County Redevelopment District in Marion County, Indiana ("Redevelopment District"); and

WHEREAS, pursuant to I.C. 36-7-15.1-6, the Metropolitan Development Commission ("MDC") is charged with the responsibility of promoting the use of land in the manner that best serves the interest of the City and its inhabitants, both from the standpoint of human needs and economic values; and

WHEREAS, the MDC has acquired real property listed on the attached Exhibit A located in the Redevelopment District, in multiple areas of the City ("Property"); and

WHEREAS, in accordance with IC 36-7-15.1-7, the MDC may hold, use, sell, exchange, lease, rent, invest in, or otherwise dispose of, through any combination of methods, property acquired for use in the redevelopment of areas needing redevelopment on the terms and conditions that the MDC considers best for the City and its inhabitants; and

WHEREAS, DMD desires to convey title or an option to purchase title to the Property to Transferees listed in Exhibit A for the sale prices listed in Exhibit A in consideration of and subject to the terms of a Project Agreement ("Agreement") to carry out the development proposal as presented to and approved by Vacant to Vibrant Review Committee for the purpose of providing development that will best serve the interest of the City.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Metropolitan Development Commission hereby authorizes the DMD to convey title or an option to purchase title of the Property to Transferees listed in Exhibit A, subject to the terms of the Agreement as described and for the sale listed in Exhibit A.
2. The DMD Director is hereby authorized to execute the necessary documents, with such terms and provisions as may be deemed necessary or appropriate, including without limitation, commitments to be made by Transferees listed in Exhibit A in the Agreement to best accomplish the objectives set forth herein and all actions heretofore taken by any such official toward the completion thereof are hereby ratified, confirmed and approved, for the conveyance of said Property in accordance with this Resolution.

Approved as to Adequacy & Legal Form

Sheila Kinney

Sheila Kinney, Asst. Corp Counsel

Date: 1/27/2026

Metropolitan Development Commission

John J. Dillon III, President

Date:

Exhibit A

Address	Parcel Number	Transferee	Sale Program	Sale Price
1260 Eugene St	1057846	CN Builders LLC	Standard	\$10,000
233 N Walcott St	1032910	Habitat for Humanity	Sale for Affordable Housing	\$5,000
649 Holly Ave	1076307	WIDC	Sale for Affordable Housing	\$5,000
830 W 28 th St	1042819	Near North Development Corporation	Sale for Affordable Housing	\$5,000
1314 W 25th St	1002209	Habitat for Humanity	Sale for Affordable Housing	\$5,000
2452 N Harding St	1003617	Habitat for Humanity	Sale for Affordable Housing	\$5,000
2852 Indianapolis Ave	1066606	Near North Development Corporation	Sale for Affordable Housing	\$5,000
3640 N Gladstone	1085546	INHP	Sale for Affordable Housing	\$5,000
4902 E New York St	1015607	Habitat For Humanity	Sale for Affordable Housing	\$5,000
2750 Columbia Ave	1021725	Aaron Robinson	Standard	\$16,000
1030 W 33rd St	1060403	Sharika Webb	Standard	\$5,000

**METROPOLITAN DEVELOPMENT COMMISSION OF
MARION COUNTY, INDIANA
FINAL ECONOMIC REVITALIZATION AREA RESOLUTION**

RESOLUTION NO. 2026-A-004

REAL PROPERTY TAX ABATEMENT

TMC Winterton I LLC
1010 East 86th Street, 8685 & 8699 Guilford Avenue

WHEREAS, I.C. 6-1.1-12.1 allows a partial abatement of property taxes attributable to "redevelopment or rehabilitation" activities (hereinafter "Project") in "Economic Revitalization Areas"; and

WHEREAS, I.C. 6-1.1-12.1 empowers the Metropolitan Development Commission (hereinafter "Commission") to designate Economic Revitalization Areas and determine the length of the abatement period and annual abatement schedule during the term of the abatement for such property, and to limit the dollar amount of the deduction that will be allowed with respect to a project, by following a procedure involving adoption of a preliminary resolution, provision of public notice, conducting of a public hearing, and adoption of a resolution confirming the preliminary resolution or a modified version of the preliminary resolution; and

WHEREAS, the Commission has established in Resolution No. 01-A-041, 2001, certain standards and procedures for the designation of Economic Revitalization Areas for the partial abatement of property taxes attributable to redevelopment or rehabilitation activities; and

WHEREAS, I.C. 6-1.1-12.1 empowers the Commission, at the time an Economic Revitalization Area is designated, to limit the dollar amount of the deduction that will be allowed with respect to a project; and

WHEREAS, I.C. 6-1.1-12.1 requires an applicant for Economic Revitalization Area designation to provide a statement of benefits and requires the Commission, before it makes a decision to designate such an area as an Economic Revitalization Area, to determine that the Project can be reasonably expected to yield the benefits identified in the statement of benefits and determine that the totality of benefits arising from the Project is sufficient to justify Economic Revitalization Area designation; and

WHEREAS, a business (hereinafter "Applicant") named in the attachment to this Resolution, which is incorporated herein by reference, has an ownership interest in the geographical area (hereinafter "Subject Real Estate") described in such attachment; and

WHEREAS, the Applicant has requested the Subject Real Estate be designated as an Economic Revitalization Area for the purpose of achieving property tax savings in connection with the Project set forth in the attachment to this Resolution and occurring on the Subject Real Estate; and

WHEREAS, during a preliminary hearing at 1:00 p.m. on Wednesday, **January 21, 2026**, the Commission received evidence about whether the Subject Real Estate should be designated as an Economic Revitalization Area and recommended the appropriate length of the abatement period for such Area, and the Commission adopted **Preliminary Resolution No. 2026-A-002**, preliminarily designating the Subject Real Estate as an Economic Revitalization Area for an abatement period of up to ten (10)

years (“Preliminary Resolution”); and it fixed 1:00 p.m. on Wednesday, **February 4, 2026**, for the public hearing of remonstrances and objections from persons interested in whether the Subject Real Estate should be designated as an Economic Revitalization Area; and

WHEREAS, a copy of such Preliminary Resolution was properly filed with the Marion County Assessor and proper legal notices were published indicating the adoption and substance of such Preliminary Resolution and stating when and where such final hearing would be held; and

WHEREAS, pursuant to Commission Resolution No. 01-A-041, 2001, the Applicant and City have entered into a Memorandum of Agreement which shall be utilized to measure compliance with the proposed Project described in the attachment to this resolution; and

WHEREAS, at such final Hearing, evidence and testimony, and Factual Assertions 1 through 6 stated on the attachment to the Preliminary Resolution were considered by the Commission.

NOW, THEREFORE, IT IS RESOLVED:

1. The Commission now confirms, adopts, amends, and approves such Preliminary Resolution and thereby finds and establishes the area as an Economic Revitalization Area subject to the conditions that designation as an Economic Revitalization Area allows the abatement of property taxes only relative to the Project and the effectiveness of the designation can be terminated by action of the Commission if:
 - A. The Applicant is unable to secure approval of the necessary variance or rezoning petition to provide for the proposed development.
 - B. Construction on the Subject Real Estate is not in substantial conformance with the Project description contained in the final resolutions as supplemented by information in the application, site plan and elevations; or
 - C. Construction of the Project is not initiated within one (1) year of the date a final resolution designating the Subject Real Estate as an Economic Revitalization Area is adopted.
2. The Economic Revitalization Area designation terminates **three (3)** years after the date a final resolution is adopted (hereinafter the “ERA”) designation terminates **December 31, 2029**; however, relative to redevelopment or rehabilitation completed before the end of the ERA (3) year period, this termination does not limit the period of time the Applicant or successor owner is entitled to receive a partial abatement of property taxes to a period of less than **ten (10) years**.
3. In the event the investment period, as identified on the Statement of Benefits form, covers more than one assessment cycle, it is the intention of the Commission that Marion County Auditor shall treat each year of partial assessment as the first year of the abatement deduction schedule outlined in this abatement resolution. Each new increment of assessment that occurs during the approved investment period will trigger its own deduction schedule, ensuring that the Applicant is eligible to receive the full, intended abatement savings associated with its forecasted investment, provided that the Applicant timely files with Marion County a separate deduction application (State Forms CF-1 and 322/RE) for each new increment of assessment for which it seeks an abatement deduction.

4. This Economic Revitalization Area designation is limited to allowing the partial abatement of property taxes attributable to redevelopment or rehabilitation activities: **This designation does not allow abatement of property taxes for installation of new manufacturing equipment under I.C. 6-1.1-12.1-4.5.** Pursuant to IC 6-1.1-12.1-2 (i), the Commission hereby limits the dollar amount of the deduction that will be allowed, with respect to redevelopment in the ERA, to those respective tax savings attributable to the redevelopment of the Subject Real Estate, as described in this Resolution and as depicted in the Site Plan and Conceptual Elevations attached hereto.
5. Pursuant to I.C. 6-1.1-12.1-17, the Commission desires to utilize an alternative abatement schedule. The alternative schedule shall allow for 100% deduction (abatement) of the increased property taxes for each of the ten years of the real property tax abatement.
6. The Commission has determined that the Project can be reasonably expected to yield the benefits identified in the attached "statement of benefits" and the "statement of benefits" is sufficient to justify the partial abatement of property taxes requested, based on the following findings:
 - A. The estimate of the value of the proposed Project is reasonable for projects of that nature.
 - B. The estimate of the number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed Project.
 - C. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed Project.
 - D. Other benefits about which information was requested are benefits which can reasonably be expected to result from the proposed Project.
 - E. The "Totality of Benefits" is sufficient to justify the deduction.
7. Under the authority of I.C. 6-1.1-12.1, the Commission directs the Department of Metropolitan Development to survey projects receiving Economic Revitalization Area designation for compliance with job creation/retention figures, salaries associated with these figures, Workforce Support Commitments and investment figures contained in the applicant's approved Final Economic Revitalization Area Resolution, the Memorandum of Agreement executed by and between the applicant and the City, and/or the statement of benefits form. The Commission may reduce the dollar amount, or rescind the deduction in its entirety, and/or require repayment of all or a portion of the deductions received by the applicant for failure to achieve the benefits identified in the Memorandum of Agreement and/or "statement of benefits", or for failure to respond to the mandatory survey.
8. The Commission directs the Department of Metropolitan Development to survey the Project described in the attachment to this Resolution annually for at least twelve (12) years. The dates of the initial twelve (12) surveys shall be on or about the following dates: 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042.
9. The Subject Real Estate and Project area are approved for an abatement period of **ten (10) years**.
10. The real property tax abatement shall utilize the following abatement schedule:

REAL PROPERTY TAX ABATEMENT

YEAR OF DEDUCTION	PERCENTAGE
1 st	100%
2 nd	100%
3 rd	100%
4 th	100%
5 th	100%
6 th	100%
7 th	100%
8 th	100%
9 th	100%
10 th	100%

11. A copy of this Resolution shall be filed with the Marion County Auditor.

[Reminder left intentionally blank; Signatures to follow]

METROPOLITAN DEVELOPMENT COMMISSION

John J. Dillon III, President

Date

Approved as to Legal Form
and Adequacy this 23rd day
of January 2026.

Sheila Kinney

Sheila Kinney,
Assistant Corporation Counsel

STAFF ANALYSIS
REAL PROPERTY TAX ABATEMENT

Area Surrounding Subject Real Estate: The site is located in the heart of Nora, just north of 86th Street, south of 91st Street, east of College Avenue, and west of Keystone Avenue.

Current Zoning:.....DP

New Jobs Created:Five at \$27.38/hr.

Jobs Retained:None.

Estimated Cost of proposed project: \$61,946,838.00

STAFF ANALYSIS

The Winterton redevelopment is a proposed mixed-use project near Nora Plaza along 86th Street in Indianapolis. The plan calls for the complete demolition of the aging Winterton Office Park, originally built in 1963, to transform the 7.2-acre site into a vibrant residential and commercial hub, an undertaking representing more than \$60 million in real property investment.

The development will include 250 apartment units integrated with over 31,100 square feet of retail space. A 756-space interior parking garage will serve both residential and commercial uses, while modern amenities such as a fitness center, rooftop courtyard, and active retail frontage along 86th Street are designed to enhance walkability and strengthen connections to the surrounding community.

Construction is scheduled to begin in the second quarter of 2026, with completion and delivery of first units anticipated in the third quarter of 2028. Phase One will deliver all 250 apartment units, most of the parking structure, and the retail components. The project is expected to create five new jobs with an above-average wage of \$27 per hour. Additionally, the redevelopment will support affordable housing through a \$1.3 million contribution to the Indianapolis Housing Trust Fund, benefiting Marion County.

The applicant is requesting tax abatement to assist in off-setting the high costs of investment associated with this proposed project. The granting of property tax abatement will assist the petitioner in making this project more economically feasible by phasing in the increased tax liability resulting from the investments. In staff's opinion, a project such as this would not be economically feasible without the tax abatement incentive. Staff believes that the use of tax abatement is an appropriate tool to assist with this project and support continued development within Marion County. For these reasons, staff believes tax abatement to be an appropriate tool for development.

Staff believes this project does comply with the requirements of Metropolitan Development Commission Resolution No. 01-A-041, 2001 concerning the granting of property tax abatement.

RECOMMENDATION: Staff recommends approval of ten (10) years real property tax abatement.

TOTALITY OF BENEFITS**PETITIONER:****TMC Winterton I LLC****INVESTMENT:**

Staff estimates that the proposed investment of \$61,946,838.00 should result in an increase to the tax base of approximately \$35,267,700.00 of assessed value. Staff estimates that over the ten (10) year real property tax abatement period the petitioner will realize savings of \$7,555,530.81 (an 84.4% savings). During the abatement period, the petitioner is expected to pay an estimated \$1,398,938.22 in real property taxes on the project. This is in addition to the current taxes being paid on the property in the amount of \$103,565.64 annually (pay 2025 taxes). After the tax abatement expires, the petitioner can be expected to pay an estimated \$895,446.50 in real property taxes annually on the new improvements, in addition to the annual taxes attributable to the current value of the property.

EMPLOYMENT:

The petitioner estimates that this project will create at least five (5) positions at a minimum wage of \$27.38/hr. Staff finds these figures to be reasonable for a project of this nature.

OTHER BENEFITS:

Staff believes this project is significant for Washington Township in terms of new taxes and potential job creation and retention. Furthermore, staff believes the petitioner's project will lead to continued future investment and development in Marion County.

STAFF COMMENT:

Staff believes the "Totality of Benefits" arising from the project are sufficient to justify the granting of the tax abatement.

PROJECT SUMMARY

FACTUAL INFORMATION

<u>Applicant:</u>	TMC Winterton I LLC
<u>Subject Real Estate:</u>	1010 E 86th Street, 8685 & 8699 Guilford Avenue
<u>Washington Township Parcel Number:</u>	8033992, 8040918, 8040919

PROJECT DESCRIPTION

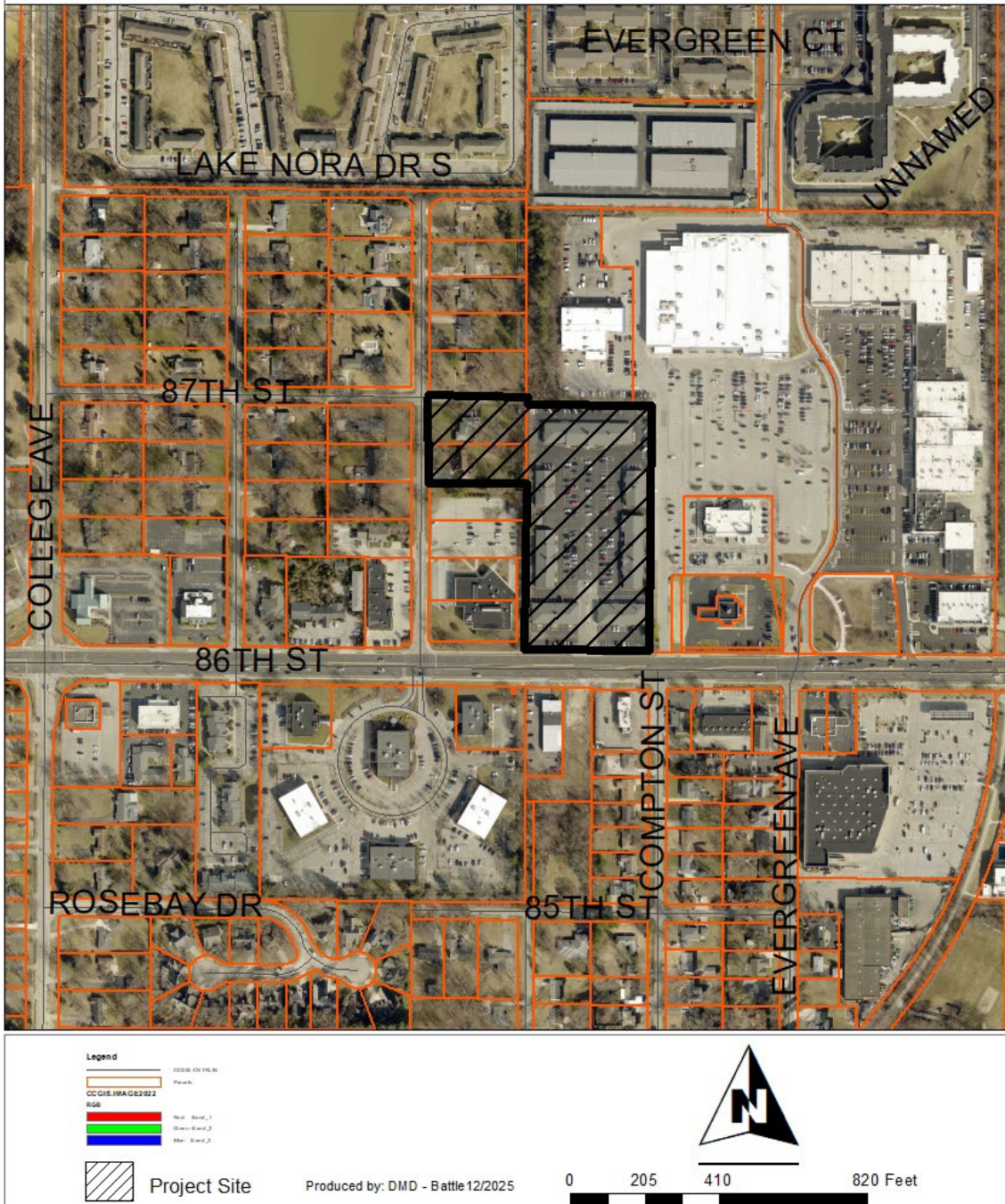
The Winterton redevelopment is a proposed mixed-use project near Nora Plaza along 86th Street in Indianapolis. The plans call for the complete demolition of the aging Winterton Office Park, originally built in 1963, to transform the 7.2-acre site into a vibrant hub featuring 250 residential units, and 31,100 square feet of retail. This \$60 million investment will improve walkability, create new jobs, and provide modern amenities for the community. Construction is scheduled to begin in Q2 2026, with delivery of the first units anticipated in Q3 2028.

<u>New Jobs Created:</u>	5 at \$27.38/hr.
<u>Jobs Retained:</u>	None.
<u>Estimated Cost of Project:</u>	\$61,946,838.00.00

<u>RECOMMENDATION:</u>	Staff recommends approval of ten (10) years real property tax abatement.
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Site Plan

TMC - Winterton Project 1
1010 E 86th St. and 8685 & 8699 Guilford Ave.
a.k.a. parcels# 8033992, 8040918, and 8040919



**METROPOLITAN DEVELOPMENT COMMISSION OF
MARION COUNTY, INDIANA
RESOLUTION TO
TERMINATE FIVE (7) YEAR PERSONAL PROPERTY TAX ABATEMENT FOR**

Hostess Brands, LLC.
2929 N. Shadeland Ave.

Resolution No. 2026-A-005

WHEREAS, I.C. 6-1.1-12.1 allows a partial abatement of property taxes attributable to the installation of new equipment in Economic Revitalization Areas; and

WHEREAS, I.C. 6-1.1-12.1 pursuant to I.C. 6-1.1-12.1, Hostess Brands, LLC. (hereinafter "Applicant") filed a designation application requesting that the subject real estate at 2929 N. Shadeland Ave. (the "Subject Real Estate") be designated as an Economic Revitalization Area for the purpose of achieving property tax savings in connection with the proposed installation of new eligible personal property (hereinafter "Project"); and

WHEREAS, on Wednesday, May 5th, 2021, the Metropolitan Development Commission (hereinafter "Commission") adopted Preliminary Economic Revitalization Area Resolution No. 2021-A-027, 2021 preliminarily designating the Subject Real Estate as an Economic Revitalization Area; and

WHEREAS, on Wednesday, May 19th, 2021, after conducting a public hearing, the Commission adopted Final Economic Revitalization Area Resolution No. 2021-A-033, 2021 (the "Resolution"), confirming designation of the Subject Real Estate as an Economic Revitalization Area for the purpose of receiving five (7) years personal property tax abatement (the "Abatement"); and

WHEREAS, in the Statement of Benefits Form contained in the Resolutions and the Memorandum of Agreement (hereinafter the "MOA") executed by and between the Applicant and the City of Indianapolis (hereinafter referred to as the "City"), the Applicant indicated that \$27,000,000 in personal property investments would be made at the Subject Real Estate, and that 188 retained positions at an average hourly wage of not less than \$22.10, and and 162 new full-time permanent positions would be created at an average wage of \$21.75 per hour as a result of the Project (collectively the "Commitments") and in consideration thereof, the Commission approved the Resolutions and the Applicant accepted the terms and conditions of the Resolutions by accepting the benefits thereof; and

WHEREAS, the Resolution directed the Department of Metropolitan Development ("DMD") to survey the Applicant's Project annually for nine (9) years and the Commission reserved its rights to reduce the dollar amount, or rescind in its entirety, the deduction being received by the Applicant for failure to achieve and maintain the benefits described in the Statement of Benefits and/or the MOA or for failure to respond to the mandatory survey; and

WHEREAS, the Applicant has indicated they will cease operations at the Subject Real Estate; and

WHEREAS, pursuant to Resolution 2021-A-033 of the Commission, authorizes DMD to evaluate and determine on behalf of the Commission whether each property owner who has been awarded a tax abatement has substantially complied with its Statement of Benefits and whether failure to comply was caused by factors beyond the control of the property owner. DMD has determined the Applicant has not complied with the Statement of Benefits; and

WHEREAS, the Applicant has realized a tax savings of \$1,135,325.22 to date due to the Abatement; and

WHEREAS, the Department of Metropolitan Development, on behalf of the Commission and in agreement with the Applicant, determined that the Abatement should be terminated, and the Applicant will pay damages to the amount of \$1,135,325.22 of tax savings received by the Applicant, and donate \$55,863.21 to IndyGo to fulfill the Inclusivity Plan Commitment and subsequently they set 1:00 p.m. on Wednesday, February 4, 2026, for the public hearing of remonstrances and objections from persons interested in whether the Personal Property Tax Abatement for the Project should be terminated, and payment of the damages should be reimbursed to the City; and

WHEREAS, proper legal notices were published stating when and where such final hearing would be held; and

WHEREAS, at such final hearing, evidence and testimony (along with all written remonstrances and objections previously filed) were considered by the Commission; and

WHEREAS, the DMD and The City of Indianapolis have satisfied all other conditions precedent to termination of the Economic Revitalization Area designations and associated tax abatement deductions.

NOW, THEREFORE, IT IS RESOLVED:

1. The Commission hereby confirms DMD's preliminary finding that the Applicant has not substantially complied with the Statement of Benefits contained in the Resolutions or met and maintain the Commitments contained in the MOA.
2. The Commission now hereby determines that the Applicant has failed to or will be unable to substantially comply with the Commitments (as identified and agreed upon in the Statement of Benefits form contained in the attachments to the Resolutions and/or the MOA), entitling DMD to terminate, through the Commission, the tax abatement deductions regarding the Personal Property Tax Abatement for the Project and relative to the Project and Resolutions and authorizes the Director of DMD to sign the Termination Agreement.
3. The Commission hereby acknowledges the termination of the above-described tax abatement, and the Applicant is required to repay the damages, as authorized by this Termination Resolution.
4. The Commission determines that the MOA for the Personal Property Tax Abatement for the Project shall be terminated upon adoption of this Termination Resolution.
5. The Commission hereby directs that the Applicant shall pay to the City of Indianapolis damages in the amount of \$1,135,325.22 and donate \$55,863.21 to IndyGo to fulfill the Inclusivity Plan Commitment within 60 days of the adoption of this Termination Resolution and authorizes the Director of the Department of Metropolitan Development to take such action as is necessary to recover said damages should they not be timely remitted. Upon repayment of said damages, the Commission shall release Applicant from any and all other liabilities related to the Abatement or the termination of the Abatement.
6. A copy of this Final Resolution shall be filed with the Marion County Auditor and Marion County Assessor.

METROPOLITAN DEVELOPMENT COMMISSION

John J. Dillion III, President

Dated

Approved as to Legal Form
and Adequacy this 13th day
of January, 2026

Sheila Kinney

Approved for Legal Form and Adequacy
Office of Corporation Counsel

**METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA
RESOLUTION NO. 2026-P-001**

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana (the "Commission"), serves as the Plan Commission of the Consolidated City of Indianapolis and Marion County, Indiana, under Indiana Code § 36-7-4-202; and

WHEREAS, under Indiana Code § 36-7-4-402, the Commission is empowered to designate Hearing Examiners to conduct any public hearing required to be held by the Commission or make any decision required to be made by the Commission, or both; and

WHEREAS, under IC 36-7-4-902, the Commission is empowered to appoint members to the Metropolitan Board of Zoning Appeals; and

WHEREAS, under IC 36-7-4-923, the Commission is empowered to appoint a Hearing Officer who may exercise some of the powers of the Metropolitan Board of Zoning Appeals; and

WHEREAS, under IC 36-7-4-701, the Commission is empowered to appoint a Plat Committee to hold hearings on and approve plats and replats on behalf of the Commission.

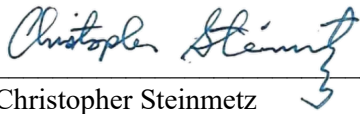
NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby appoints Brian Robinson as Regional Center Hearing Examiner for the period from January 1, 2026, through December 31, 2026.
2. The Commission hereby appoints Megan Phillippe as the alternate Regional Center Hearing Examiner for the period from January 1, 2026, through December 31, 2026.
3. The Commission hereby appoints John Wolski to the Metropolitan Board of Zoning Appeals, Division I, for the period from January 1, 2026, through December 31, 2026.
4. The Commission hereby appoints Tom Barnes to the Metropolitan Board of Zoning Appeals, Division II, for the period from January 1, 2026, through December 31, 2026.
5. The Commission hereby appoints Joanna Taft to the Metropolitan Board of Zoning Appeals, Division III, for the period from January 1, 2026, through December 31, 2026.
6. The Commission hereby appoints Rahnae Napoleon to the Metropolitan Board of Zoning Appeals, as an alternate, for the period from January 1, 2026, through December 31, 2026.
7. The Commission hereby appoints Matt Hostetler as Hearing Officer for the period from January 1, 2026, through December 31, 2026.
8. The Commission hereby appoints Heather Reid as Hearing Officer for the period from January 1, 2026, through December 31, 2026.

9. The Commission hereby appoints Destiny LeJohn to the Plat Committee for the period from January 1, 2026, through December 31, 2026.
10. The Commission hereby appoints Kelly Evans to the Plat Committee for the period from January 1, 2026, through December 31, 2026.
11. The Commission hereby appoints Brandon Herget to the Plat Committee for the period from January 1, 2026, through December 31, 2026.
12. This resolution shall take effect immediately upon adoption by the Commission.

Approved as to legal form and adequacy:

Metropolitan Development Commission



Christopher Steinmetz
Senior Counselling Attorney

John J Dillon III, President

Date: 02/04/2026

Date: _____

METROPOLITAN DEVELOPMENT COMMISSION

February 4, 2026

Case Number: 2025-MOD-024

Property Address: 5601 and 5621 Madison Avenue and 1525 Dudley Avenue

Location: Perry Township, Council District #23

Petitioner: Jade Investments of Indy, Inc., by David Dearing

Current Zoning: C-5 (TOD)

Request: Modification of Commitments Numbers #2 and #5 related to 2015-ZON-007, subject to the site plan, file-dated November 18, 2025, for landscaping and office location (previous commitments provided for Administrator's Approval for redevelopment or replacement of the residential structure, no other commercial use and removal of the mobile office within 24 months after final approval of the rezoning).

Current Land Use: Automobile Sales

Staff Recommendations: Denial.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This petition was heard by the Hearing Examiner on January 15, 2026. After a full hearing, the Hearing Examiner recommended denial of the modification. Subsequently, the petitioner's representative filed an appeal of the Hearing Examiner's decision. A memorandum of her recommendation is attached.

STAFF RECOMMENDATION

Denial.

PETITION OVERVIEW

This 2.0-acre site, zoned C-5 (TOD), is comprised of four parcels developed with an automobile sales operation. It is surrounded by commercial uses to the north, across Dudley Avenue and to the south, across Whalen Avenue, both zoned C-3 (TOD); single-family dwellings to the east, zoned D-3 (TOD); and commercial uses and a single-family dwelling to the west, across Madison Avenue, zoned C-1 (TOD) and D-1 (TOD), respectively.

Petition 94-Z-203 rezoned 1.58 acres of this site to the C-5 district to provide for an automobile sales operation and mobile office structure. Petition 2015-ZON-007 rezoned an additional 0.- acre to the C-5 district to provide for automobile sales and repair and modify Commitment Two to reduce the required east and west transitional yards.

MODIFICATION

The request would modify “additional” Commitments Numbers #2 and #5 related to 2015-ZON-007, subject to the site plan, file-dated November 18, 2025, for landscaping and office location. Previous commitments provided for Administrator’s Approval for redevelopment or replacement of the residential structure, no other commercial use and removal of the mobile office within 24 months after final approval of the rezoning. See Exhibit A.

Both the 2015 site plan and the one submitted with this petition are included in this report but both site plans are the same that provides for landscaping and location of the mobile structure (office).

No reason has been provided that explains why the landscaping has not been installed when agreed upon in 2015. No reason has been provided that explains why the mobile office remains despite agreement that it would be removed by 2017.

Staff does not support this request because nothing has changed over the past ten years. Furthermore, staff is concerned with the failure to comply with the required use specific standards that would minimize the impact of this General Commercial District (D-5) on the surrounding less intense commercial and residential land uses.

Staff also believes that a commercial building along this corridor to support this business would be more appropriate than the existing mobile office.

Violations – VIO24-002430

On March 22, 2024, VIO24-002430 was issued that identified six violations. Three violations related to Use-Specific Standards for failure for provide a hard surface for outdoor display, outdoor storage exceeding the 25% of the total gross floor area of enclosed buildings, and failure to provide required off-street parking for automobile sales.

The remaining three violations relate to failure to comply with the agreed upon commitments that include lack of landscaping, failure to submit a landscape plan for Administrator Approval and failure to remove the mobile office within 24 months following approval of the rezoning.

Overlays

This site is also located within an overlay, specifically the Transit Oriented Development (TOD). “Overlays are used in places where the land uses that are allowed in a typology need to be adjusted. They may be needed because an area is environmentally sensitive, near an airport, or because a certain type of development should be promoted. Overlays can add uses, remove uses, or modify the conditions that are applied to uses in a typology.”

The Transit-Oriented Development (TOD) overlay is intended for areas within walking distance of a transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.

**Department of Metropolitan Development
Division of Planning
Current Planning**

This site is located within the transit-oriented overlay with the nearest proposed transits stops located at the intersections of Shelby Street / Hanna Avenue and Madison Avenue / County Line Road and outside the walk sheds of those proposed stations.

GENERAL INFORMATION

Existing Zoning	C-5 (TOD)	
Existing Land Use	Automobile vehicle sales	
Comprehensive Plan	Community Commercial	
Surrounding Context	Zoning	Land Use
North:	C-3 (TOD)	Commercial uses
South:	C-3 (TOD)	Commercial uses
East:	D-3 (TOD)	Single-family dwellings
West:	C-1 (TOD) / D-1 (TOD)	Commercial uses / single-family dwelling
Thoroughfare Plan		
Madison Avenue	Primary arterial	Existing 50-foot right-of-way and proposed 80-foot right-of-way.
Dudley Avenue	Local Street	Existing 50-foot right-of-way and proposed 50-foot right-of-way.
Whalen Avenue	Local Street	Existing 40-foot right-of-way and proposed 50-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Transit-Oriented Development (TOD)	
Wellfield Protection Area	No	
Site Plan	November 18, 2025	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Community Commercial. The Community Commercial typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.

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 – Community Commercial 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.

Red Line / Blue Line / Purple Line TOD Strategic Plan

The Red Line Transit-Oriented Development Strategic Plan (2021)

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.”

**Department of Metropolitan Development
Division of Planning
Current Planning**

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

2015-ZON-007; 5601 and 5621 Madison Avenue and 1525 East Dudley Avenue, requested rezoning of 0.30 acre from the D-3 district to the C-5 classification to legally establish and provide for automobile sales and repair and other commercial uses, and to modify Commitment Two of 94-Z-203 (5601 and 5621 Madison Avenue) to reduce the required east side and west front transitional yards, **approved**.

94-Z-203; 5601-5621 South Madison Avenue, requested a rezoning of 1.58 acres from C-3 to C-5 to provide for an automobile sales operation and mobile office structure, **approved**.

72-UV2-99; 5601 Madison Avenue, requested a variance of use, setback and transitional yard requirements to permit an open-air trailer sales, rentals and storage with billboard sign to remain and erect pole sign, **granted**.

Vicinity

94-Z-196; 5433 South Madison Avenue (north of site), requested rezoning of 0.44 acre, being in the C-3 District, to the C-5 classification to provide for commercial development, **approved**.

91-Z-176; 5559 Madison Avenue (north of site) requested rezoning of 0.58 acre, being in the C-3 District, to the C-5 classification to provide for the sales and service of used automobiles, **approved**.

91-Z-57; 1523 East Epler Avenue (north of site), requested rezoning of 0.5 acre, being in the 1-2-U District, to the C-5 classification to provide for an automobile body shop, **approved**.

91-V2-77; 1523 East Epler Avenue (north of site), requested a variance of development standards to provide for the continued operation of a body shop with 15 parking spaces and to allow an existing sign to remain at 11 feet from the right-of-way, **granted**.

90-Z-184; 5525 Madison Avenue (north of site), requested rezoning of 0.36 acre, being in the C-3 District, to the C-5 classification to provide for automobile sales, **approved**.

88-Z-140; 5452 Madison Avenue (north of site), requested rezoning of 1 acre, being in the D-1 and C-3 Districts, to the C-4 classification to provide for the construction of a neighborhood shopping center, **approved**.

88-Z-56; 5410 Madison Avenue (north of site), requested rezoning of 0.75 acre, being in the SU-9 District, to the C-5 classification to provide for an ambulance service, **approved**.

MEMORANDUM OF EXAMINER'S DECISION

2025-MOD-024

5601, 5621 Madison Ave; 1525 E. Dudley Ave.

The petition requests the modification of commitments made as part of 2015-ZON-007 to permit the redevelopment of the site as per a new site plan and to permit a mobile office to remain on the site.

Your Hearing Examiner visited the site prior to the hearing and noted the lack of landscaping and the location of the mobile office on the site. While commercial uses are along Madison Avenue, there are also residences east of the site and in the general area.

The petitioner's representative stated that the petitioner bought the site in 2013. He attempted to plant trees, but they died. A petition signed by five area property owners was presented, and the petitioner reiterated that the trees he planted died. He also said that he replaced the original mobile office on the site with a nicer trailer.

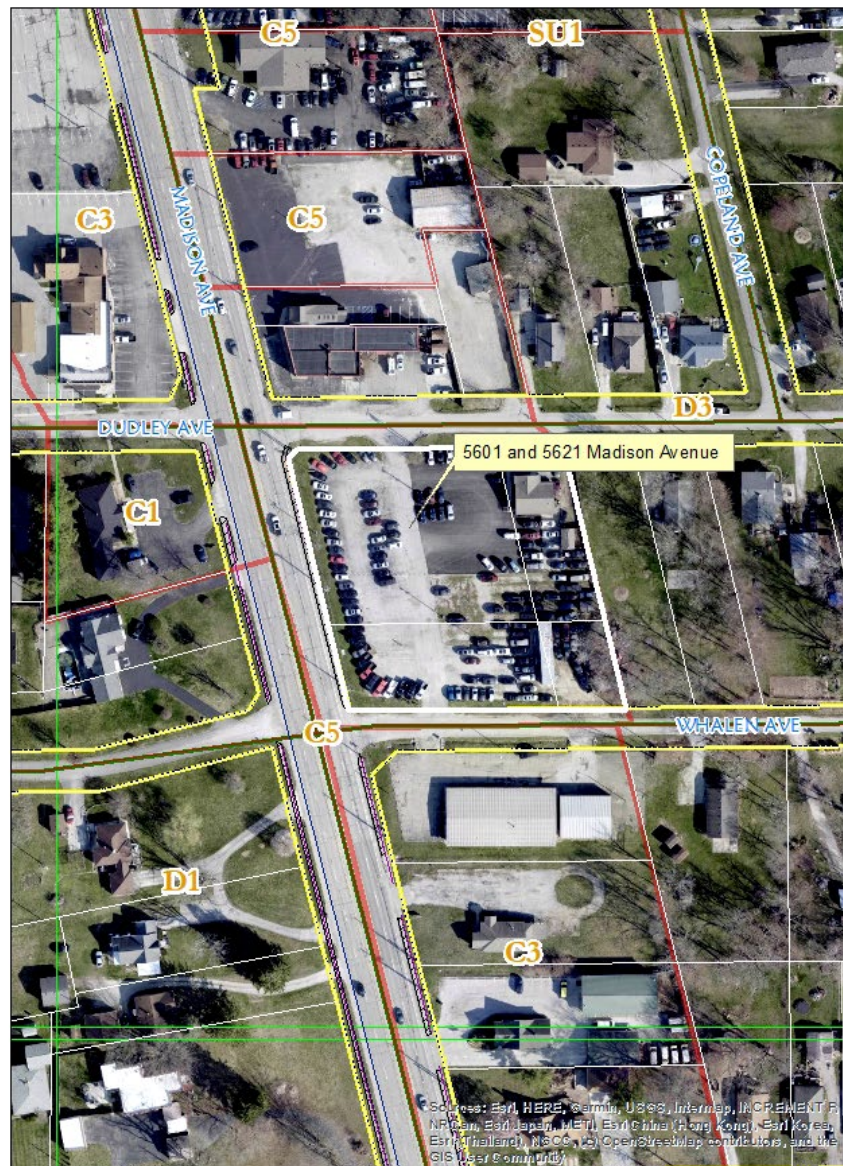
Letters of opposition were submitted by an area property owner and by the Thompson Edgewood Residential Association, and another area property owner appeared at the hearing. Reasons for opposition included improperly maintained property, lack of benefit to the neighborhood, and noncompliance with commitments made 10 years ago.

Staff questioned the reasons the landscaping was not installed and maintained and why the mobile office was not removed. Staff also cited violations on the site that have been pending for two years.

In your Hearing Examiner's opinion, the petitioner has not made a good faith effort to abide by commitments made in 2015, and has not maintained the site. Denial of this petition was recommended.

For Metropolitan Development Commission Hearing on February 4, 2026

EXHIBITS



5601 and 5621 Madison Avenue

00.008.01 0.02 0.03 0.04 Miles

2015-ZON-007 Site Plan



2025-MOD-024 Site Plan

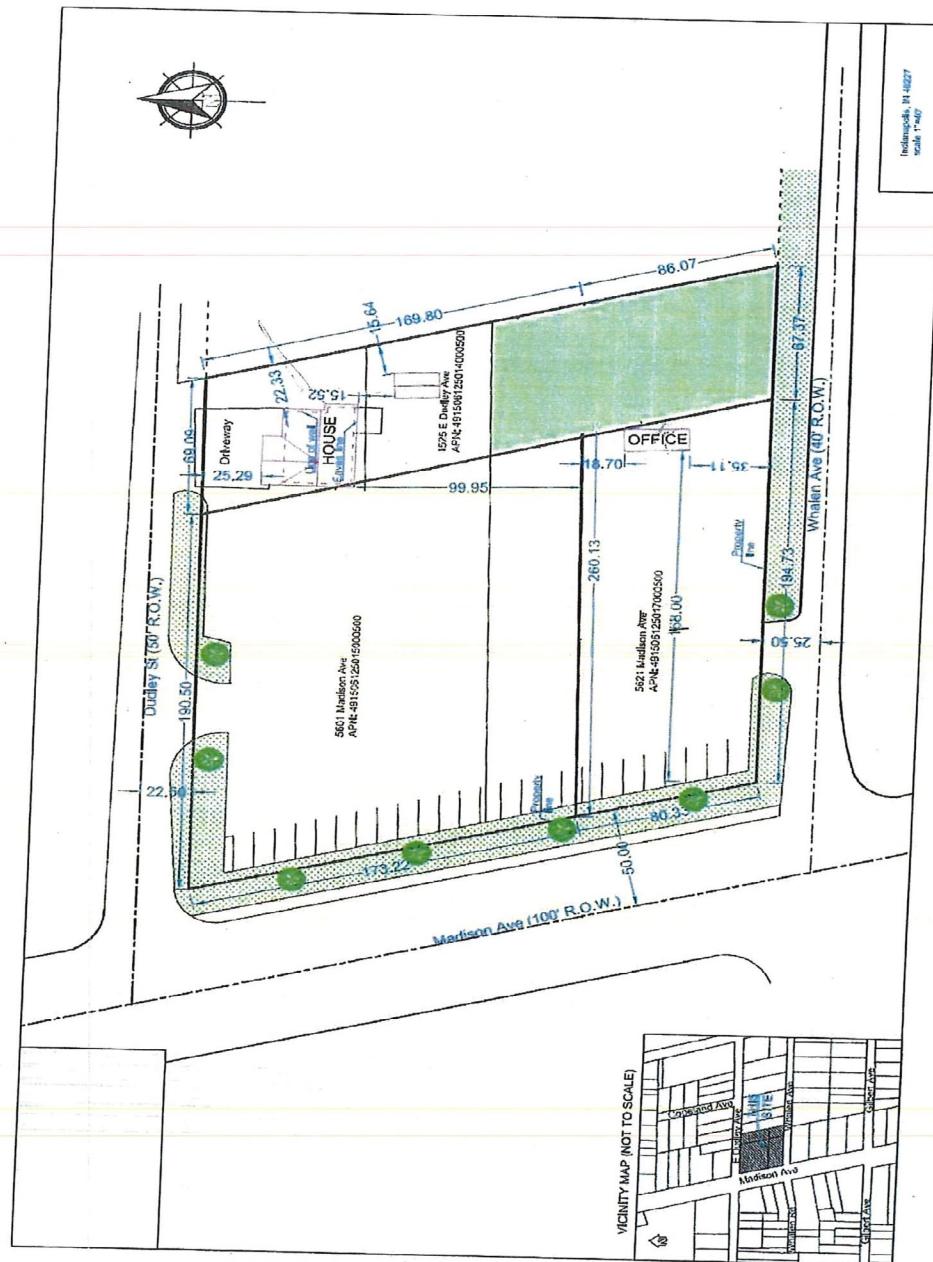


EXHIBIT 2

EXHIBIT A

A201500054955
 06/11/2015 8:47 AM
 KATHERINE SWEENEY BELL
 MARION COUNTY IN RECORDER
 FEE: \$ 28.50
 PAGES: 6
 By: GW

RECEIVED

MAY 18 2015

METROPOLITAN DEVELOPMENT

STATEMENT OF MODIFICATION OR TERMINATION
 OF COVENANTS OR COMMITMENTS

COVENANTS OR COMMITMENTS MODIFYING OR TERMINATING EXISTING COVENANTS OR
 COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN
 CONNECTION WITH AN APPROVAL PETITION, REZONING OF PROPERTY, A VARIANCE PETITION
 OR SPECIAL EXCEPTION PETITION

In accordance with I.C. 36-7-4-918.8 and I.C. 36-7-4-1015, the owner of the real estate located in Marion County, Indiana, which is described below, makes the following modification(s) or termination(s) of covenants or commitments concerning the use and development of that parcel of real estate:

Legal Description: See Attached Exhibit "A"

Statement of MODIFICATION OR TERMINATION of Covenants or Commitments:

1. Terminate commitment #2 of 94-Z-203 recorded as Instrument Number 1996 0157715 as recorded in the Office of the Marion County Recorder.
2. See Additional Commitments on Attached Exhibit "B"
3. _____
4. _____
5. _____

MDC's Exhibit C - - page 1 of 4



6



Department of Metropolitan Development
Division of Planning
Current Planning

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MAY 18 2015

METROPOLITAN DEVELOPMENT

These COVENANTS or COMMITMENTS shall be binding on the owner, subsequent owners of the real estate and other persons acquiring an interest therein. These COVENANTS or COMMITMENTS may be modified or terminated by a decision of the Metropolitan Development Commission made at a public hearing after proper notice has been given.

COVENANTS or COMMITMENTS contained in this instrument shall be effective upon the adoption of modification or termination approved by the Metropolitan Development Commission in petition **2015 ZON 007**.

These COMMITMENTS may be enforced jointly or severally by:

1. The Metropolitan Development Commission;
2. Owners of all parcels of ground adjoining the real estate to a depth of two (2) ownerships, but not exceeding six-hundred-sixty (660) feet from the perimeter of the real estate, and all owners of real estate within the area included in the petition who were not petitioners for the rezoning or approval. Owners of real estate entirely located outside Marion County are not included, however. The identity of owners shall be determined from the records in the offices of the various Township Assessors of Marion County which list the current owners of record. (This paragraph defines the category of persons entitled to receive personal notice of the rezoning or approval under the rules in force at the time the commitment was made);
3. _____
4. _____

These COVENANTS may be enforced by the Metropolitan Development Commission.

The undersigned hereby authorizes the Division of Planning of the Department of Metropolitan Development to record this Covenant or Commitment in the office of the Recorder of Marion County, Indiana, upon final approval of modification and/or termination of Covenant(s) or Commitment(s) of petition # _____ by the Metropolitan Development Commission.

IN WITNESS WHEREOF, owner has executed this instrument this 23rd day of April, 2015.

Signature: _____
 Printed: Jay Sandefur
 Title / Member, Jade Investments of
 Organization Indy
 Name: _____

Signature: _____
 Printed: _____
 Title / _____
 Organization _____
 Name: _____

MDC's Exhibit C - - page 2 of 4



Department of Metropolitan Development
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MAY 18 2015

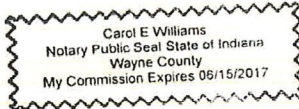
METROPOLITAN DEVELOPMENT

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Jay Sandefur, Owner of the real estate and Member of Jade Investments of Indy who acknowledged the execution of the foregoing instrument and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this

23 day of April, 20 15



Carol E Williams

Notary Public
Carol E Williams

Printed Name of Notary Public

My Commission expires: 6-15-2017

My County of residence: Wayne

I affirm under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document unless required by law.

This instrument prepared by: Jeffrey M. Bellamy, Attorney at Law, Supreme Court No. 24090-49
1900 Market Square Center, 151 N. Delaware Street, Indianapolis, IN 46204

This modification and/or Termination Agreement was approved by the Metropolitan Development Commission on the _____ day of _____, 20 ____.

Bruce H. Hodge

Secretary, Metropolitan Development Commission

Department of Metropolitan Development
Division of Planning
Current Planning

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MAY 18 2015

METROPOLITAN DEVELOPMENT

Exhibit B – Statement of Additional Commitments

The following Commitments are hereby incorporated by the Parties as if included where noted in the foregoing document:

1. A landscape plan, providing for a minimum 10-foot front yard along all street frontages (subject to the grant of a variance for a reduced front transitional yard along Madison Avenue), and a 20-foot east transitional yard, shall be submitted for Administrator's Approval within 30 days of the approval of this request, with implementation of the landscape plan within 90 days of the approval of this request.
2. Redevelopment or replacement of the existing residential structure shall be subject to Administrator's Approval, with residential character and design elements to be emphasized in any replacement structure. No other commercial use shall occur east of the current dwelling structure.
3. The existing dwelling at 1525 Dudley Avenue indicated on the site plan file-dated February 11, 2015, may only be used as an office or a dwelling. The existing detached garage at 1525 Dudley Avenue shall only be used for accessory parking or storage of office supplies, new parts, or general storage. No repair shall be permitted on the 1525 Dudley Avenue parcel. Any building constructed shall not include overhead doors facing the south.
4. Prior to the construction of any new structures on the site, site and elevation plans shall be submitted for Administrator's Approval prior to the issuance of an Improvement Location Permit. Prior to commencement of any construction on the 5621 Madison Avenue parcel the existing six-foot tall opaque fence shall be continued along the eastern boundary. As part of construction for any development of 5621 Madison, a row of evergreen trees shall be planted inside the eastern boundary within the transitional yard.
5. The mobile office structure indicated on the site plan file-dated February 11, 2015 shall only be permitted to remain on-site for 24 months after the approval of this rezoning. Thereafter, it shall be removed from the site.

Department of Metropolitan Development
Division of Planning
Current Planning



View looking north along Madison Avenue



View looking south along Madison Avenue



View looking east along Dudley Avenue



View looking west along Dudley Avenue



View of site looking south across Dudley Avenue



View of site looking southeast across Dudley Avenue



View looking south across Dudley Avenue and Madison Avenue



View of site looking east across Madison Avenue



View of site looking east across intersection of Whalen Avenue and Madison Avenue



View of site looking north across Whalen Avenue

Department of Metropolitan Development
Division of Planning
Current Planning



View of site looking north across Whalen Avenue



View of site looking north across Whalen Avenue

Department of Metropolitan Development
Division of Planning
Current Planning



View of site looking northwest across Whalen Avenue

METROPOLITAN DEVELOPMENT COMMISSION

February 4, 2026

Case Number: 2025-ZON-132 (Amended)
Property Address: 5736 Madison Avenue
Location: Perry Township, Council District #23
Petitioner: Jade Investments GMS, LLC, by David E. Dearing
Current Zoning: D-1 (TOD)
Request: Rezoning 1.21 acres from the D-1 (TOD) district to the C-1 (TOD) district to provide for a day care center and office / commercial uses.
Current Land Use: Single-family dwelling
Staff Recommendations: Denial.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This petition was heard by the Hearing Examiner on January 15, 2026. After a full hearing, the Hearing Examiner recommended denial of the rezoning. Subsequently, the petitioner's representative filed an appeal of the Hearing Examiner's decision. A memorandum of her recommendation is attached.

STAFF RECOMMENDATION

Denial. If approved, staff would request that approval be subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

1. A technical assessment shall be conducted prior to the issuance of an Improvement Location Permit to provide for a wetlands delineation to determine the type and quality and how the area could be preserved and integrated into the development as an amenity.
2. A 56-foot half right-of-way shall be dedicated along the frontage of Madison Avenue, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).
3. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.

PETITION OVERVIEW

This 1.21-acre site, zoned D-1 (TOD), is comprised of two lots and developed with a single-family dwelling. It is surrounded by single-family dwellings to the north, south and west, all zoned D-1 (TOD) and multi-family dwellings to the east, across Madison Avenue, zoned D-9 (TOD).

REZONING

The request would rezone the site to the C-1 (TOD) to provide for a day care center and office / commercial uses. “The C-1 District is designed to perform two functions: act as a buffer between uses, and provide for a freestanding area that office uses, compatible office-type uses, such as medical and dental facilities, education services, and certain public and semipublic uses may be developed with the assurance that retail and other heavier commercial uses with incompatible characteristics will not impede or disrupt. Since the buildings for office, office-type and public and semipublic uses are typically much less commercial in appearance, landscaped more fully and architecturally more harmonious with residential structures, this district can serve as a buffer between protected districts and more intense commercial or industrial areas/districts - if designed accordingly. This district, with its offices and other buffer type uses, may also be used along certain thoroughfares where a gradual and reasonable transition from existing residential use should occur.”

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 homes; 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 not be consistent with the Plan recommendation of suburban neighborhood.

Overlays

This site is also located within an overlay, specifically the Transit Oriented Development (TOD). “Overlays are used in places where the land uses that are allowed in a typology need to be adjusted. They may be needed because an area is environmentally sensitive, near an airport, or because a certain type of development should be promoted. Overlays can add uses, remove uses, or modify the conditions that are applied to uses in a typology.”

The Transit-Oriented Development (TOD) overlay is intended for areas within walking distance of a transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.

**Department of Metropolitan Development
Division of Planning
Current Planning**

This site is located within the transit-oriented overlay with the nearest proposed transits stops located at the intersections of Shelby Street / Hanna /Avenue and Madison Avenue / County Line Road and outside the walk sheds of those proposed stations.

Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 56-foot half right-of-way along Madison Avenue. This dedication would also be consistent with the Marion County Thoroughfare Plan.

Wetland Preservation

The aerial indicates a possible wetland located in the southwest area of the site.

The Environmental Protection Agency defines wetlands “as areas where water covers the soil or is present either at or near the surface of the soil all year or for varying periods of time during the year, including during the growing season. Water saturation (hydrology) largely determines how the soil develops and the types of plant and animal communities living in and on the soil. Wetlands may support both aquatic and terrestrial species. The prolonged presence of water creates conditions that favor the growth of specially adapted plants (hydrophytes) and promote the development of characteristic wetland (hydric) soils.”

The State of Indiana defines wetlands as “areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include: (1) swamps; (2) marshes; (3) bogs; and (4) similar areas.”

Staff believes that a technical assessment that would include a wetlands delineation would determine the type and quality of the wetland based on the presence or absence of wetlands characteristics, as determined with the *Wetlands Delineation Manual, Technical Report Y-81-1* of the United States Army Corps of Engineers.

If approved, staff would request that a wetlands delineation be conducted to determine the type and quality and how the area could be preserved and integrated into the development as an amenity prior to the issuance of an Improvement Location Permit.

Stream Protection Corridor

A stream protection corridor consists of a strip of land, extending along both sides of all streams, with measurements taken from the top of the bank on either side. The width of the corridor is based upon whether the stream is designated as a Category One or Category Two. Category One streams have a corridor width of 60 feet in the compact context area and 100 feet in the metro context area. Category Two streams have a corridor width of 25 feet in the compact context area and 50 feet in the metro context area.

Construction projects over one (1) acre are subject to the requirements of the Environmental Protection Agency (EPA) General Permit and Indiana Department of Environmental Management (IDEM) Construction Stormwater General Permit (CSGP).

The vegetative target for the Stream Protection Corridor is a variety of mature, native riparian tree and shrub species that can provide shade, leaf litter, woody debris, and erosion protection to the stream, along with appropriate plantings necessary for effective stream bank stabilization.

The Stream Protection Corridor is defined as:

“A vegetated area, including trees, shrubs, and herbaceous vegetation, that exists or is established to protect a stream system, lake, or reservoir, and where alteration is strictly limited. Functionally, stream protection corridors provide erosion control, improve water quality (lower sedimentation and contaminant removal) offer flood water storage, provide habitat, and improve aesthetic value.”

Stream is defined as “a surface watercourse with a well-defined bed and bank, either natural or artificial that confines and conducts continuous or periodic flowing water.”

Stream Bank is defined as “the sloping land that contains the stream channel and the normal flows of the stream.”

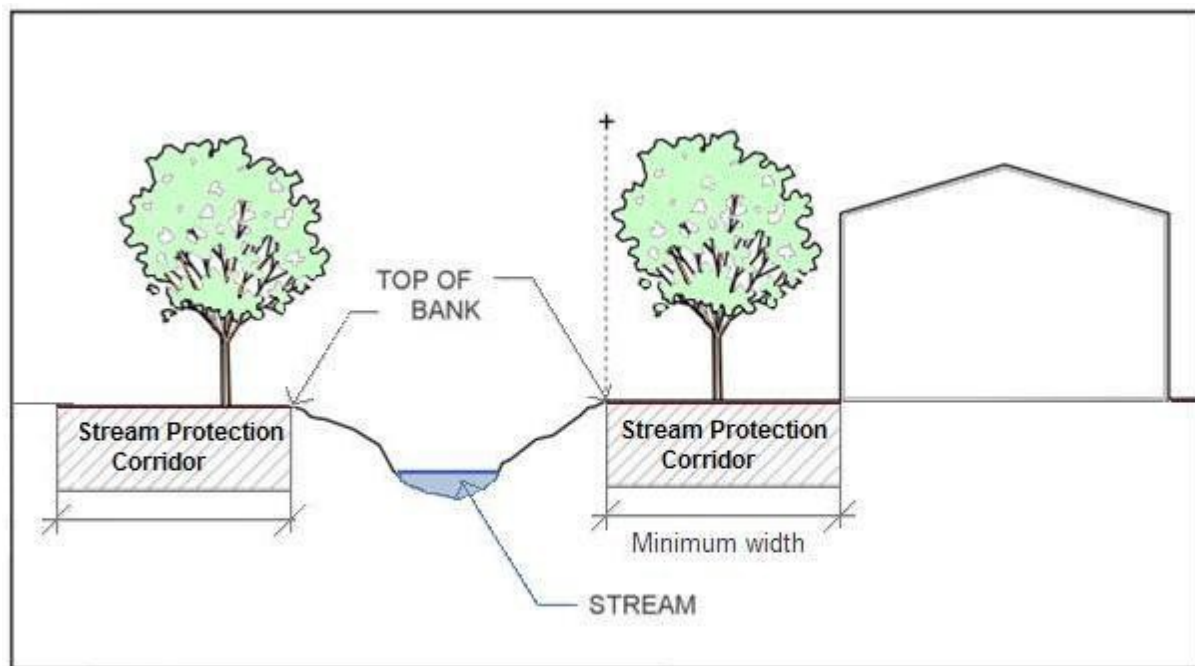
Stream Channel is defined as “part of a watercourse that contains an intermittent or perennial base flow of groundwater origin.”

There are two types of categories of Streams: Category One Streams and Category Two Streams. Category One Stream is defined as: “A perennial stream that flows in a well-defined channel throughout most of the year under normal climatic conditions. Some may dry up during drought periods or due to excessive upstream uses. Aquatic organism such as some fish are normally present and easily found in these streams. The Category One Streams are listed in Table 744-205-2: Category One Streams.”

A Category Two Stream is defined as: “An intermittent stream that flows in a well-defined channel during wet seasons of the year but not necessarily for the entire year. These streams generally exhibit signs of water velocity sufficient to move soil, material, litter, and fine debris. Aquatic organisms, such as fish, are often difficult to find or not present at all in these streams. These streams are identified on the United States Geological Survey (USGS) topographic maps and on the Department of Natural Resources Conservation Service (NRCS) soils maps.”

There are 34 Category One streams listed in the Ordinance. The stream protection corridor is a strip of land on both sides of the stream whose width varies according to whether it is within the Compact or Metro Context Area and whether it is a Category One or Category Two Stream.

Fawn Run lies within the Metro Context Area and is located along the southern boundary of the site. It is designated as a Category Two stream requiring a 50-foot-wide stream protection corridor on both sides of the stream, as measured parallel from the top of the bank. Top of the bank is not defined by the Ordinance, other than by Diagram UU, Stream Protection Corridor Cross-section, as shown below.



Stream Protection Corridor

Environmental Public Nuisances

The purpose of the Revised Code of the Consolidated City and County, Sec.575 (Environmental Public Nuisances) is to protect public safety, health and welfare and enhance the environment for the people of the city by making it unlawful for property owners and occupants to allow an environmental public nuisance to exist.

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All owners, occupants, or other persons in control of any private property within the city shall be required to keep the private property free from environmental nuisances.

Environmental public nuisance means:

1. Vegetation on private or governmental property that is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and that has attained a height of twelve (12) inches or more;
2. Vegetation, trees or woody growth on private property that, due to its proximity to any governmental property, right-of-way or easement, interferes with the public safety or lawful use of the governmental property, right-of-way or easement or that has been allowed to become a health or safety hazard;
3. A drainage or stormwater management facility as defined in Chapter 561 of this Code on private or governmental property, which facility has not been maintained as required by that chapter; or
4. Property that has accumulated litter or waste products, unless specifically authorized under existing laws and regulations, or that has otherwise been allowed to become a health or safety hazard.

Staff would request a commitment that emphasizes the importance of maintaining the site in a neat and orderly manner at all times and provide containers and receptacles for proper disposal of trash and other waste.

Planning Analysis

Small commercial nodes are recommended in the suburban neighborhood typology. Additionally, the Pattern Book provides development guidelines to minimize the impact of commercial uses on surrounding neighborhoods and land uses.

As proposed, the commercial use would be located mid-block when the Pattern Book recommends commercial nodes be “located at the intersections of arterial streets and should be no closer than one mile to another commercial node with one acre or more of commercial uses.” The approximately three-acre commercial node to the south of this site is approximately 200 feet from this site.

No development plan has been submitted that would provide information related to whether the proposed commercial uses could be developed, without the need for variances, on this site with appropriate protections of the residential uses to the north, south and west that would include buffering and screening as recommended in the Pattern Book, while maintaining and protecting the natural features of this site.

Additionally, staff believes the commercial rezoning at this location would disrupt the existing residential land uses and neighborhood to the north, south and west and compromise the recommendations of the Comprehensive Plan and the development guidelines provided in The Pattern Book, both of which

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supports orderly development. Otherwise, this request would allow commercial encroachment into a solidly residential area that would not be appropriate for this neighborhood.

GENERAL INFORMATION

Existing Zoning	D-1 (TOD)	
Existing Land Use	Single-family dwelling	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
North:	D-1 (TOD)	Single-family dwelling
South:	D-1 (TOD)	Single-family dwelling
East:	D-9 (TOD)	Multi-family dwellings
West:	D-1 (TOD)	Single-family dwelling
Thoroughfare Plan		
South Madison Avenue	Secondary Arterial	Existing 90-108-foot right-of-way and proposed 112-foot right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Yes. Transit-Oriented Development	
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	N/A	
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 park.”

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 – 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.

Small-scale offices, retailing, and personal or professional services (defined as commercial uses with minimal outdoor operations, storage, or display on lots of less than 1.5 acres and a height of less than 35 feet.)

- 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.
- Should be located at the intersections of arterial streets and should be no closer than one mile to another commercial node with one acre or more of commercial uses except as reuse of a historic building.
- Should be limited to an aggregate of 3.5 acres per intersection, with no one corner having more than 1.5 acres.
- Should be limited to areas and parcels with adequate space for required screening and buffering.
- Automotive uses (such as gas stations and auto repair) and uses requiring a distance of separation of greater than 20 feet under the zoning ordinance (such as liquor stores, adult uses, and drive-through lanes) are excluded.
- Should not include outdoor display of merchandise.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Red Line Transit-Oriented Development Strategic Plan (2021).

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

2012-CZN 832 / 2012-CVC-832 / 2012-CVR-832; 5700, 5727, 5735 and 5745 Madison Avenue, 1587 Gilbert Avenue (east of site), requested rezoning of 5.808 acres from the D-3 and C-3 Districts to the D-9 classification to provide for multifamily residential uses; a vacation of Lots 1-16 of Waddell's Addition recorded in Plat Book 24, Pages 275-276, including Waddell Street, easements and building setback lines, with a waiver of the assessment of benefits; and a variance of development standards to provide for a multifamily development with reduced north, east and south perimeter yards, **approved and granted**.

2006-ZON-061; 5717 Madison Avenue (east of site), requested rezoning of 0.47 acre from D-3 to C-3, **approved**.

2002-ZON-019; 5700 Madison Avenue (east of site), requested rezoning of 3.98 acres from D-3 to C-3, **approved**.

MEMORANDUM OF EXAMINER'S DECISION

2025-ZON-132 (Amended)

5736 Madison Avenue

The petition requests the rezoning of 1.21 acres from the D-1 (TOD) district to the C-1 (TOD) district to provide for a day care center and office uses.

Your Hearing Examiner visited the site prior to the hearing and noted the residential structure on it. It is abutted on all sides by single family residences, and multi-family residences are across Madison Avenue.

The petitioner's representative stated that the initial request was for C-3, and it was amended to C-1. A petition of support signed by six area property owners was presented, and the representative said that his client was willing to agree with the commitments requested by staff and to limit commercial uses.

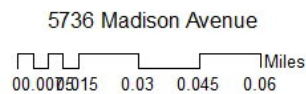
Letters of opposition were submitted by two area property owners and by the Thompson Edgewood Residential Association, and another area property owner appeared at the hearing. Reasons for opposition included traffic and access concerns, incompatibility with surrounding residences, lack of a site plan, and drainage issues.

Staff explained that the Pattern Book specifies that commercial use should be on a corner, and this site is mid block, as well as being within 200 feet of another commercial node. The site is also surrounded by single family residences. Staff also expressed concern with the lack of a site plan.

In your Hearing Examiner's opinion, rezoning this site commercial is inconsistent with surrounding zoning and would allow uses that are incompatible with the established residential area. Denial of this petition was recommended.

For Metropolitan Development Commission Hearing on February 4, 2026

EXHIBITS





View looking south along Madison Avenue



View of site looking west across Madison Avenue



View of site looking west across Madison Avenue



View looking northwest across Madison Avenue

METROPOLITAN DEVELOPMENT COMMISSION

February 4, 2026

Case Number: 2025-ZON-130
Property Address: 1033, 1037, 1041, 1045, 1049, and 1053 Harlan Street,
Location: Center Township, Council District #18
Petitioner: Harbours at Harlan, LLC, by Michael Rabinowitch
Current Zoning: D-5
Request: Rezoning of 1.05 acres from the D-5 district to the D-P district to provide for a townhome development, consisting of 15 dwelling units.
Current Land Use: Vacant
Staff Recommendations: Denial.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This petition was continued from the January 21, 2026 hearing, to the February 4, 2026 hearing, at the request of staff because updated documents were submitted on January 20, 2026, at 10:40 a.m., which did not provide adequate time for review by staff prior to the hearing.

The updated documents shifted the buildings to the west to align with the existing buildings to the north, rotated the entry on the far west unit in the southern building (now facing Harlan Street), and provided more landscape details.

In staff's opinion, the amendments to the documents do not respond to improving integration of the project into the surrounding neighborhood or consider recommendation of the Infill Housing Guidelines that would provide compatibility with the existing character of the neighborhood, thereby minimizing the negative impact of the proposed development.

STAFF RECOMMENDATION

Denial.

PETITION OVERVIEW

This 1.05-acre site, zoned D-5, is comprised of six undeveloped parcels. It is surrounded single-family dwellings to the north, east, and west across Harlan Street, all zoned D-5; and single-family dwellings to the south, zoned C-4.

REZONING

This request would rezone the site to the D-P District.

The established purpose of the D-P District follows:

1. To encourage a more creative approach in land and building site planning.
2. To encourage and efficient, aesthetic and desirable use of open space.
3. To encourage variety in physical development pattern.
4. To promote street layout and design that increases connectivity in a neighborhood and improves the directness of routes for vehicles, bicycles, pedestrians, and transit on an open street and multi-modal network providing multiple routes to and from destinations.
5. To achieve flexibility and incentives for residential, non-residential and mixed-use developments which will create a wider range of housing types as well as amenities to meet the ever-changing needs of the community.
6. To encourage renewal of older areas in the metropolitan region where new development and restoration are needed to revitalize areas.
7. To permit special consideration of property with outstanding features, including but not limited to historical significance, unusual topography, environmentally sensitive areas and landscape amenities.
8. To provide for a comprehensive review and processing of development proposals for developers and the Metropolitan Development Commission by providing for concurrent review of land use, subdivision, public improvements and siting considerations.
9. To accommodate new site treatments not contemplated in other kinds of districts.

Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage and wildlife.

The Comprehensive Plan recommends traditional neighborhood typology for this site.

Uses permitted in the Traditional Neighborhood typology include detached / attached housing; small- / large-scale multi-family housing; assisted living facilities / nursing homes; group homes; bed and breakfast; small-scale office, retailing, and personal or professional services; small- / large-scale schools, places of worship, community-serving institutions / infrastructure, and other places of assembly; small-scale parks; and community farms / gardens.

Development Plan (DP) Statement – November 17, 2025

The DP Statement identifies the uses as multi-family, specifically townhomes that would total 15, three story, three-bedroom units with outdoor patio / balcony space and a one-car garage.

The Statement also provides the setbacks that would be permitted, with a maximum building height of 33 feet.

Site access would be from the two alleys along the eastern and southern boundaries, with pedestrian access along the Harlan Street frontage.

The proposed amenity area located in the rear along the eastern boundary would include a pergola and a fenced dog park.

Utilities / drainage, landscaping and signage would also be integrated into the final design and documents.

Site Plan / Landscape Plan – November 17, 2025

As proposed, seven units would have frontage and pedestrian access along Harlan Street. Eight of the units would face internally without street frontage but would have a sidewalk along the front façade of these units that would connect to the Harlan Street public sidewalk.

The landscaping plan is conceptual and depicts green spaces with trees and shrubs, and a larger green space in the rear bounded by the units that would be available for the residents.

Planning Analysis

The proposed rezoning would be consistent the Comprehensive Plan recommendation of traditional neighborhood typology but has conflicts with the Pattern Book development recommendations and Infill Housing Guidelines.

The Pattern Book recommends that all housing types “be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk.” Eight of the 15 units are oriented internally without any public street frontage and direct access to the public street.

The Pattern Book recommends that “densities higher than 15 dwelling units per acres should have design character compatible with adjacent properties.” Compatibility with adjacent properties is also discussed in the Infill Housing Guidelines.

The Infill Housing Guidelines introduction states that “new development that is not coordinated with its surrounding context can diminish an area’s sense of place, but heavily dictating the design or type of development, including single-family homes, duplexes, triplexes, and townhomes, can potentially drive-up real estate prices when demand for housing is strong. Additionally, when smaller homes are torn down and replaced with significantly larger homes that do not match the surrounding context, this reduces the stock of affordable housing in a way that can limit long-term residents’ ability to stay within a neighborhood.”

The development would introduce a new housing type of attached single-family dwellings (townhomes) into a neighborhood character of single- and two-family dwellings. Staff believes the mass of the three proposed buildings would not be appropriate or compatible with the existing character of this neighborhood.

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The Pattern Book recommends that “townhomes be organized around intersections of neighborhood collector streets, greenways, parks or public square, or neighborhood-serving retail.” This development would be located mid-block along a local street.

For these reasons staff does not support this proposed development as submitted but would certainly be willing to work with the developer to achieve a product that would result in additional housing units appropriate for this area.

Staff understands the need to provide housing and supports housing projects that are compatible and integrated into a neighborhood that would not negatively impact or disrupt that neighborhood’s sense of place.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Vacant	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-5	Single-family dwelling
South:	C-4	Single-family dwelling
East:	D-5	Single-family dwellings
West:	D-5	Single-family dwelling
Thoroughfare Plan		
Harlan Street	Local Street	Existing 50-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	November 17, 2025	
Site Plan (Amended)	January 20, 2026	
Elevations	November 17, 2025	
Elevations (Amended)	N/A	
Landscape Plan	November 17, 2025	
Findings of Fact	January 20, 2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	November 17, 2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Traditional Neighborhood typology. The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 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 park.

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 – Traditional 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.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.

Conditions for All Housing

- A mix of housing types is encouraged.
- Should be within a one-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.
- Primary structures should be no more than one and a half times the height of other adjacent primary structures.
- 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.
- Developments with densities higher than 15 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways, or parks.

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Attached Housing (defined as duplexes, triplexes, quads, townhouses, row houses, stacked flats, and other, similar legally complete dwellings joined by common walls and typically with each unit on its own lot or part of a condominium.)

- Duplexes should be located on corner lots, with entrances located on different sides of the lot.
- It is preferred that townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood-serving retail.
- If the above conditions are not met, individual buildings of attached housing (not part of a complex) may be interspersed with single-family homes but should not make up more than 25% of the primary residential structures on a block.

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

Infill Housing Guidelines (2021).

The Infill Housing Guidelines were updated and approved in May 2021, with a stated goal “to help preserve neighborhood pattern and character by providing guiding principles for new construction to coexist within the context of adjacent homes, blocks, and existing neighborhoods. These guidelines provide insight into basic design concepts that shape neighborhoods, including reasons why design elements are important, recommendations for best practices, and references to plans and ordinance regulations that reinforce the importance of these concepts.”

These guidelines apply to infill development in residential areas within the Compact Context Area and include the following features:

Site Configuration

- Front Setbacks
- Building Orientation
- Building Spacing
- Open Space
- Trees, Landscaping, and the Outdoors

Aesthetic Considerations

- Building Massing
- Building Height
- Building Elevations and Architectural Elements

Additional Topics

- Secondary Dwelling Units, Garages, and Accessory Structures
- Adapting to the Future

“As established neighborhoods experience new development, infill residential construction will provide housing options for new and existing residents. Increased population contributes positively to the local tax base, economic development, lively neighborhoods, and an interesting city. As infill construction occurs, it is important to guide development in a way that complements current neighborhoods. Each home in a neighborhood not only contributes to the existing context of adjoining houses and the block, but to the sense of place of the entire neighborhood.”

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.”

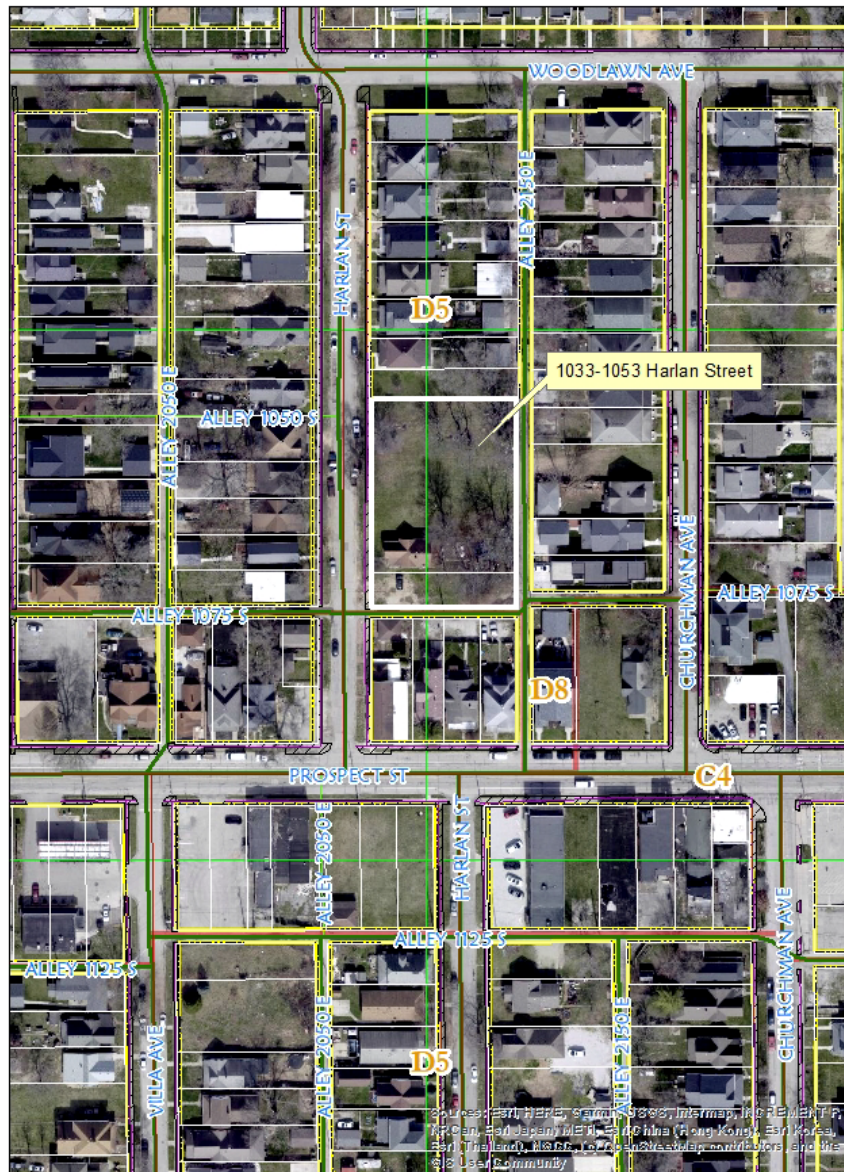
The following listed items describe the purpose, policies and tools:

- 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

2020-CZN-825 / 2020-CPL-825; 2120 Prospect Street (south of site), requested rezoning of 0.13 acre from the C-4 district, to the D-8 district; and approval of a subdivision plat to be known as Alyssa's Prospect Street Addition, dividing 0.13 acre into two single-family attached lots, **approved**.

EXHIBITS

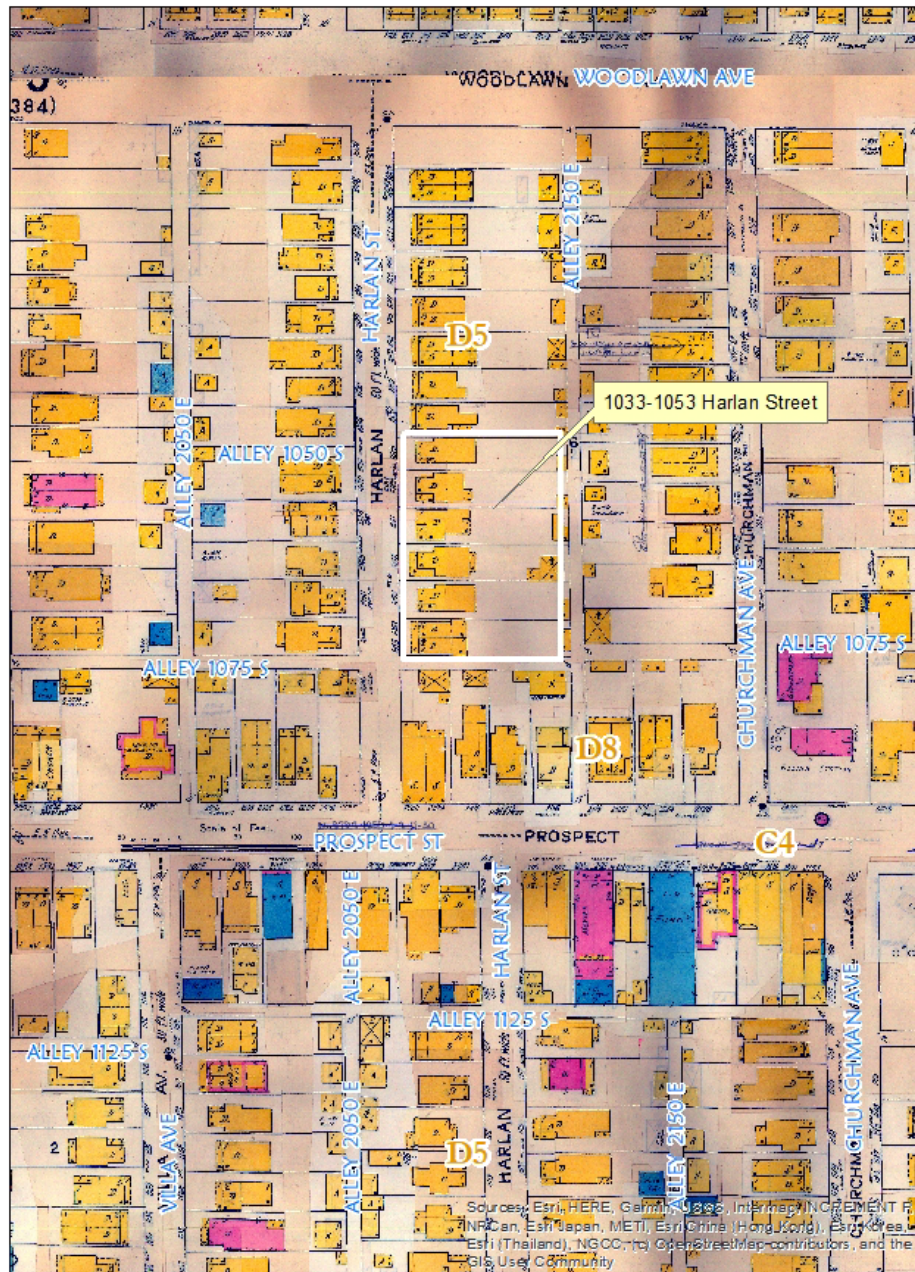


1033 - 1053 Harlan Street



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Sanborn Map 1915



1033 - 1053 Harlan Street



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**HARBOURS AT HARLAN MULTIFAMILY
DP STATEMENT**

INTRODUCTION

Harbours at Harlan LLC (the “Petitioner”) proposes to redevelop the approximately .647 acre site known as 1033 – 1053 Harlan Avenue Street (the “Property”), located just north of Prospect Street at the northeast corner of the intersection of Harlan Street and an east/west public alley. The proposed development, a townhouse community, will offer 15, 3 bedroom, townhomes, each with its own dedicated garage.

The objective for site planning and architectural aesthetic is to revitalize the development site with the addition of a diverse housing type to the area. The site is currently zoned D5 and is predominantly surrounded by an established single-family community. The proposed development fits in the context of the surrounding neighborhood and encourages a variety of development in the area.

The Property is currently vacant. The Petitioner seeks to revive the Property and provide an efficient and desirable use for the space. Each new construction unit is planned to include an outdoor patio or balcony space and dedicated 1-car garage.

The development will be constructed in substantial compliance with the approved Site Plan.

PERMITTED USES

Proposed Permitted uses include multi-family, specifically townhomes.

DEVELOPMENT STANDARDS/SETBACKS

Buildings constructed on the Property shall be located in substantial conformity with the approved Site Plan, including building locations and subject to the following development standards:

- i. Side yard Setback – 5 ft.
- ii. Rear yard setback (Alley) – 7.0 ft.
- iii. Front yard setback (Harlan Street) – 9 ft.
- iv. Max. Building height – 33 ft.

The site plan, elevations, and landscape plan shall be submitted to the Administrator for approval prior to issuance of an Improvement Location Permit.

UTILITIES/DRAINAGE

All utilities are available to the site. Storm drainage will be underground and professionally engineered to meet the intent of the City of Indianapolis requirements with respect to run-off rate, quantity, and water quality.

LANDSCAPING

Currently, there are little to no existing trees or other living vegetation on the Property. The proposed development will include landscaping and tree plantings around the structures. In addition, the site plan includes common area green space with a covered pergola as an amenity for owners in the development. Landscaping shall be located in substantial compliance with the approved landscape plan.

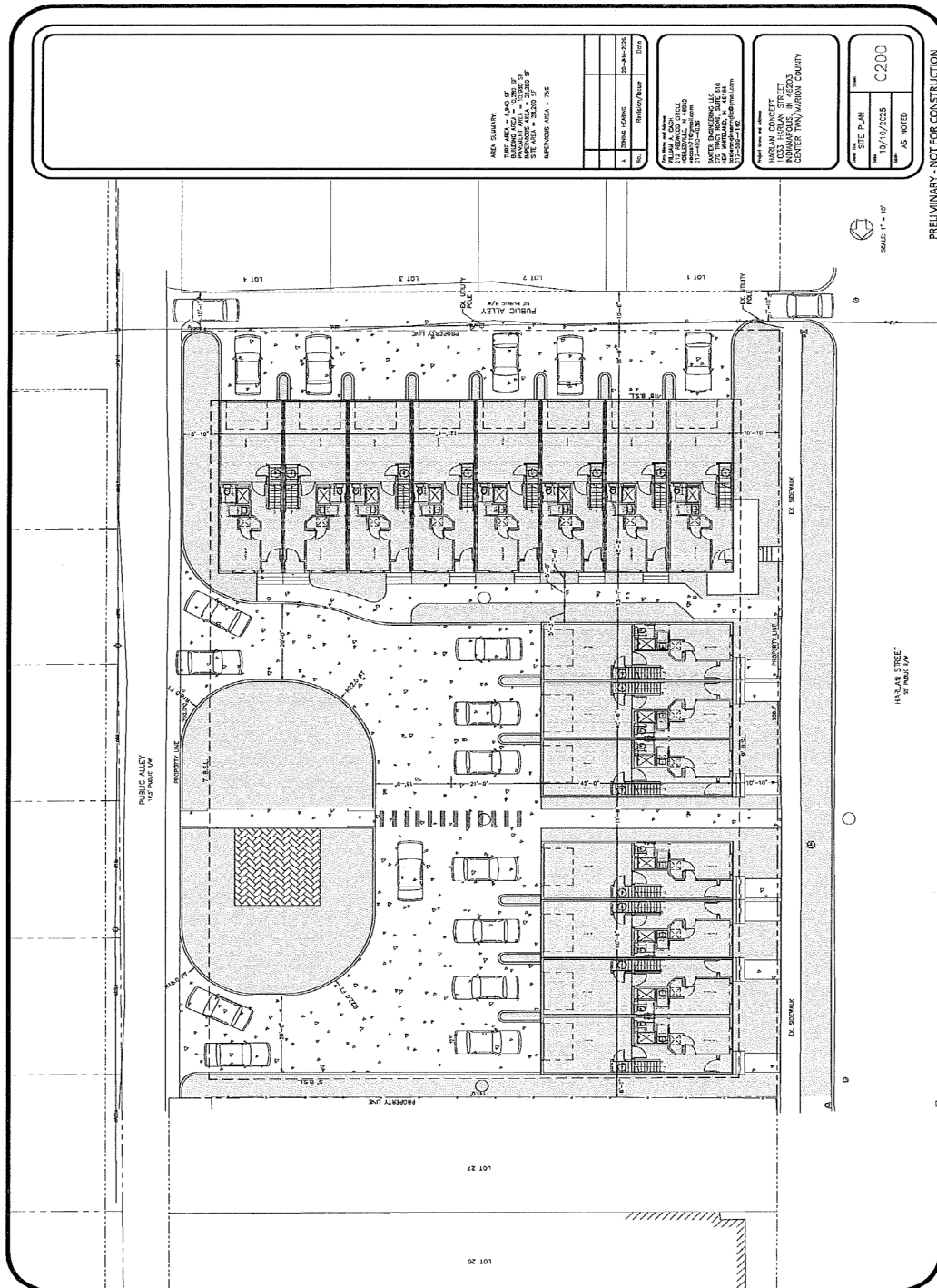
ACCESS AND PARKING

Vehicular access to the proposed development will be via the public alley to the east. Also, pedestrian access is provided from Harlan Street and the public alleys to the south and east.

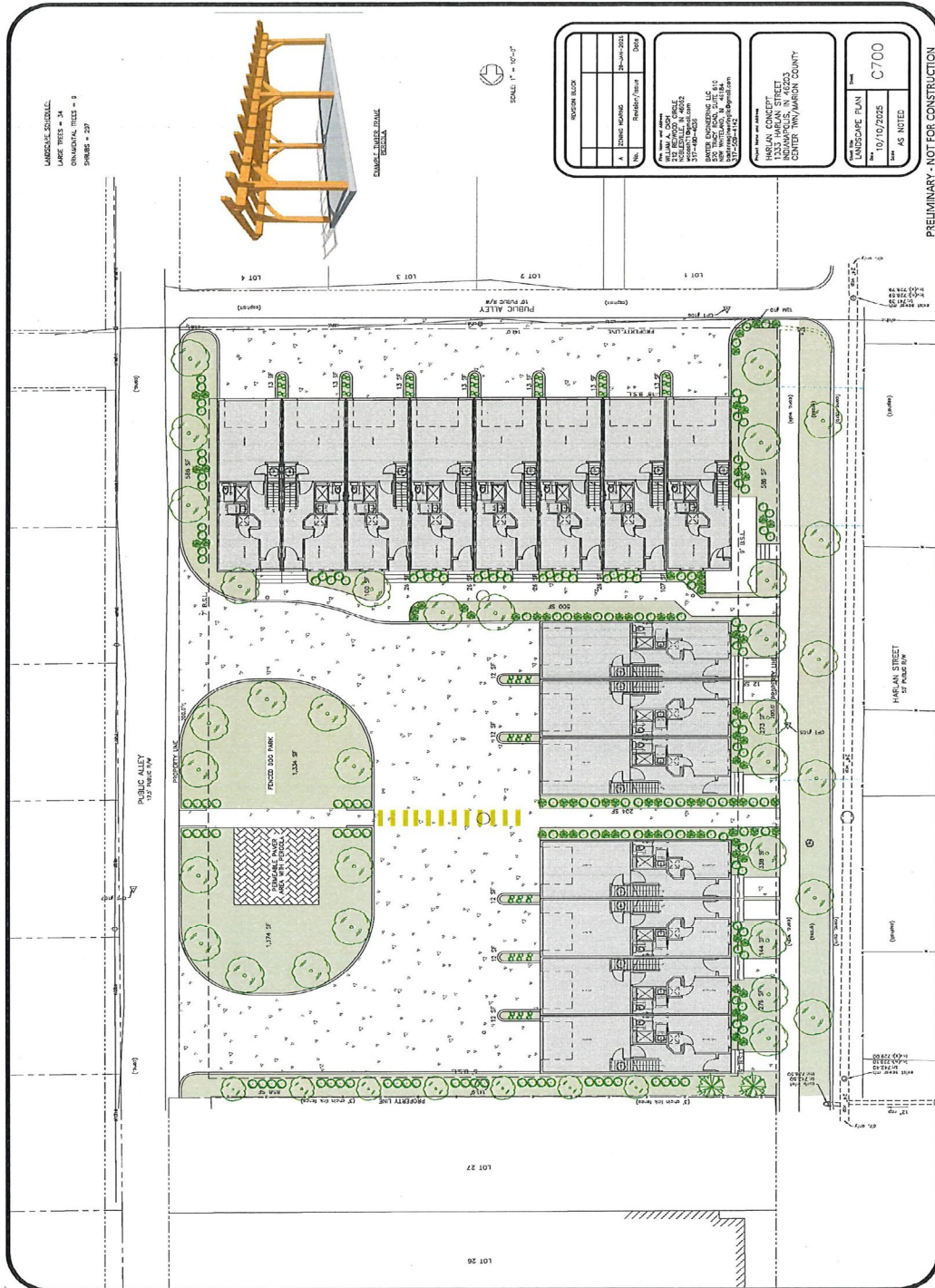
SIGNAGE

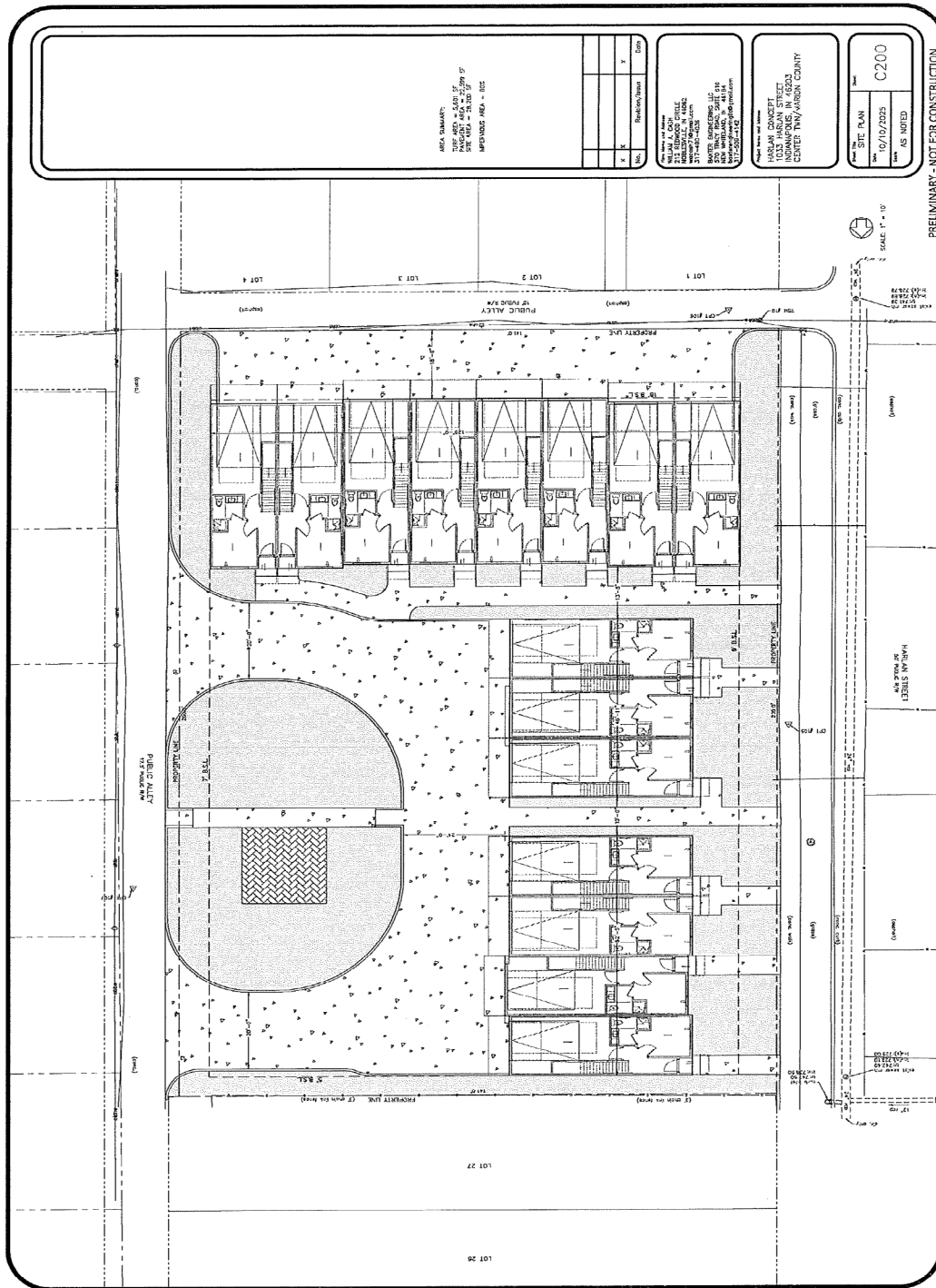
Any building identification signage shall comply with ordinance standards. No off-premises outdoor advertising signs shall be permitted.

Site Plan – January 20, 2026

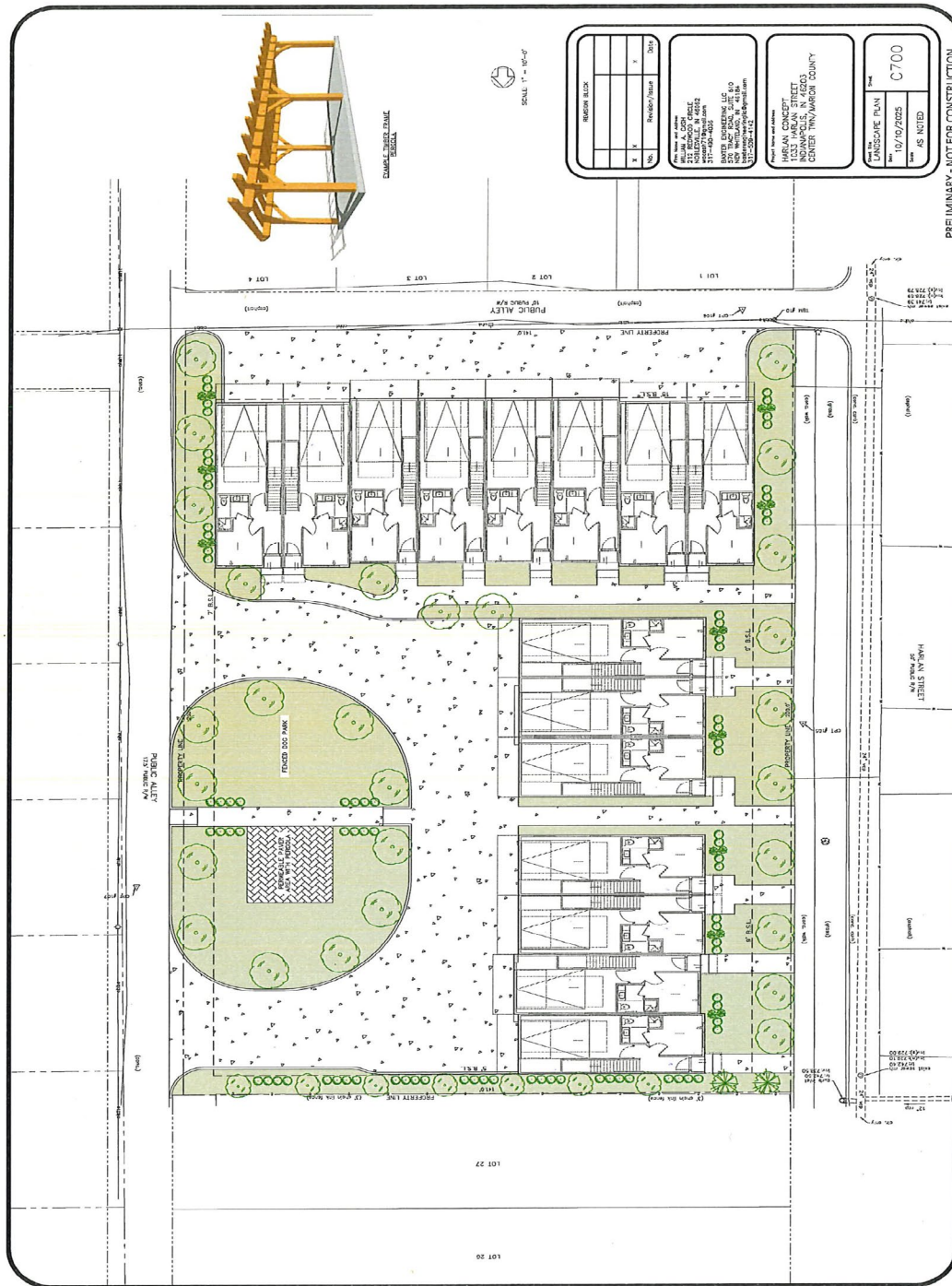


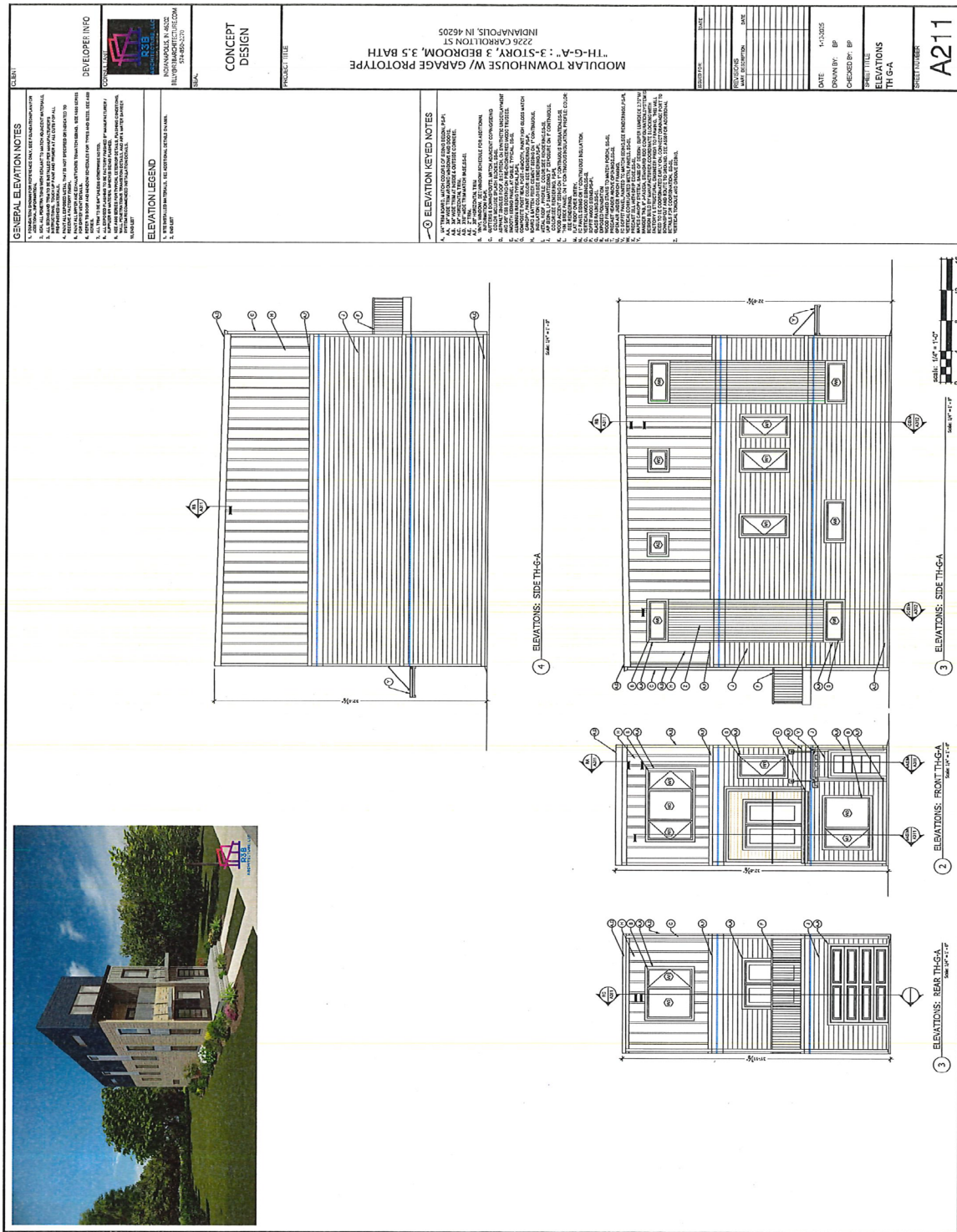
Landscape Plan – January 20, 2026





Landscape Plan - November 17, 2025





Department of Metropolitan Development
Division of Planning
Current Planning



Department of Metropolitan Development
Division of Planning
Current Planning





View looking north along Harlan Street



View looking south along Harlan Street



View of site looking southeast across Harlan Street



View of site looking southeast across Harlan Street

Department of Metropolitan Development
Division of Planning
Current Planning



View of site looking east across Harlan Street



View of north end of site looking northeast across Harlan Street



View looking northwest



View of site from bordering north / south alley looking west



View of site from bordering north / south alley looking west



View of site from bordering north / south alley looking west



View of site from bordering north / south alley looking west